

**Franklin County Schools**  
***Code of Behavior and Discipline***  
**2016 -17 School Year**

Annually, after gathering recommendations and input from various groups, this ***Code of Behavior and Discipline*** is updated to notify students, parents/guardians/legal custodians, school system employees, and others of expected standards of student behavior, as well as the consequences of the failure to obey such standards. **Items in red have been added or changed since last year.**

This ***Code of Behavior and Discipline*** has been developed in accordance with applicable federal and state laws as well as relevant policies of the Franklin County School Board to help provide and maintain a safe and secure learning environment for all students, completely free of drugs, drug paraphernalia, dangerous weapons, and threats of physical or psychological harm. The learning environment in every school must be not only safe and orderly, but pleasant, cordial, and very positive where all students realize that they are valued and treasured and where all students are not only able to learn, but eager to learn.

**Parents/Guardians/Legal Custodians:**

Please read the following information very carefully so that both you and your child will know the expected standards of behavior, as well as the consequences of the failure to obey.

This latest ***Code of Behavior and Discipline*** including the *Acceptable Use Policy* (Use of Internet, Section XII) can be found on the system's web-site.



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**Franklin County Schools**  
**Code of Behavior and Discipline**  
**2016 – 17 School Year**

**Section I — Introduction**

Annually, after soliciting recommendations and input from parents/guardians/legal custodians, employees, appropriate law enforcement agencies, and youth-related agencies in the community, this *Code of Behavior and Discipline* is up-dated to notify students, parents/guardians/legal custodians, school system employees, and others of the standards of expected student behavior, and the consequences of the failure to obey such standards. **Items in red have been added or changed since last year.**

**Section II — Purpose**

This *Code* is revised annually to comply with both federal and state laws as well as the applicable policies of the Franklin County School Board to help provide and maintain a safe and secure learning environment, free of drugs, drug paraphernalia, dangerous weapons, and threats of physical or psychological harm. Efforts will be made to ensure that the learning environment in every school is not only orderly, but pleasant, cordial, and very positive where all students are valued and treasured, and where all students are not only able to learn, but eager to learn. The Director of Schools shall be responsible for the overall implementation and supervision of the *Code of Behavior and Discipline* and each school principal shall be responsible for the administration and implementation of the *Code* within the school.

**Section III — Expectations**

**Article 3.1 — Rights and Responsibilities** (Board Policy 6.301)

The Board expects all school staff, students, and parents/guardians/legal custodians to assume the responsibility for appropriate behavior in the school.

Each student has the right to:

1. Have the opportunity for a free education in the most appropriate learning environment;
2. Be secure in his/her person, papers, and effects against unreasonable searches and seizures;
3. Expect that the school will be a safe place;
4. Have an appropriate environment conducive to learning;
5. Not be discriminated against on the basis of sex, race, color, creed, religion, natural origin, or disabilities; and
6. Be fully informed of school rules and regulations.

Each student has the responsibility to:

1. Know and adhere to reasonable rules and regulations established by the Board;
2. Respect the human dignity and worth of every other individual;
3. Refrain from libel, slanderous remarks, and obscenity in verbal/written expression, or possession of pictorial/ pornographic materials, including, but not limited to, the inappropriate use of cell phone/computer photography on school grounds or at school-related events or activities;
4. Study and maintain the best possible level of academic achievement;
5. Be punctual and present in the regular school program;

6. Dress (see Article 3.3) and groom in a manner that meets reasonable standards of health, cleanliness, modesty, and safety;
7. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities;
8. Refrain from behavior which would lead to physical or emotional harm or disrupt the educational process;
9. Respect the authority of school administrators, teachers, and other authorized personnel in maintaining discipline in the schools and school-sponsored activities;
10. Obey applicable state and federal laws, school board policies, and school rules in regard to the possession, use, and/or sale of alcohol, illegal drugs, and other unauthorized substances or materials; and
11. Possess only those materials on school grounds that are acceptable under the law and school and board policies and accept the consequences for articles stored in one's locker.

**Article 3.2 — Guidelines for the Conduct of Students**

Students are expected to behave as ladies and gentlemen at all times and to continually develop self-discipline. Students should show respect for others, for school property and the property of others at all times. The following statements shall serve as guidelines for student conduct:

- Treat others as you would like to be treated.**
- Show respect for teachers' rights to teach and students' rights to learn.**
- Arrive at school on time and remain all day.**
- Take care of school and personal property.**
- Do your best.**

**Article 3.3 — Dress and Appearance** for Students in Middle and High School (Board Policy 6.310) revised 5-9-2016

The Franklin County School System is committed to help create and maintain the very best learning environment possible. A correlation certainly exists between appropriate attire and a positive learning environment.

Any dress or hairstyle that is considered contrary to good hygiene, distracting or disruptive in appearance, detrimental to the educational environment or to the public image of the school shall not be allowed. The administration of the school reserves the right and responsibility to determine whether a student's attire is within the limits of appropriateness for school, decency, and modesty. In matters of opinion, the judgment of the principal/designee shall prevail.

A uniform dress code is in effect at the middle schools and high schools. The uniform dress code will include solid khaki (khaki-colored) pants, skirts, **shorts, skorts, capris** or appropriately solid-colored jeans, denim skirts, **shorts, skorts or capris** with no holes. Pants will be belted at the waist when appropriate. **Shirts will be collared, or crew necked, with sleeves. Shirts may be solid-colored or patterned. The only logos that may be on a shirt will be – logos no larger than a six (6) by six (6) inch square.** Shirts must completely cover the abdomen, back, shoulders, midriffs, and cleavage. Shirts will be tucked in the pants or skirts or, at the discretion of the school, allowed to be worn on the outside if worn neatly. Spirit wear depicting the school of attendance is considered appropriate attire.

The following specific expectations have been established to help create and maintain the best learning environment:

1. All clothing must be clean, appropriate for school, and size appropriate. Clothing must not have holes, be cut-off, ripped, or see-through. **The only logos allowed must meet the six (6) by six (6) inch square requirement on shirts or logos on spirit wear. Spirit wear is any clothing item that displays the student's assigned school's logo or publicizes a class, club or team that is recognized by the assigned school.**



2. Shorts, skorts and capris must cover to the top of the knee when standing.
3. If leggings, jeggings, or tights are worn, the student's top or outer garment must cover to the top of the knee when standing.
4. Skirts shall be at least knee length when the girl is standing erect. Slits in dresses or skirts shall not exceed three inches above the front and/or back of the knee.
5. Pants must be worn above the hip-bone; sagging/bagging is not allowed. At this time, low rider and hip hugger style pants are permissible.
6. All coats, jackets, sweaters, sweatshirts, and any other kind of outer wear must be a solid color or patterned. Outer wear that is spirit wear depicting the school of attendance may be worn.
7. Footwear is required and must be worn; footwear must be safe and appropriate for indoor and outdoor activities. Inappropriate footwear includes, but is not limited to, house shoes/bedroom slippers, and skate shoes.
8. Clothing and accessories including, but not limited to, book bags, backpacks, belt buckles, patches, jewelry, and notebooks must not contain or have printed on them racial/ethnic slurs or symbols, gang symbols/affiliations, or vulgar, obscene, subversive, sexually suggestive language, symbols, or images.  
  
Clothing and accessories such as book bags, backpacks, belt buckles, patches, jewelry and notebooks shall not be derogatory to any individual or groups, or disruptive to the school environment.  
  
Clothing or accessories shall not promote products which students may not legally buy such as alcohol, tobacco, illegal drugs, and controlled substances or promote violence.
9. Items which are prohibited include, but may not be limited to:
  - a. Head apparel (hats/caps, scarves, hair picks, stocking caps, hair curlers, the hoods on hoodies or jackets, etc.) inside the school building, except for religious or medical purposes — doctor's verification of need is required;
  - b. Sunglasses inside the school building, except for health purposes – doctor's verification of need is required;
  - c. Visible body piercing jewelry (including tongue piercing) other than earrings (if worn, earrings must not pose a threat to the student's safety nor be disruptive to the peace and good order of the schools);
  - d. Large, long, and/or heavy chains (including billfold chains); and
  - e. Trench coats, except as needed in very extreme weather.

Tattoos and other similar markings of the skin are discouraged (offensive tattoos must be covered).

The principal may allow exceptions for some of the above listed items for special school activities (this should be very limited) — the noted allowances/exceptions must be made known prior to the special scheduled event.

Appropriate corrective/disciplinary action will be taken by the school administration if a student comes to school in clothing that is not deemed to be appropriate. Corrective/disciplinary action may include, but is not limited to, calling parents to bring appropriate clothing, detention, in-school suspension and/or other disciplinary action as deemed appropriate. Three (3) dress code violations will result in suspension to the Alternative School for no less than twenty (20) days. The principal's discretion shall prevail in regard to appropriate attire for all after-school activities.

The Board expects the Director of Schools to require all principals and all certificated personnel to enforce the above dress code in a consistent manner.

*The Board Policy 6.3101 titled 'Dress Code for Elementary School' can be found on the system's website fcstn.net under 'District', then 'School Board', then 'FCBOE Online Policies', as well as the above Board Policy 6.310.*

**Article 3.4 — Use of Cellular Phones and Other Personal Devices in School** (Board Policy 6.312)

The use of cellular phones and other communication devices by students upon entering the school building is not permitted; furthermore, the use of cellular phones by students on school premises is not allowed during the regular school day (8:00 a.m. to 3:00 p.m.) and other instructional times. Additionally, as a safety precaution, students are not to use cellular phones and other communicative devices on a school bus without the special permission of the bus driver. For the purpose of this policy, use of such a device means either receiving or sending a message by the emission of an audible signal or sound, vibration, or visual display. If the cellular phone or other device emits a sound, or vibration, or displays a message, whether or not it is answered, it is considered to be in use.

Possession of a cellular phone or other communication device is not a violation of this policy (except for elementary school students who are not permitted to have a cell phone at school) if the phone or device is kept concealed and out of sight in a purse, pocket, book-bag, locker, or automobile and is not in use during the regular school day. Not keeping the phone or device out-of-sight during the regular school day (from 8:00 a.m. to 3:00 p.m.), or using a picture phone inappropriately during the time phones can be used, will result in disciplinary action determined by the principal.

School employees who discover a student using a phone or other personal communication device in violation of this policy shall report the violation to the principal/designee or school administration. Violation of this policy will result in the student's cell phone being confiscated for seven (7) days. A student may choose to have his/her cell phone returned before the end of the seven (7) days by paying a twenty-five dollar (cash only) fine at the end of the school day in the main office.

If a student fails to relinquish his/her cell phone to the teacher or the principal, the student will be automatically sent to the Alternative School for twenty (20) days and subject to all rules and regulations thereof (including random drug testing). Additional disciplinary/corrective actions may be taken to ensure that instructional time is protected and that safety is not compromised.

Students who use the camera component of the cell phone are subject to additional disciplinary measures, as well as reported to the appropriate law enforcement agency, if deemed appropriate.

Students and parents are to be properly informed of this policy through the normal process (as included here in this *Code of Behavior and Discipline*) of informing them of school rules and regulations.

The use of cell phones by staff members shall be at the discretion of the school principal.

**Article 3.5 — Off-Campus Events**

Students at school-sponsored, off-campus events shall be governed by the appropriate rules and regulations of the school or school system and are subject to the authority of the school personnel.

**Article 3.6 — Attendance** (Board Policy 6.200)

The Franklin County School System believes student attendance is essential for student achievement and academic success. Students are expected to be present each day that school is in session. Students must be in attendance three (3) hours and sixteen (16) minutes during a school day to be counted present for the day.

Every parent, guardian, or legal custodian residing within the state of Tennessee having control or charge of any child or children between six (6) years of age and seventeen (17) years of age, both inclusive, shall cause such child or children to attend public or non-public school, and in event of failure to do so, shall be subject to the penalties hereinafter provided. Tennessee state law requires every child to attend school until his/her eighteenth birthday or until he/she has a high school diploma or **high school equivalency**.

Per Tennessee law (TCA§49-6-3009), any parent, guardian or legal custodian having control of a child or children and who violates the provisions under the Tennessee compulsory attendance law commits a Class C misdemeanor. Per state law TCA§49-6-3007(f), for each day the child or children have missed school without the proper excuse a parent may be fined fifty (\$50.00) dollars or thirty (30) days in jail for each separate day of unexcused absence. Court costs will also be assessed against the parent case.

All absences must be covered with a parent's note, doctor's note, or other legal note (i.e., Department of Children Services, court, etc.). Five (5) parent notes can be used during the year for excused absences. The notes must include student's name, valid reason for absence, date of absence, parental signature, and phone number at which the parent, guardian, or legal custodian can be reached. A doctor's excuse will be required after five (5) days of absences. All notes must be submitted to school before the third day after the student returns to school. Notes containing obvious changes or errors will not be accepted. Forged notes/signatures will be turned over to the proper authorities. The school administration has the right to accept or deny parent/guardian/legal custodian notes over the five-day limit. A student who has five (5) or more unexcused absences is truant.

Absences and tardiness shall be classified as either excused or unexcused as determined by the principal/designee. Excused absences shall include:

1. Personal illness;
2. Illness of immediate family member;
3. Death in the family;
4. Extreme weather conditions;
5. Religious observances;
6. College visits;
7. School sponsored or school related activities;
8. Summons, subpoena, or court order; or
9. Circumstances which in the judgment of the principal create emergencies over which the student has no control.

Excused tardiness shall include circumstances which in the judgment of the principal create emergencies over which the student has no control. The principal will take into consideration verification from an official (doctor, court, etc.) in making the determination. The principal will determine the number of parent written excuses (per semester or per year) that will be accepted when considering the determination for an excused tardy.

Parents have the right to appeal at the school level any, and all, absences which are deemed to be coded inappropriately. Disciplinary action taken for tardies/lates and credit received for makeup work will be determined by school administration.

TCA§49-6-3007 requires written notice to be sent to parent/guardian/legal custodian when a student misses five (5) days without proper excuse. Upon receipt of written notice, student and parent/guardian/legal custodian must comply within three (3) days. The student must report to school (be in attendance) and the parent/guardian/legal custodian must contact the school. Failure to comply will result in a truancy petition filed in juvenile court on behalf of the student. Days suspended from school do not count as an unexcused day for attendance purposes (truancy); however, suspended days do accrue for the purpose of obtaining and/or retaining a Tennessee driver's license.

The State of Tennessee considers a student withdrawn from school if he/she misses ten (10) consecutive or fifteen (15) cumulative unexcused days in a single semester.

### **Article 3.7 - Attendance in Regard to Getting and/or Keeping Driver's License**

TCA§49-6-3017 states that the Department of Safety has the right to deny driver's license privileges to persons under eighteen (18) not enrolled in school and not making "satisfactory academic progress." The law describes "satisfactory academic progress" as making a passing grade in at least three (3) full unit subjects or their equivalency at the conclusion of any subsequent grading period. The State of Tennessee considers a student withdrawn from school if he/she misses ten (10) consecutive or fifteen (15) cumulative unexcused days in a single semester. Any student under 18 years of age missing ten (10) consecutive or fifteen (15) total unexcused days of school during any semester or fails to pass three (3) full unit subjects in a single semester renders himself/herself ineligible to obtain or retain a driver's license.

In order for a student to qualify for reinstatement of a revoked driver's license, he/she must attend school as prescribed by law and make a passing grade in at least three (3) full unit subjects or their equivalency at the conclusion of any grading period. Grading periods for driver's license purposes are at the end of the semester. The attendance office at the Central Office has the responsibility to appropriately notify the Department of Safety of all revocation and re-instatements.

School attendance records must be given the same level of confidentiality as other student records. Only authorized school officials with legitimate educational purposes may have access to student information without the consent of the student or parent/guardian/legal custodian.

### **Article 3.8 — Physical Examinations and Immunizations** (Board Policy 6.402)

A complete physical examination is required of every student prior to:

1. Entering school for the first time. This applies to kindergarten, first grade and other students for whom there is no health record; and
2. Participation as a member of any athletic team or in any other physical activity program.

Cost of the examination shall be borne by the parent or guardian of the students.

No student entering school, including kindergarten or first grade, those from out-of-state and those from nonpublic schools, will be permitted to enroll (or attend) without proof of immunization, as determined by the Commissioner of Public Health. It is the responsibility of the parents/guardians to have their children immunized and to provide proof to the principal of the school which the student is to attend. Exceptions, in the absence of an epidemic or immediate threat thereof, will be granted to any child whose parent or guardian shall file with school authorities a signed, written statement that such measures conflict with his/her religious tenets and practices; or due to medical reasons if such child has a written statement from his/her doctor excusing him from such immunization.

### **Article 3.9— Medicine** (Board Policy 6.405) *amended – October, 2016*

If under exceptional circumstances a child is required to take non-prescription or prescription medication during school hours and the parent/guardian/legal custodian cannot be at school to administer the medication, only the principal or the principal's designee will assist in self-administration of the medication if the student is competent to self-administer medicine with assistance in compliance with the following regulations:

Written instructions **signed by the parent/guardian/legal custodian** will be required and will include:

1. Child's name;
2. Name of medication;
3. Name of physician;
4. Time to be self-administered;
5. Dosage and directions (**on the original container**) for self-administration (non-prescription medicines must have label directions);

6. Possible side effects, if known; and
7. Termination date for self-administration of the medication.

The medication must be delivered **in the original container** to the **nurse's** office in person by the parent/guardian/legal custodian of the student unless the medication must be retained by the student for immediate self-administration (i.e., students with asthma).

Volunteer personnel, trained by a registered nurse, may administer glucagon in emergency situations to a student based on that student's Individual Health Plan (IHP).

The administration/designee will:

1. Inform appropriate school personnel of the medication to be self-administered;
2. Keep written instructions from parent/guardian/legal custodian in student's record;
3. Keep an accurate record of the self-administration of the medication;
4. Keep all medication in a locked cabinet except medication retained by a student, per physician's order;
5. Return unused prescription to the parent/guardian/legal custodian only; and
6. Ensure that all guidelines developed by the Department of Health and the Department of Education are followed.

The parent/guardian/legal custodian is responsible for informing the designated official of any change in the student's health or change in medication. A copy of this policy shall be provided to the parent/guardian/legal custodian upon receipt of a request for long-term administration of medication.

#### ***Students with Pancreatic Insufficiency or Cystic Fibrosis***

Students diagnosed with pancreatic insufficiency or cystic fibrosis shall be permitted to self-manage their prescribed medication in a manner directed by a licensed healthcare provider without additional assistance or direction. The Director of Schools shall develop procedures for the development of an Individual Health Plan (IHP) and an Emergency Care Plan (ECP) that conforms to state law for every student with pancreatic insufficiency or cystic fibrosis that wishes to self-medicate.

#### **Article 3.10– Meningococcal: Information about the Disease and Vaccines** (TCA 49-6-5005)

Source: “*Meningococcal Questions and Answers*” by Immunization Action Coalition located at St. Paul, MN 55104, ([www.vaccineinformation.org](http://www.vaccineinformation.org))

**What causes meningococcal disease?** Meningococcal disease is caused by the bacterium *Meisseria meningitides*. This bacterium has at least 13 different serogroups. Five of these serogroups, A, B, C, Y, and W-135, cause almost all invasive diseases. The relative importance of these five (5) subgroups depends on geographic location and other factors.

**How does meningococcal disease spread?** The disease is spread person-to-person through the exchange of respiratory and throats secretions (e.g., by coughing, kissing, or sharing eating utensils). Meningococcal bacteria can't live for more than a few minutes outside the body, so the disease is not spread as easily as the common cold or influenza.

**What are the symptoms of meningococcal disease?** The most common symptoms are high fever, chills, lethargy, and a rash. If meningitis is present, the symptoms will also include headache and neck stiffness (which may not be present in infants); seizures may also occur. In overwhelming meningococcal infections, shock, coma, and death can follow within several hours, even with appropriate medical treatment.

**How serious is meningococcal disease?** Meningococcal disease is very serious. About 9 -12 % of people with meningococcal disease die even with appropriate antibiotic treatment. Of those who

recover, up to 20% suffer from serious after-effect, such as permanent hearing loss, limb loss, or brain damage.

**Is there a treatment for meningococcal disease?** Bacterial meningitis can be treated with antibiotics. It is critical to start treatment early.

**If a child is diagnosed with meningococcal disease, can anything be done to protect other children with whom he has contact?** Individuals who have been exposed to a person with bacterial meningitis can be protected by being started on a course of antibiotics immediately (ideally within 24 hours of the patient being diagnosed). This is usually recommended for household contacts and children attending the same day care or nursery school. Older children and adults (e.g., who are in the same school or church) aren't usually considered exposed unless they have had very close contact with the infected person.

In addition to the antibiotic treatment, vaccination may be recommended for people two years of age or older if the person's infection is caused by meningococcus type A, C, Y, or W-135, all of which are contained in the meningococcal vaccine.

**How is the vaccine given?** One vaccine is (MPSV4) given as an injection into the fat of the arm and another vaccine is given in the muscle. The vaccine may be obtained at the office of the family doctor or local health department.

**Who should get the meningococcal vaccine?** MCV4 is recommended for all children and teens, ages 11 through 18 years of age. Vaccination is recommended for other people who are deemed to be at increased risk.

More information can be found at [www.vaccineinformation.org](http://www.vaccineinformation.org) and [www.immunize.org](http://www.immunize.org).

**Article 3.11 — *Bus Conduct*** (Board Policy 6.308)

Bus transportation is only provided from a student's residence to the school for which a student is zoned; the student is then transported back to the student's residence after school is released. In order to maintain conditions and atmosphere suitable for learning, no person shall board a school bus except students assigned to that bus, or other persons with lawful and valid business on the bus. A violation of this law is a Class A misdemeanor.

The school bus is an extension of school activity; therefore, students shall conduct themselves on the bus in a manner consistent with the established standards for safety and classroom behavior. The bus driver is in charge; insubordination will not be tolerated.

Some safe tips for the school bus are:

- Students should be at the assigned bus stop five (5) minutes prior to the arrival of the bus.
- Students should remain about ten (10) steps from the scheduled bus stop until the driver signals that it is safe to board or cross the street and then proceed cautiously by looking both ways before crossing in front of the bus and by being alert to all vehicular traffic. Similar precautions shall be taken when exiting the bus.
- Students must board the bus only after the bus is fully stopped and the driver signals that it is safe to board or cross the street; similarly students are to leave their seats at the appropriate stop only after the bus has completely stopped.
- Students should get on and off the bus in an orderly manner; crowding, pushing, and shoving are not only unnecessary, but also very dangerous.
- Students shall treat all school bus drivers with the respect that is customarily shown to all parents/guardians/legal custodians and teachers. Students must be encouraged to cooperate and to follow the instructions of the bus driver.
- Students are not permitted to open and/or close windows without permission from the bus driver.

- Students must keep their heads, arms, and legs inside the bus at all times; failure to do so could result in serious injury.
- Students shall keep the aisle and doorway clear at all times; book bags, musical instruments, etc., are to be held on the students' laps or placed on the floor.
- Eating, drinking, and chewing gum are not permitted on the school bus; the use of cell phones (electronic devices) is not allowed on school buses unless approved by the bus driver.
- Students are not to throw objects on the bus, into the bus, or from the bus.
- Students are prohibited from lighting matches, spitting, littering, and using any tobacco products; additionally, fireworks are not allowed on school buses.
- Students are not to scream, yell, or fight on the school bus; these behaviors and other disruptive behaviors present a serious danger to the driver and others. The school administrator, when deemed necessary, shall take immediate appropriate disciplinary actions, including suspension from riding the bus for a short time, or the remainder of the school year.
- A student should report any lost or dropped item(s) to the bus driver.
- Parents/guardians/legal custodians are asked to help their child(ren) and others, when possible, to cross the street to obtain access to the school bus.
- Students are to remain seated throughout a bus trip and not get out of their seats while the bus is moving.
- Students are to use the emergency door for emergencies only.

Any student wishing to ride a bus other than his/her designated bus (for one day or one trip) must have written permission and approval of the principal or his/her designee. The transportation department may determine that students cannot ride on a bus other than his/her designated bus when buses become fully loaded with the students assigned to the bus. At that point, the transportation department will notify the affected schools that no bus passes may be issued for those particular buses.

Any problems associated with the transportation of students should be reported as soon as possible to the **Director of Transportation ([brian.norwood@fcstn.net](mailto:brian.norwood@fcstn.net))**.

### **Article 3.12 -- School Messenger**

This system-wide communication system is used to notify parents in a timely manner of any change to the normal school day (early dismissal, closure, etc.) and other important announcements of the school and/or school system. Correct and valid telephone numbers or emails are critical for this system to work effectively. Notifications issued through **School Messenger** will be received, accurately, and promptly, if the parent/guardian/legal custodian ensures that the student contact information on file at school is current. Please notify the school if there are changes in regard to appropriate contact information.

### **Article 3.13 — Safety** (Board Policy 3.201) and Safety Plan – System Level and School Level

Numerous efforts are made to ensure the safety and well-being of all students and staff during the regular school day as well as before and after school. A system-wide safety plan with established procedures has been developed to address specific emergencies; furthermore, each school has its own safety plan with an identified safety team to assume control of the situation if an emergency occurs. Safety drills are conducted at least ten (10) times a year at every school; the school buses even have safety drills to help in a crisis situation.

One facet of the safety drill is a 'lockdown'. During an established 'lockdown', students will not be released from the building. In a lockdown all students and staff are located (possibly re-located) in the area of the building that is deemed to be most secure. The students and staff practice assuming the 'safest position'; both students and staff stay in this area in the appropriate position until notification is received that the circumstances are safe for all students and staff to return to their normal placement. In a real emergency, the immediate safety of students and staff is the greatest concern; however, the school

administrator will make efforts to communicate with the appropriate responsible adults as soon as possible.

**Article 3.14 — Transfers Within the System** (Board Policy 6.206)

During summer break, up to two (2) weeks prior to the beginning of the school year, a parent/guardian of may request that his/her child attend a school other than the one to which the child is zoned (to the school for which bus service is provided). The director of schools or his/her designee shall review such requests and, if adequate space is available, grant such transfers unless a transfer would be adverse to the best interests of the child or school system. The student must provide his/her own transportation to and from the school. The student is expected to remain in this school for the school year. After a student has enrolled in a particular school in accordance with Board Policy, he/she will not be permitted to transfer to another school during the school year unless there is a change in residence of the student's parent/guardian/legal custodian if it is a school outside his/her zone. Any exception to this policy must be brought before the Director of Schools for evaluation and decision.

**Section IV — Acts in Violation of Laws** (TCA 49-6-4301)

All acts committed by a student that are in violation of the law shall be reported immediately to the local law enforcement officials by the school principal or designee. Examples (not to be considered an exclusive listing) of such offenses are:

1. The use, sale, or possession of illegal drugs or drug paraphernalia on school property, a school bus, or at any school event or activity;
2. The illegal use, sale, or possession of other controlled substances such as prescription drugs or facsimiles (look-alike drugs) whose possession, transfer, or use thereof is regulated in any manner by any governmental agency, or is not in the best interest of the school or its students;
3. The sale of alcohol on school property, a school bus, or at any school event or activity. The use and/or possession of alcohol on school property, a school bus, or at any school event or activity may be handled administratively or reported to a law enforcement agency, depending upon the situation;
4. The possession of pistols, guns, or firearms, real or look-alike, operable or non-operable; knives or other edged weapon(s), or any other weapon as defined in TCA 39-17-1301; chemicals, such as tear gas or mace, which have the capacity to injure or make an individual defenseless, and explosive or incendiary devices on school property, a school bus, or at any school event or activity (TCA 39-17-1309);
5. A physical assault, or threatened physical assault, to a teacher, principal, student, School Resource Officer or other employee of the school system (TCA 39-13-101);
6. Battery (TCA 39-13-101);
7. Manslaughter (TCA 39-13-211);
8. Kidnapping (TCA 39-13-303);
9. Robbery (TCA 39-13-401);
10. Rape (TCA 39-13-503);
11. Statutory rape (TCA 39-13-506);
12. Sexual battery (TCA 39-13-505);
13. Attempted rape (TCA 39-12-101);
14. Threats, intimidation or extortion (TCA 39-14-112);
15. Arson (TCA 39-14-301);
16. Criminal trespass/trespass in a school building (TCA 39-14-405);
17. Injuring or defacing school property (TCA 39-14-408); and



18. Interference with government operations (false reports; i.e., intentionally initiating or circulating a report of a past, present, or impending bombing, fire or other emergency, knowing that the report is false or baseless) (*TCA 39-16-502*).

**Article 4.1** — ***Use of Tobacco Products*** (*Board Policy 1.803*) revised 6-9-2014

All uses of tobacco and tobacco products, including smokeless tobacco, electronic cigarettes, and associated paraphernalia (personal vaporizers, etc.) are prohibited in all of the school district's buildings and in all vehicles owned, leased, or operated by the school system. Smoking shall be prohibited in all public seating areas, including but not limited to, bleachers used for sporting events, or public restrooms.

District employees and enrolled students are not permitted to use tobacco or tobacco products, including smokeless tobacco and electronic cigarettes (personal vaporizers, etc.), while they are participants in any class or activity in which they represent the school system.

Any student who possesses tobacco products shall be issued a citation by the school principal/resource officer to appear in Juvenile Court.

*TCA 39-7-1505* (2001) prohibits any person under the age of 18 to possess, purchase, or accept receipt of a tobacco product. Furthermore, it is illegal to present or offer unto any person any false proof of age for the purpose of purchasing or receiving any tobacco product. Violation of this code is punishable by a fine between \$10 and \$50 and up to 50 hours of community service. *Source: NASBE Policy Database.*

*TCA 39-17-1604* (2000) prohibits smoking in all public and private kindergarten, elementary and secondary schools. Adult staff members are, however, permitted to smoke outdoors, but not within 50 feet of any entrance into the building, and on school grounds after school hours, but not blocking any entrance to any building and not in any public seating area, bleachers or sporting events, or public restrooms. Additionally, *TCA 39-17-1803* (2007) prohibits smoking in enclosed school buildings. *Source: NASBE Policy Database.*

**Article 4.2** — ***Student Alcohol and Drug Testing*** (*Board Policy 6.3071*) revised 5-9-2016

According to *TCA 49-6-4213*, a student may be subject to testing for drugs if there are reasonable indications to the principal that said student may have used or is under the influence of drugs. The standards of reasonableness stated below must be met. Tests shall be conducted by properly trained persons in circumstances that ensure integrity, validity, accuracy of the tests but are minimally intrusive and maximum privacy to the tested student.

Students will be notified in writing at the beginning of each school year or at the time of enrollment that they shall be subject to testing for drugs and alcohol during the school year. Principals are authorized to order drug tests for an individual student when the following standards of reasonableness are met:

1. The school board policy on alcohol and drug use has been violated;
2. A search of lockers produced evidence of the presence of drugs and/or alcohol;
3. A search of persons and/or containers produced evidence of a presence of drugs and/or alcohol;
4. A search of vehicles produced evidence of the presence of drugs and/or alcohol; or
5. Through observation or other reasonable information reported by a teacher, staff member of another student that a student is using drugs and/or alcohol on school property.

**Alcohol**

Students shall not acquire, possess, use, sell, attempt to sell, purchase, barter, distribute, or be under the influence of alcoholic beverages or intoxicants of any kind in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds.

The school principal shall be immediately notified when a student is suspected of violating this policy. The incident shall be investigated; the process of gathering facts shall be completed. The principal shall not take action without first advising the student of the nature of his/her misconduct, questioning the student about the nature of the misconduct, and allowing the student to give an explanation. If the school principal feels that this policy has been violated, the principal shall:

1. Notify the student's parent(s) or guardian;
2. Notify the appropriate law enforcement agency, and turn over all contraband for laboratory testing; and
3. Take appropriate disciplinary action.

#### **Illegal or Controlled Substances, Imitation Drugs, and Drug Paraphernalia**

Students shall not acquire, possess, use, sell, purchase, barter, distribute, or be under the influence of illegal or controlled substances or any substance used as a drug, in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds.

Nor will students be in possession of, or attempt to market or distribute any substance which is represented to be or substantially similar in color, shape, size or markings of a controlled substance (imitation drug) in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds.

Students shall not be in the possession of drug paraphernalia in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds.

The school principal shall be immediately notified when a student is suspected of violating this policy. The incident shall be investigated; the process of gathering facts shall be completed. The principal shall not take action without first advising the student of the nature of his/her misconduct, questioning the student about the nature of the misconduct, and allowing the student to give an explanation. If the school principal feels that this policy has been violated, the principal shall:

1. Notify the student's parent(s) or guardian;
2. Notify the appropriate law enforcement agency, and turn over all contraband for laboratory testing; and
3. Take appropriate disciplinary action.

Incidents involving drugs and controlled substances shall be handled in consideration of the Zero Tolerance Policy 6.309.

#### **Testing Procedures**

If a drug test is to be administered, the principal or properly trained designee shall take the following steps:

1. Call the student into the principal's office or another private place;
2. Summon an appropriate witness to the proceeding and to assist in furtherance of the proceeding;
3. Inform the student of the substance of the information available to him/her which is the basis for the determination that a test is necessary;
4. Inform the student of the procedures which shall be followed in administering the test;

5. Give the student an opportunity to decline the test and inform the student that if the test is not taken, the penalty shall be suspension from school and a hearing before the disciplinary hearing authority;
6. Notify the parent or guardian of the student before any drug test is administered;
7. A person trained in collecting and handling drug test specimens shall take the student to a designated place in the school and collect a specimen from the student. A specimen shall be taken in a manner which will reasonably protect the privacy of the student and will insure the integrity of the specimen is not compromised; and
8. The specimen will be forwarded for analysis to a laboratory accredited by the Tennessee Department of Health and Environment.

Upon receiving a written, certified copy of the analysis from the laboratory, the principal or designee shall do one of the following:

1. If the results of the analysis are negative, all evidence of the individual test, including all records in the school that the test was ordered and reasons therefore, shall be destroyed; or
2. If the student refuses to submit to drug testing or if the results of the analysis are positive, the student and parents or guardian shall be notified and provided a copy of the test results. In addition, they will receive referral information which shall include community resources for community-based drug/alcohol assessment and treatment programs, or
3. In the case of positive results of a drug analysis, the principal or his/her designee shall suspend the student from school following the suspension guidelines in Board Policy 6.309 for Zero Tolerance Offenses.

The principal or his/her designee will also notify the proper law enforcement authorities.

#### **Random Drug Testing**

Due to the severity of the drug use problem, both locally and throughout the state, students involved in any voluntary athletic activities shall be subject to random drug tests. Parents and students will be informed of this policy prior to participation and shall sign a consent to the drug testing and a release of information as a condition of participation.

Information regarding drug testing of athletes can be found in Board Policy 6.3072.

#### **Article 4.3 — Weapons and Dangerous Instruments** (Board Policy 6.309)

Students shall not possess, handle, transmit, use, or attempt to use, any dangerous weapon in school buildings or on school grounds at any time, or in school vehicles and/or on school grounds, at a school-sponsored activity, function, or event.

Dangerous weapons, for the purpose of this policy, shall include, but are not limited to, a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury, or anything that in a manner of its use, or intended use, is capable of causing death or serious bodily injury. Appropriate disciplinary actions will be taken if a student is found to violate this section. Possession of a firearm on school property is a *Zero Tolerance Offense* and the student shall be expelled for not less than one (1) calendar year; the decision may be appealed to the Director of Schools.

#### **Article 4.4 — Recovery for Damage** (Board Policy 6.709)

Students who destroy, damage, or lose school property, including, but not limited to, buildings, school buses, books, equipment, and records, will be responsible for the actual cost of replacing or repairing such materials or equipment.

State law (*TCA 37-10-101*) allows a school system to recover damages from the parents/guardians/legal custodians of all minors under eighteen (18) years of age who maliciously or willfully cause personal injury or destroy(s) property, real, personal or mixed, belonging to the school system. The recovery shall

be limited to the actual damages in an amount not to exceed ten thousand (\$10,000) dollars, together with court costs and attorney fees.

**Article 4.5 - Reinstate Driver's License/Tennessee Drug-Free Youth Act** (TCA 49-6-451)

*In compliance with Juvenile Offender Act TCA 55-10-70; more information may be obtained from the Department of Safety.*

The Tennessee Drug-Free Youth Act provides for the denial of driver's licenses for alcohol and other drug convictions of persons ages 13-17. For the first offense, the driver's license can be revoked by the Department of Safety for one (1) year or until the person becomes 17, whichever is longer. For second and subsequent offenses, the license can be denied for two (2) years or until the person becomes 18, whichever is longer. For persons ages 12 or under, the Tennessee Drug-Free Youth Act does not provide a penalty for alcohol-drug related offenses; therefore, the Juvenile Court will designate the penalty according to the offense.

If a student's ability to operate a motor vehicle is suspended due to a drug or weapon charge heard by Juvenile Court, the student must return to Juvenile Court in order to have the driving restrictions lifted. The student may apply for reinstatement by filing of a motion obtained from the Juvenile Court Clerk's office. To qualify for a reinstatement, the student must have attended a court ordered class and the student's suspension must have expired. Alternatively, the student may apply for an early reinstatement or restricted license under certain circumstances. Again, such a request for an early reinstatement may be accomplished by filing a motion with the Juvenile Court Clerk's office. The Juvenile Court Clerk's office will inform the student of the appropriate court date.

***More information about the Juvenile Offender Act may be obtained from the Department of Safety (TCA 55-10-701).***

**Section V — Disciplinary Sanctions** (*Board Policy 6.313*)

The following levels of misbehavior and disciplinary options are designed to protect all members of the educational community in the exercise of their rights and duties.

**Level I Misbehaviors:** This is minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school but which can and should be handled by an individual staff member.

*Examples (not an exclusive listing):*

- Inappropriate note writing and/or passing
- Inappropriate access to, possession of, and use of technology
- Dress that is offensive or distracting and attracts undue attention
- Classroom disturbances
- Classroom tardiness
- Cheating and lying
- Abusive language
- Non-defiant failure to do assignments or carry out directions
- Discrimination/harassment based on gender, sexual orientation, race, ethnicity, religion, and physical condition or appearance

***Disciplinary Options:***

- Behavior contracts
- In-School-Suspension, only if properly supervised, and/or Out-of-School Suspension
- Time-out, only if properly supervised
- Verbal reprimand
- Special assignment
- Restricting activities

- Assigning work detail
- Counseling
- Withdrawal of privileges
- Strict supervised study
- Detention, only when available and where properly supervised
- Corporal punishment (in compliance with school board policy)

*The severity of the offense could require the assistance of a school administrator.*

**Level II Misbehaviors:** This is misbehavior whose frequency or seriousness tends to disrupt the learning environment of the school. Included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of the administrative personnel.

*Examples (not an exclusive listing):*

- Continuation of unmodified Level I behaviors
- School or class tardiness
- School or class truancy
- Use of tobacco – requires citation to Juvenile Court if less than eighteen (18) years of age
- Using forged notes or excuses
- Disruptive classroom behavior
- Discrimination/harassment based on gender, sexual orientation, race, ethnicity, religion, and physical condition or appearance
- Libel, slanderous remarks, and obscenity in verbal/written expression, or possession of pictorial/pornographic materials, including, but not limited to, the inappropriate use of cell phone/computer photography on school grounds or at school-related events or activities

***Disciplinary Options:***

- Teacher or class schedule changed
- Modified day for student
- Behavior modification
- Referral to outside agency
- In-School-Suspension, only if properly supervised and available, and/or Out-of-School Suspension
- Detention, only when available and properly supervised
- Transfer
- Suspension from school-sponsored activities and/or riding the school bus
- Corporal punishment (in compliance with school board policy)
- Restricting school related honors that the student is otherwise due
- Out-of-school suspension not to exceed ten (10) days

**Level III Misbehaviors:** These are acts that are directly against persons or property but whose consequences do not seriously endanger the health or safety of others in the school.

*Examples (not an exclusive listing):*

- Continuation of unmodified Level I and II behaviors
- Fighting (simple)
- Vandalism (minor)
- Stealing
- Threats to others
- Discrimination/harassment based on gender, sexual orientation, race, ethnicity, religion, and physical condition or appearance

- Libel, slanderous remarks, and obscenity in verbal/written expression, or possession of pictorial/pornographic materials, including, but not limited to, the inappropriate use of cell phone/computer photography on school grounds or at school-related events or activities

***Disciplinary Options:***

- Teacher or student schedule change
- In-School-Suspension, only if properly supervised and available, and/or Out-of-School Suspension not to exceed ten (10) days
- Corporal punishment (in compliance with school board policy)
- Restitution for lost, damaged, or stolen property
- Transfer
- Long-term out-of-school suspension (to possibly include the opportunity to attend the Alternative School)
- Referral to outside agency

**Level IV Misbehaviors:** These are acts which result in violence to another person or property or which pose a threat to the safety of others in the school. These acts are so serious that they usually require administrative actions that result in the immediate removal of the student from school, the intervention of the appropriate law enforcement agency, and action by the Board.

*Examples (not an exclusive listing):*

- Unmodified Level III behaviors
- Extortion
- Death threat (hit list)
- Bomb threats
- Possession of pagers (beepers)
- \* Possession/use/transfer of dangerous weapons
- \* Assault/battery
- Vandalism
- Theft/possession/sale of stolen property
- Arson
- Possession/use/transfer of unauthorized illegal substances (including look-a-likes)
- Discrimination/harassment based on gender, sexual orientation, race, ethnicity, religion, and physical condition or appearance
- Libel, slanderous remarks, and obscenity in verbal/written expression, or possession of pictorial/pornographic materials, including, but not limited to, the inappropriate use of cell phone/computer photography on school grounds or at school-related events or activities.

***Disciplinary Options:***

- Temporary removal from class
- Out-of-School Suspension
- Expulsion
- Alternative School (both the student and parent/guardian/legal custodian must agree to follow specific rules, including consent for both initial, and then random, drug-testing)

\* Could result in expulsion for a period of not less than one (1) calendar year.

Disciplinary options may vary if deemed necessary by the school administrators as explained in the individual school's handbook or folder.

### **Additional Guidelines:**

1. A teacher or other school official shall not reduce or authorize the reduction of any student's grade in any academic subject(s) because of a disciplinary problem.
2. A student shall not be suspended solely because charges are pending against him/her in Juvenile Court or other court systems.
3. A principal shall not impose successive short-term suspensions that cumulatively exceed ten (10) days for the same offense.
4. A student shall not be denied the passing of a course or a grade promotion solely on the basis of failure to:
  - a. Pay any activity fee;
  - b. Pay a library or other school fee; or
  - c. Make restitution for lost or damaged school property.

### **Section VI — Procedural Due Process** (*Board Policy 6.302*)

Before school authorities administer disciplinary measures, reasonable inquiry shall be made to determine the truth of the alleged misconduct or offense. The nature of this inquiry will vary in degree with the seriousness of the offense and the consequence(s) attached thereto.

For minor offenses where corrective measures are taken by the classroom teacher, no formal procedure is required. An inquiry into the incident shall be conducted to ensure that the offender is accurately identified, that he or she understands the nature of the offense, and that he or she knew the consequences of the offense for which he or she is accused. In case of severe offenses where there is a possibility of suspension, the student shall be advised of the nature of his or her misconduct, questioned about it, and allowed to give an explanation.

If the principal determines that the offense is of such nature that the student's continued presence would be detrimental to the school or persons within the school, and would justify a suspension for more than ten (10) days, the parent/guardian/ legal custodian and student must be advised of the right to appeal the suspension to the disciplinary hearing authority.

### **Section VII — Zero Tolerance** (*TCA 49-6-3401(g) and Board Policy 6.309*)

Zero Tolerance means that the violation of such policy will not be tolerated and the violators will receive certain, swift, and reasonable punishment. Zero Tolerance Offenses are defined as those involving firearms, drugs, and battery as described below:

1. Bringing to school, or being in unauthorized possession on school property of, a firearm (as defined in *Title 18 of the United States Code*);
2. A student committing battery upon any teacher, principal, administrator, employee of the local education agency, or school resource officer (SRO);
3. Unlawfully possessing, using, selling, purchasing, attempting to purchase or sell, bartering, distributing or being under the influence of any drug, including any controlled substance, in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds as defined in *TCA 39-17-403; TCA 39-17-415, and TCA 53-10-101*. This section does apply to non-controlled substances defined as "synthetic drugs"; or
4. Transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to another student or school employee and the transmission of such threat creates disruptive activity at the school that requires administrative intervention.

Any student violating any of the above listed conditions shall be expelled for a period of not less than one (1) calendar year. The Director of Schools may modify this expulsion on a case-by-case basis. For the purposes of this section, “expelled” means removed from the student’s regular school program at the location where the violation occurred or removed from school attendance altogether. Nothing in this section shall be construed to prohibit the assignment, at the discretion of the Director of Schools, of such students to an Alternative School.

Notification—When it is determined that a student has violated this policy, the principal of the school shall notify the student’s parents/guardians/legal custodians and the criminal justice or juvenile delinquent system, as required by law, as well as take the appropriate disciplinary action at school.

### **Section VIII — Corporal Punishment** *(Board Policy 6.314)*

Any principal, assistant principal, or teacher may use corporal punishment in a reasonable manner against any student for good cause in order to maintain discipline and order within the public schools in accordance with the following guidelines:

1. A student’s parent(s) or guardian(s) shall be given an opportunity to express a preference as to whether corporal punishment may or may not be administered against the student. Such preference shall be expressed on a written disciplinary preference form designated by the Director of Schools and sent to parents and guardians by school principals at the beginning of the school year. A parent or guardian may change a previously stated preference by completing and submitting a new form;
2. Corporal punishment may be administered against a student only if the school has received a disciplinary-preference form for the current school year signed by the student’s parent or guardian authorizing the school to administer corporal punishment against the student;
3. Corporal punishment shall be administered only after other less stringent measures or behavior modifications have failed;
4. The instrument to be used shall be approved by the director of schools by administrative directive;
5. Corporal punishment shall be administered in the presence of another professional employee, preferably the principal or assistant principal; the preferred site is in the office area;
6. An attempt shall be made to notify the student’s parents or guardians prior to administering corporal punishment; the parents or guardians shall be invited to witness the administration of the punishment; and
7. The nature of the punishment shall be such that it is in proportion to the gravity of the offense, the apparent motive and disposition of the student, and the influence of the student’s example and conduct on others.

Each principal or principal’s designee shall create a disciplinary record for each incident when corporal punishment is used. Such records shall contain the name of the student, the type of misconduct, the type of corporal punishment used, the name of the person administering the punishment, the name of the witness present, and the date and time of punishment.

Disciplinary records shall be filed in the school office and made available to parents or students, whichever is appropriate.



## **Section IX — Student Disciplinary Authority** *(Board Policy 6.317)*

A Disciplinary Hearing Authority (DHA) conducts hearings for students who have been suspended for more than ten (10) days by the principal or assistant principal and for whom a hearing has been requested. Each hearing shall be conducted by at least three (3) members of the DHA. The hearing must be held, a decision must be rendered, and notification of the decision must be provided to the parents/guardians/legal custodians and/or student and the principal no later than ten (10) days after the beginning of the suspension/expulsion. Notification of the decision shall include a statement of the right of either party within five (5) days after receiving the decision to request a review by the Director of Schools.

The DHA may take the following disciplinary actions:

1. Affirm the decision of the school principal;
2. Order removal of the suspension unconditionally;
3. Order removal of the suspension upon such terms and conditions as it deems reasonable;
4. Remand the student to alternative placement; or
5. Suspend/expel/remand the student for a specified period of time.

If a review of the hearing is requested by either parent/guardian/legal guardian of the involved student, or the school principal, the Director of Schools shall grant a second hearing.

## **Section X – Alternative School** *(Board Policy 6.319) revised 5-9-2016*

The Board shall operate an alternative school program for students in grades 6 - 12 who have been suspended or expelled from regular school programs. If the Disciplinary Hearing Authority (DHA) or director of schools orders the student to attend the alternative school, attendance shall be mandatory. Students attending the alternative school shall provide their own transportation.

Teachers in alternative schools shall be certified by the state.

Student-teacher ratios shall be small enough to allow for adequate instruction but shall be determined by the age, behavior and academic achievement of students in the program.

Sufficient textbooks, equipment and supplies shall be provided by the home school.

Alternative school programs shall be operated in accordance with the rules of the State Board of Education and instruction shall proceed as nearly as practicable in accordance with the instructional programs at the student's home school. All course work completed and credits earned in the alternative school shall be transferred to and recorded in the student's home school. Credit earned and progress made shall be granted as if the work were performed in the home school. No student may graduate based solely on attendance in alternative school.

Students attending for drug (including alcohol) or weapons offenses shall be subject to a drug-alcohol assessment when they begin this alternative placement.

**The student shall be subject to all rules of the alternative school and violations of such rules** may result in the student's removal from the school for the duration of the original intended suspension or expulsion. The final decision on such removal shall be made by the director of school.

Students found to be eligible for special education or related services, shall be placed and served in accordance with the law and rules relating to special education.

**Students who are suspended, remanded to the alternative school, or expelled may not attend any school related functions or activities, unless granted permission by the building principal and director of schools.**

## **Section XI — Interrogations and Searches** *(Board Policy 6.303)*

### **Article 11.1 — General Searches**

School personnel may conduct general searches of school property at any time for the purpose of enforcing school regulations of health, safety, or order.

### **Article 11.2 — Specific Searches**

Any search of school property assigned to a specific student may be made if school authorities have reasonable cause to believe that the property contains an item, the possession of which constitutes a crime or code violation or threatens a disruption of the educational process.

### **Article 11.3 — Searches of Person and Property**

An administrator may search that student's person and the personal property of that student, including bags, briefcases, purses, automobiles, etc., upon good cause, or reasonable suspicion that a student may possess illegal items (firearms, weapons, drugs, etc.) or other items reasonably determined to be a threat to the safety or security of others, or items which are used, or attempted to be used, to disrupt or interfere with the educational process.

Vehicles parked on school property by students and others are subject to search for drugs, drug paraphernalia, or dangerous weapons.

### **Article 11.4 — Lockers**

Students at some schools are assigned school lockers during the school year for the sole purpose of storing supplies, clothing, and other items essential to their daily needs while in attendance at school.

Lockers are the property of the school. Students should be aware that they do not have exclusive possession of assigned lockers since school administrators have the right to conduct specific or general searches.

### **Article 11.5 — Seizure**

Illegal items (firearms, weapons, drugs, etc.), or other items reasonably determined to be a threat to the safety or security of others, or items which are used, or attempted to be used, to disrupt or interfere with the educational process, will be removed from student possession. Items properly removed from the person of a student, or found through a proper search, may be turned over to the appropriate law enforcement agency. The school administrator may request that a particular parent/guardian/legal custodian come to school to retrieve a specific confiscated item which has disrupted, or attempted to disrupt, the educational program. The proper law enforcement agency must be notified if a student is in illegal possession of a firearm on school property.

### **Article 11.6 — Interrogations** *(Board Policy 6.303)*

By School Personnel—

Students may be questioned by teachers or the school principal about any matter pertaining to the operation of the school and/or enforcement of the school rules. Questioning must be conducted discreetly and under circumstances that avoid unnecessary embarrassment to the student being questioned. Any student answering falsely, evasively, or refusing to answer a proper question may be subject to disciplinary action, including suspension.

By Police (At Administrator's Request)—

If the principal has requested assistance by the police department to investigate a crime involving his/her school, the police shall have permission to interrogate a student in school during school hours. The principal shall first attempt to notify the student's parents/guardians/legal custodians of the intended interrogation unless circumstances require otherwise. The presence of the parents/guardians/legal custodians is recommended at this interrogation. The interrogation may

be delayed until a parent can be present unless the safety of others at the school would be compromised by a delay. The principal/designee shall be present during the interrogation.

#### Police-Initiated Interrogations—

If the police deem circumstances of sufficient urgency to interrogate students for non-school related incidents committed outside of school hours, then all such interrogations shall take place off of school grounds. The principal/ designee shall make reasonable attempts to contact the student's parents/guardians/legal custodians of the interrogation. The police or other law enforcement authority shall make whatever decision they deem necessary to continue with the interrogation outside the presence of the parents/guardians/legal custodians. Neither school principals nor their designees shall be called upon to make probable cause decisions regarding events that did not occur on school grounds or during school hours and it is not necessary for principals to be present during any such interrogations.

#### ***Article 11.7 – Guidelines for the Use of Dogs*** (Administrative Procedure 6.303.2)

Dogs and other animals may not be used to search the persons of students or visitors. However, if and when an entire group of students is asked to physically exit a classroom or other school setting, leaving their personal belongings (including, but not limited to books, book bags, coats) behind, dogs or other animals trained to detect drugs or other weapons may be used to pinpoint areas which need to be searched.

### **Section XII — Acceptable Use Policy: Computer and Internet Use** (Board Policy 4.406)

Access to the world-wide web via network is available to students, teachers, and administrators in the Franklin County School System. The goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication via library resources, research institutions, file sharing, and electronic mail, as well as other online resources. This world-wide access carries with it availability to material that may not be considered to be of educational value within the context of a school setting; therefore, precautions must be taken to restrict access to controversial materials. This requirement is daunting because, on a global network, it is impossible to control all materials, and any industrious user may be able to discover controversial information, either intentionally or accidentally. The Franklin County Schools' internet service provider coordinates network access through external state, regional, and federal agencies, and provides firewall protection that filters out sites deemed unacceptable by the Franklin County Board of Education. Further, the Technology Department provides content filtering and network security through the use of content management software that can detect and/or block access to inappropriate material such as adult/mature content and pornography/sex and monitor usage by both students and employees. The smooth operation of the network ultimately relies *upon proper conduct by the user who must adhere to strict guidelines*. These guidelines are provided herein so that users are aware of the responsibilities that accompany use of the network provided by Franklin County Schools through its internet service provider (ISP). Violation of these provisions by the user constitutes a break in the agreement entered into herein which will result in termination of the user's account and denial of access to the network through the Franklin County School System. *The signatures at the beginning of this document are legally binding and indicate that the parties have read the terms and conditions stated herein and understand their significance.*

CIPA is a federal law, 47 CFR§54.520, enacted by congress to address concerns about children's access to offensive content over the internet and library computers. CIPA imposes requirements on all schools and libraries that receive funding for internet access or internet connections from the E-rate program, a program that makes certain communications technology more affordable for eligible schools and libraries. In the early 2001, the Federal Communications Commission (FCC) issued rules

implementing CIPA. More recently, congress enacted additional protections for children using the internet. In addition, TCA § 49-1-221, requires all Tennessee local education agencies (LEAs), not just those requesting federal Erate funds, to file with the commissioner of education an internet acceptable use policy approved by the local board containing certain provisions listed in the statute.

### ***Internet Safety Instruction***

Students will be given appropriate instruction in internet safety as a part of any instruction utilizing computer resources. The internet safety instruction must include appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyberbullying awareness, and response. Parents and students will be provided with material to raise awareness of dangers posed by the internet and ways in which the internet may be used safely.

### ***Terms and Conditions of User's Agreement***

#### **Article 12.1 — Acceptable Use**

The use of the system's technology (including the network) must be in support of education and research, or the business of Franklin County Schools, and must be consistent with the educational objectives of the school system. Transmission or reception of any material in violation of any United States or Tennessee regulation is prohibited. This includes, but is not limited to, copyrighted materials, threatening or obscene material, child pornography, or material protected by a trade secret or intellectual property rights. The unauthorized and illegal downloading of any copyrighted music is strictly prohibited for users of the network provided by Franklin County Schools. Any use for commercial activities, product advertising, or political lobbying is not acceptable.

#### **Article 12.2 — Privileges**

The use of Internet is a privilege, not a right, and inappropriate use will result in cancellation of these privileges. The Director of Schools, the school administration, **or the technology department** will deem what is inappropriate use based on these guidelines, and the decision is final. The administration at any level may close an account at any time as required. The administration, faculty, and/or staff may request the **technology department** to deny, revoke, or suspend user accounts.

#### **Article 12.3 — Net Etiquette and Ethical Use**

Users are expected to abide by the generally accepted rules of network etiquette and ethical information security practices. These include, but are not limited to, the following:

- Be courteous and polite. Avoid offensive and inflammatory speech. Sending or displaying offensive messages or pictures is not allowed. No form of harassment, belittlement, or attacking of others is allowed. Inappropriate language, profanity and/or obscenity are not permitted at any time.
- Do not reveal your personal information, such as social security numbers, personal address, financial information, or phone numbers of students or colleagues.
- Do not trespass on the folders or files of others without their permission, regardless of whether it is technically possible for you to do so. No attempt should be made to tamper with other people's data, disrupt the work of others, or to gain unauthorized access to accounts or files on the network.
- Do not send bogus messages or warnings designed to look like they come from a network source in order to create apprehension or confusion among other users.
- Network server space is limited; personal work, electronic mail, and files no longer needed must be deleted regularly.
- Note that electronic mail is not guaranteed to be private. People who operate the system have access to mail on various servers. Messages relating to, or in support of, illegal activities will be reported to the proper authorities.

- The network should not be used for personal communications or matters unrelated to the business of Franklin County Schools.

#### **Article 12.4 — Vandalism**

Vandalism is defined as any malicious attempt to harm or destroy data of another user or another network connected to the internet backbone. This includes, but is not limited to, damaging computer hardware, computer systems, networks, and the creation, uploading, or dissemination of any computer virus, spy-ware, spam, or any other form of malicious code. Vandalism can result minimally in a cancellation of privilege, but legal action may be taken as well as appropriate disciplinary action.

#### **Article 12.5 — Security**

Security on any computer system is a high priority, especially when the system involves many users. Please see *Information Security and Procedures for Franklin County Schools* (published by the Technology Office) for more specific information. Confidential information regarding citizens in the Franklin County Schools will be securely protected on all laptop computers and other removable storage devices. Users must never share account passwords or use of accounts with anyone. Users have full responsibility for the use of their accounts and are liable for any policy or procedural violations that are traced to the account. Both students and employees will be banned from the use of system computers if inappropriate and/or unlawful sites are found to have been accessed. Furthermore, the appropriate law enforcement agency will be notified if pornography is found and appropriate disciplinary action will be taken if an individual is found to use school computers for illegal purposes or for purposes that violate these guidelines and instructions. Such actions may range from an oral reprimand to dismissal and consequential loss of one's teaching license, if applicable.

#### **Article 12.6 — Acceptance of Terms and Conditions**

These terms and conditions reflect the entire agreement of the parties and supersede all prior oral and written agreements and understandings of the parties. These terms and conditions shall be governed and interpreted in accordance with the laws and regulations of the State of Tennessee and the United States of America.

### **Section XIII — Students with Disabilities**

Federal and state guidelines will be followed as they relate to the discipline of students with disabilities. Contact the **Director of Exceptional Children Services (931) 962-0626** for additional information.

### **Section XIV — Non-Discrimination and Harassment**

#### **Article 14.1 — *Non-Discrimination* updated Fall, 2015**

Franklin County Schools in its employment of personnel and in its educational activities with students does not discriminate on the basis of race, religion, creed, sex, gender, gender identity, sexual orientation, national origin, color, age, and/or disability. Franklin County Schools does provide access to Boy Scouts, Girl Scouts, and other youth groups designated by federal or state law.

#### **CIVIL RIGHTS COMPLIANCE**

Franklin County Schools is committed to ensuring that all students and adults are given the opportunity to learn, participate, and work in an environment that is free from discrimination by adhering to the following laws:

- Title VI of the Civil Rights Act of 1964 – this law prohibits discrimination on the basis of race, color, or national origin.

- Title IX of the Educational Amendments of 1972 – this law prohibits discrimination on the basis of sex. If you would like to file a Title VI or Title IX complaint, or have inquiries, please contact:
 

Title VI Coordinator 215 S. College Street Winchester, TN 37398 Email: linda.foster@fcstn.net Phone: 931-967-0626	Title IX Coordinator 215 S. College Street Winchester, TN 37398 Email: diana.spaulding@fcstn.net Phone: 931-967-0626
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- Section 504 of the Rehabilitation Act of 1973 & Title II of the Americans with Disabilities Act of 1990 – these laws prohibit discrimination on the basis of disability. If you would like to file a 504 or Title II complaint, or have inquiries, please contact:
 

504 Coordinator 215 S. College Street Winchester, TN 37398 Email: jenny.crabtree@fcstn.net or diana.spaulding@fcstn.net Phone: 931-967-0626	Title II Coordinator 215 S. College Street Winchester, TN 37398 Email: linda.foster@fcstn.net Phone: 931-967-0626
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To request an accommodation, please contact the appropriate school principal or supervisor. Interpreters for the deaf or hard of hearing must be requested forty-eight (48) hours prior to the event. Questions or concerns may be referred to the Central Office (931-967-0626).

Franklin County Schools  
 215 S. College Street  
 Winchester, TN 37398  
 Phone: 931-967-0626

For further information about students rights and services, contact the Tennessee Department of Education:

Andrew Johnson Tower  
 710 James Robertson Parkway  
 Nashville, TN 37243  
[www.state.tn.us/education](http://www.state.tn.us/education)  
 Phone: 615-741-2731

- Title VII of the Civil Rights Act of 1964 – this law protects individuals against employment discrimination on the basis of race, color, religion, sex, as well as national origin. If you would like to file a Title VII complaint or have inquiries, please contact:
 

Director – Human /Resources & Funding  
 Franklin County Schools  
 215 S. College Street  
 Winchester, TN 37398  
 Phone: 931-967-0626

For further information on notice of non-discrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

**Article 14.2 — Student Discrimination/Harassment and Bullying, Cyber-bullying and Intimidation**  
 (Board Policy 6.304) – revised July 11, 2016

The Franklin County Board of Education has determined that a safe, civil, and supportive learning environment in school is necessary for students to learn and achieve high academic standards.

Furthermore, it is the Board's expectation that members of the school community (as defined herein) behave in a civil and respectful manner and refrain from any conduct that contributes to the creation of a hostile educational environment or otherwise substantially disrupts or interferes with a student's educational performance, opportunities, or benefits, regardless of where such conduct occurs.

In furtherance of these goals and expectations, the Board prohibits any discrimination that unreasonably and unfavorably differentiates against any member of the school community based on that individual's membership in a legally protected class or that individual's actual or perceived traits or characteristics. Furthermore, the Board prohibits all acts of harassment, bullying, cyber-bullying, intimidation, hazing, or other victimization of students, regardless of the actor's motivation or intent.

In accordance with this policy, no otherwise qualified student may be excluded from participation in or be denied the benefit of any academic or extracurricular program or activity on the basis of the student's race, color, ethnicity, national origin, religion, sex, gender, sexual orientation, or disability. In addition, no employee, volunteer, contractor, or student may discriminate against or harass a student or a student's parent, guardian, or other family members through disparaging conduct or communication that is sexual, racial, ethnic, or religious in nature or that is related to an individual's disability or nation of origin.

This policy shall apply to all members of the school community while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop. For purposes of this policy, the school community includes: school officials, employees, volunteers, and contractors; students; students' parents, guardians, and other family members; and other individuals visiting school property or attending a school-sponsored activity. If the act takes place off school property or outside of a school-sponsored activity, this policy is in effect if the conduct is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the educational environment or learning process.

**This policy shall be disseminated annually to all staff, students, and parents.** Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of discrimination/harassment.

## **DEFINITIONS**

*Bullying/Intimidation/Harassment* – an act that substantially interferes with a student's educational benefits, opportunities, or performance, and the act has the effect of :

- Physically harming a student or damaging a student's property;
- Knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student's property;
- Causing emotional distress to a student or students; or
- Creating a hostile educational environment.

Bullying, intimidation, and harassment creates a hostile educational environment where the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school. Bullying, intimidation, or harassment may also constitute unlawful discrimination where it is based on or implicates a student's race, color, ethnicity, national origin, religion, sex, gender, sexual orientation, or disability.

Examples of acts that may be considered bullying if meeting the standards stated above, include, but are not limited to:

- (A) Overt, repeated acts or gestures made with the intent to harass, ridicule, humiliate, or harm;
- (B) Physical or psychological intimidation;
- (C) Stated or implied threats;

- (D) Use of any language, written or unwritten, hand gestures or other forms of expression aimed at defining a student in a sexual manner or impugning the character of a student based on allegations of sexual promiscuity;
- (E) Assault of a student, whether physical, verbal, psychological, or emotional;
- (F) Attacks on personal property; and
- (G) Communication of any of the above, or an intent to undertake any of the above, whether made in person or by electronic device.

*Cyber-bullying* – A form of bullying undertaken through the use of electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, text messaging, emails, social networking sites, instant messaging, videos, web sites, or fake profiles.

*Hazing* – an intentional or reckless act by a student or group of students that is directed against any other student(s) that endangers the mental or physical health or safety of the student(s) or that induces or coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees of the school district shall not encourage, permit, condone or tolerate hazing activities.<sup>3</sup>

“Hazing” does not include customary athletic events or similar contest or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

## **COMPLAINTS AND INVESTIGATIONS**

Alleged victims of the above-referenced offenses shall report these incidents to a teacher, counselor or building administrator. All school employees are required to report alleged violations of this policy to the principal/designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy.

While reports may be made anonymously, an individual’s need for confidentiality must be balanced with obligations to cooperate with police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough investigation or to take necessary actions to resolve a complaint, and the identity of parties or witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

The principal/designee at each school shall be responsible for investigating and resolving complaints. **Once a complaint is received, the principal/designee shall initiate an investigation within forty-eight (48) hours of receipt of the report. If a report is not initiated within forty-eight (48) hours, the principal/designee shall provide the director of schools with appropriate documentation detailing the reasons why the investigation was not initiated within the timeframe.**

**The principal shall notify the parent/legal guardian when a student is involved in an act of discrimination, harassment, intimidation, bullying or cyberbullying. The principal shall provide information on district counseling and support services. Students involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying shall be referred to the appropriate school counselor by the principal/designee when deemed necessary.**

The principal/designee is responsible for determining whether an alleged act constitutes a violation of this policy, and such act shall be held to violate this policy when it meets one of the following conditions:

- It places the student in reasonable fear or harm for the student’s person or property;
- It has a substantially detrimental effect on the student’s physical or mental health;



- It has the effect of substantially interfering with the student’s academic performance; or
- It has the effect of substantially interfering with the student’s ability to participate in or benefit from the services, activities, or privileges provided by a school.

Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. **All investigations shall be completed and appropriate intervention taken within twenty (20) calendar days from receipt of the initial report.<sup>4</sup> If the investigation is not complete or intervention has not taken place within twenty (20) calendar days, the principal/designee shall provide the director of schools with appropriate documentation detailing the reasons why the investigation has not been completed or the appropriate intervention has not taken place.<sup>4</sup>** Within the parameters of the federal Family Educational Rights and Privacy Act (FERPA) at 20 U.S. § 1232g, a written report on the investigation will be delivered to the parents of the complainant, parents of the accused students and to the Director of Schools.

### **RESPONSE AND PREVENTION**

School administrators shall consider the nature and circumstances of the incident, the age of the violator, the degree of harm, previous incidences or patterns of behavior, or any other factors, as appropriate to properly respond to each situation.

A substantiated charge against an employee shall result in disciplinary action up to and including termination. A substantiated charge against a student may result in corrective or disciplinary action up to and including suspension.

An employee disciplined for violation of this policy may appeal the decision by contacting the Federal Rights Coordinator or the Director of Schools. Any student disciplined for violation of this policy may appeal the decision in accordance with disciplinary policies and procedures.

### **REPORTS**

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or student’s property, the principal/designee of each middle school, junior high school, or high school shall report the findings and any disciplinary actions taken to the director of schools and the chair of the board of education.

By July 1 of each year, the director of schools/designee shall prepare a report of all of the bullying cases brought to the attention of school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they are still pending. This report shall be presented to the board of education at its regular July meeting, and it shall be submitted to the state department of education by August 1.

The director of schools shall develop forms and procedures to ensure compliance with the requirements of this policy and TCA 49-6-4501 through TCA 49-6-4506.

### **RETALIATION AND FALSE ACCUSATIONS**

Retaliation against any person who reports or assists in any investigation of an act alleged in this policy is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

False accusations accusing another person of having committed an act prohibited under this policy are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another may range from positive behavioral interventions up to and including suspension and expulsion

Coaches, other employees, and volunteers of the school district shall not encourage, permit, condone, or tolerate hazing activities.

## **Section XV – School Records Information**

### **Article 15.1 — *Directory of Information*** (Board Policy 6.601)

Statistical information not identified with a particular student may be released to any person, agency, or the public.

Directory information is defined as the information relating to the individual's name, address, telephone listing, date of birth, participation in officially recognized activities and sports, and the dates of attendance. Directory information (usually requested for eleventh and twelfth graders) shall be made available upon request to persons or groups which make students aware of occupational and educational options. ***Parents/guardians/legal custodians have two (2) weeks after the opening day of school to notify the school system, in writing, of any or all of the items that they desire not to be designated as directory information for their child (ren).***

Upon request, secondary students' names, addresses, and telephone numbers must be provided to military recruiters. ***A secondary school student, or the parents/guardians/legal custodians, of the student may request, in writing, within two (2) weeks of the opening day of school, that said information not be released without prior written consent.***

### **Article 15.2 — *Student Records*** (Board Policy 6.600) revised June 9, 2014

A cumulative record shall be kept for each student enrolled in school. The folder shall contain a health record, attendance record, and scholastic record; shall be kept current; and shall accompany the student through his/her school career.

The name used on the record of the student entering the school system must be the same as that shown on the birth certificate, unless evidence is presented that such name has been legally changed. If the parent does not have, or cannot obtain a birth certificate, then the name used on the records of such student will be as shown on documents which are acceptable to the system as proof of date of birth.

The name used on the records of a student entering the system from another school must be the same as that shown on records from the school previously attended unless evidence is presented that such name has been legally changed as prescribed by law.

School officials may release information from, or permit access to, a student's educational record without the prior written consent of parents/guardians/legal custodians when a student seeks or intends to enroll in another school system, as well as other listed instances.

When a student transfers to another school within the system or outside the school system, copies of the student's records, including the disciplinary records, shall be sent to the transfer school. Student records shall be confidential. Authorized school officials shall have access to, and permit access to, student education records for legitimate educational purposes.

Authorized school officials may release information from or permit access to a student's education record without the parent(s) or eligible student's prior written consent in the following instances:

1. To comply with a judicial order or lawfully issued subpoena. The school system will make a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure;
2. If the disclosure is an item of directory information;
3. To comply with the requirements of child abuse reports to the extent known by the school officials including the name, address, and age of the child; the name and address of the person responsible for the care of the child, and the facts requiring the report;
4. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally-supported education programs in the school system;

5. When the school system has entered into a contract or written agreement for an organization to conduct scientific research on the system's behalf to develop tests or improve instruction, provided that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purpose for which the study was conducted;
6. To appropriate officials if the parent(s) claim the student as a dependent as defined by the Internal Revenue Code;
7. To accrediting organizations to carry out their accrediting functions;
8. When a student seeks or intends to enroll in another school district or post-secondary school. Parent(s) of students or eligible students have a right to obtain copies of records transferred under this provision;
9. To financial institutions or governmental agencies that provide or may provide financial aid to a student in order to establish eligibility, to determine the amount of financial aid, to establish conditions for the receipt of financial aid, and to enforce financial aid agreements;
10. To make disclosure in a health or safety emergency when warranted by the seriousness of the threat to the student or other persons, when the information is necessary and needed to meet the emergency, when time is an important and limiting factor, and when the persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency;
11. To the Attorney General or his designee for official purposes related to an investigation or prosecution of an act of domestic or international terrorism. An educational agency that, in good faith, produces educational records in accordance with an order under this Act shall not be liable to any person for that production; or
12. To any agency caseworker or other representative of a state or local child welfare agency or tribal organization authorized to access the student's educational records when such agencies or organizations are legally responsible for the care and protection of the student.

Authorized school officials may release information from a student's education record if the student's parent(s) or the eligible student gives written consent for the disclosure.

**Article 15.3 — Notice of Rights**

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians/legal custodians and students over eighteen (18) years of age (eligible students) certain legal rights with respect to the student's educational records. The rights are:

- To inspect and review the student's educational record within forty-five (45) days of the day the system receives a request for access. Parents/guardians/legal custodians or eligible students should submit to the school principal/appropriate school official a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parents/guardians/legal custodians or eligible student of the time and place where the records may be inspected.
- To request the amendment of the student's educational record that the parents/guardians/legal custodians or eligible student believes is inaccurate or misleading. Parents/guardians/legal custodians or eligible students may ask the Franklin County School System to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading. If the system decides not to amend the record as requested by the parents/guardians/legal custodians or eligible student, the system will notify the parents/guardians/legal custodians or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures will be provided to the parents/guardians/legal custodians or eligible student when notified of the right to a hearing.

- To consent to disclosures of personal identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the system as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the system has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or parents/guardians/legal custodians or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his/her professional responsibility.

Upon request, the system discloses educational records, without consent, to officials of another school system in which a student seeks or intends to enroll. A complaint may be filed with the U.S. Department of Education concerning alleged failures by the school system to comply with the requirements of FERPA. The office that administers and oversees FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, S.W.  
Washington, D.C. 20202-4605

**Source: *Director's Update February 12, 2013***

The **Uninterrupted Scholars Act** took effect on January 14, 2013; this federal law amended the *Family Educational Rights and Privacy Act (FERPA)* to provide that personnel of state or federal agencies with responsibility for the care and protection of children (i.e. Tennessee Department of Children's Services) have the right to access a student's educational records without parental consent. The amendment also provides that school districts are not required to give parents notice when a court orders release of the educational records in court proceedings involving allegations of abuse and neglect. This means for students who are in state custody (including foster care) Tennessee Department of Children's Services caseworkers may now access a student's educational records without parental consent, whether or not the parental rights of the biological parents have been terminated, and school districts are not required to notify parents of the child before releasing the information pursuant to a court order.

## **Section XVI -- Homework**

*It is strongly suggested that homework count no more than 10% of a student's grade.* Homework is recognized as a supportive activity designed to promote academic achievement, reinforce or apply a skill previously taught, and to extend learning activities into the home. Meaningful homework assignments shall be made throughout the school year. In order to assure meaningful homework, assignments should be:

1. An outgrowth of classroom instruction;
2. Clear and definite;
3. Monitored or evaluated in line with a system that is understood by the class;
4. Flexible to accommodate students' needs; and
5. Structured in such a way that adequate time is provided to begin the assignment in class with proper supervision.

Homework assignments should not be excessively lengthy for students and their parents/guardians/legal custodians. The following research-based suggestions are presented as guidelines for a reasonable amount of homework:

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|---------------|--|
| Grades K – 2  | daily average of not more than twenty (20) minutes.  |
| Grades 3 – 6  | daily average of not more than ten (10) minutes per grade<br>(i.e., Grade 3 – not more than 30 minutes, grade 6 – not more than 60 minutes). |
| Grades 7 - 12 | varies with difficulty of the subject, and special projects and assignments are expected to take additional time.                            |

When a student has more than one (1) academic teacher, the teachers must collaborate closely to be sure that, collectively, the amount of assigned homework is not, and/or does not become, excessive.

Homework assignments shall take into consideration individual differences of students such as health, ability, home conditions, and educational resources at home. Teachers shall also take into consideration unusual situations. Homework shall be viewed as practice for skills taught in class. The teacher shall notify parents/guardians/legal custodians, in writing, if the homework of the student is not satisfactory. It is important that teachers are aware of the difficulty some students experience with homework and that appropriate accommodations and modifications are made.

## **Section XVII – Media Releases/Publications** *(Board Policy 6.604)*

The parents/guardians/legal custodians of a student must notify the school, in writing, within two (2) weeks of the opening day of school if the student’s name, art, written work, voice, verbal statements and/or digital images/portraits/pictures are not to be included in publications and/or public relations activities (including web-site) of the school system or any school thereof. If digital images/portraits/pictures are allowed; the student may or may not be personally identified.

## **Section XVIII — Student Equal Access** *(Board Policy 4.802) revised 6-9-2014*

Schools may allow students to form non-curricular clubs or groups that meet before, during, or after the school day. Requests to form such clubs or groups shall not be denied based upon the religious nature or beliefs of the proposed club or group. If permitted, school administrators shall ensure that all clubs and groups have the same abilities to access facilities and advertise their meetings.

### *School Sponsored Events*

If the Board or a school principal authorizes an event at which a student is to speak, a limited public forum shall be established for such student speakers. The appropriate administrators shall ensure that:

1. The forum is provided in a manner that does not discriminate against a student’s voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject;
2. There is an appropriate method of selecting student speakers which is based on neutral criteria; and
3. Student speakers do not engage in speech that is obscene, vulgar, offensively lewd, indecent, or promotes illegal drug use.

To the extent possible and practical, prior to events in which students will speak, notice shall be provided orally and/or in writing that the student’s speech does not reflect the endorsement, sponsorship, position, or expression of the Board and its employees.

## **Section XIX — Student Clubs and Organizations** *(Board Policy 6.702) revised 4-11-2016*

Student organizations are an extension of the academic curriculum and are intended to complement the basic instructional program.

The principal, in cooperation with the school's leadership team, shall approve all clubs and organizations within the school. Application must be completed and reviewed by the principal and leadership team. If the club is approved at the school level, the application is forwarded to the director of schools for final approval and designation as either an academic or non-academic club/organization.

If the application is not approved at the school level, the faculty advisor may appeal the decision to the director of schools within fifteen (15) school days after receipt of the principal's decision. The director of schools will review the appeal and other information deemed appropriate and issue a written decision within fifteen (15) school days after the receipt of the appeal.

The principal shall notify the parents or legal guardians of all clubs and organizations available to students by prominently displaying the information in the school's annually distributed student handbook or equivalent that contains school policies and procedures and on the school's website. The list shall include:

1. The names of the clubs and organizations, including any abbreviations or acronyms;
2. The mission and purpose of the clubs and organizations;
3. All financial requirements associated with membership in the club or organizations; and
4. Notification that no school shall permit a student to become a member or participate in any activities of a club or organization without written communication from the student's parent or legal guardian approving the student's membership or participation. The written communication must be signed and dated by the parent or legal guardian.

One or more staff members will serve as faculty advisors of each activity and will attend all meetings. Each advisor will evaluate the activity and make recommendations concerning changes, continuance, or deletion from the school's activity program. The faculty advisor will also ensure that all applicable Board policies, administrative procedures, and school rules are followed.

An approved copy of the mission/purpose/aims, goals/objectives, and constitution for each organization will be kept on file in the principal's office.

Academic clubs serve as an extension of the school's regular curriculum. To be approved as an academic club, the following requirements must be met:

- a. The subject matter of the club is taught in a regularly offered course at the school;
- b. The subject matter of the club concerns the body of courses at the school as a whole; or
- c. Participation in the club results in academic credit for a course at the school.

Non-academic clubs shall not be deemed to be school-sponsored or endorsed and must satisfy the following criteria:

- a. Student attendance must be voluntary;
- b. The club or activity must be student-initiated, student-directed, and student-led;
- c. There is no sponsorship of the club or activity by the district, school, or any school employee;
- d. The club or activity does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
- e. Individuals not affiliated with the school either as an employee or student may not direct, control, conduct or regularly attend club meetings or an activity; and
- f. The club or activity has a lawful purpose.

The principal shall designate each non-academic club as a service, honorary, interest, religious, political, and/or sports club in accordance with the following definitions:

- a. Service club. Club designed to provide genuine functions of service to the school and/or community.
- b. Honorary club. Club designed to grant membership to students on the basis of achievement in attaining openly published standards in defined areas of school life.
- c. Interest club. Club organized in any area that may offer valuable experiences supplementary to education programs.
- d. Religious club. Club whose purpose is to promote religion, that espouse a specific religious point of view and/or sponsored or affiliated with community or national religious clubs.
- e. Political club. Club that espouse and/or promote a particular political viewpoint.
- f. Sports club. Club for student sport and other athletic activities that are not official school-sponsored sports.

The principal may revoke recognition of any student club/organization for failure to comply with Board policy and administrative procedures. A decision revoking recognition may be appealed to the director of schools. All appeals must be made in writing to the director of schools within fifteen (15) school days after receipt of the principal's decision.

The director of schools will review the appeal and other information deemed appropriate and issue a written decision within fifteen (15) school days after the receipt of the appeal.

The director of schools shall approve all requirements imposed by clubs which have restricted membership.

The nature of any initiation shall be outlined and presented in writing to the club's faculty advisor and the principal of the school for approval prior to the actual initiation. Hazing by students acting alone or with others is strictly prohibited. Any organization which permits an initiation to go beyond the scope of activities planned and previously approved will be suspended until reinstated by the director of schools.

Sororities, fraternities, and all secret organizations are prohibited.

## **Section XX — Rights to Review**

### **Article 20.1 – Instructional Materials** (Board Policy 6.604) revised 6-9-2014

All classrooms and learning centers shall be equipped with the instructional materials needed to provide quality learning experiences for students. The Board seeks to provide a wide range of instructional materials that cover all levels of difficulty, generate critical thinking, and support the educational programs. The director of schools shall develop procedures to review and reconsider instructional materials that are allegedly inappropriate. A list of textbooks and instructional materials used by the schools shall be revised annually by building administrators under the direction of the director of schools. Upon request, parents/guardians shall have the ability to inspect the following items; instructional materials; teaching materials; teaching aids; handouts; and tests that are developed by and graded by their child's teacher.

### **Article 20.2 – Textbooks** (Board Policy 6.604) revised 6-9-2014

The selection of textbooks shall be completed according to the laws and policies required by the State of Tennessee and the State Textbook Commission. The responsibility for textbook selection rests with the local textbook selection committees subject to approval by the Board. The citizens of the community have the opportunity to examine proposed textbooks prior to their final adoption; there must be public notice of the time and location at which textbooks may be examined. Once the proposed textbooks have been approved by the Board, the director of schools shall post the list of all approved textbooks and

instructional materials on the school system's website. A list of textbooks used by the schools shall be revised annually. Textbooks shall be available for inspection by parents/guardians upon request.

**Section XXI –No Child Left Behind** remains in effect for the 2016-17 school year.

**Article 21.1 — Right to Request Teacher Qualifications**

Parents/guardians/legal custodians of students enrolled in Title I schools have the right to request information regarding the professional qualifications of his/her child(ren)'s classroom teacher(s). Upon request, the school system will provide the following as soon as possible:

- State licensing requirements for the grade level and subjects in which a specific teacher is providing instruction;
- Status of the licensure under which a teacher is employed (i.e., Interim, Transitional, Apprentice, or Professional);
- Specific college degree(s) of the specific teacher as well as the teacher's academic major and additional college work which was used to establish proper licensure; and
- Qualifications of any attending paraprofessional(s) who is/are working with students in supportive instructional role(s).

**Article 21.2 — Safe and Drug-Free Schools**

Under the Tennessee State Board of Education's *Unsafe School Choice Policy*, any public school student who is the victim of a violent crime as defined under *TCA 40-38-111(g)*, or the attempt to commit one of these offenses as defined under *TCA 39-12-101*, shall be provided an opportunity to transfer to another grade-level appropriate school within the district. Additional information regarding this option may be obtained by contacting Ms. Jenny Crabtree, **Director** of Federal Programs at the Franklin County Board of Education (Central Office), 215 S College Street, Winchester, TN 37398, (931) 967-0626.

**Section XXII — Asbestos (Management Plan)**

Asbestos is a mineral fiber that has been used commonly in a variety of building construction materials for insulation and as a fire-retardant. When asbestos-containing materials are damaged or disturbed by repair, remodeling or demolition activities, microscopic fibers become airborne and can be inhaled into the lungs, where they can cause significant health problems. The most common source of asbestos exposure include deteriorating, damaged, or disturbed asbestos-containing products such as insulation, fireproofing, acoustic materials, and floor tiles.

Prior to July of 1989, the Franklin County Schools submitted a Management Plan to the Tennessee Department of Finance and Administration. The Management Plan details all areas where asbestos containing materials are present in Franklin County Schools and the manner in which the materials will be handled.

The Management Plan is accessible to the public for review at the Central Office (located at 215 South College Street in Winchester). Viewing can normally take place Monday through Friday from 8:30 am to 3:30 pm.

No abatement activities are anticipated at this time and new construction will not be made from materials containing friable asbestos.



## Section XXIII – Assessments

### Article 23.1 – Required State Assessments

The latest information regarding state mandated assessments can be found at [www.tn.gov/education/section/assessment](http://www.tn.gov/education/section/assessment).

### Article 23.2 — Required Local Assessments

	Assessment	Testing dates	Grades/ Students	Purpose	Parent Notification including time
<b>Universal Screener</b>	<b>easy-CBM</b> - <b>Early Literacy</b>	Three times a year - Early August, December, and May	<b>K-2</b>	To show and measure growth in reading; and to determine if additional instructional time is needed for mastery.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
	<b>easy-CBM</b> - <b>Reading</b>	Three times a year - Early August, December, and May	<b>3 – 8</b>	To show and measure growth in reading, and to determine if additional instructional time is needed for mastery.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
	<b>easy-CBM</b> - <b>Math</b>	Three times a year - Early August, December, and May	<b>1 – 8</b>	To show and measure growth in reading, and to determine if additional instructional time is needed for mastery.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
	<b>Benchmark Assessments</b>	Three times a year - Early August, December, and May	<b>K – 2</b>	To show and measure growth in reading according to grade level standards.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
	<b>Unit Assessments (optional)</b>	Grades K will test October, November, February, March and May. Grade 1 will test September, November, January, March, and May; Grades 2 will test September, November, December, February, March and May - the last test is optional.	<b>K – 2</b>	To identify students' level of mastery as it relates to grade level standards.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
<b>for state assessm</b>	<b>Reading and Math</b>	First through fifth six weeks	<b>3 – 5</b>	To identify students' level of mastery as it relates to grade level standards.	Information forwarded to parents through students and then parent-teacher conferences.

	<b>Benchmark Assessments</b>	Twice a year - October and April	<b>3 – 5</b>	To show and measure growth in reading, according to grade level standards.	Information forwarded to parents through students and then parent-teacher conferences.
Identified - Special Needs	<b>easy-CBM</b>	Every two weeks, beginning late August	Identified students with special needs (IEP and/or RTI)	To increase all students' achievement and ultimately close gaps in achievement.	Last school day of the month.
Pre-test for EOCs	<u>Algebra I and II, English I, II, and III, Biology, Chemistry,</u> others added as needed	Early August and January, when applicable	<b>9 – 11</b>	Analysis of strengths and weaknesses.	Students convey results to parents - two weeks or when applicable
Safety	<b>Career Technical Education (CTE) Safety Test</b>	First week of the CTE course - early August and January, when applicable	<b>9 – 12</b>	Ensure students' knowledge of safety before any shop participation.	Students convey results to parents - two weeks after completion of test.
Exams	<u>Semester Exams</u> Policy 4.600 - page 2, lines 32-33	End of semester - late May and December, when applicable	<b>9 – 12</b>	Summation of mastery of terminal objectives.	Students convey results to parents - late May and December, when applicable.

## Section XXIV — Posting of the approved *Code of Behavior and Discipline*

The *Code of Behavior and Discipline* shall be posted on the system's web-site readily available to students, parents, staff, and others.

Upon request, the school principal shall provide a printed copy.

## Section XXV — Review and Update

### Article 25.1

Annually, the *Code of Behavior and Discipline* shall be reviewed and updated. All changes and updates must be approved by the Franklin County Board of Education.

Changes and up-dates will not officially become part of the *Code of Behavior and Discipline* until approved by the Franklin County Board of Education.

### Article 25.2

The *Code of Behavior and Discipline* shall be referenced in all school handbooks.

## **Section XXVI — Adoption by Board**

Typically at the July business meeting, proposed changes to the *Code of Behavior and Discipline* shall be submitted to the Franklin County Board of Education for approval. Only upon approval of the Franklin County Board of Education shall the *Code of Behavior and Discipline* be updated on the system's website.

Kevin Caroland  
Chair, Franklin County Board of Education

July 11, 2016  
Date

Dr. Amie Lonas  
Director of Schools

July 11, 2016  
Date