

Hamilton County Board of Education

1 - SCHOOL BOARD OPERATIONS

Descriptor Code	Policy Title	Issued Date
Legal Status and Authority		
1.100	School Board Legal Status and Authority	12/16/04
1.101	Duties and Powers of the Board of Education	12/16/04
1.102	Board Members Legal Status	12/16/04
1.103	Board Self-Evaluation	12/16/04
1.104	Memberships	12/16/04
1.105	School Board Legislative Involvement	12/16/04
1.106	Duties of Individual Board Members	07/17/08
1.107	Code of Ethics	07/17/08
1.108	Nepotism	12/16/04
Board Members		
1.200	Method and Election of Officers	12/16/04
1.201	Duties of Officers	12/16/04
1.202	Duties of Board Members	12/16/04
1.203	New Member Orientation	12/16/04
1.204	Board Member Development Opportunities	12/16/04
1.205	Board-Director Relations	02/15/07
Committees/Consultants		
1.300	Board Committees	04/20/06
1.301	Executive Committee	12/16/04
1.302	School Board Attorney	12/16/04
Meetings and Procedures		
1.400	School Board Meetings	02/15/07
1.401	Public Hearings	12/16/04
1.402	Notification of Meetings	12/16/04
1.403	Agendas	02/15/07
1.404	Appearances Before the Board	12/16/04
1.405	Rules of Order	12/16/04
1.406	Minutes	12/16/04
1.407	School Board Records	12/16/04

Community Relations

1.500	Board-Community Relations	12/16/04
1.501	Visitors to the Schools	12/16/04
1.502	Board Meeting News Coverage	12/16/04
1.503	News Releases, News Conferences and Interviews	12/16/04

Policies and Procedures

1.600	Policy Development and Adoption	12/16/04
1.601	Administrative Procedures	12/16/04

School District Organization and Planning

1.700	School District Goals and Objectives	12/16/04
1.701	School District Planning	12/16/04
1.705	School Based Decision-making	12/16/04

General School Management

1.800	School Calendar	12/16/04
1.801	School Day	12/16/04
1.8011	Emergency Closings	12/16/04
1.802	Grievances and the Americans with Disabilities Act	02/21/13
1.803	Tobacco-Free Schools	05/25/06
1.804	Drug-Free Workplace	12/16/04
1.805	Use of Electronic Mail(e-mail)	12/16/04
1.806	Advertising and Distribution of Materials in Schools	12/16/04

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School District—School Board Legal Status and Authority	Descriptor Code: 1.100	Issued Date:
		Rescinds:	Issued:

1 The legal basis for education in Tennessee is expressed in the state Constitution and state statutes, as in-
2 terpreted by the courts. Boards are instruments of the state, and members of the Board are state officers
3 representing local citizens and the state in the management of the public schools.¹

4
5 The governing body shall be the Board of Education, serving residents within the boundaries of the school
6 system and non-residents under conditions specified by state law and the Board.²

7
8 All powers of the Board lie in its action as a group; therefore, individual board members exercise their
9 authority over school system affairs only as they vote to take action at an official meeting of the Board.

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11 In other instances, an individual board member, including the chairman, shall have power only when
12 specified by state law or when the Board, by vote, has delegated authority to him/her.

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Legal References:

35 1. TCA 49-1-101; TCA 49-1-102; TCA 49-1-103

36 2. TCA 49-6-3104

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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Duties of Board of Education	Descriptor Code: 1.101	Issued Date:
		Rescinds:	Issued:

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2 The duties of the Board shall be those enumerated in the Tennessee statutes and the Rules, Regulations
3 and Minimum Standards for the Governance of Tennessee Public Schools as established by the
4 Tennessee State Board of Education¹
5
6 The Board views its required functions in these broad areas:
7
8 1. **Legislative and policy-making** - The Board is responsible for the development of policy as guides
9 for administrative action and for directing the director of schools to implement its policies.
10
11 2. **Appraisal** - The Board is responsible for evaluating the effectiveness of its policies and their
12 implementation.
13
14 3. **Provision of financial resources** - The Board is responsible for adoption of a budget which will
15 provide for buildings, staff, materials, and equipment which will enable the school system to carry
16 out the Board's policies, subject to approval by the fiscal body.
17
18 4. **Public relations** - The Board is responsible for providing adequate and direct means for keeping
19 the local citizenry informed about the schools and for keeping itself and the school staff informed
20 about the needs and wishes of the public.
21
22 5. **Educational planning and evaluation** - The Board is responsible for establishing educational
23 goals which will guide both the Board and the staff in working together toward the continuing
24 improvement of the educational program. It is responsible for providing for the ongoing evaluation
25 of the school program against the goals and objectives set forth by the Board and by the State Board
26 of Education.²
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Evaluation

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30 At least annually the Board shall evaluate the above functions and develop goals for the next school year.
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Legal References:

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37 1. TCA 49-2-203; TCA 49-1-302.
38 2. TCA 49-1-601.

Cross References:

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Duties of Officers 1.201
Duties of Board Members 1.202
Director of Schools 5.800
Qualifications/Duties of the Director of Schools 5.802

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Board Members Legal Status	Descriptor Code: 1.102	Issued Date:
		Rescinds:	Issued:

1 The legal status of board members shall be as follows:¹

2 **NUMBER**

3 The Board is composed of nine (9) members.

4 **QUALIFICATIONS**

5 Members of the Board shall be residents of and elected on a non-partisan basis from districts of substan-
6 tially equal population,¹ and shall be citizens of recognized integrity, intelligence, and ability to admin-
7 ister the duties of the office.² To qualify as a candidate, an individual must show proof of graduation
8 from high school or receipt of a G.E.D. No member of the local legislative body nor any other local
9 governmental official shall be eligible for election as a member of the Board of Education.³

10 One NON-VOTING student member may be appointed annually.

11 **TERMS OF OFFICE**

12 Members of the Board shall serve four (4) year terms.¹

13 **VACANCIES**

14 Vacancies shall be declared to exist on account of death, resignation, removal from the district which
15 elected him, removal from the school system,⁵ or through due process proceedings.⁴

16 When a vacancy occurs, the unexpired term shall be filled at the next regular or special meeting of the
17 local legislative body.⁵ Such appointment shall continue until the next regular election.⁶ The individual
18 appointed shall reside in the same district as the individual causing the vacancy.

19 **OATH OF OFFICE**

20 All members of the Board shall take an oath to faithfully discharge the duties of the office.⁷

21 **COMPENSATION**

22 The compensation for board members shall be one-half (1/2) of the amount received by their counter-
23 part or the Hamilton County Commission.

24 **Legal References:**

- 25 1. TCA 49-2-201
- 26 2. TCA 49-2-202(a)(1)
- 27 3. TCA 49-2-202(a)(2)
- 28 4. TCA 8-47-101; TCA 49-1-611
- 29 5. TCA 49-2-202(e); TCA 8-48-101(3)
- 30 6. Tennessee Constitution, Article VII, Section 2
- 31 7. TCA 49-2-202(b)

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Board Self-Evaluation	Descriptor Code: 1.103	Issued Date:
		Rescinds:	Issued:

1 For the purpose of improvement of school board leadership, the Board will conduct an annual evaluation
2 of its operational procedures.

3
4 This annual evaluation shall be developed based upon the following premises:

- 5
- 6 (a) Board members shall know and be involved in the development of standards by which
7 they will evaluate themselves.
- 8
- 9 (b) Evaluation shall be at a scheduled time with no other items on the agenda and with all
10 board members present.
- 11
- 12 (c) The evaluation shall be a composite of individual board members opinions but the
13 board as a whole shall meet to discuss the results.
- 14
- 15 (d) Evaluation shall include discussion of strengths as well as weaknesses.
- 16
- 17 (e) The Board is not required to limit itself to those items included in any formal
18 evaluation instrument which is used.
- 19
- 20 (f) Each judgment shall be supported by as much rational and objective evidence as possible.
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- 22 (g) At the conclusion of the evaluation, the board will develop a series of board goals for
23 the ensuing year which are stated in terms of behavioral change or productivity gains.
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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Memberships	Descriptor Code: 1.104	Issued Date:
		Rescinds:	Issued:

1 The Board shall maintain membership in the Tennessee School Boards Association,¹ and through its
2 membership in TSBA shall be an affiliate member of the Southern Region School Boards Association
3 and the National School Boards Association.

4
5 Dues for membership in the Tennessee School Boards Association shall be included in each annual
6 budget in accordance with state statute.

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8 The Board may also maintain institutional membership in other educational organizations which the
9 Board finds to be of benefit to members and school system personnel.

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Legal Reference:
1. TCA 49-2-2001

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Board Legislative Involvement	Descriptor Code: 1.105	Issued Date:
		Rescinds:	Issued:

1 The Board will work for the passage of new laws designed to advance the cause of improving education
2 and for the repeal or modification of existing laws and the defeat of proposed laws that impede this
3 cause. To accomplish this:

- 4
5 1. The Board shall stay informed of pending legislation and actively communicate its
6 concerns and make its position known to the elected representatives at both the state and
7 national level;
- 8
9 2. The Board shall work with other school boards in the state, local citizen groups, and
10 other local officials in acquainting them with the board's legislative priorities and seek
11 their support;
- 12
13 3. The Board shall annually select one (1) of its members to serve as its representative to
14 the Tennessee Legislative Network (TLN);
- 15
16 4. The Board shall work with its TLN representative, with TSBA, NSBA, and other
17 concerned groups in developing an annual legislative program; and
- 18
19 5. The Board shall include in its budget appropriate resources, including travel expense,
20 necessary for its TLN representative, Federal Legislative Network (FLN) representative
21 and other board members to accomplish its desired legislative goals.

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Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Duties of Individual Board Members	Descriptor Code: 1.106	Issued Date: 7/17/08
		Rescinds: 1.106	Issued: 7/17/08

1 The Board adopts this Code of Ethics as recommended by the Tennessee School Boards Association as
2 a guide to its members as they provide educational leadership for the youth of our state. The Board further
3 agrees that ethical issues regarding the Board or its members may be referred to the TSBA Ethics Advisory
4 Council.
5

6 **ARTICLE I. MY RELATIONS TO THE CHILDREN**

- 7
- 8 Section 1. I will at all times think in terms of “children first,” always determining other
9 important things according to how they affect education and training of
10 children.
11
- 12 Section 2. I will seek to provide equal educational opportunities for all children
13 regardless of ability, race, color, sex, creed or location of residence.
14

15 **ARTICLE II. MY RELATIONS TO MY COMMUNITY**

- 16
- 17 Section 1. I will endeavor to appraise fairly both the present and future educational
18 needs of the community and to support improvements as finances permit.
19
- 20 Section 2. I will represent at all times the entire school community and refuse to
21 represent special interests or partisan politics.
22
- 23 Section 3. I will endeavor to keep the community informed about the progress and
24 needs of the schools.
25

26 **ARTICLE III. MY RELATIONS TO TEACHERS AND PERSONNEL**

- 27
- 28 Section 1. I will support the employment of those persons best qualified to serve as
29 employees and insist on a regular and impartial evaluation of all staff.
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- 31 Section 2. I will support and protect personnel in performance of their duties.
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- 33 Section 3. I will not criticize employees publicly but will make such criticism to the
34 director of schools for investigation and action if necessary.
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ARTICLE IV. MY RELATIONS WITH OTHER BOARD MEMBERS

- Section 1. I will recognize that authority rests only with the Board in official meetings and that the individual member has no legal status outside of such meetings.
- Section 2. I will refuse to make promises as to how I will vote on a matter which should properly come before the Board as a whole.
- Section 3. I will make decisions only after full discussion of matters at a board meeting.
- Section 4. I will respect the opinion of other members and will accept the principle of "majority rule."

ARTICLE V. MY RELATIONS WITH THE DIRECTOR OF SCHOOLS

- Section 1. I will support full administrative authority as well as responsibility for the director of schools to properly discharge all professional duties.
- Section 2. I will support director of schools' accountability for working and requiring staff to work within the framework of policies set up by the Board.
- Section 3. I will refer all complaints and concerns to the director of schools.

ARTICLE VI. MY RELATIONS TO MYSELF

- Section 1. I will inform myself about my duties and responsibilities and current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations.
- Section 2. I will avoid being placed in a position of conflict of interest, and will refrain from using my board position for personal or partisan gain.

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Code of Ethics	Descriptor Code: 1.107	Issued Date: 7/17/08
		Rescinds:	Issued:

DEFINITIONS

- (1) "School district" means Hamilton County School District, which was duly created by a public or private act of the General Assembly; and which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the school district or an official of the school district.
- (2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the school district.
- (3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

DISCLOSURE OF PERSONAL INTEREST IN VOTING MATTERS

An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

DISCLOSURE OF PERSONAL INTEREST IN NON-VOTING MATTERS

An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the attached disclosure form and file the disclosure form with the school district's central office. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

ACCEPTANCE OF GIFTS AND OTHER THINGS OF VALUE

An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the school district that a reasonable person would understand was intended to influence the vote, official action or judgment of the official or employee in executing decision-making authority affecting the school district.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of school board officials or by an

1 umbrella or affiliate organization of such statewide association of school board officials.

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3 **ETHICS COMPLAINTS**

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5 The school district may create a School District Ethics Committee (the "Ethics Committee") consisting of three
6 members who will be appointed to one-year terms by the Chairman of the Board of Education with confirmation
7 by the board of education. At least two members of the committee shall be members of the board of education.
8 The Ethics Committee shall convene as soon as practicable after its appointment and elect a chair and a secretary.
9 The records of the Ethics Committee shall be maintained by the secretary and shall be filed in the office of the
10 director of schools, where they shall be open to public inspection.

11

12 Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing
13 ethical conduct should be directed to the chair of the Ethics Committee. Complaints shall be in writing and signed
14 by the person making the complaint, and shall set forth in reasonable detail the facts upon which the complaint
15 is based.

16

17 The School District Ethics Committee may investigate any credible complaint against an official or employee
18 charging any violation of this Code of Ethics, or may undertake an investigation on its own initiative when it acquires
19 information indicating a possible violation, and make recommendations for action to end or seek retribution for
20 any activity that, in the Committee's judgement, constitutes a violation of this Code of Ethics. If a member of the
21 Committee is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving
22 such complaint.

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24 The Committee may:

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- 26 (1) refer the matter to the Board Attorney for a legal opinion and/or recommendation for action;
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- 28 (2) in the case of an official, refer the matter to the school board body for possible public censure if the board
29 body finds such action warranted;
- 30
- 31 (3) in the case of an employee, refer the matter to the official responsible for supervision of the employee for
32 possible disciplinary action if the official finds discipline warranted;
- 33
- 34 (4) in a case involving possible violation of state statutes, refer the matter to the district attorney for possible
35 ouster or criminal prosecution;
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38 The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and
39 enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel
40 policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service
41 provisions rather than as a violation of this Code of Ethics.

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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Nepotism	Descriptor Code: 1.108	Issued Date: 6/16/16
		Rescinds:	Issued:

1 **Nepotism Generally**

2
3 For purposes of this policy, the terms “related to” and “relative” include the following relationships:
4 spouse, parent, parent-in-law, child, son-in-law, daughter-in-law, grandparent, grandchild, brother, sister,
5 uncle, aunt, nephew, niece, or any person who resides in the same household.¹
6

7 Whenever a person is considered by the Superintendent of Schools for initial employment in the system
8 and that person is related to a member of the Board, the Superintendent of Schools, an administrator in
9 the system, a county commissioner, or any appointed or elected official, the Superintendent shall inform
10 to the Board of the relationship prior to the employment of such person.
11

12 **Nepotism Within the School System**

13
14 The employment of relatives in the same area of an organization may cause serious conflicts and problems
15 with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal
16 conflicts from outside the work environment can be carried over into day-to-day working relationships.
17

18 Relatives of current employees may not occupy a position that will be working directly for or
19 supervising their relative or be assigned to the same work location. Only in extenuating circumstances
20 shall relatives be assigned to the same work location and then only upon approval of the Superintendent
21 or his designee. The director of schools may take prompt action if an actual or potential conflict of interest
22 arises involving relatives or individuals involved in a dating relationship who occupy positions at any
23 level (higher or lower) in the same line of authority that may affect the review of employment decisions.
24

25 If a relative relationship is established after employment between employees who are in a reporting
26 situation described above, it is the responsibility and obligation of the supervisor involved in the
27 relationship to disclose the existence of the relationship to the director of schools or his designee. The
28 individuals concerned will be given the opportunity to decide who is to be transferred to another available
29 position. If that decision is not made within 30 calendar days, the director of schools will decide who
30 is to be transferred or reassigned.
31

32 In other cases where a conflict or the potential for conflict arises because of the relationship between
33 employees, even if there is no line of authority or reporting involved, the employees may be separated
34 by reassignment or terminated from employment. Employees in a close personal relationship should
35 refrain from public workplace displays of affection and/or excessive personal conversation.
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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Nepotism	Descriptor Code: 1.108	Issued Date: 6/16/16
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Nepotism by Board Members

If a member of the Board has a relative who is an employee in the system, then prior to voting on any matter of business that may have an effect upon the employment of the relative, the Member shall declare such relationship. In making such a declaration, the Member shall certify that his or her vote on the pending matter will be in the best interest of the school system.

This certification may be by way of a statement that is substantially as follows: "I _____, declare that I have a relative employed with the Hamilton County Department of Education, but I am casting my vote on this agenda item because it is the best interest of the Hamilton County Department of Education and not as a result of my relationship to the employee."

Legal References:
1. TCA § 49-2-202(A)(3)

Cross References:
Assignment/Transfer of Personnel 5.115

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Method of Election of Officers	Descriptor Code: 1.200	Issued Date:
		Rescinds:	Issued:

1 At the first regular meeting in September each year, the Board shall organize by electing a chairman,¹
2 a vice chairman and a TLN representative to serve one-year terms or until a successor is named. In
3 the event that an officer's seat on the board is vacated, the Board shall elect a successor to serve the
4 remainder of the officer's term. Each board officer shall be eligible for re-election.
5

6 If no officer of the Board is serving at the time of the organizational meeting, the most senior member
7 shall call the meeting to order and preside until a chairman is elected as the first order of business.
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9 If the office of chairman is vacated prior to the expiration of the annual term, the vice chairman shall
10 assume all responsibilities of the chairman until a new chairman is elected.
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34 _____
35 Legal Reference:

36 1. TCA 49-2-202(c)(2)
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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Duties of Officers	Descriptor Code: 1.201	Issued Date: 8/18/16
		Rescinds:	Issued:

CHAIRMAN

The chairman of the Board shall have the following duties:

1. To assist the director of schools in preparing meeting agendas;
2. To preside at all meetings of the Board;¹
3. To appoint committees authorized by the Board;¹
4. To function as chairman of the executive committee;¹
5. To countersign all warrants authorized by the Board and issued by the director of schools for all expenditures of the school system;¹
6. To conduct Board hearings;²
7. To prepare the school budget with the director of schools;³
8. To authorize the use of mechanical checkwriting equipment;⁴
9. To certify the value of surplus property valued less than \$250;⁵ and
10. To carry out other such duties as may be assigned by the Board.

VICE CHAIRMAN

The vice chairman shall assume the duties of the chairman in his/her absence or function as the chairman until a new chairman can be elected in the event the chairman is incapacitated or the office becomes vacant.

SECRETARY

The director of schools, as the executive officer of the Board, shall serve as secretary to the Board. He/she shall conduct all correspondence of the Board, keep and preserve all of its records, receive all reports acquired by the Board, and see that such reports are in proper form. He/she has the right to advise on any question under consideration but has no vote.

The Board may assign the keeping of the minutes to a clerk; however, the responsibility resides with the director of schools.

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Duties of Officers	Descriptor Code: 1.201	Issued Date: 8/18/16
		Rescinds:	Issued:

CHAIRMAN PRO TEM

In the event that both the Chairman and Vice Chairman are absent or incapacitated, or in the event that both offices become vacant for whatever reason, then the most senior member of the Board shall serve as the Chairman *Pro Tem* until such time as the Board elects new officers. In the event that two or more members of the Board have equal seniority, then the Chairman Pro Tem shall be determined by blind draw.

Legal References:

1. TCA 49-2-205
2. TCA 49-5-512(5)(6)
3. TCA 49-2-203(10)(A)(i)
4. TCA 49-2-113
5. TCA 49-6-2007

Cross References:

Role of the Board 1.101
Duties of Board Members 1.202

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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Duties of Board Members	Descriptor Code: 1.202	Issued Date:
		Rescinds:	Issued:

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The duties of an individual board member shall be as follows:

1. To become familiar with State school laws, regulations of the State Department of Education, and school board policies, rules and regulations;
2. To participate in State-mandated board training;¹
3. To have a general knowledge of the educational aims and objectives of the system;
4. To work harmoniously with other board members without trying either to dominate the Board or neglect his/her share of the work;
5. To vote and act impartially for the good of the school system;
6. To accept the will of the majority vote in all cases and give support to the resulting action;
7. To represent the Board and the school system to the public in such a way as to promote both interest and support; and
8. To refer complaints to the director of schools and to abstain from individual counsel and action in regard to staff members.

Legal References:

1. TCA 49-2-202(a)(5); TRR/MS 0520-1-2-11

Cross References:

Role of the Board 1.101
Ethics 1.106

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: New Member Orientation	Descriptor Code: 1.203	Issued Date:
		Rescinds:	Issued:

1 The Board considers board member development to be an ongoing process for all board members and
2 a vital responsibility for effective board membership.

3
4 It shall be the responsibility of the director of schools to provide to each new board member:

- 5
6 1. A copy of the Board's *Policy Manual*;
- 7
8 2. Applicable portions of the *Tennessee Code Annotated* outlining the duties and responsibilities of
9 the Board and the director of schools;
- 10
11 3. Minutes of the board meetings for the previous year which are available on-line; and
- 12
13 4. Other appropriate materials which will acquaint the new member with the operation of the school
14 system and board service.

15
16 An orientation for new board members shall be conducted no later than thirty (30) days after new board
17 members take office. The chairman of the board and the director of schools shall arrange and plan for
18 such an orientation.

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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Board Member Development Opportunities	Descriptor Code: 1.204	Issued Date:
		Rescinds:	Issued:

1 The Board shall participate in activities designed to assist board members in improving their skills as
2 members of a policy-making body.

3
4 In order to control both the investment of time and funds necessary to implement this policy, the Board
5 establishes these principles and procedures for its guidance:

- 6
7 1. A calendar of school board conferences, conventions and workshops shall be maintained by the
8 board secretary and provided to each board member. At least annually the Board will identify
9 which meetings should be attended and the benefits which would be derived from participation
10 in such meetings;
- 11
12 2. Funds for participation at such meetings shall be budgeted on an annual basis. The Board as a
13 whole shall retain the authority to approve or disapprove the participation of members in planned
14 activities;
- 15
16 3. Reimbursement to board members for their travel expenses shall be in accord with the travel
17 expense policy for staff members;¹
- 18
19 4. When a conference, convention or workshop is not attended by the full Board, those participating
20 will be requested to share information, recommendations and materials acquired at the meeting;
21 and
- 22
23 5. The public shall be kept informed through the news media about the Board's continuing in-service
24 education and about the programs anticipated for short- and long-range benefits to the schools.

25
26 The Board regards the following as the kinds of activities and services appropriate for implementing
27 this policy:

- 28
29 1. Participation in school board conferences, workshops and conventions held by the State and
30 National School Boards Associations;¹
- 31
32 2. Local and district-sponsored training sessions for board members; and
- 33
34 3. Subscriptions to publications addressing the concerns of board members.

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36 Legal Reference:

- 37 1. TCA 49-2-2001(c)

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36 Cross References:

- 37 Board Self-Evaluation 1.103
- 38 Memberships 1.104
- 39 School Board Legislative Involvement 1.105
- 40 School District Goals 1.700
- 41 School Calendar 1.800
- Expenses and Reimbursements 2.804

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Board-Director Relations	Descriptor Code: 1.205	Issued Date:
		Rescinds: 1.205	Issued: 2/15/07

1 The Board shall be responsible for specifying its requirements and expectations of the director of schools
2 and then holding the director accountable by evaluating how well those requirements and expectations
3 have been met. In turn, the director shall be responsible for specifying requirements and expectations
4 for all administrators who report to him/her and then holding each accountable by evaluating how well
5 requirements and expectations have been met.

6
7 The Board will authorize all expenditures, employ and dismiss all tenured teachers,¹ approve the annual
8 budget,² and determine policy.³ The decisions of the Board concerning these matters will guide the
9 actions of the director of schools and his/her staff.

10
11 Board members are entitled to information relevant to the operation of the school system. Members shall
12 request this information through the director of schools. In response to the request of Board members,
13 the director of schools shall gather the information and/or prepare a report and disseminate it to all
14 Board members as soon as practicable. If the director of schools determines in his sole discretion that
15 the information requested is burdensome and/or will take an inordinate amount of staff time to prepare,
16 he shall advise the chairman. The chairman will then place the Board member's request on the agenda
17 of the next Board meeting for consideration by the entire Board.

18
19 If at all possible, Board members should refrain from criticizing or discussing individual employees in
20 an open meeting since such meetings are public record and the affected employees are usually unable
21 to offer an appropriate rebuttal to any criticism. Accordingly, if a Board member has any questions or
22 concerns about any aspect of an employee's performance, the member should, if at all possible, direct
23 these questions or concerns to the attention of the director of schools and permit the director of schools
24 time to investigate the issues and to deal with them as appropriate. If the director of schools deems
25 it necessary, he will communicate any issues about which the Board ought to be aware to the Board
26 members in advance of a regular meeting.

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35 Legal References:

- 36 1. TCA 49-2-203(1)(3)(6)
37 2. TCA 49-2-203(11)(A)(i)
38 3. TCA 49-2-207

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35 Cross References:

- 36 Role of the Board of Education 1.101
37 Evaluation of the Director of Schools 5.803

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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Committees of the Board	Descriptor Code: 1.300	Issued Date: 12/16/04
		Rescinds: 1.300	Issued: 4/20/06

1 In addition to the Executive Committee, the Board may create such Standing Committees and Special
2 Committees as may be necessary and appropriate to investigate matters and to advise the Board as a
3 whole. Before taking action on any given issue, it shall not be necessary for the Board to have first
4 referred a matter to a committee for consideration.
5

6 Each Standing or Special Committee, once created by the Board, shall be chaired by a Board member
7 appointed by the Chairman of the Board and filled with such other Board members as the Chairman
8 may choose to appoint. Upon request from the Chairman of the Board, the Director of Schools shall
9 appoint such members of the administration as may be necessary and appropriate to assist the Board
10 committee in its tasks. Both the Chairman and the Director of Schools shall be *ex officio* members of
11 any Committee of the Board. Standing Committees and Special Committees shall be subject to the
12 requirements of the Open Meetings Act.
13

14 **STANDING COMMITTEES**

15
16 Each October, the Board of Education shall create such Standing Committees as the Board deems nec-
17 essary and appropriate to advise the Board on matters pertaining to the regular business of the Hamilton
18 County School System including personnel, finance, curriculum, property and maintenance, and any other
19 matter related to the efficient operation of the Hamilton County School System. Each such committee
20 shall continue to operate until dissolved by the Board.
21

22 Each Standing Committee is authorized and encouraged to meet and discuss those matters of the school
23 system's operation that fall within its purview. In addition to any specific issues that the Board as a
24 whole might assign, each Standing Committee should work proactively to identify and discuss matters
25 that would aid in the efficient operation of the school system.
26

27 **SPECIAL COMMITTEES**

28
29 From time to time, the Board of Education may create Special Committees to investigate issues and to
30 make recommendations to the Board as a whole. Such Special Committees shall be empowered only
31 to address those matters delegated to them by the Board as a whole. Special Committees shall dissolve
32 upon rendering a final report to the Board.
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37 Legal References:

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39 1. TCA 49-2-205(2)
40 2. TCA 8-44-102(b)
41

Cross References:

- School Board Meetings 1.400
Public Hearings 1.401

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Executive Committee	Descriptor Code: 1.301	Issued Date:
		Rescinds:	Issued:

1 The chairman of the Board and the director of schools shall constitute the executive committee of the
2 Board, with the chairman of the Board serving as the chairman of the executive committee.¹ The duties
3 shall be:

- 4
- 5 1. To prepare an agenda for each meeting of the Board;
- 6
- 7 2. To prepare the annual budget on forms furnished by the Commissioner of Education, to be sub-
8 mitted to the Board for its approval;²
- 9
- 10 3. To meet at the office of the director of schools as often as necessary to perform the duties re-
11 quired;
- 12
- 13 4. To advertise for bids and let contracts authorized by the Board;
- 14
- 15 5. To serve as the purchasing agent for the Board;
- 16
- 17 6. To examine all accounts authorized by the Board and ensure that the approved budget is not
18 exceeded;
- 19
- 20 7. To submit for approval at each regular meeting of the Board a full report of all business trans-
21 acted since the last regular meeting; and
- 22
- 23 8. To transact any other business assigned to the committee by the Board; including approval of
24 field trips, purchases and bids, subject to ratification at the next regular meeting of the Board.¹
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36 Legal References:

- 37 1. TCA 49-2-206; TCA 49-2-205(3)
- 38 2. TCA 49-2-203(a)(10)(A)

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36 Cross References:

- 37 Duties of Officers 1.201
38 Annual Operating Budget 2.200
39 Purchasing 2.805
40 Bids and Quotations 2.806
41 Qualifications/Duties of the Director of Schools 5.802

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Attorney	Descriptor Code: 1.302	Issued Date:
		Rescinds:	Issued:

1 The Board shall employ an attorney to represent the Board in legal matters which arise concerning the
2 school system.¹ The Board attorney shall attend all regular or called meetings and shall be available at
3 other times to advise Board members and the director of schools or his/her designee.
4

5 The Board may retain other attorneys for a specific legal matter(s). If the Board does retain outside
6 counsel, it shall be for a specified length of time. The outside counsel shall provide the Board with a
7 monthly report listing activities and expenses for the prior month.
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Legal Reference:

1. TCA 49-2-203(b)(5)

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Board Meetings	Descriptor Code: 1.400	Issued Date: 2/15/07
		Rescinds: 1.400	Issued: 05/18/17

1 The Board will transact all business at official meetings which may be either regular or special.
2
3 Every meeting of the Board, except with the attorney to discuss pending or threatened litigation, will be open
4 to the public.¹ Open meetings will be physically accessible to all students, employees, and interested citizens.³
5
6 Each member of the Board shall consider it his/her duty to appear at every Board meeting properly prepared to
7 discuss the items appearing on the agenda.

8 Each Board member is obligated to attend all Board meetings unless physically incapacitated or prevented from
9 doing so due to circumstances beyond his/her control. Whenever possible, each member should advise the
10 chairperson of an impending absence.

11 **REGULAR MEETINGS**

12 Regular meetings of the Board shall be held monthly beginning at 5:30 p.m, unless an executive session is called
13 for 5:00 p.m. Each July the Board will approve an annual calendar of meetings.

14 In instances when any regular meeting date falls on a legal holiday, the meeting shall be rescheduled by the
15 chairman.

16 **SPECIAL MEETINGS**

17 The Board shall hold such special meetings as necessary to transact the business of the Board. Such meetings
18 shall be called by the chairman whenever, in his/her judgment, the interests of the schools require it, or when
19 requested to do so by a majority of the Board.²

20 Only business related to the call of the meeting, and details related to agenda items shall be discussed or transacted
21 by the Board at a special meeting.

22 Special meetings may be called for either of the following purposes:

- 23
- 24 1. To enable the Board to concentrate and take action on a single problem or set of problems;
 - 25 or
 - 26 2. To enable the Board to take emergency action between regular meetings.
- 27

28 **ADJOURNED MEETINGS**

29 The Board may hold an adjourned meeting of the Board to a specific locality and at a specific time provided;
30 however, that the Board shall give adequate public notice of such meeting.
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PERSONNEL ITEMS

If at all possible, Board members should refrain from criticizing or discussing individual employees in an open meeting since such meetings are public record and the affected employees are usually unable to offer an appropriate rebuttal to any criticism. Accordingly, if a Board member has any questions or concerns about any aspect of an employee's performance, the member should, if at all possible, direct these questions or concerns to the attention of the director of schools and permit the director of schools time to investigate the issues and to deal with them as appropriate. If the director of schools deems it necessary, he will communicate any issues about which the Board ought to be aware to the Board members in advance of a regular meeting.

REQUEST FOR INFORMATION BY BOARD MEMBERS

Board members are entitled to information relevant to the operation of the school system. Members shall request this information through the director of schools. In response to the request of Board members, the director of schools shall gather the information and/or prepare a report and disseminate it to all Board members as soon as practicable. If the director of schools determines in his sole discretion that the information requested is burdensome and/or will take an inordinate amount of staff time to prepare, he shall advise the chairman. The chairman will then place the Board member's request on the agenda of the next Board meeting for consideration by the entire Board.

In all cases, Board members are encouraged to advise the director of schools of any questions or concerns they may have regarding any agenda item as far in advance of a Board meeting as is practicable.

The Board of Education may conduct a scheduled Board meeting by electronic means as long as the member can be visually identified by the chair, including, but not limited to, telephone, videoconferencing or other web-based media, if a member is absent because the member is required to be out of Hamilton County for the member's work, the member is dealing with a family emergency as determined by the chair, or because of the member's military service.

No Board meeting shall be conducted with electronic participation unless a quorum of members is physically present at the location of the meeting. Only members who are out of the county for work, family emergency or military service may attend and participate in the meeting electronically.

A Board member wishing to participate in a scheduled Board meeting electronically who is or will be out of the county because of work shall give at least five (5) days' notice prior to the scheduled Board meeting of the member's intention to participate electronically.

No Board member shall participate electronically in Board meetings more than two (2) times per school year; provided, however, that this limitation shall not apply to a Board member who is out of the county due to military service.

Legal References:

- 1. TCA 8-44-102
- 2. TCA 49-2-202(c)(1)
- 3. 28 CFR § 36.201(a); 36.202

Cross References:

- School Board Legal Status and Authority 1.100
- Section 504/ADA Grievance Procedures 1.802

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Public Hearings	Descriptor Code: 1.401	Issued Date:
		Rescinds:	Issued:

1 The Board may hold public hearings in the following circumstances:

- 2
- 3 1. When an employee is dismissed during a contract period. Any employee of the Board, profes-
4 sional and non-professional, is entitled to a hearing, upon written request, and shall be advised
5 of the same in the event of a dismissal;¹
 - 6
 - 7 2. When a student has been suspended and the resolution has not been satisfactory;²
 - 8
 - 9 3. When a parent or legal guardian shall contest the school assignment of their child;³
 - 10
 - 11 4. When a hearing is required by a statute, rule, regulation or contract; and/or
 - 12
 - 13 5. When the Board deems it to be in the public interest.
 - 14

15 Any individual(s) requesting a hearing before the Board will make such request in writing stating the
16 purpose of the hearing, the action desired, and, in the case of contesting a school assignment, the specific
17 reasons for requesting the transfer. All requests for hearings must be received by the Board or director
18 of schools within the time limit prescribed by law for that category of hearing.

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Legal References:

- 33 1. TCA 49-2-203(a)(6); TCA 49-2-301(GG)(i); TCA 49-5-512
- 34 2. TCA 49-6-3401
- 35 3. TCA 49-6-3201

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37 _____
Legal References:

- 38 1. TCA 49-2-203(a)(7); TCA 49-5-512.
- 39 2. TCA 49-6-3401.
- 40 3. TCA 49-6-3201.
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Cross Reference:

33 Appeals To and Appearances Before the Board 1.404

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Notification of Meetings	Descriptor Code: 1.402	Issued Date:
		Rescinds:	Issued:

1 Adequate notice of meetings¹ in the case of regular meetings shall consist of the approval of a schedule
2 of all regular meetings for the Board for a year and subsequent posting of this list in the Board/director
3 of schools' office and in each of the public schools. The schedule shall also be sent to the president of
4 the local education association² and to the local news media for periodic announcement. No other no-
5 tice of regular meetings shall be necessary beyond those stated and the holding of the particular regular
6 meetings at the appointed times, if the date and time of the next regular meeting was announced at the
7 last held board meeting.

8
9 In the case of special board meetings, notice shall be posted in the same locations with notice sent to the
10 local news media and the president of the local education association, as in the case of regular meetings,
11 at least forty-eight (48) hours prior to the meeting.

12
13 The only exception permitted is in case of emergency, defined for this policy as “a sudden, generally
14 unexpected occurrence or set of circumstances demanding immediate action.” In such exceptions, notice
15 shall be given to all appropriate parties as is practical.

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17 All notices of special board meetings shall state the time, place and purpose of the meeting.
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35 Legal References:

- 36 1. TCA 8-44-103
37 2. TCA 49-2-202(c)(1)
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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Agendas	Descriptor Code: 1.403	Issued Date:
		Rescinds: 1.403	Issued: 2/15/07

1 The director of schools shall be responsible for drafting an agenda for each Board meeting and for
2 submitting the draft agenda to the Board's Executive Committee at least one week before the regularly
3 scheduled Board meeting. At least 72 hours prior to any Board meeting, a Board member may request
4 that the Board Chairman include a particular item on the meeting agenda; it is within the Board Chairman's
5 discretion to include the item on the agenda unless more than one Board member makes the request.
6

7 For a regular board meeting, the agenda (which shall include the consent agenda), together with sup-
8 porting materials, shall be distributed to board members at least five (5) days prior to the scheduled
9 date of the meeting. The agenda shall be available for public inspection and/or distribution when it is
10 distributed to the board members. At the beginning of each meeting, the Board shall, by a majority vote,
11 approve the agenda for the meeting, which may involve the addition to or deletion of items previously
12 included on the agenda. The Board, however, shall not revise board policies or adopt new ones, unless
13 such action has been scheduled.
14

15 Staff members or citizens of the district may suggest items for the agenda. For items to be considered
16 on the agenda, they must be received in the director of schools' office two (2) weeks prior to the sched-
17 uled date of the meeting. The person(s) requesting an item on the agenda shall forward any background
18 information to the director of schools' office so that the material will be included in the delivery to the
19 board members prior to the meeting.
20

21 **CONSENT AGENDA**

22
23 While developing the agenda, the chairman and the director of schools shall identify routine or non-con-
24 troversial items to be placed on the consent agenda, which shall become a part of the regular agenda.
25 Such consent agenda items may include: approval of overnight field trips, budget amendments, financial
26 information, minutes of regular or special Board meetings, updates of Board policies, personnel items,
27 bid recommendations, and grant submittals or applications. If any member objects to including an item
28 on the consent agenda, then that item shall be moved to the regular agenda as an action item requiring
29 discussion. Board members shall use their best efforts to advise the Board Chairman at least 24 hours
30 prior to a meeting if there are any items that the member would like to remove from the consent agenda
31 for specific discussion and consideration by the Board. The remaining consent items shall be adopted
32 in a single vote without discussion.
33

34 **TIMED AGENDA**

35 The Executive Committee shall assign to each item a certain amount of time determined to be sufficient
36 for disposing of each item on the agenda.

37 **ANNUAL AGENDA**

38
39 At the beginning of each fiscal year, the Board shall adopt an annual planning calendar, stating month-
40 by-month actions required by law and those required to carry out the Board's annual goals and objectives
41 and the State Board of Education's performance standards.

Hamilton County Board of Education

Monitoring: Review:	Descriptor Term: APPEARANCES BEFORE THE BOARD	Descriptor Code: 1.404	Issued Date:
		Rescinds:	Issued: 8/20/2015

1 Any resident of Hamilton County may appear before the Board of Education to comment upon the
2 operation of the Hamilton County Schools. However, for the efficient operation of the schools, the
3 Board desires that complaints and concerns be resolved as quickly as possible and by the employee
4 or administrator having responsibility over the issue in question. Accordingly, the Board
5 encourages individuals with complaints or concerns to speak with the appropriate employee or
6 administrator rather than first addressing the Board.

7 **APPEARANCES BEFORE THE BOARD**

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9
10 Any resident of Hamilton County desiring to address the Board regarding the operation of the
11 Hamilton County Schools must submit a written request setting forth the topic upon which the
12 individual wishes to address the Board as well as any supporting documents or materials. He or
13 she must submit this written request to the Director of Schools no later than three (3) days prior to
14 the Board's meeting.

15
16 If the Executive Committee of the Board approves the request, the individual will be listed on the
17 Board's printed agenda and recognized at the appropriate time. The Board Secretary will also
18 circulate to the Board members any documents or materials that the individual submitted in
19 support of his or her request to speak.

20
21 Additionally, any resident of Hamilton County desiring to address the Board who has missed the
22 three (3) day advance deadline may nevertheless be recognized to speak provided that he or she
23 signs in at least thirty (30) minutes prior to the start of any regularly scheduled Board meeting.
24 Thirty (30) minutes prior to the start of the meeting, the Board Secretary will collect the sign-in
25 sheet and provide it to the Chairman. The Chairman, at the appropriate time on the agenda, will
26 recognize the first three (3) individuals who have signed in to address the Board.

27
28 If a group of individuals wishes to address the Board about the same matter, the group must select
29 one (1) individual to speak on its behalf unless the group specifically requests permission for
30 multiple individuals to speak on the same topic.

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Hamilton County Board of Education

Monitoring: Review:	Descriptor Term: APPEARANCES BEFORE THE BOARD	Descriptor Code: 1.404	Issued Date:
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RULES GOVERNING ANY COMMENTS TO THE BOARD

Individuals speaking to the Board shall address their remarks to the Chairman. Each person speaking shall state his or her name, his or her address, and the subject of his or her presentation. Remarks will be limited to five (5) minutes unless time is expended by the Board.

Under no circumstances will the Chairman allow a speaker to identify a student or to discuss confidential matters protected by law or professional ethics. Likewise, the Chairman will not allow a speaker to address any employee or to make derogatory comments regarding any employee.

The Chairman shall have the authority to terminate the remarks of any individual who is disruptive or does not adhere to the Board rules.

Legal reference: T.C.A. § 39-17-306;

Cross-references:
School Board Meetings 1.400
Agendas 1.403
Complaints About School
Personnel 5.503.

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Rules of Order	Descriptor Code: 1.405	Issued Date:
		Rescinds:	Issued:

1 The rules contained in the current edition of *Robert's Rules Of Order, Newly Revised*, shall govern the
2 Board in all cases to which they are applicable, except as otherwise provided by any statutes¹ applicable
3 to the Board, or by policies of this Board including the following exceptions:
4

5 **VOTING METHOD**

6
7 When a formal vote is taken on any question brought before the Board, the decision shall be made on
8 the basis of a majority of the membership of the Board.² Votes on all motions and resolutions shall be
9 "ayes" and "nays".
10

11 Roll call votes will be used on items requiring an expenditure of funds, at the discretion of the chairman
12 or upon the request of any board member. Each member's vote shall be recorded in the minutes on a
13 roll call vote. Upon request, any member's individual vote may be recorded in the minutes. No secret
14 votes shall be used.³
15

16 **CHAIRMAN'S PARTICIPATION**

17
18 The person chairing a meeting may participate in discussion, make motions, and vote on all issues as
19 any other member without relinquishing the chair.⁴
20

21 **SUSPENSION OF RULES**

22
23 Rules of order may be suspended by a two-thirds vote at any regular or special meeting.
24

25 **CHALLENGES**

26
27 Procedural challenges to the rules of order must be made in a timely manner and not later than the next
28 successive meeting.
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34 Legal Reference:

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36 1. TCA 49-5-409(b)(1); TCA 49-6-3004(2)(f)
37 2. TCA 49-2-202
38 3. TCA 8-44-104(b)
39 4. *Reeder v. Trotter*, 142 Tennessee 37 (1919)
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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Minutes	Descriptor Code: 1.406	Issued Date:
		Rescinds:	Issued:

1 The director of schools shall keep, or cause to be kept, complete and accurate minutes of all meetings
2 of the Board.¹ The draft of the minutes of the previous meeting shall be sent to all board members
3 with the agenda for the subsequent meeting. The board chairman may waive this requirement for good
4 cause. Following their approval by the Board, the minutes shall be signed by the chairman and director
5 of schools.² The minutes shall become permanent records of the Board and shall be made available to
6 interested citizens and the news media upon request.^{3,4} A copy shall be provided to all board members,
7 the president of the local education association, and to each of the schools no more than thirty (30) days
8 after approval by the Board.⁵

9
10 The minutes shall include:

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- 12 1. The nature of the meeting (regular or special), time, place, date, board members present or absent,
13 and the approval of the minutes of the preceding meeting;^{2,3}
- 14
- 15 2. A record of all motions, proposals, and resolutions passed or denied by the Board, together with
16 the names of the members making and seconding the motions, and a record of the members
17 voting “aye” and “nay” in the event of a roll call vote;^{2,3}
- 18
- 19 3. Reports, documents and objects relating to a formal motion may be omitted from the minutes, if
20 they are referred to and identified by title and date, unless required by statutes rule or regulation;⁶
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- 22 4. Names of persons addressing the Board and the purpose of their remarks; and
- 23
- 24 5. A brief account of those items discussed, and whether or not any motions were made regarding
25 those items.
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35 Legal References:

- 36 1. TCA 49-2-301(b)(c)(D)
- 37 2. *Robert's Rules of Order*, Article VII, Paragraph 41
- 38 3. TCA 8-44-104
- 39 4. TCA 10-7-503
- 40 5. TCA 49-2-203(a)(12)
- 41 6. OP Tenn. Atty. Gen. 79-284 (June 11, 1979)

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Board Records	Descriptor Code: 1.407	Issued Date:
		Rescinds:	Issued:

1 The director of schools shall maintain all school system records required by law, regulation and board
 2 policy. Any citizen of Tennessee, state official or other authorized person shall be permitted, upon written
 3 request, at a reasonable time, to inspect all records maintained by the school district unless otherwise
 4 prohibited by law, regulation or board policy. A person who has the right to inspect a record may re-
 5 quest and receive copies of the documents subject to the payment of reasonable cost.^{1,2,3,4} The names
 6 of persons inspecting records and the date of inspection shall be recorded.

7
 8 No records pertaining to individual students will be released for inspection by the public or any unau-
 9 thorized persons.

10
 11 The director of schools and/or his designee(s) shall retain and dispose of school district records in ac-
 12 cordance with the following guidelines:^{2,4}

- 13
14 1. The director of schools and/or his/her designee(s) will determine if a particular record is of
15 permanent or temporary value in accordance with regulations promulgated by County Public
16 Records Commission and the Tennessee Institute for Public Services records manual;^{5,6}
- 17
18 2. Temporary value records which have been kept beyond the required time may be recommended
19 to the Public Records Commission for destruction;^{7,8}
- 20
21 3. The records that the State Librarian and Archivist desire to preserve in their facilities will be
22 transferred to the State Library and Archives. The temporary value records rejected by the State
23 Library and Archives may be transferred to another institution or destroyed;^{7,8,9} and
- 24
25 4. Permanent records will be kept in some usable form. If the director of schools desires to destroy
26 the original permanent record, these records must be reproduced by microfilming or some other
27 permanent reproduction method. Permission to destroy any original permanent record after mi-
28 crofilming follows the same procedure noted above for temporary records.^{6,8}
- 29
30 5. The director of schools shall establish procedures to safeguard against the unlawful destruction,
31 removal or loss of records.¹⁰

32 _____
 33 Legal References:

- 34 1. TCA 49-2-301(b)(1)(cc)
- 35 2. TCA 10-7-503
- 36 3. TCA 10-7-506(a)
- 37 4. TCA 49-2-104
- 38 5. TCA 10-7-401
- 39 6. TCA 10-7-406
- 40 7. TCA 10-7-404
- 41 8. TCA 10-7-413
9. TCA 10-7-414
10. TCA 39-16-504

Cross References:

- Financial Reports and Records 2.701
- Personnel Records 5.114
- Student Records 6.600

Hamilton County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: School District Records	Descriptor Code: 1.407	Issued Date: 06/15/17
		Rescinds:	Issued:

1 The director of schools shall maintain all school district records required by law, regulation and board policy.
2 Any citizen of Tennessee shall be permitted during business hours to inspect public records maintained by the
3 school district unless otherwise prohibited by law. Any citizen of Tennessee may request in writing and receive
4 copies of open public records subject to the payment of reasonable costs.^{1,2,3,4}

5
6 No records pertaining to individual students will be released for inspection by the public or any unauthorized
7 persons. In addition, information records, and plans related to security and safety will not be released for public
8 inspection.¹¹

9 All requests to inspect or receive copies of records shall be submitted to the Assistant Superintendent for Human
10 Resources, the district's public records request coordinator and records custodian.¹²

11
12 Prior to producing any record, the records custodian shall ensure confidential information is redacted. Original
13 documents remain intact and confidential information in copies produced for a requestor shall be redacted. The
14 director of schools shall develop a procedure to redact confidential information.

15 **REQUESTS FOR INSPECTION**²

16
17 Requests for inspection must allow 48 hours for reproduction and redaction of records. Citizens requesting to
18 inspect public records shall submit their request and a government issued photo identification card with the
19 citizen's address to the district's public records request coordinator during normal business hours. Requests may
20 be made in person, in writing, or by electronic mail (email). The coordinator shall submit the information to the
21 appropriate records custodian. The records custodian will contact the citizen and indicate when the records will
22 be available to inspect.

23
24 If the records cannot be made available within seven (7) business days, the records custodian shall provide a
25 records production letter indicating the time needed to complete the request.

26
27 If the request to inspect is denied, the records custodian shall provide the citizen with a records request denial
28 letter indicating the basis for the denial.

29 **REQUESTS FOR COPIES**²

30
31 Citizens requesting copies of public records shall complete and submit the Records Request Form and a
32 government issued photo identification card with the citizen's address to the district's public records request
33 coordinator during normal business hours. The coordinator shall submit the Records Request Form to the
34 appropriate records custodian.
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Hamilton County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: School District Records	Descriptor Code: 1.407	Issued Date: 06/15/17
		Rescinds:	Issued:

1 The records custodian shall provide an estimate of the reasonable costs to product the requested records. The
2 Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable Charges found
3 at <https://www.comptroller.tn.gov/openrecords/forms.asp> shall be used to determine the reasonable cost. The
4 records custodian will provide the citizen with an invoice detailing the charges. The citizen shall pay the
5 estimated reasonable costs by cash, money order, or cashier's check prior to the district producing the copies.
6 "Reasonable charges" shall include per-copy costs and labor exceeding one hour.

7 If the records cannot be made available within seven (7) business days, the records custodian shall provide a
8 records production letter indicating the time needed to complete the request.

9 If the request for copies is denied, the records custodian shall provide the citizen with a records request denial
10 letter detailing the basis for the denial.

11 **FREQUENT AND MULTIPLE REQUESTS**

12 When the total number of requests for copies made by a requestor within a calendar month exceeds four (4), the
13 requestor may be charged a fee for any and all labor that is reasonably necessary to produce copies of the
14 requested records. Prior to charging a reasonable fee, the requestor shall be notified of this policy and provided
15 with a Notice of Aggregation of Multiple Requestors form. The Tennessee Comptroller of the Treasury, Office
16 of Open Records Counsel Schedule of Reasonable Charges found at <https://www.comptroller.tn.gov/openrecords>
17 [forms.asp](https://www.comptroller.tn.gov/openrecords) shall be used to determine the reasonable cost. Further, the names of persons inspecting records and
18 the date of inspection shall be recorded.

19 **RECORDS RETENTION**

20 The director of schools and/or his designee(s) shall retain and dispose of school district records in accordance
21 with the following guidelines: ^{2,4}

- 22 1. The director of schools and/or his designee(s) will determine if a particular record is of
23 permanent or temporary value in accordance with regulations promulgated by County
24 Public Records Commission and the Tennessee Institute for Public Services records manual; ^{5,6}
- 25 2. Temporary value records which have been kept beyond the required time may be recommended to the
26 Public Records Commission for destruction; ^{7,8}
- 27 3. The records that the State Librarian and Archivist desire to preserve in their facilities will be transferred to
28 the State Library and Archives. The temporary value records rejected by the State Library and Archives may
29 be transferred to another institution or destroyed; ^{7,8,9}
- 30 4. Permanent records will be kept in some usable form (digital, printed, microfilm, etc). If the director of
31 schools desires to destroy the original permanent record, these records must be reproduced by microfilming
32 or some other permanent reproduction method. Permission to destroy any original permanent record after
33 microfilming follows the same procedure noted above for temporary records; ^{6,8} and

Hamilton County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: School District Records	Descriptor Code: 1.407	Issued Date: 06/15/17
		Rescinds:	Issued:

1 5. The director of schools shall establish procedures to safeguard against the unlawful destruction, removal
2 or loss of records.¹⁰
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31 Legal Refernces:

- 32 1 TCA 49-2-301(b)(1)(CC)
- 33 2 TCA 10-7-503
- 34 3 TCA 10-7-506(a)
- 35 4 TCA 49-2-104
- 36 5 TCA 10-7-401
- 37 6 TCA 10-7-406
- 38 7 TCA 10-7-404
- 39 8 TCA 10-7-413
- 40 9 TCA 10-7-414
- 41 10 TCA 39-16-504
- 11 TCA 10-7-504(p)

Cross References:

- Financial Reports and Records 2.701
- Personnel Records 5.114
- Student Records 6.600

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Board-Community Relations	Descriptor Code: 1.500	Issued Date:
		Rescinds:	Issued:

1 In order to promote school-community interaction relating to the policy and operation of the schools,
2 the Board will:

- 3
- 4 1. Strive to keep citizens of the school system regularly informed about all policies, problems and
5 planning through channels of communication, its own efforts, and the office of the director of
6 schools;
 - 7
 - 8 2. Direct all school employees, including teachers, administrators and support service personnel to
9 participate in good school-community interaction by:
 - 10 a. Transmitting pertinent and correct information to citizens upon request or upon initiative of
11 school employees;
 - 12 b. Seeking ways to improve school-community relations; and
 - 13
 - 14
 - 15 3. Recognize the right of news media to inquire, research and report to the public information about
16 local schools.
 - 17

18 The principal of each school shall be responsible for the development of a public relations program and
19 shall promote programs which involve parents and the community with the school.

20

21 The director of schools shall be responsible for leadership in school-community relations. Through the
22 use of his staff, he/she will promote a program to best coordinate the involvement of the schools and
23 community.

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Cross References:

- Visitors to the Schools 1.501
- Board Meeting News Coverage 1.502
- Advertising & Distribution of Materials in Schools 1.806
- Crisis Management 3.203
- Community Use of School Facilities 3.206
- Staff Community Relations 5.606

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Visitors to the Schools	Descriptor Code: 1.501	Issued Date:
		Rescinds:	Issued:

1 Except on occasions, such as school programs, athletic events, open house and similar public events; all
2 visitors will report to the school office when entering the school and will sign a log book. Authorization
3 to visit elsewhere in the building or on the school campus will be determined by the principal or des-
4 ignee. Guest passes shall be issued for all persons other than students and employees of the school. ¹
5

6 In order to maintain the conditions and atmosphere suitable for learning, no other person shall enter
7 onto the grounds or into the school buildings during the hours of student instruction except students
8 assigned to that school, the staff of the school, parents of students, and other persons with lawful and
9 valid business on the school premises.

10
11 Persons who come onto school property shall be under the jurisdiction of the site administrator/designee.
12 Individuals who come onto school property or who contact employees on school or district business are
13 expected to behave accordingly. Specifically, actions that are prohibited include, but are not limited to:

- 14 1. Cursing and use of obscenities;
- 15 2. Disrupting or threatening to disrupt school or office operations;
- 16 3. Acting in an unsafe manner that could threaten the health or safety of others;
- 17 4. Verbal or written statements or gestures indicating intent to harm an individual or
18 property; and
- 19 5. Physical attacks intended to harm an individual or substantially damage property.

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23 The principal or his/her designee has the authority to exclude from the school premises any persons
24 disrupting the educational programs in the classroom or in the school, disturbing the teachers or students
25 on the premises, or on the premises for the purpose of committing an illegal act.²
26

27 The principal or other appropriate administrators shall engage law enforcement officials when he/she
28 believes the situation warrants such measures. Any administrator who engages law enforcement officials
29 for good cause and in the scope of his/her authority shall be provided a defense and indemnification in
30 the event a complaint is made against the administrator for such action.
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36 Legal Reference:

- 37 1. TCA 40-303(b)(4)
- 38 2. TCA 49-6-2008; TCA 39-14-406

35 _____
36 Cross References:

- 37 Section 504/ADA Grievance Procedures 1.802
38 Vendor Relations 2.809
39 Security 3.205
40 Care of School Property 6.311
41

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Board Meeting News Coverage	Descriptor Code: 1.502	Issued Date:
		Rescinds:	Issued:

- 1 A copy of the agenda and agenda materials will be sent in advance to members of the news media who
2 request it. Additionally, all reports approved by the Board shall be made available to the media.
3
4 The press will be provided with working copies of the agenda and agenda materials upon request.
5
6 The press shall not bring a camera, camcorder or other photographic equipment to Board meetings
7 without the consent of the Board.
8
9 The chairman of the board and/or the director of schools will be available after each meeting to answer
10 questions and to clarify points of discussion and action.
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12 Copies of all materials requested may be provided electronically, at the discretion of the board secretary.

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Legal Reference:

1. OP Tenn. Atty. Gen. 95-101 (Oct. 2, 1995)

Cross References:

- Board-Community Relations 1.500
News Releases, Conferences and Interviews 1.503

Legal Reference:

1. OP Tenn. Atty. Gen. 95-101 (Oct. 2, 1995)

Cross References:

1. 1.608 Board-Community Relations
2. 1.611 News Releases, Conferences and Interviews

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: News Releases, News Conferences and Interviews	Descriptor Code: 1.503	Issued Date:
		Rescinds:	Issued:

1 The release of official news from the system and schools shall be coordinated as follows:
2

- 3 1. The board chairman will be the official spokesman for the Board, except as this duty is delegated
4 to others;
5
6 2. News releases which are of a systemwide nature or pertain to established system policy are the
7 responsibility of the director of schools or a designated member of the administrative staff; and
8
9 3. News releases which are of concern to only one school or to an organization of one school are
10 the responsibility of the principal of that particular school.
11

12 When individual board members or the director of schools express their views on any issue which is in
13 opposition to a view expressed in board policy, they have the duty to make clear that the view expressed
14 is not the official view of the Board or school system.
15

16 Every effort will be made by the district and its schools to announce school activities early enough to
17 meet publication or broadcast deadlines of the news media.
18

19 News of open houses, exhibits, displays, productions, sport events and activities should be publicized
20 by the individual schools.
21

22 News of the Parent-Teacher Association, Clubs, etc., activities should be handled by the individual or-
23 ganizations.
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35 Cross References:

36 Board-Community Relations 1.500
37 Board Meeting News Coverage 1.502
38 Crisis Management 3.203
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Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Policy Development and Adoption	Descriptor Code: 1.600	Issued Date:
		Rescinds: 1.600	Issued: 2/19/09

1 Either the Administration or a Board member may propose an amendment to or the adoption of Board
2 policy. Any such proposal shall be put in writing and submitted to the Board for reading and consid-
3 eration at two consecutive meetings. At the first reading, the Administration or the Board member pro-
4 posing the change to policy shall address the Board and introduce the proposal. Board members may
5 ask questions, and any interested party shall be given an opportunity to be heard. The Board shall not,
6 however, vote on the proposal after the first reading. At the next regular business meeting, the Board
7 shall consider the proposal and hear any interested party who wishes to be heard. After this second
8 reading, having heard all interested parties, the Board will take action on the proposal.

9
10 Adoption shall require an affirmative vote by a majority of the members of the Board and each vote
11 will contain a future date for reporting the effectiveness of the policy.

12
13 Policies and amendments adopted by the Board shall be made a part of the minutes and shall be placed
14 in the policy manual. Policies and amendments shall be effective immediately upon adoption unless a
15 specific effective date is provided, and shall supersede any previous Board action on the subject.

16 17 **POLICY MAINTENANCE**

18
19 The director of schools shall be responsible for drafting policy proposals, maintaining the *Board Policy*
20 *Manual* and serving as liaison between the Board and the Tennessee School Boards Association. At
21 least annually, the Board shall review its policy manual for the purpose of passing, revising or deleting
22 policies mandated by changing conditions. ¹ In order that the policy manual remain current, the Board
23 may contract annually for TSBA's policy maintenance service.

24
25 Policies shall be accessible to all employees of the school system, members of the Board, and citizens
26 of the community.¹ All policy manuals shall remain the property of the Board and are subject to recall
27 any time deemed necessary by the director of schools.

28 29 **SUSPENSION OF POLICIES**

30
31 Any board policy or part thereof may be suspended, either by a unanimous vote of board members pres-
32 ent or by a two-thirds vote of the total membership of the Board.

33 34 **ADMINISTRATION IN POLICY ABSENCE**

35
36 In cases where the Board has provided no guidelines for administrative action, the director of schools
37 shall have the power to act, but report to the Board at its next meeting.

38
39 Legal Reference:

40 1. TCA 49-2-207

41

Cross References:

Role of the Board 1.101
Agendas 1.403

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Administrative Procedures	Descriptor Code: 1.601	Issued Date:
		Rescinds:	Issued:

1 The director of schools is responsible for implementing board policies and for interpreting them to staff,
2 students and the public.¹

3
4 The director of schools, in consultation with principals, staff members, and other persons and groups as
5 appropriate to the topic, will develop administrative procedures as necessary to implement board policies
6 or for the items deemed necessary for the efficient operation of the schools.²

7
8 Within the policies and regulations of the Board and the director of schools and the principals are au-
9 thorized to establish rules and procedures for the staff and students of their schools.

10 11 **DISSEMINATION**

12
13 The director of schools is directed to establish and maintain an orderly plan for preserving and making
14 accessible to all employees the administrative procedures.

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Legal References:

- 36 1. TCA 49-2-301(b)(1)(A)
37 2. TCA 49-2-203(a)(2)
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Cross Reference:

Qualifications/Duties of the Director of Schools 5.802

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School District Goals	Descriptor Code: 1.700	Issued Date:
		Rescinds:	Issued:

1 The Board is charged, on behalf of the public, with the responsibility for determining the educational
2 goals of the school system. In discharging that responsibility, the Board has adopted the following goals
3 in four primary areas: Instruction, personnel, students and operations.
4

5 The Board shall develop policies to implement the goals within each area subject to the approved annual
6 budget and shall annually review these goals and revise them as necessary so that each program will at
7 all times support the stated goals.
8

9 **INSTRUCTION**

- 10
- 11 1. To promote a plan for the organized improvement of school curriculum, including the articulation
12 between elementary and secondary schools;
- 13
- 14 2. To provide offerings which explore a wide range of career and service opportunities;
- 15
- 16 3. To promote an integration of academic, physical, social and emotional growth experiences for
17 each student; and
- 18
- 19 4. To promote the recognition of achievement in all endeavors (example, academic, athletic).
20

21 **STUDENTS**

- 22
- 23 1. To structure the overall instructional program to provide sufficient alternatives to meet a variety
24 of individual needs and aspirations;
- 25
- 26 2. To ensure that each student's interests, capacities and objectives are considered in his/her learning
27 program;
- 28
- 29 3. To develop a comprehensive program for disabled students providing the least restrictive pro-
30 grams; and
- 31
- 32 4. To help students gain understanding of themselves, as well as skills and techniques in living and
33 working with others and being responsible citizens.
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PERSONNEL

1. To provide high quality performance by the staff, including both professional and support personnel;
2. To establish acceptable performance standards for all personnel;
3. To provide in-service training and professional growth experiences for teachers and administrators; and
4. To maintain an evaluation system for the improvement of the instructional system.

OPERATIONS

1. To make every effort to secure adequate funding for the educational program in support of the stated goals;
2. To maintain an adequate system of fiscal and business management;
3. To develop plans for the efficient use of school facilities; and
4. To ensure appropriate communication between the director of schools and the Board.

Cross References:

- Fiscal Management Goals 2.100
- Business Management Goals 3.100
- Instructional Goals 4.100
- Personnel Goals 5.100
- Student Goals 6.100

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School District Planning	Descriptor Code: 1.701	Issued Date:
		Rescinds:	Issued:

1 The Board shall develop comprehensive, long-range plans based on the following:

- 2
- 3 1. Identifying and analyzing the major factors that affect what and how students learn;
 - 4
 - 5 2. Developing and implementing a written five-year plan to include a mission statement, goals,
6 objectives and strategies;¹
 - 7
 - 8 3. Establishing annual program improvement objectives, including major activities, expected out-
9 comes, time-lines, responsible persons and required resources; and
 - 10
 - 11 4. Basing major budget decisions on long-range plans.
 - 12

13 The Board shall plan by means of an annual retreat with the director of schools and the staff. The purpose
14 of the retreat shall be to review progress on the implementation of priorities, initiatives, and long-range
15 plans, to determine which goals have been achieved, whether any new efforts are needed, and to review
16 major issues that may affect the future. The Board shall also consider annual objectives and strategies
17 proposed by the director of schools. An annual status report on these plans shall be submitted to the
18 Commissioner of Education by September 1 of each year in the required format.¹

19
20 The director of schools shall develop necessary procedures, forms or other measures to implement the
21 goals of this policy.

22
23 A planning coordinator may be designated by the director of schools to help coordinate system-wide
24 planning efforts, establish and coordinate an issues management process, aid district staff in developing
25 specific plans, and monitor implementation schedules.

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33 Legal Reference:
34 1. TRR/MS 0520-1-3-.03(16)

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36 Cross References:
37 Role of the Board 1.101
38 Qualifications/Duties of the Director of Schools 5.802

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Based Decision-Making	Descriptor Code: 1.705	Issued Date:
		Rescinds:	Issued:

1 The Board may establish school based decision-making and increase accountability at each school
2 site. The Board will provide for appropriate training of personnel. The director of schools will require
3 periodic reports on school based improvements which are achieved and will establish regulations to
4 implement this policy.¹

5
6 **Review of Services**

7
8 The Board will not consider a complaint regarding Curriculum and Instruction unless it has been properly
9 processed through the review of services procedure within the school based decision-making process.

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Legal Reference:

35 1. TCA 49-2-210
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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Calendar	Descriptor Code: 1.800	Issued Date:
		Rescinds:	Issued:

1 No later than the end of the school year, the Board will adopt, upon the recommendation of a committee
2 of administrators, teachers, and the director of schools, an official school calendar for the succeeding
3 school year. The calendar will identify holidays, vacation days, summer sessions and other extensions
4 of the school year. The calendar may be revised by the Board, upon recommendation of the director of
5 schools, due to inclement weather or other factors.

6
7 The regular school year shall be 201 days ¹ and scheduled as follows:

- 8
9 A minimum of 180 student attendance days;
10 A minimum of six (6) days in-service education for all certificated personnel;
11 Ten (10) days paid vacation for all certified personnel; and
12 Five (5) paid holidays.

13
14 Extended contracts shall include twenty (20) days for each additional month employed.

15
16 The director of schools shall plan each year's program accounting for a 201-day year and shall recom-
17 mend it to the Board for approval. The calendar shall be distributed to the school staff at the opening
18 of the school term.

19 20 **STUDENT ATTENDANCE DAYS**

21
22 When schools are closed due to emergencies or unforeseen circumstances such as epidemics or inclem-
23 ent weather, the time lost shall be made up to the required minimum unless otherwise approved by the
24 State Department of Education.

25 26 **IN-SERVICE EDUCATION**

27
28 Each day of in-service education included in the school calendar shall be equivalent to not less than six
29 (6) hours of planned activities. ²

30 31 32 33 34 Legal References:

- 35
36 1. TCA 49-6-3004
37 2. State Board of Education Guidelines for Planning
38 Approvable In-Service Education Activities

30 31 32 33 34 Cross References:

- 35
36 Compensation Guides and Contracts 5.110
37 In-Service & Staff Development Opportunities 5.113
38 Attendance 6.200

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Day	Descriptor Code: 1.801	Issued Date:
		Rescinds:	Issued:

1 The minimum length of the school day shall be seven (7) hours total for all grades.¹

2
3 All teachers shall be on duty at least seven (7) hours and such additional time as the administrative
4 organization requires.²

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Legal References:

1. TRR/MS 0520-1-3-.02(1)(a)
2. TRR/MS 0520-1-3-.03(1)

Cross References:

- Time Schedules and Extra Duty 5.602
Staff Meetings 5.603

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Emergency Closings	Descriptor Code: 1.8011	Issued Date:
		Rescinds:	Issued:

1 The Board authorizes the director of schools to close schools in the event of hazardous weather or any
2 other emergency which presents a threat to the safety of students, staff members or school property.¹
3

4 As soon as the decision to close schools is made, the director of schools will notify the public media
5 and request that an announcement be made.
6

7 If school is not in session or is dismissed early due to snow or inclement weather, all scheduled ac-
8 tivities in which students are involved will be postponed or cancelled. The director of schools or his
9 designee will review scheduled activities on a case-by-case basis in emergency situations to determine
10 if an activity may be approved as scheduled.
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Legal References:

1. TCA 49-6-3004(e)(1); TRR/MS 0520-1-3-.02(1)(b)

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Section 504 and ADA Grievance Procedures	Descriptor Code: 1.802	Issued Date: 02/21/13
		Rescinds:	Issued:

1 The Board is committed to maintaining equitable employment/educational practices, services, programs
2 and activities that are accessible and usable by qualified individuals with disabilities.

3 4 **DEFINITION**

5
6 *Section 504 of the Rehabilitation Act of 1973* provides that: No otherwise qualified individual with
7 handicaps in the United States...solely by reason of his/her handicap, be excluded from the participation
8 in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving
9 federal financial assistance.¹

10
11 *Title II of the Americans with Disabilities Act, 1990* provides that: No otherwise qualified individual
12 with a disability shall be discriminated against in regard to job application procedures, the hiring, ad-
13 vancement, or discharge of employees, employee compensation, job training and other terms, conditions
14 and privileges of employment.²

15 16 **COORDINATOR**³

17
18 The Board shall designate at least one employee to coordinate its efforts to comply with and carry out
19 its responsibilities under the Americans with Disabilities Act (ADA) and Section 504, including any
20 investigation of any complaint alleging non-compliance with the Acts or alleging any actions that would
21 be prohibited by the Acts.

22 23 **NOTICE**⁴

24
25 The Board shall make available the name, office address and telephone number of the ADA/Section
26 504 coordinator.

27
28 Methods of initial and continuing notification may include the posting of notices, publication in newspapers
29 and student and employee handbooks and distribution of memoranda or other written communications.

30 31 **COMPLAINT PROCEDURE**⁵

32
33 The coordinator will hear ADA/Section 504 complaints. Complaints shall be submitted in writing to the
34 coordinator who will endeavor to accomplish prompt and equitable resolution of complaints alleging any
35 action that would be prohibited by the ADA/Section 504. The coordinator will respond to all complaints
36 within twenty (20) days with a written response as well as information on further grievance procedures
37 that may be followed if the complaining party is not satisfied with the coordinator's proposed resolution.
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DUE PROCESS HEARING PROCEDURES

Section 504 of the Rehabilitation Act of 1973 provides the right to an impartial due process hearing if a parent wishes to contest any action of the school system with regard to a child's identification, evaluation, and placement under Section 504.⁶ If a parent/guardian requests a Section 504 hearing, the parent/guardian has the right to personally participate and to be represented at the hearing by an attorney or advocate at the parent's expense. Contested actions or omissions that are appropriate for a Section 504 hearing should involve identification, evaluation, or placement issues involving a child who has or is believed to have a disability.

Written Request for Hearing

A parent/guardian who wishes to challenge an action or omission with regard to the identification, evaluation, or placement of a student who has or is believed to have a disability as defined by Section 504, shall make a written request for a due process hearing to the Section 504 coordinator. The written request must be made on a form provided through the Central Office.

Impartial Hearing Officer

The director of schools or his/her designee shall appoint an impartial hearing officer to preside over the hearing and issue a decision. Such appointment will be made within fifteen (15) days of the date of receipt of a request for a due process hearing. The hearing officer will be hired as an independent contractor at no expense to the parent. The hearing officer that is appointed shall not be a current employee of the school system and shall not be related to any member of the Board of Education. The hearing officer need not be an attorney but shall be familiar with the requirements of Section 504 and the hearing procedures under Section 504. The choice of an impartial hearing officer is final and may not be presented as an issue at the due process hearing since such an issue would not relate to the identification, evaluation, or placement of a disabled child under Section 504. If a parent/guardian disputes the impartiality of the appointed hearing officer, he/she may raise such issue in a review of the hearing officer's opinion by a court of competent jurisdiction or in a complaint to the Office for Civil Rights.

Office for Civil Rights

U.S. Department of Education
61 Forsyth St. S.W., Suite 19T10
Atlanta, GA 30303-8927
Telephone: 404-974-9406; TDD: 877-521-2172
Email: OCR.Atlanta@ed.gov

Schedule of Hearing

The appointed hearing officer shall set a date for the hearing within fifteen (15) days of his/her appointment and provide this information in writing to the parent/guardian and the Section 504 coordinator. The hearing shall take place at a mutually agreeable time and place.

Continuances

Upon a showing of good cause, the hearing officer, at his/her discretion may grant a continuance of the hearing date and set a new hearing date.

Legal Representation at Hearing

If a parent/guardian is represented by a licensed attorney at the due process hearing, he/she must inform the Section 504 coordinator and the appointed hearing officer of that fact, in writing, at least seven (7) calendar days prior to the hearing date, or the hearing can be continued upon the the coordinator's request. The school system shall not have legal representation at the hearing unless the parent provides notice that he/she will have legal representation.

Pre-Hearing Conference

The hearing officer may order a Pre-Hearing Conference during which the parent/guardian or his/her representative will state and clarify the issues to be addressed at the hearing. The Pre-Hearing Conference will also serve to resolve preliminary matters, clarify jurisdictional issues, and answer the parties' questions regarding the hearing process. The Pre-Hearing Conference can be held via telephone or in person depending on the hearing officer's decision based on the convenience to both parties.

Dismissals

If, after the Pre-Hearing Conference, the hearing officer finds that the parent, as a matter of law, alleges and/or raises no factual claims or legal issues that come within his/her jurisdiction as a Section 504 hearing officer, he/she may dismiss the hearing and issue an order to that effect explaining the basis for such finding.

Hearing

The hearing shall be conducted in an informal, non-adversarial manner. The hearing shall be closed to the public unless the parent/guardian requests an open hearing. The hearing officer may reasonably limit testimony and introduction of exhibits for reasons or relevance.

Recording

Instead of a formal written transcript produced by a court reporter, the entire due process hearing will be video recorded. The school system shall provide a copy of the recording to the parent/guardian upon request. In order for an accurate recording to be made, the parties and witnesses shall introduce themselves at the beginning of their presentations. If a parent/guardian appeals the decision of the hearing officer to a court of competent jurisdiction, the school system shall prepare a written transcript of the hearing to be offered to the court as an exhibit.

Witnesses

Witnesses will present their information in narrative form, without the traditional question and answer format of legal proceedings. Cross-examination of witnesses will not be allowed, but a party may request that the hearing officer, at his/her discretion, ask a witness a certain question.

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Format of Presentation

Each side will have an equal amount of time to present their positions as determined by the hearing officer. The parent/guardian will present his/her case first by making an opening statement outlining the issues, calling witnesses, and making a closing argument. The school system will present its side next. At the end of the school system’s presentation, the parent/guardian may offer a short response. Each side may present personally or through their representatives.

Submission of Exhibits

As part of their presentations and at the discretion of the hearing officer, the parties may submit any reports, evaluations, correspondence, notes, or any other documents that may support their positions. Exhibits submitted to the hearing officer by either party must be marked. The hearing officer may, in the exercise of his/her discretion, reasonably limit the number of documents to be submitted for his/her review, as well as the number of witnesses and the length and/or scope of their presentations or statements.

Closing Arguments

The hearing officer may allow or request written closing arguments summarizing and characterizing the information presented at the hearing.

Decision

The hearing officer may make an oral ruling at the conclusion of the hearing or take the case under advisement and issue a written opinion. Such decision shall address all of the issues raised by the parent/guardian as well as any corrective actions, if any, the school system must take. Any issue or claim raised by the parent/guardian that is left unaddressed by the hearing officer in his/her decision will be deemed to have been denied. The decision must be issued within forty-five (45) days after the date the Request for a Due Process Hearing is received by the district. The hearing officer may not award attorneys’ fees as a part of the relief granted to a parent/guardian or the district.

Review Procedure/Appeal

If the parent/guardian is not satisfied by the decision of the hearing officer, he/she may seek review of the decision in a court of competent jurisdiction.

Legal Reference:

1. 34 CFR § 104.4(a)
2. 42 USCA §12112(a)
3. 28 CFR § 35.107
4. 28 CFR § 35.106; 34 CFR § 104.8
5. 28 CFR § 35.170;172
6. 34 CFR §104.36

Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Tobacco-Free Schools	Descriptor Code: 1.803	Issued Date: 5/25/06
		Rescinds: 1.803	Issued: 4/19/18

1 All uses of tobacco and tobacco products, including smokeless tobacco, electronic cigarettes and/or
2 associated paraphernalia are prohibited on all Hamilton County Board of Education owned property.
3 Tobacco and tobacco products are prohibited in all publicly owned or leased vehicles or any vehicle
4 used to transport children.¹

5
6 Smoking shall also be prohibited at all other times, places and events at, on, about or conducted at, on
7 or about school grounds in any public seating areas including, but not limited to, bleachers used for
8 sporting events, the areas immediately adjoining the bleachers/ athletic fields/ gymnasiums or
9 auditoriums, and public restrooms.²

10
11 All employees of Hamilton County Board of Education and students enrolled in the district's schools will
12 not be permitted to use tobacco or tobacco products, including smokeless tobacco, electronic cigarettes
13 and associated paraphernalia while they are participants in any class or activities in which they represent
14 such schools or the hamilton County Board of Education.

15
16 Any student who possesses tobacco products shall be issued a citation by the school principal/resource
17 officer.³ The director of schools, in cooperation with the juvenile court and the local (police/sheriff's
18 department), is responsible for developing procedures for issuance of the citations which shall include
19 the form and content of citations and methods of handling completed citations.

20
21 Parents and students shall be notified of this citation requirement at the beginning of each school year.

22
23 Signs will be posted throughout the district's facilities to notify students, employees and all other
24 persons visiting the school that the use of tobacco and tobacco products is forbidden.¹ The following
25 notice shall be prominently posted (including at each ticket booth) for elementary or secondary school
26 sporting events: *Smoking is prohibited by law in seating areas and in restrooms.*²

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32 Legal Reference:
33 1. Section 1042 of the Environmental Tobacco Smoke/Pro-Children Act of 1994
34 2. TCA 39-17-1604(6)(10); TCA 39-17-1605; TCA 39-17-1606
35 3. TCA 39-17-1505

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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Drug-Free Workplace	Descriptor Code: 1.804	Issued Date:
		Rescinds:	Issued:

1 No employee shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace¹
2 any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled sub-
3 stance, as defined in federal law. "Workplace" shall include any school building or any school premise;
4 any school-owned or any other school-approved vehicle used to transport students to and from school
5 or school activities; and off-school property during any school-sponsored or school-approved activity,
6 event or function.

7
8 As a condition of employment, each employee shall notify his/her supervisor of his/her conviction on
9 any criminal drug statute for violation occurring in the workplace as defined above no later than 48 hours
10 after conviction. If the employee is engaged in the performance of a federal program, the director of
11 personnel shall, within ten (10) days of the above notice, notify the funding agency of such conviction.
12 Appropriate disciplinary action shall be taken within thirty (30) days of the initial notice.

13
14 Any employee who violates the terms of this policy shall be suspended and shall be subject to dismissal.²
15 Also, at the discretion of the Board, satisfactory participation may be required in an appropriate drug
16 abuse assistance or rehabilitation program.

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18 The director of schools shall be responsible for providing a copy of this policy to all school system
19 employees.

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35 Legal Reference:
36 1. Subtitle D Drug Free Workplace Act of 1988
37 2. 34 CFR § 86.201

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35 Cross Reference:
36 Drug and Alcohol Testing, Employees 5.403
37 Drug and Alcohol Use, Students 6.307

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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Use of Electronic Mail (e-mail)	Descriptor Code: 1.805	Issued Date:
		Rescinds:	Issued:

1 Electronic mail capability among board members and district staff exists for the purpose of enhancing
2 communication to better perform tasks associated with their positions and assignments. Therefore all
3 staff and board members who have access to the district network shall adhere to the following guidelines
4 when sending or receiving messages via systemwide-electronic mail (e-mail):
5

- 6 1. Because all computer hardware and software belong to the Board, all data including e-mail
7 communications stored or transmitted on school system computers shall be monitored. Em-
8 ployees/board members have no right to privacy with regard to such data. Confidentiality
9 of e-mail communication cannot be assured. E-mail correspondence may be a public record
10 under the public records law and may be subject to public inspection.¹
11
- 12 2. Messages shall pertain to legitimate board/district business; e-mail shall not be used to cir-
13 cumvent requirements of the Open Meetings Act.²
14
- 15 3. Staff/board members will be asked to sign an application for terms and conditions for *Use*
16 *of the Internet*. Staff/board members shall not reveal their passwords to others in the net-
17 work or to anyone outside of it. If anyone has reason to believe that a password has been
18 lost or stolen or that e-mail has been accessed by someone without authorization, s/he shall
19 contact the technology coordinator immediately.
20
- 21 4. It is the responsibility of the sender not to violate copyright laws.
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- 23 5. Messages shall not be sent that contain material that may be defined by a reasonable person
24 as obscene or that are racist, sexist or promote illegal or unethical activity.
25

26 Any usage contrary to the above shall be reported immediately to the director of schools and may result
27 in the suspension and/or revocation of system access or if deemed necessary, appropriate disciplinary
28 action may be taken.
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33 Legal Refer-
34 ence:

- 34 1. TCA 10-7-512
 - 35 2. TCA 8-44-102
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Hamilton County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Advertising and Distribution of Materials in the Schools	Descriptor Code: 1.806	Issued Date:
		Rescinds:	Issued:

- 1 No part of the school system, including the facilities, the name, the staff, and the students, shall be used
2 for advertising or promoting the interests of any commercial, political or other non-school agency or
3 organization except that:
4
- 5 1. The school may cooperate in furthering the work of any nonprofit, community-wide social service
6 agency, provided that such cooperation does not restrict or impair the educational programs of
7 the schools;
8
 - 9 2. The school may participate in radio or television programs under acceptable commercial spon-
10 sorship when such programs are educationally beneficial;
11
 - 12 3. Community, educational, charitable, recreational and other similar civic groups may advertise event
13 pertinent to students' interests or involvement. Such advertisement, including the distribution of
14 materials, shall be subject to any procedures related to time, place and manner established by
15 the principal;
16
 - 17 4. The principal shall screen all materials prior to distribution to ensure their appropriateness. The
18 principal may prohibit materials that:
19
 - 20 a. would likely to cause substantial disruption of the operation of the school;
 - 21 b. violate the rights of others;
 - 22 c. are obscene, lewd or sexually explicit; or
 - 23 d. students would reasonably believe to be sponsored or endorsed by the school.
24
 - 25 5. The school may, upon approval of the director of schools, cooperate with any governmental agency
26 in promoting activities which advance the education or other best interests of the students;
27
 - 28 6. Political literature shall not be distributed through the school to students, nor sent home to par-
29 ents, nor placed in teachers' mail boxes, lounges, or on school premises;
30
 - 31 7. Political signs for people who are running for public office shall not be allowed on school prop-
32 erty except those being held by poll workers on election day;
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 - 34 8. School publications may accept and publish paid advertising under procedures established by the
35 director of schools;
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9. The principal shall at his/her discretion make one place available for the distribution of such material or may refuse to distribute material. Any exception to this policy shall require Board approval; and

10. Principals are not to use school time to distribute materials to students which are not related to the school system and/or the instructional program.

If a principal receives a request to distribute non-school related material, the principal will determine if appropriate to distribute to students. If, so, the principal will place the material in a common area of the building and make the students aware that such material may be picked up by the students, if interested.

11. The school directory of employed personnel will be distributed to school and district administrators and education-related agencies which have been authorized by the Director of Schools. The distribution of personnel directories in which names and addresses of employees are listed is restricted. Distribution of the directories for political, solicitation, sales or commercial purposes is prohibited.

Cross References:

- Board-Community Relations 1.500
- Vendor Relations 2.809
- Staff-Community Relations 5.606
- Student Publications 6.704

Hamilton County Board of Education

2 - FISCAL MANAGEMENT

Descriptor Code	Policy Title	Issued Date
2.100	Fiscal Management Goals	12/16/04
2.101	Duties of School System Employees	08/19/10
Budget		
2.200	Annual Operating Budget	12/16/04
2.201	Line Item Transfer Authority	12/16/04
2.300	State and Federal Aid Eligibility Determination	12/16/04
Revenue		
2.400	Revenues	12/16/04
2.4001	Placement of Wireless Transmission Facilities	12/16/04
2.401	Gifts and Bequests	12/16/04
2.402	Investment Earnings	12/16/04
2.403	Personal Property Sales	12/16/04
2.500	Deposit of Funds	12/16/04
2.600	Bonded Employees	12/16/04
Accounting		
2.700	Accounting System	12/16/04
2.701	Financial Reports and Records	12/16/04
2.702	Inventories	12/16/04
2.703	Audits	12/16/04
Expenditures and Purchasing		
2.800	Expenditure of Funds	12/16/04
2.801	Petty Cash Accounts	12/16/04
2.802	Payroll Procedures	12/16/04
2.803	Salary Deductions	12/16/04
2.804	Expenses and Reimbursements	12/16/04
2.805	Purchasing	12/16/04
2.806	Bids and Quotations	12/16/04
2.807	Requisitions	12/16/04
2.808	Purchase Orders and Contracts	12/16/04
2.809	Vendor Relations	12/16/04
2.810	Payment Procedures	12/16/04
2.900	Student Activity Funds Management	12/16/04
2.910	School Support Organization	10/23/08

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Fiscal Management	Descriptor Code: 2.100	Issued Date:
		Rescinds:	Issued:

1 Mission Statement: The Board shall practice sound fiscal management, provide for accountability and
2 optimize school system resources that will result in high student achievement.

3
4 The Board shall practice sound fiscal management procedures which guarantee maximum use of all
5 resources provided. The Board assumes responsibility, within its financial capabilities, for providing
6 at public expense all items of equipment, supplies and services that may be required in the interest of
7 education in the schools under its jurisdiction.¹

8
9 In fiscal management, the Board seeks to achieve the following goals:

- 10 1. To engage in advance planning, with broad-based staff and community involvement;
- 11 2. To establish levels of funding which will provide quality education for the system's students;
- 12 3. To use the available techniques for budget development and management;
- 13 4. To provide timely and appropriate information to all staff with fiscal management responsibilities;
- 14 and
- 15 5. To establish efficient procedures for accounting, reporting, purchasing and delivery, payroll,
16 payment of vendors and contractors, and all other areas of fiscal management.

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38 Legal Reference:

39 1. TCA 49-3-314(c)(1); *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-19
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Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Duties of School System Employees	Descriptor Code: 2.101	Issued Date:
		Rescinds:	Issued:

1 Every school-based employee holds a position that may necessitate the handling of school
 2 funds. Accordingly, each school-based employee must become familiar with the Tennessee
 3 Internal School Uniform Accounting Policy Manual, paying particular attention to the provisions
 4 governing the receipt of funds from students or their parents or guardians, the importance of
 5 writing receipts, the necessity of maintaining collection logs, and the requirement to submit
 6 funds to the principal or bookkeeper by the end of the school day. School-based employees
 7 should also familiarize themselves with rules governing purchasing, including when competitive
 8 bids are necessary, how to complete a purchase order, and how to maintain an appropriate log of
 9 expenditures and their supporting documentation. If any employee is uncertain regarding what
 10 the Tennessee Internal School Uniform Accounting Policy Manual requires, he or she should
 11 speak to the school bookkeeper and/or someone in the office of the Chief Financial Officer to
 12 obtain clarification.
 13

14
 15 The Board considers an employee's duty to safeguard the integrity of school funds to be of
 16 paramount importance. If an employee fails to follow the specific requirements of the Tennessee
 17 Internal School Uniform Accounting Policy Manual, and if the employee is unable to account
 18 for school funds, the Board presumes that the employee, at a minimum, is guilty of neglect
 19 of duty. If the Chief Financial Officer has probable cause to believe that the employee acted
 20 willfully, fraudulently, intentionally, or for his or her own personal gain, then the Chief Financial
 21 Officer shall report the matter to the Tennessee State Comptroller and, if appropriate to local
 22 law enforcement officials. The Administration shall then proceed with appropriate disciplinary
 23 action against the employee.
 24

25
 26 In case of a teacher who handles school funds in his or her capacity as a coach, sponsor, or other
 27 role that does not require a teaching license, the teacher's failure to maintain the integrity of
 28 school funds shall serve as the basis for appropriate disciplinary action against the teacher in
 29 connection with both the teacher's certified and classified positions of employment.
 30

31 To secure the enforcement of this policy, the Superintendent of Schools shall hold principals
 32 accountable for providing his or her faculty and staff with training regarding the rules contained
 33 within the Tennessee Internal School Uniform Accounting Policy Manual and other principles
 34 governing the integrity of school funds. The principal shall also be responsible for overseeing
 35 the record-keeping of the school's books and the integrity of the school's purchasing procedures.
 36

37
 38 As part of each principal's performance contract, the Superintendent of Schools shall develop a
 39 component pertaining to school finance. This component shall include, but need not be limited
 40 to, a requirement that every member of the staff and faculty be trained on a regular basis and that
 41 the goal is for the school's books be free from any audit exceptions.

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Annual Operating Budget	Descriptor Code: 2.200	Issued Date:
		Rescinds:	Issued:

General

All school system budgets are the operational plans stated in financial terms which describe the programs to be conducted during the fiscal year beginning July 1 ending June 30 the following year.

Central Office

PREPARATION PROCEDURES

Budget planning shall include an analysis of previous staffing, curriculum and facilities, and projections requiring additional staffing, curriculum modifications, and additional facilities.

The budget proposal should be balanced, consistent with board policy and contract conditions, to include provisions for:

- Programs to meet the needs of the entire student body
- Staffing arrangements adequate for proposed programs
- Maintenance of the district's equipment and facilities
- Efficiency and economy ¹

Budget preparation shall be the responsibility of the director of schools and finance department. The director of schools will establish procedures for the involvement of staff, including requests from department heads and principals, all of whom shall seek advice and suggestions from other staff and faculty members.

The director of schools and the chairman of the board shall develop a budget preparation calendar no later than January 1 of the current school year. The calendar shall be used as a guide for coordinating the budgetary activities of individuals and groups, collecting budget data, reviewing budget problems, and making budget decisions.

HEARING AND REVIEWS

The proposed budget will be available for inspection by various interested citizens or groups in the office of the director of schools, and on the Hamilton County Department of Education web site.

FINAL ADOPTION PROCEDURE

The Board shall adopt a budget and submit it to the County Commission no later than forty-five (45) days prior to the actual date the budget is to be adopted by the county commissioners² in June.

The director of schools shall file with the Commissioner of Education a copy of the budget within the required time period.³

Legal References:

1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-19
2. TCA 6-36-110, TCA 49-2-203(a)(10)
3. TCA 49-2-301(b)(2); TRR/MS 0520-1-2-.13(2)(a)

Cross Reference:

Executive Committee 1.301

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Line Item Transfer Authority	Descriptor Code: 2.201	Issued Date:
		Rescinds:	Issued:

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Central Office

Line-item transfers within major categories shall be made upon the recommendation of the director of schools and approval by the Board.

Transfer between major budget categories shall be made with the approval of the County Commission.¹

Legal Reference:

1. OP Tenn. Atty. Gen. 83-464 (Oct 26, 1983); *Bandy v. State ex. rel. Sullivan County Board*; 186 TN 11, 207 S. W. 2d 1011 (1948)

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: State and Federal Aid Eligibility Determination	Descriptor Code: 2.300	Issued Date:
		Rescinds:	Issued:

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General

In order to ensure comparability of services¹ from local and state funds in all of its schools, the Board shall ensure that:

1. A systemwide salary schedule is adopted annually;
2. Teachers, principals, and support personnel are assigned to schools on an equivalent basis according to grade levels and need; and
3. Curriculum materials and instructional supplies are provided to schools on an equivalent basis according to grade levels and need.

Legal Reference:

1. TCA 49-3-353

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Revenues	Descriptor Code: 2.400	Issued Date:
		Rescinds:	Issued:

General

Any money collected by any school shall be documented by a written receipt.

The schools may receive funds collected from activities and for events held at or in connection with the school, including contracts with other schools for interschool events. To be included in this accounting are all monies collected from, athletics, entertainments, school clubs, fees, concessions and all fund raising activities. The reconciliation method to be used for all events which require a ticket shall be implemented by the principal.¹

The purchase of items intended for resale for profit through the schools shall be subject to sales tax based on the purchase price to the vendor providing the service or item. Resale items not intended to generate a profit shall be determined by the principal.²

FEES

School fees are to be kept to a minimum and may be expended only for the purposes for which they were collected. The purpose and amounts of all fees must have the approval of the Board. No fees shall be required of any student as a condition to attend the school or use its equipment.³ School fees shall be waived for students who receive free or reduced-price lunches.⁴ No student will be penalized for nonpayment of any materials fee. Equipment and supply costs for elective courses such as art, band vocational studies etc. are not subject to fee waiver. Fee requirements should be met for elective courses.

EXTENDED SCHOOL PROGRAM

Extended school funds may be collected at the individual schools and receipted and deposited in the school bank account or in the system-wide fund. The principal shall report the collections and pay the Board by school check.⁵

FINES

A student will be held responsible for the cost of replacing any materials or property which the student loses or damages,⁶ including textbooks, library books, equipment and buildings. All money collected as fines shall be placed in the system-wide school fund.

TUITION INCOME

Tuition collected from nonresident students shall be placed in the system-wide school fund.

RENTAL INCOME

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The principal will collect and account for all money received for use of a particular school facility or other school property.

GRANTS

Grants for educational purposes made available by the state and/or federal government may be sought by the school system but only when the conditions of their availability are in harmony with the purposes and policies of the Board and the laws of the state and county. Principals may apply for and receive grants, in accordance with procedures but funds must be recorded in a separate restricted fund account.⁷

Legal References:

- 1. TCA 49-2-110(a)
- 2. TCA 67-6-102
- 3. TCA 49-6-3001(a) ; TCA 49-2-110(b)
- 4. TCA 49-2-114
- 5. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-32
- 6. TCA 37-10-101; 102
- 7. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-31

Cross References:

- Student Activity Fund Management 2.900
- Nonresident Students 6.204
- Student Solicitations/Fund-Raising 6.701
- Student Fees and Fines 6.709

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Placement of Wireless Transmission Facilities	Descriptor Code: 2.4001	Issued Date:
		Rescinds:	Issued:

1 Whenever a request is received to place a wireless transmission facility on property owned by the De-
2 partment of Education, the Board shall review the request. The review shall include, but not be limited
3 to, the following;

- 4
- 5 a. The safety of the students, school personnel, and general public shall be ensured.
- 6
- 7 b. The facility shall be aesthetically pleasing.
- 8
- 9 c. The location of the facility shall not interfere with the normal functions of the school.
- 10
- 11 d. The concerns of the neighboring property owners shall be considered.
- 12
- 13 e. The location shall not interfere with any projected expansion of the school building or
- 14 school facilities.
- 15
- 16 f. The location of the facility meets with the approval of the assistant superintendent of
- 17 auxiliary services and the school's principal and, when appropriate, community council.
- 18

19 Prior to the Board granting final approval, the wireless transmission company shall have received ap-
20 proval for the site by the appropriate local governing body(ies) and shall have secured all applicable
21 licenses and/or permits.

22
23 If a company requests to place a device on an existing tower, the same approved process is to be followed.

24
25 The wireless transmission company shall indemnify the Department of Education and its employees,
26 agents, and contractors, and the members of the Board for any personal loss and/or property damage
27 caused by the erection, maintenance, or any other operations associated with the facility.

28
29 At least one-half (1/2) of the rental revenue received shall be given to the school located on the same
30 property as the facility.

31
32 Any increased costs caused by the location of the facility shall be a liability of the wireless transmission
33 company.

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Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Gifts and Bequests	Descriptor Code: 2.401	Issued Date:
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General

The director of schools is authorized to accept gifts to the school system and may designate others to accept gifts for particular schools in behalf of the Board.¹ The Board will officially express appreciation to the donor and all major gifts will be reported to the Board and publicly announced.

In instances where the director of schools or his designee doubts the appropriateness or usefulness of an offered gift, the gift may be declined or the matter referred to the Board.

In accepting gifts and donations, the following guidelines shall be followed:

1. Unless otherwise expressly specified in writing, all property contributed, given, or otherwise placed on school premises shall for all intents and purposes be a gift and shall become school system property subject to the same controls and regulations that govern the use of other school-owned property.
2. Contributions of equipment or services that may involve major costs for installation, maintenance, or initial or continuing financial commitments from school funds shall be presented by the director of schools' office for Board consideration and approval.
3. Individuals or organizations wanting to contribute supplies or equipment will consult with school officials about the feasibility of accepting such contributions prior to the solicitation of funds or the making of budgetary appropriations.

Legal Reference:

1. TCA 49-6-2006(a)

Cross References:

- Staff Conflict of Interest 5.601
Staff Gifts and Solicitations 5.605

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Investment Earnings	Descriptor Code: 2.402	Issued Date:
		Rescinds:	Issued:

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Individual Schools

The building principal, with consent of the director of schools, is authorized to invest excess funds of the school in savings accounts, certificates of deposit, money market accounts, etc.¹ Interest earned on general fund accounts shall be credited to general fund revenue. Interest earned on restricted fund accounts shall be credited to revenue in each restricted account.

School food service funds shall be kept separate from other school funds and interest earned on food service fund deposits shall be credited to food service revenue.

All funds shall be deposited into accounts fully protected by sufficient collateral.

Reports of the investments shall be made to the Board annually.

Legal Reference:

- 1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 6-1

Cross References:

- Deposit of Funds 2.500
- Food Service Management 3.500

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Personal Property Sales	Descriptor Code: 2.403	Issued Date:
		Rescinds:	Issued: 07/12/12

1 General
2
3 When equipment, books, materials, and other personal property no longer have an intended use by the
4 system or are no longer capable of being used because of condition, the Board shall declare them surplus
5 property and authorize their disposal.¹
6
7 All items which have a value above \$250.00 shall be sold, within ninety (90) days of being declared sur-
8 plus, to the highest bidder after advertising in a local newspaper at least seven (7) days prior to the sale.
9 Sales may also be conducted through online auctions as allowed by state law.
10
11 Surplus property which has no value or has a value of less than \$250.00 may be disposed of without
12 the necessity of bids. In order for such disposal without bids, the principal of the school and/or the
13 appropriate director with the surplus personal property, the director of schools and the chairman of the
14 board must all agree in written form that the property is of no value or is less than \$250.00 in value.
15
16 Other schools shall have priority in sale or transfer of surplus property.
17
18 Other county agencies shall be made aware of surplus property in order to determine if they have a
19 need for the property.
20
21 If reasonable attempts to dispose of the surplus property fails to produce a monetary return to the system,
22 the staff shall dispose of it in one of the following manners:
23
24 1. Remove salvageable parts.
25
26 2. Take material to the county dump.
27
28 3. Document description and disposal date.
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34 _____
35 Legal References:

36 1. TCA 49-6-2006; TCA 49-6-2007; TCA 49-6-2208; TCA 12-2-403(a)(1)-(4)
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Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Deposit of Funds	Descriptor Code: 2.500	Issued Date:
		Rescinds:	Issued:

1 *Central Office*

2
3 All income payable to the Board will be deposited with the county trustee, who will credit it to the
4 appropriate account.

5
6 *Individual Schools*

7
8 All money collected at the building level must be cleared through the principal's office and list the source
9 of revenue on the deposit slip.

10
11 The principal shall deposit funds daily if possible, but no later than three (3) days after being received.
12 Deposit slips will be filed along with other permanent records. Each deposit slip must show the various
13 receipt numbers. The total amount of deposit shall be shown on the last receipt deposited.¹

14
15 Monies collected at the building level must be deposited to no more than three bank account types:

- 16
17 1. General School Fund/Restricted Accounts;
18
19 2. School Food Service; and
20
21 3. Savings, certificate of deposits and insured money markets.
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37 Legal References:

- 38 1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-1; Section 6-1
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Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Bonded Employees	Descriptor Code: 2.600	Issued Date:
		Rescinds:	Issued:

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General

The director of schools and all other employees who handle school monies shall be bonded in order to indemnify the school system against the loss of any funds.¹

The Board shall determine the amount of the bond, giving consideration to the total amount of money and/or property that is handled in each school.²

Legal References:

- 1. TCA 8-19-101 through 103, TCA 49-2-110(a)(1)
- 2. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-16

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Accounting System	Descriptor Code: 2.700	Issued Date:
		Rescinds:	Issued:

1 *Central Office*

2
3 The director of schools shall maintain a system of accounting, arranged according to the regulations
4 prescribed by the Commissioner of Education, which provide a detailed and accurate account of all
5 receipts and disbursements of the schools.¹

6
7 *Individual Schools*

8
9 The Board authorizes each respective school under its jurisdiction to receive activity and other internal
10 funds, such as athletic ticket money, school lunch funds and school class funds.²

11
12 The Board shall hold each principal responsible for the management of all internal accounts under his/
13 her jurisdiction in accordance with the *Tennessee Internal School Uniform Accounting Policy Manual*.³

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34 Legal References:

- 35 1. TCA 49-2-301(b)(1)(D); TCA 49-3-316(a)(1)
36 2. TCA 49-2-110(a)
37 3. TCA 49-2-110(c)(d)

33 _____
34 Cross References:

- 35 Petty Cash 2.801
36 Student Activity Funds Management 2.900

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Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Financial Reports and Records	Descriptor Code: 2.701	Issued Date:
		Rescinds:	Issued:

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FINANCIAL REPORTS

Central Office

The Executive Committee shall submit to the Board at each regular board meeting a report of all business transacted since the last regular meeting.¹

A report indicating all receipts and expenditures will be given quarterly to the County Commission.² Each report will show the amount of the annual appropriation, the amount expended by account to date, the amount encumbered and the free balance in each account.

The director of schools shall submit monthly financial reports to the Board and to state and federal agencies as required.³

Individual Schools

Each principal shall submit to the director of schools at the end of each calendar month on a prescribed form the receipts, expenditures and cash balance of all accounts under his jurisdiction. These reports shall be made available to the Board at its request.

FINANCIAL RECORDS

General

The director of schools shall maintain all financial records as required by regulation and applicable state and federal law. The Board, from time to time, may determine to extend the retention time for certain records.⁴

Legal References:

- 1. TCA 49-2-206(5)
- 2. TCA 49-2-301(b)(11)(S)
- 3. TCA 49-2-301(b)(1)(2)
- 4. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-21

Cross Reference:

School Board Records 1.407

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Inventories	Descriptor Code: 2.702	Issued Date:
		Rescinds:	Issued:

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General

The director of schools shall establish an accurate inventory procedure for all school real and personal (e.g., material and equipment) property, and this system shall be implemented at each school facility. The chief financial officer shall be responsible for maintaining the fixed assets records. The assistant superintendent of auxiliary service shall be responsible for maintaining the real property records. Administrative personnel shall ensure that a physical count of all such property is taken at the end of each fiscal year, and this inventory shall be properly entered on the appropriate records for accounting purposes.¹ The chief financial officer will develop procedures to ensure that when property or equipment is transferred from one location to another, the permanent inventory file reflects said transfer. Assets shall be capitalized starting at cost or market value of \$5,000. Controlled asset records below cost for market value of \$5,000 shall be maintained for insurance purposes.

Each school shall maintain a complete inventory with a duplicate maintained in the central office.

Legal Reference:

1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-13

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Audits	Descriptor Code: 2.703	Issued Date:
		Rescinds:	Issued:

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General

An audit of all fiscal accounts, including accounts and records of all school student activity funds, shall be made by a certified public accountant following the end of each fiscal year.¹

The director of schools shall furnish or make copies of the audit available to the proper authorities as prescribed by law.²

When an administrative change occurs during the fiscal year and the position is responsible for the expenditure of funds, a special audit of accounts involved shall be conducted by school audit managers or as may be designated by the director of schools.

The special audit shall be as extensive as the Board may determine.

Legal References:

- 1. TCA 49-2-112(a)(1); TCA 49-2-110(a)
- 2. TCA 49-2-112(d)(2); TRR/MS 0520-1-.13(3)(d)

Cross References:

- Student Activity Funds Management 2.900
- Student Solicitations/Fund-Raising 6.701

Hamilton County Board of Education

Monitoring: Review: Annually in January	Descriptor Term: Expenditure of Funds	Descriptor Code: 2.800	Issued Date:
		Rescinds:	Issued:

1 *Central Office*

2
3 All expenditures shall be approved by the Board or the director of schools when authorized. No expenditures
4 shall be made except on an approved purchase order, purchase voucher or contract. No expenditure may
5 be authorized or made which exceeds the appropriation for any fund of the budget as adopted or amended.
6 Employees of this system will not create or authorize creation of a deficit in any fund. Expenditures or
7 encumbrances will not be authorized, made or incurred in excess of any fund balance.

8
9 *Individual Schools*

10
11 General funds shall be expended in accordance with the Tennessee Internal School Uniform Accounting
12 Policy Manual. Internal activity funds shall not be expended without written approval by the membership
13 of the group. All such expenses shall be in accordance with the *Tennessee Internal School Uniform*
14 *Accounting Policy Manual*. Restricted account expenditures require the account sponsor's approval prior
15 to expense. Board of education employees may not be compensated directly by individual schools from
16 internal school funds. One exception is: employees who officiate at athletic events through contract
17 with TSSAA. Any supplemental compensation owed to the Board for extracurricular activities must
18 be processed through the director of schools' office in the same manner as salary and other payroll
19 payments. The Board will invoice the school for reimbursement. Substitute teacher's salaries related to
20 restricted class and club accounts will be paid by the Board and shall be reimbursed by the school from
21 the appropriate class or club account.¹

22
23 Employees who authorized or contract for any obligation in violation of this policy shall assume personal
24 responsibility for the payment of the obligation, shall be subject to dismissal from employment and shall
25 be subject to applicable civil and criminal proceedings. Any obligation, authorization for expenditure or
26 expenditure made in violation of the law and this policy shall be illegal and void.²

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33 Legal Reference:

- 34 1. *Tennessee Internal School Uniform Accounting Policy Manual*, Section 5-22
35 2. *Tennessee Internal School Uniform Accounting Policy Manual*, Section 5-17

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Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Petty Cash Accounts	Descriptor Code: 2.801	Issued Date:
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General

In order to facilitate refunds and minor purchases, the central office and the individual schools in the system may maintain petty cash funds.¹ These funds will be used for the payment of permissible and properly itemized bills for materials, supplies, or services under conditions calling for immediate payments. The Board shall determine the maximum amount to be available in any fund.

The director of schools or his/her designee shall be responsible for disbursing and accounting for money from the central office fund. The principal in each school shall have the same responsibility regarding individual school funds.

Expenditures against these funds must be itemized and will be charged to the applicable budget code. After a budget item is exhausted, no expenditures against the item may be made from petty cash.

Itemized expenditures from the individual school funds shall be maintained and kept on file at each school. Expenditures made from the central office fund shall be itemized and kept on file in the director of schools' office.

Legal Reference:

1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 5-18 &19

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Payroll Procedures	Descriptor Code: 2.802	Issued Date: 09/18/14
		Rescinds:	Issued:

1 *Central Office*

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3 If the end of a pay period falls on a nonworking day, employees will be paid on the last working day
4 prior to the end of the pay period. However, checks will be dated to coincide with the end of the pay
5 period.
6

7 Payroll procedures shall be as follows:

- 8
9 1. Teachers:
- 10 a. Regular 201 day shall receive 26 equal installments.
 - 11 b. More than 211 days shall be paid in 26 equal installments.
 - 12 c. The first paycheck shall be issued on the 20th day and biweekly thereafter.
- 13
14 2. 12-month employees shall be paid 26 times a year.
- 15
16 3. Support personnel shall be paid either 20, 22 or 26 times per year depending on type
17 of position.
18

19 No advance payments of salary shall be made. Upon resignation or retirement of school personnel, final
20 salary payment shall be withheld until all records and assets in custody of the employee are satisfactorily
21 transferred to his successor or another designated person.
22

23 Specific approval by the Board is required for payroll deductions, except as otherwise provided by law.
24

25 All supplements shall be paid according to the negotiated teacher contract.
26

27 **Payroll Discrepancy**

28
29 Hamilton County Schools takes all reasonable steps to ensure that employees receive the correct amount
30 of pay in each paycheck and that employees are paid promptly on the scheduled payday.
31

32 In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the
33 discrepancy to the attention of the payroll office so that corrections can be made as quickly as possible.
34 Should the payroll office discover an error, it will notify the employee.
35

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37 _____
38 Cross References:

39 Compensation Guides and Contracts 5.110
40 Resignation 5.204
41 Retirement 5.205
Overtime Pay 5.604

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Salary Deductions	Descriptor Code: 2.803	Issued Date:
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Central Office

Upon appropriate written or electronic authorization, the Board shall make deductions approved by the Board from the salary of the employee. Authorization must be made on forms provided by the director of schools.

An employee may change or terminate any salary deduction according to administrative procedures.

Cross Reference:

Insurance Management 3.600

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Expenses and Reimbursements	Descriptor Code: 2.804	Issued Date:
		Rescinds: 2.804	Issued: 9/20/07

CENTRAL OFFICE

Central Office employees will not be entitled to reimbursement for traveling expenses incurred during the course of their assigned duties within Hamilton County. The Board may, however, assign certain Central Office employees HCDE vehicles or, as part of their compensation package, award certain employees automobile allowances.

All Central Office employees may be reimbursed for travel outside Hamilton County where this travel has the advance authorization of the director of schools. The director of schools may grant this authorization without prior Board action when a travel expense has been anticipated and incorporated into the operational budget of the particular program involved. Reimbursement for mileage shall be at the published and approved rate established by the Internal Revenue Service.

SCHOOL PERSONNEL

School personnel who incur expenses in carrying out their authorized duties will be reimbursed upon submission of an approved voucher and supporting receipts.

Expenses for travel outside Hamilton County will be reimbursed when the travel has the advance authorization of the director of schools. The director of schools may grant this authorization without prior board action when the travel expense has been anticipated and incorporated into the operational budget of the particular program involved. Reimbursement for mileage shall be at the published and approved rate established by the Internal Revenue Service.

The Board shall be responsible for all expenses pertaining to staff development. Student activity funds shall not be used for this purpose.¹

BOARD MEMBERS

The members of the Board shall be paid for transportation, lodging, meals and other pertinent expenses when traveling on business for the Board. Salary and other benefits shall be determined by the local funding body.² Attendance out-of-state at conventions or other educational meetings or travel out-of-state for other school purposes shall be authorized in advance by the Board³ up to the maximum amount allowed in the budget.

Expenses shall be submitted to the director of schools' office within thirty (30) days of the date of completion of such travel. The rate of payment shall be the same as the rate for members of the professional staff.

Legal References:

1. *Tennessee Internal School Uniform Accounting Policy Manual*, Section 5-20
2. TCA 49-2-202(d)
3. TCA 49-2-2001(c)

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Purchasing	Descriptor Code: 2.805	Issued Date:
		Rescinds:	Issued: 2/10/11

1 **General**

2
3 The school system will purchase competitively and seek maximum educational value for every dollar
4 expended. Authorization to purchase shall be provided by the Board. The director of purchasing shall
5 serve as purchasing agent for the system-wide purchasing.¹ Principals shall serve as purchasing agents
6 for individual schools.

7
8 Purchases made by anyone not authorized by the appropriate officials shall become the personal
9 responsibility of the persons making the purchase agreement. The Board will not, under any circumstances,
10 be responsible for payment for any material or supplies purchased by unauthorized individuals or in an
11 unprescribed manner.

12
13 No school shall be obligated to pay for any expenditures made by a student or a teacher or by any other
14 employee unless s/he first receives a written purchase order from the proper office or unless prior written
15 permission or arrangements are made with the principal.

16
17 To ensure that the applicable individual responsible for a department and/or program budget ("budget
18 manager") is responsible for the development and awarding of contracts which utilize funds from the
19 budget for which they are responsible; the School District's Purchasing Department will not approve a
20 Purchase Requisition to a Purchase Order unless each of the following items are completed:

- 21
22 A) The purchase requisition must be approved by the applicable budget manager, and
23 B) Any contract, agreement, or any other document evidencing the terms and agreement
24 of the transaction providing the supporting documents of the Purchase Requisition must
25 be approved by the applicable budget manager.

26
27 The Board will purchase locally whenever other conditions are comparable.

28 29 **Individual Schools**

30
31 The director of schools must approve the following purchases:

- 32
33 1. a single piece of equipment costing more than five thousand dollars (\$5,000.00);
34 2. one that is to be attached to or one that requires alteration of the building; or
35 3. one that will become a permanent fixture.

36 37 **Central Office**

38 **ROUTINE PURCHASES**

39
40 Routine purchases shall include expenditures for supplies, salaries, and routine expenditures required for
41

1 operation of the school system. These expenditures shall be anticipated and provided for in the bud-
2 get and will normally be authorized by the Board at the beginning of the fiscal year. The director of
3 schools shall make all routine purchases without further Board authorization; however, the Board shall
4 be promptly informed if any substantial variation from budgeted estimates becomes necessary.

6 **SPECIAL PURCHASES**

8 Special purchases are those which are not routine and which may or may not be specifically identified by
9 line item in the budget. Examples of special purchases are all capital expenditures such as for vehicles,
10 buildings, major contracts, purchases of major equipment, items for long-term use and supplies of an
11 unusual quantity or nature. All purchases in this category shall require specific prior Board approval.
12 In its approval, the Board may place constraints on the director of schools requiring Board evaluation
13 and/or approval at various steps in the procurement process. This will be determined by the Board on
14 an individual basis depending on the nature of the procurement action.

16 **EMERGENCY PURCHASES**

18 Emergency purchases are those which are necessary to avert hazards which threaten health or safety, to
19 protect property from damage or to avoid major disruption of educational activities. If within budgetary
20 limits and deemed essential, emergency purchases may be made by the director of schools. However, if
21 the purchase is of such significant magnitude as to impact on the integrity of the budget, the chairman
22 shall call a special or emergency meeting of the Board to deal with the matter. In any event, the Board
23 shall be advised promptly of all emergency purchases.

25 **PURCHASING OF SURPLUS PROPERTY**

27 The director of schools and other employees designated by the Board shall be authorized to act for the
28 Board in acquiring federal surplus property through the Tennessee General Services Department for
29 surplus property and in entering into agreements, certifications and covenants of compliance concerning
30 the use of federal surplus property.

32 Further, the director of schools is authorized to purchase any needed items through suppliers approved
33 on the state bid list.

35 **COOPERATIVE PURCHASING**

37 The Board, at its option, will join in cooperative purchasing with other school systems to take advantage
38 of lower prices for bulk purchasing and to reduce the cost involved in bidding whenever such buying
39 appears to be to the benefit of the system.

44 _____
45 Legal Reference:

46 1. TCA 49-2-206(3); TCA 6-36-115
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Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Bids and Quotations	Descriptor Code: 2.806	Issued Date: 12/17/15
		Rescinds: 2.806	Issued: 04/20/17

1 *General*

2 All purchases of supplies, materials, equipment, and contractual services in excess of twenty-five
3 thousand dollars (\$25,000), including those of individual schools, shall be based on competitive bids.
4 These bids shall be solicited by advertisement in a newspaper of general circulation within the school
5 system. However, said newspaper advertisement may be waived by the purchasing agent in an emergency.
6 Where appropriate, the purchasing agent may satisfy these advertising and bid requirements by use of
7 a comprehensive list of vendors seeking to provide supplies, furniture, fixtures, and every other kind of
8 material to the school system on a unit cost basis or otherwise; provided, however, that the purchasing
9 agent must advertise at least annually for prospective vendors in a newspaper of general circulation and
10 update the list of vendors following each advertisement.¹

11
12 All purchases of twenty-five thousand dollars (\$25,000) or less, including those of individual schools,
13 may be made in the open market without newspaper notice, but shall, whenever possible, be based on at
14 least three (3) competitive bids. The Board of Education recognizes responsibility to account for public
15 funds, and additionally recognizes responsibility of State law to secure three (3) competitive bids on
16 purchases of \$25,000 or less, whenever possible in accordance with TCA 49-2-203 B; however, given
17 the volume of transactions, it is not possible or good stewardship of employees time to require three (3)
18 competitive bids of \$2,500 or less. The practice of splitting an order or dividing items to be purchased
19 in order to avoid the use of bidding or other purchasing procedures is prohibited.

20
21 The lowest and best bid shall be accepted, provided the purchaser reserves the right to reject any or all
22 bids or any part of any bid and, if applicable, to accept that bid which is best as evidenced by reasons
23 relative to the purpose of the purchase. Any bid may be withdrawn prior to the scheduled time for the
24 opening of bids. Any bid, which does not conform to specifications or received after the time and date
25 specified shall not be considered. The bidder to whom the award is made may be required to enter into
26 a written contract.

27
28 The Performance and Payment Bond for the Maintenance Department construction projects will be
29 \$100,000.00.

30
31 Contracts for legal services, educational consultants, and similar services by professional persons or
32 groups of high ethical standards shall not be based upon competitive bids but shall be awarded on the
33 basis of recognized competence and integrity.²

34 Legal References:

- 35
36 1. TCA 49-2-203(a)(3); TCA 49-2-203(a)(3)(A)(B);
37 TCA 49-2-206(b)(2)
38 2. TCA 12-4-106

Cross Reference:

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Requisitions	Descriptor Code: 2.807	Issued Date:
		Rescinds:	Issued:

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General

The director of schools shall designate personnel to be responsible for making requisitions.

All approved requisitions will be submitted to the purchasing agent (director of schools or principal) on forms provided by the purchasing agent.

The number of each purchase order shall be recorded on the requisition.

After processing, the original copy of the requisition will be filed in the appropriate purchasing office.

Cross Reference:

Purchase Orders 2.808

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Purchase Orders and Contracts	Descriptor Code: 2.808	Issued Date:
		Rescinds:	Issued:

1 *General*

2
3 All purchases made by the school system shall be by purchase order or formal contract, and no purchase
4 shall be made nor payment approved unless covered by an approved purchase order.
5

6 Purchase orders will include the following essentials:

- 7
- 8 1. A specification which adequately describes to the supplier the characteristics and the quality
9 standards of the item required;
 - 10 2. A firm, quoted, net delivered price, whenever possible; and
 - 11 3. Signature of director of purchasing and assessment management and chief financial officer.
12

13
14
15 Contracts shall be made only with responsible suppliers with the following considerations:

- 16 1. The supplier has the potential ability to perform successfully under the terms and conditions of
17 a proposed procurement;
- 18 2. A system for contract administration shall be maintained to assure supplier conformance with
19 terms, conditions, and specifications of the contract or purchase order, and to assure adequate
20 and timely follow-up of all purchases;
- 21 3. Contracts shall contain such provisions or conditions which will allow for administrative,
22 contractual, or legal remedies in instances where suppliers violate or breach contract terms, and
23 provide for such sanctions and penalties as may be appropriate.
- 24 4. All contracts, including those of individual schools, will meet all requirements of state and federal
25 laws, rules, and regulations.¹
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31 The Hamilton County Board of Education is committed to doing business with all vendors including female,
32 small and minority vendors and encourages these vendors to participate in the procurement program of the
33 Hamilton County Department of Education.
34

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36 Legal References:

- 37 1. TCA 49-2-203(a)(3). *Tennessee Internal School Uniform Accounting Policy Manual*, Section 5-11; TCA 49-2-206(b)(2).
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Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Vendor Relations	Descriptor Code: 2.809	Issued Date:
		Rescinds:	Issued:

1 *General*

2
3 Each order will be placed on the basis of quality, price, and delivery. Past service will be a factor if all
4 other considerations are equal.

5
6 No person officially connected with or employed by the school system will be an agent for, or have
7 any financial compensation or reward of any kind from any vendor for the sale of supplies, materials,
8 equipment or service.¹

9
10 *Individual Schools*

11
12 Schools shall execute a written agreement with vendors for all fund-raisers. The agreement shall include,
13 but not be limited to, the following information:

- 14
15 1. The division of profits that result from the activity;
16 2. Payment of sales tax;
17 3. Delivery date(s);
18 4. Package prices or other charges; and
19 5. Scheduled dates of service.

20
21 Vendors visiting separate schools shall contact and secure the permission of each principal's office prior
22 to visiting professional staff members. Vendors' visitations to schools shall not be permitted to interfere
23 with the normal instructional and learning process. Employees are not to be subjected to unwanted
24 solicitations.

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34 Legal Reference:

- 35 1. TCA 49-6-2003
36 2. *Tennessee Internal School Uniform Accounting Policy Manual*;
37 Section 4-27

33 _____
34 Cross References:

- 35 Visitors to the Schools 1.501
36 Advertising & Distribution of Materials in Schools 1.806
37 Student Solicitations/Fund-Raising 6.701

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Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Payment Procedures	Descriptor Code: 2.810	Issued Date:
		Rescinds:	Issued:

1 *Central Office*

2
3 The director of schools shall approve all claims for payment.¹

4
5 *Individual Schools*

6
7 Schools may obligate themselves for the purchase of equipment, supplies, or services, provided payments
8 are completed by June 30 of the current school year or a plan for future payments has been made by
9 the principal and approved by the Board.

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Legal Reference:

1. TCA 49-2-206(b)(3)

Hamilton County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Student Activity Funds Management	Descriptor Code: 2.900	Issued Date:
		Rescinds:	Issued:

Individual Schools

1
2 The activity funds of each school shall include athletic and student organization funds and any other
3 fund belonging to any student group, class, or activity.

4
5 Whatever the source, all student activity funds shall be under the jurisdiction of the Board and under the
6 specific control of the school principals. Contracts with fund-raising agencies must comply with board
7 policy and be approved in writing by the director of schools.

8
9 Principals and/or sponsors who knowingly authorize/allow unapproved fund-raising activities shall be
10 subject to disciplinary action.¹

11
12 Student activity funds shall be deposited in respective school activity accounts. Proper records of re-
13 cepts and disbursements shall be maintained in accordance with the *Tennessee Internal School Uniform*
14 *Accounting Policy Manual*.²

15
16 Revenue raised for specific purposes must be expended for that purpose, unless otherwise authorized in
17 writing by both the activity group sponsor and the principal.³

18
19 An annual audit of the account and records of all student activity funds shall be conducted as a part of
20 the audit of all other district funds.⁴

21
22 Any unencumbered class or activity funds automatically revert to the general activity fund of the school
23 when a class graduates or an activity is discontinued.

24
25 Funds derived from activities sponsored by parent-teacher associations, parent-teacher organizations or
26 other support organizations are not subject to this policy, unless such funds are in sole custody of the
27 school.⁵

Legal Reference:

1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-26
2. TCA 49-2-110(c)(d)
3. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 5-25
4. TCA 49-2-112(a)
5. TCA 49-2-110(e)

Cross References:

- Parent Organizations/Booster Clubs 4.503
Student Solicitations/Fund-Raising 6.701

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Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: School Support Organization	Descriptor Code: <i>2.910</i>	Issued Date: 11/20/14
		Rescinds:	Issued:

1 To ensure the continued support of academic, arts, athletic, and social programs, which help educate the
2 children of Hamilton County, the Hamilton County Department of Education adopts this policy to comply
3 with Tenn. Code Ann. § 49-2-601, et seq., also known as the Tennessee School Support Organization
4 Financial Accountability Act (“SSOFAA”).
5

6 **SCHOOL SUPPORT ORGANIZATION**

7
8 In compliance with Tenn. Code Ann. § 49-2-601, et seq., a “school support organization” shall be
9 defined as follows:

10
11 A booster club, foundation, parent teacher association, parent teacher organization, parent teacher
12 support association or any other nongovernmental organization or group of persons whose
13 primary purpose is to support a school district, school, school club, or academic, arts, athletic or
14 social activities related to a school which collects or receives money, materials, property or
15 securities from students, parents or members of the general public.
16

17 18 **ORGANIZATION ADMINISTRATION**

19
20 All organizations either in existence or created for the sole purpose of providing financial support for a
21 Hamilton County Department of Education school shall provide to the District’s Financial Officer the
22 following:

- 23
24
- A letter indicating the non-profit of the organization.
 - A prospectus that includes:
 - 27 - the goals and objectives of the organization.
 - 28 - the telephone number, address, and position of each officer of the
 - 29 organization.
 - 30 - procedures for accounting for and protecting the money raised.
 - 31
 - 32 • A preliminary statement of receipts and disbursements
 - 33

34 The above information will be provided to the District’s Financial Officer on or before May 15 of each
35 year.
36

37 The District’s Financial Officer will annually post electronically a list of all approved school support
38 organizations in the Hamilton County Department of Education. If an organization is not on this list, it
39 cannot raise or donate money to a school, schools or the HCDE.
40
41

1 In addition, all organizations will provide to the District’s Financial Officer an income statement
2 detailing receipts and disbursements for the twelve month period ending on June 30th.
3 The income statement will be provided by September 30th.
4

5 **FUNDRAISING**
6

7 The organization will additionally maintain for a period of at least four (4) years the following:
8

- 9 • The organization Charter.
- 10
- 11 • The organization Bylaws.
- 12
- 13 • The organization Minutes.
- 14
- 15 • The organization documentation regarding non-profit status.
- 16
- 17 • The organization accounting records, including all receipts and disbursements.
18

19 All fundraising activities of the organization must be approved by the Superintendent or the Chief
20 Financial Officer prior to commencement of the fundraiser.
21

22 **HAMILTON COUNTY DEPARTMENT OF EDUCATION EMPLOYEES**
23

24 Under no circumstances shall any employee of the Hamilton County Department of Education act as a
25 treasurer or bookkeeper of the school support organization. Further, no Hamilton County Department of
26 Education employee will act as a signatory on any draft or check of the organization.
27

28 **AGREEMENT**
29

30 Each School Support Organization shall execute an agreement with the School Board in accordance with
31 the provisions of this policy.
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Hamilton County Board of Education

3 - SUPPORT SERVICES

Descriptor Code	Policy Title	Issued Date
3.100	Support Services Goals	12/16/04
Facilities Management		
3.200	Buildings and Grounds Management	12/16/04
3.201	Safety	12/16/04
3.202	Emergency Preparedness Plan	12/16/04
3.203	Crisis Management	12/16/04
3.205	Security	12\16\04
3.206	Community Use of School Facilities	12/16/04
3.208	Facilities Planning	12/16/04
3.209	Estimating Facility Cost	12/16/04
3.210	Naming Schools and Facilities	12/16/04
3.212	Involvement of Architects	12/16/04
Equipment and Supplies Management		
3.300	Equipment and Supplies Management	12\16\04
3.3001	Use of Cellular Phones	12\16\04
3.301	Equipment and Tools Use	12\16\04
Transportation Management		
3.400	Student Transportation Management	12/16/04
3.401	Scheduling and Routing	12\16\04
3.402	Special Use of School Vehicles	12/16\04
3.403	Traffic and Parking Controls	12\16\04
3.404	Private Vehicles	12/16/04
3.405	Owner/Operator Bus Service	12/06/04
Food Service Management		
3.500	Food Service Management	12/16/04
3.501	Hamilton County Schools Wellness Policy	03/18/10
3.502	Offer Versus Serve	03/18/10
3.503	Food Employee Health Policy	11/19/15
Insurance Management		
3.600	Insurance Management	12/16/04

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Support Services Goals	Descriptor Code: 3.100	Issued Date:
		Rescinds:	Issued:

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The Board establishes these general goals for the conduct of its management program:

1. To develop a plan for the management of buildings and grounds which provides a safe, secure, comfortable, and clean environment for instruction and administration;
2. To provide a building maintenance program which protects the taxpayer's investment in facilities and ensures their continued use;
3. To provide sufficient supplies and equipment for effective teaching and learning within the approved budget;
4. To provide a student transportation system which meets state requirements which may include contracting out bus service;
5. To design and implement a program of food services which emphasizes nutritional needs of children as the basis of growth and development of bodies and minds;
6. To collect and maintain data pertinent to educational planning; and
7. To provide a sound program of insurance protection for system employees, students, and property.

Cross Reference:
School District Goals 1.700

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Buildings and Grounds Management	Descriptor Code: 3.200	Issued Date:
		Rescinds:	Issued:

1 All school properties shall be maintained in good physical condition: safe, clean, sanitary, and as com-
2 fortable and convenient as the facilities will permit or the use requires.

3
4 The assistant superintendent for auxiliary services shall develop and implement a continuing program of
5 maintenance of all district-owned buildings and grounds which shall provide for the following:

- 6
7 1. Adequate custodial programs for all schools, which may include an outside contractor for this
8 service;
- 9
10 2. Improvement and maintenance of school buildings and grounds;
- 11
12 3. Repairs, including repairs of equipment, and painting; and
- 13
14 4. Determination of obsolete equipment and proper disposal of such equipment.

15
16 The following are responsibilities of building principals:

- 17
18 1. To oversee the operation of the school plant and require that personnel assigned to the building
19 keep it in a clean, healthful, and pleasant condition;
- 20
21 2. To make continuing checks for hazardous conditions, including safety and operation of equipment,
22 and prevention of hazardous situations caused by carelessness; and
- 23
24 3. To request, on a timely basis, appropriate maintenance and repairs through appropriate channels.

25
26 All school buildings will be inspected periodically to assure that all are maintained at the highest level
27 of safety.

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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Safety	Descriptor Code: 3.201	Issued Date:
		Rescinds:	Issued:

1 Within board policy, the principal shall develop procedures for keeping school facilities safe and free
2 from hazards.

3
4 All staff members shall report current and potential hazards to their immediate supervisors.

5
6 Each principal is responsible for seeing that the practice of safety is a part of the instructional program
7 of the school and that it is appropriately geared to students at different grade levels.¹

8
9 The program shall include:

- 10
11 1. Fire prevention
12 2. Accident prevention
13 3. Warning systems
14 4. Emergency drills (Fire, severe weather, earthquake, and bomb threat)
15 5. Emergency closings
16 6. Traffic safety
17 7. Traffic and parking controls
18 8. Safety inspections
19 9. First aid
20 10. A disaster preparedness plan for a nuclear or other major emergency.

21
22 Only students assigned to the school, the staff of the school, parents of students, and other persons with
23 lawful and valid business on the school premises shall enter onto the grounds or into the buildings of
24 the schools during the hours of student instruction. All staff members shall report all persons appearing
25 to be improperly on school premises to the principal.²

26
27 The principal shall secure assistance from law enforcement officials when he deems it necessary in
28 order to maintain order or security during the school day or during extracurricular activities at school.
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33 _____
34 Legal References:

- 35 1. TCA 49-6-1003
36 2. TCA 49-6-2008

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33 _____
34 Cross References:

35 Visitors to the School 1.501

Hamilton County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually	Emergency Preparedness Plan	3.202	07/18/13
		Rescinds:	Issued:
			08/17/17

1 The director of schools shall be responsible for developing, maintaining and acquiring Board approval of
2 the district Emergency Preparedness Plan,¹ which shall include procedures for cases of nuclear or bomb
3 threat, civil disturbance, earthquake, fire, tornado, or other severe weather, and medical emergencies,
4 such as pandemic flu outbreak.

5
6 Emergency preparedness drills will be developed and implemented by each principal, with approval of
7 the director of schools, and when appropriate, be held in conjunction with emergency response agencies.
8 These procedures shall be in written form and distributed to all staff, students and parents.

9
10 The principal shall be responsible for ensuring that a sufficient number of drills is conducted in order to
11 give instruction and practice in proper actions by staff and students. One fire drill requiring full evac-
12 uation shall be given every month during the school year, with an additional fire drill to be conducted
13 within the first thirty (30) days of operation. Three (3) additional safety drills shall be given during the
14 school year. These drills may include inclement weather, earthquake, intruder or other emergency drills
15 that do not require full evacuation.²

16
17 In the event of any threats to safety, students will be retained at school when less than one hour of
18 warning time is given, unless parents or persons authorized by the parents pick up their children.

19
20 The principal shall regularly check the quantity, locations, and conditions of fire extinguishers and shall
21 give all school personnel instructions in the proper use of them in their building.

22 **MEDICAL EMERGENCIES/PANDEMIC FLU**

23
24
25 In the event of medical emergencies, such as a pandemic flu outbreak, school officials shall cooperate
26 and consult with the local and state health departments and other local emergency or healthcare providers
27 in protecting students and the community from further infection. The director of schools shall develop
28 procedures for health emergencies using as reference the state's 2006 Pandemic Influenza Response Plan.³

32 Legal Reference:

- 33
34 1. TRR/MS 0520-1-3-.03(17)
35 2. TCA 68-102-137 (b) (f)
36 3. Tennessee Department of Health Pandemic Influenza Response Plan
37 <http://www.2.state.tn.us/health/CEDS/pandemic.htm>

32 Cross Reference:

- 33
34 Emergency Closings 1.8011
35 Community Use of School Facilities 3.206

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Crisis Management	Descriptor Code: 3.203	Issued Date:
		Rescinds:	Issued:

1 The system shall develop a Crisis Management plan for use in times of crisis, including suicides, shoot-
2 ings, and death of a student, parent or faculty member. Within the development of such plan, the system
3 shall appoint a Crisis Team which shall deal with specific situations, make decisions, and disseminate
4 information in the event of a crisis. Members of the Team shall consist of the principal, school coun-
5 selor, and at least two other staff members designated by the principal.
6

7 The principal of each building shall be responsible for the development of emergency procedures which
8 shall be distributed to building employees, parents, and members of the Crisis Team. Training for all
9 school employees in the crisis management procedures shall be conducted annually during in-service
10 sessions prior to the beginning of school.
11

12 In the event of a crisis, the principal shall notify the Crisis Team members and the director of schools. If
13 he determines it to be necessary, the principal shall contact the appropriate emergency services (police,
14 fire, ambulance, etc.).
15

16 All media attention shall be directed to the director of schools' office.
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34 Cross Reference:

35 News Releases, News Conferences and Interviews 1.503
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Security	Descriptor Code: 3.205	Issued Date:
		Rescinds:	Issued:

1 The director of schools shall establish procedures as required to adequately protect school property which
2 shall include, but not be limited to:

- 3
- 4 1. Closing and securing teacher work areas when being left unattended or at the end of the day;
 - 5
 - 6 2. Denying students permission to use the classrooms, laboratories, gymnasiums or other school
7 facilities or equipment without appropriate faculty supervision;
 - 8
 - 9 3. Controlling the issuance of building keys and master keys; and
 - 10
 - 11 4. Developing programs which contribute to the proper care and use of school facilities and equip-
12 ment.
 - 13

14 The principal shall call law enforcement officials in cases involving illegal entry, theft or vandalism.

15
16 The principal shall notify the director of schools within 48 hours after each case of vandalism, theft,
17 building damage and illegal entry.

18
19 The director of schools, or his/her representative, is authorized to sign a criminal complaint and to press
20 charges against perpetrators of vandalism against school property.

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Cross References:

Visitors to the Schools 1.501

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Community Use of School Facilities	Descriptor Code: 3.206	Issued Date: 02/20/14
		Rescinds:	Issued: 07/20/17

1 Subject to rules and regulations that may be adopted by each principal, school facilities may be used
2 by the public for charitable, civic, recreational, cultural and other purposes when not in use for school
3 purposes.^{1, 2, 3} This policy sets forth the guidelines pursuant to which school facilities may be used by the
4 public.

5 **Outdoor Facilities at Elementary Schools**

6 During daylight hours on any day school is not in session, the public is permitted to access the play-
7 grounds and outdoor basketball courts of any elementary school; provided, however, that any recognized
8 school group shall have the right to reserve any such property for its exclusive use in accordance with
9 procedures established by the school principal; and further provided that the principal of each elemen-
10 tary school shall have the right to establish rules and regulations governing the conduct of the public on
11 the school campus.
12

13 **Use of School Facilities by Groups**

14 If any group wishes to use a school building or grounds or portions thereof, the group shall complete a
15 school facilities use form available at the school office. The following terms and conditions shall apply to
16 the use of any school facilities by any group:
17

- 18 1. Any group seeking to use a school building or ground or any portion thereof must complete a
19 school facilities use form and have it approved both by the principal and by the Office of Risk
20 Management prior to use of the facilities.
21
- 22 2. The school system will charge any group using the school facilities a fee to offset the school
23 system's costs arising out of this use; provided, however, that student clubs and activities,
24 parent/teacher associations and any recognized school support organization shall be permitted to
25 use the school facilities without charge.
26
- 27 3. Any group receiving permission for use of the school facilities are restricted to the dates and
28 hours approved unless the principal and Office of Risk Management approves a change in the
29 proposed date and time of use.
30
- 31 4. Groups receiving permission for the use of any facilities are responsible for the observance of
32 all rules and regulations established by the school system and the principal. Groups are also
33 responsible for their use of the facilities and will be liable for any damage to the building or any
34 equipment. Under no circumstances will groups allow the use of alcoholic beverages, drugs,
35 or profane language at any time during their use of school facilities, and no group will permit
36 gambling in any form during its use of school facilities.
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- 1 5. If a group is to use a school kitchen, at least one member of the cafeteria staff must be present to
2 supervise the use of the cafeteria equipment. Contact the School Nutrition Department to com-
3 plete their “Special Activity Function” form.
4
- 5 6. Each building principal is responsible for assigning a school employee to be present during a
6 group’s use of school facilities. At all times, there will be appropriate adult supervision over
7 any use of school facilities.
8
- 9 7. School facilities may not be used for private profit; provided, however, that this restriction does
10 not prevent a group using a school facility from paying an honorarium or *de minimus* compen-
11 sation to someone where the payment is incidental to an otherwise acceptable public, charitable,
12 civic, recreational or cultural use of the facilities; and further provided that a principal may
13 allow the operation of private daycare centers and kindergartens which provide educational and
14 childcare services to the community. ²
15
- 16 8. School facilities may be used for memorial services if approved by the principal. Funeral
17 services are not to be held in school facilities.
18
- 19 9. Any use of any school facility will comport with the requirements of state and federal law in-
20 cluding but not limited to the First Amendment to the United States Constitution.
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Legal References:

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31 1. TCA 49-50-201
32 2. TCA 49-2-203(b)(4)
33 3. *Lamb's Chapel v. Center Moriches Union Free School District*,
113 S. Ct. 2141 (1993)
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Cross References:

Tobacco-Free Schools 1.803

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Facilities Planning	Descriptor Code: 3.208	Issued Date:
		Rescinds:	Issued:

1 The director of schools shall present a facility needs assessment to the Board as needed. The needs assess-
2 ment shall include a review of the appropriate school site. Each principal shall be involved in the needs
3 assessment for his/her school with input from staff, parents and community leaders. Appropriate system-wide
4 staff will be made available as needed.

5
6 The individual school needs assessment shall include the following information:

- 7
- 8 1. building deficiencies
- 9 2. site deficiencies
- 10 3. utility deficiencies
- 11 4. maintenance deficiencies
- 12 5. curriculum and educational concerns including projected changes
- 13 6. number of oversized classrooms as well as projected class sizes
- 14 7. student "spot maps"
- 15 8. population and enrollment projections
- 16 9. community needs
- 17 10. cost projections
- 18 11. other information as directed

19
20 The system-wide needs assessment shall include the following information:

- 21
- 22 1. individual school assessments
- 23 2. system-wide curriculum needs
- 24 3. population growth projections
- 25 4. industrial and business forecasts
- 26 5. other information as deemed necessary
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Estimating Facility Costs	Descriptor Code: 3.209	Issued Date:
		Rescinds:	Issued:

1 When new construction, renovation and/or a building addition is proposed, the director of schools shall
2 secure cost estimates for each project and submit such estimates to the Board for approval.¹

3
4 Estimates are to include the following:

- 5
- 6 1. cost of new construction
- 7 2. cost of renovation
- 8 3. cost of addition
- 9 4. cost of site preparation
- 10 5. fees charged by governmental agencies
- 11 6. fees charged by utility companies
- 12 7. cost of landscaping
- 13 8. architect or construction management fees
- 14 9. school transportation costs
- 15 10. other costs and/or fees as required
- 16

17 Qualified consultants and/or consulting firms are to be involved when cost estimates are submitted. Em-
18 ployment of such persons requires Board approval.

19
20 The cost of each project shall be presented to the Board as a part of the project recommendation. In addi-
21 tion, consideration is to be given to costs of future maintenance, to any warranties that might be involved
22 in construction and the determination of easements.

23
24 All change orders shall be approved by the Board prior to commencing the change. In the event of an
25 emergency situation that would cause a serious delay in the project, the assistant superintendent for auxiliary
26 services shall have authority to approve the change up to \$2,500 for each item requiring change. If the cost
27 of the work exceeds \$2,500, the project will be referred to the director of schools and the chairman of the
28 board for their approval prior to commencing work. In either case, the change orders would be presented
29 to the Board for their concurrence at the next meeting.

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39 Legal Reference:

40 1. TCA 49-2-203(a)(3)(c)
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Naming New Facilities	Descriptor Code: 3.210	Issued Date:
		Rescinds:	Issued: 2/18/16

1 Facilities of the school system shall be named through Board action, based upon the following criteria:

- 2
- 3 1. Schools shall not be named for living persons, except for those who have rendered exemplary
- 4 service to public education as recognized and attested by a vote of the Board.
- 5 2. Two schools in the system shall not be given the same name and care should be taken to avoid
- 6 similar names.
- 7 3. Schools shall be named for:
- 8 a. The area or community in which the school is located, or
- 9 b. The street on which the school is located, or a street bordering the school site, if
- 10 that street is well known in the community, or
- 11 c. Presidents, governors or recognized national, state and local leaders who have made
- 12 an outstanding contribution to the field of education.
- 13 4. A single building on a campus with multiple buildings or a specific area on the campus
- 14 may be named for a living person, provided s/he has made an outstanding contribution to
- 15 that school. The naming of such building or specific area shall not supplant the facility's name.
- 16 5. Facilities other than school shall be given names which describe the facility or the
- 17 geographic location in the city.
- 18 6. If in the judgement of the Board an existing facility should be renamed, the criteria of this
- 19 policy will apply.
- 20

21 When a new school or facility is to be named, the chairperson will appoint a committee composed of the
22 Board member in whose district the facility is located, community supporters of the school, alumni,
23 faculty members, and the school principal. Names for consideration by the committee may be submitted
24 by any citizen, board member or school personnel and must be accompanied by a petition that will include
25 a minimum of 50 signatures from the community representing that school zone.

26
27 The chairperson shall have the authority to recommend the naming of a portion of a facility, such as a
28 section of a building, a single building on a campus with multiple buildings or a specific area on campus
29 within a school.

30
31 The chairperson shall submit a recommendation to the Board along with supporting reasons and the
32 petition for its consideration and approval at a regular meeting. The Board will vote on the new name at
33 the next scheduled meeting.

34
35 The Board may determine that all recommendations for names be considered at a specific time of the year.
36 The final decision on all names shall rest with the Board.

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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Facilities Planning: Involvement of Architects	Descriptor Code: 3.212	Issued Date:
		Rescinds:	Issued:

1 Believing that several separate architects or architectural firms will produce a wider range of experience
2 and talent which should result in development of better or more efficient plans, the Board shall recommend
3 one or more qualified architects or firms to be assigned to buildings projects.
4

5 In recommending architects the following criteria will be considered:
6

- 7 1. Training and experience;
- 8
- 9 2. Planning ability;
- 10
- 11 3. Promptness;
- 12
- 13 4. Specification in writing, accuracy and sufficiency of detail;
- 14
- 15 5. Design, appearance and utility;
- 16
- 17 6. Ability to meet budget requirements;
- 18
- 19 7. Past performance;
- 20
- 21 8. Relation with contractors;
- 22
- 23 9. Location;
- 24
- 25 10. Work load;
- 26
- 27 11. Volume of work previously awarded by the school system with the objective of effecting an eq-
28 uitable distribution of contracts among qualified firms; and
- 29
- 30 12. Experience with government agencies.
31

32 When it becomes necessary to secure the services of an architect or firm, the Board and/or county commission
33 shall request submission of proposal(s) including qualifications and services from interested architectural
34 firms. Public announcements of the proposed projects shall be made.
35

36 After review of the proposal(s) submitted and interviews with selected firms under consideration by the
37 superintendent and based upon the superintendent's recommendation(s), the Board shall make a recom-
38 mendation(s) to the City/County Commission.
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The Board may hire a construction manager. The selection process will be the same as used to select an architect. Only those firms with previous expertise in construction management will be considered.¹

Legal References:

1. TCA 62-2-107; TCA 49-2-203(4)(C)(3)(ii); TCA 62-6-102 & 103

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Equipment and Supplies Management	Descriptor Code: 3.300	Issued Date:
		Rescinds:	Issued:

1 All equipment and materials placed in school buildings by any group or organization become the property
2 of the Board. The Board reserves the right to transfer property to other schools if the school in which
3 it was originally placed is discontinued or if there is no longer any need for the equipment or materials
4 where originally placed.

5
6 The director of maintenance shall develop procedures promoting the useful life of equipment and supplies
7 by establishing a thorough, effective and economical operations and maintenance program and providing
8 adequate insurance coverage.

9
10 Each employee of the system shall be responsible for the materials, equipment and supplies assigned
11 to him. In addition, he/she is responsible for the preservation and protection of materials, equipment
12 and supplies not under his/her direct control when such are endangered and when the system employee
13 having direct control is not present or is otherwise unable to act.

14
15 The Assistant Superintendent, Finance shall be responsible for establishing procedures for fixed asset
16 management, including real property records.

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35 Cross Reference:

36 Inventories 2.702
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Use of Cellular Phones	Descriptor Code: 3.3001	Issued Date:
		Rescinds:	Issued:

1 Cellular phones shall be provided to a limited number of employees when essential to the operation of
2 the school system. Whenever possible, other methods of more economical, immediate communication
3 shall be considered (i.e., use of pagers or two-way radios or other current technology). The assignment
4 of cellular phones shall be approved by the director of schools or designee at the assistant superinten-
5 dent level.

6
7 System-assigned phones are for conducting the business of the school system. Personal calls made with
8 these phones shall be the responsibility of the employee.

9
10 The director of schools/designee shall develop procedures for assignment and use of phones, billing dis-
11 putes and lost or damaged cellular phones. These procedures shall be given to any employee requesting
12 a cellular phone.

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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Equipment and Tools Use	Descriptor Code: 3.301	Issued Date:
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USE OF EQUIPMENT & TOOLS

Equipment and tools purchased and/or owned by Hamilton County Department of Education are for use only on property belonging to Hamilton County Department of Education, Hamilton County Government or other property belonging to a municipal body.

PERSONAL USE OF EQUIPMENT & TOOLS

Equipment and tools belonging to HCDE cannot be borrowed by or loaned to any individual or group for use on their personal property or for their private use.

Motor operated equipment and tools, personnel lifts, scaffolds, ladders, platforms, etc. will not be made available for use of individual schools, parent groups, PTA's etc. due to the inherent danger in the use of such equipment. When schools need tools of this nature for parent work days, etc. the maintenance department will operate the needed equipment, if the budget will allow for overtime work. Requests for use of this equipment and operator must be made to the department director/manager.

Nothing in this policy will prohibit use of HCDE Equipment & Tools by other branches of a government, including Hamilton County Government, Chattanooga and other Municipal Governments, or Parks and Recreation Departments, or other recognized groups such as sports or band boosters for use only on government owned or managed projects.

VIOLATION OF POLICY

Any employee who willingly and knowingly violates this policy will be subject to disciplinary action up to and including termination.

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Student Transportation Management	Descriptor Code: 3.400	Issued Date:
		Rescinds:	Issued:

1 School buses shall be maintained and operated in accordance with state law and State Board Rules and
2 Regulations.¹

3
4 To avoid the financial burden of replacing an aging bus fleet at any one time, the Board shall replace a
5 certain number of buses each year on a rotating basis. The use of an outside contractor may eliminate
6 this need.

7
8 The school transportation program shall be monitored daily by the principals and the manager of trans-
9 portation and subjected to periodic evaluations by them as necessary. An overall evaluation shall be
10 conducted by the manager of transportation on or before November 1 and June 15 of each school year,
11 and a summary report of same submitted to the director of schools and the Board.

12
13 All buses and other vehicles owned and operated by the Board shall be given safety inspections by the
14 assigned driver and the transportation manager on a regular basis. The transportation manager shall
15 develop and maintain a safety inspection record which shall be filled out and signed by the individual
16 who conducts the inspection. In addition, all buses shall be available for regular state inspections. Any
17 defects noted by either the regular local or state inspection shall be remedied immediately.

18
19 All accidents, regardless of the damage involved, must be reported to the transportation manager, in-
20 cluding incidents in which any part of the bus rubs, scrapes or touches any other object or vehicle.

21
22 The director of transportation shall develop procedures for the operation of the student transportation program.

23
24 Failure by a student to comply with the rules and regulations for student transportation may result in sus-
25 pension from the bus by a school administrator.

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34 Legal Reference:

35 1. TCA 49-6-2101 through 2113; TRR/MS 0520-1-5-.01(4)
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Scheduling and Routing	Descriptor Code: 3.401	Issued Date:
		Rescinds:	Issued:

1 All school bus routes shall be arranged in such a way as to travel the shortest possible distance from
2 the time the first student is picked up until the trip is complete.

3
4 The transportation manager will be responsible for surveying all bus routes and scheduling bus transpor-
5 tation, including the determination of bus stops and the assignment of students. Deleting or establishing
6 new bus routes is the responsibility of the Board.¹

7
8 Appeals of transportation decisions shall be made to the director of schools or his designee and then to
9 the Board.

10
11 Students shall not be in transit to and from school more than one and one-half hours each way.²

12
13 Where practical, transfers may be made from one bus to another. Both buses shall be present while
14 the transfer is in process, unless the transfer point is a school campus. Leaving students at a home or
15 place of business for transfer shall be permitted only after approval has been obtained from the Board.

16
17 Bus routes shall not overlap unless necessary to reach some other portion of each respective route or
18 unless overlapping results from the necessity to travel the main highway to school centers. When more
19 than one bus travels a main highway and each bus picks up some students along such routes, each bus
20 shall be assigned a certain portion of the route and all students within this section shall ride the bus to
21 which assigned.

22
23 Once the official route is begun, stops shall only be made to take on, discharge or transfer students.
24 Buses are not to stop at stores (or make any other nondesignated stops except for emergencies) when
25 transporting students.

26
27 Students who ride school buses shall attend the school designated for that bus route. If a parent chooses
28 to send his/her child to another school in the system, the parent must provide transportation to and from
29 that school.

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35 Legal References:

- 36 1. TCA 49-6-2106; TCA 49-6-2102(a)-(c)
37 2. TCA 49-6-2105
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Special Use of School Buses	Descriptor Code: 3.402	Issued Date:
		Rescinds: 3.402	Issued: 9/20/07

1 For purposes of Hamilton County Board policies, "extracurricular trips" shall mean "any school approved trip other
2 than transportation of students to school in the morning and from school in the afternoon". All standard rules
3 of student and driver conduct shall apply to all extracurricular trips. The principal will make all transportation
4 arrangements for extracurricular trips with approved vendors. The Board may establish special rates for extended
5 trips or in special cases.

6 Only owner/operators under contract with the Superintendent or coaching services duly approved by the Board
7 may provide transportation for extracurricular trips.

9 **Extracurricular Trips by Contractors**

10 Principals shall have discretion to request from the director of transportation a contractor or a board-approved
11 coach service to transport students on school sponsored extracurricular trips. Notwithstanding the discretion that
12 the school principal has whether to utilize a contractor, the principal may not offer to pay, and the contractor may
13 not agree to accept, any more or less than the standard hourly rate as established for each school trip.

14 Whenever a contractor uses his/her bus for an extracurricular trip which is school sponsored or sanctioned by
15 the Department of Education, the contractor will abide by the same rules and regulations required in the normal
16 school bus route operation.

19 **Private Trips by Contractor**

20 Whenever a contractor uses his/her bus for a trip that is not school sponsored or not sanctioned by the Department
21 of Education he must abide by the following:

- 22 1. Contractor will cover the words "Hamilton County Schools" on each side of the bus and the
23 words "School Bus" on the front and rear in such a manner as not to be visible to the general
24 public and operate his bus in any manner he desires.
- 25 2. Contractor shall comply with all applicable state and federal regulations for the transport of
26 persons.
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Cross References:
Extracurricular Activities 4.300
Interscholastic Athletics 4.301
Field Trips and Excursions 4.302

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: <h2 style="text-align: center;">Traffic and Parking Controls</h2>	Descriptor Code: <h3 style="text-align: center;">3.403</h3>	Issued Date:
		Rescinds:	Issued:

1 The principal of each school shall develop and implement a plan to ensure maximum vehicular and pe-
 2 destrian safety for his/her campus and shall submit it to the director of schools for approval. The plan
 3 shall include a sketch showing various parking areas, traffic flow, areas reserved for school bus loading
 4 and unloading; the location of any safety hazards as areas to be avoided by vehicles or students; and
 5 dismissal times for car and bus students.

6
 7 Students who ride bicycles or drive motor vehicles to school must leave the vehicles parked in designated
 8 areas until the end of the school day, unless permission is obtained from the principal to use said vehicle.
 9

10 Parking regulations for each school will be developed by the principal and published in the school
 11 handbook.

12
 13 The school system assumes no responsibility for any damage to or loss of personal property from the
 14 vehicles while on school property.

15
 16 The following regulations shall be in effect for all schools:

- 17
- 18 a. A principal may prohibit a student from operating a vehicle on school grounds for a
 19 specific period of time for violations(s) of any school regulations.
 - 20
 - 21 b. A student shall permanently lose the privilege to operate a vehicle on school grounds if
 22 the student is involved, directly or indirectly, in any manner with:
 - 23
 - 24 1. a controlled substance,
 - 25 2. alcoholic beverages, and/or
 - 26 3. a weapon.

27
 28 A student may lose the privilege to operate a vehicle on school property permanently if the student is
 29 convicted of a driving violation on school grounds which results in bodily injury or property damage.

30
 31 A student shall lose the privilege to operate a vehicle on school property for reckless driving. The se-
 32 riousness of the offense will dictate the period of time for loss of driving privilege on campus.

33
 34 A student who loses the right to operate a vehicle on school grounds, whether for a specific time period
 35 or permanently, shall not be entitled to a refund on any parking fee paid.

36
 37 A vehicle which has been prohibited from parking on school property, whether for a specific period or
 38 permanently, may be towed at owner's expense if parked on school property.

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This policy shall be applicable to:

1. A student operating his/her vehicle.
2. A student operating another student's vehicle.
3. A non-student operating a student's vehicle.
4. A student operating a non-student's vehicle.

Cross References:

Code of Behavior and Discipline 6.300
Interrogations and Searches 6.303

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Private Vehicles	Descriptor Code: 3.404	Issued Date:
		Rescinds: 3.404	Issued: 9/20/07

1 The Board recognizes that certain employees may voluntarily choose to use their private vehicles for
2 school purposes. Any such use, however, must be subject to the following:

- 3
4 1. The Board does not accept responsibility for the use of private vehicles for school purposes:
 - 5
6 a. Employees' personal insurance will be in effect for using their personal vehicle for school
7 related trips; and
 - 8
9 b. A specific permit must be obtained from the principal for each trip involving students, in-
10 cluding field trips.
- 11
12 2. The school system shall assume no responsibility for liability in case of accident.
- 13
14 3. The Board specifically forbids any employee to transport students for school purposes without
15 appropriate insurance coverage.
- 16
17 4. Privately-owned school buses and drivers of such shall meet all requirements of state law and
18 state Board Rules, Regulations, and Minimum Standards.¹
- 19
20 5. No student shall be sent on errands, personal or school-related, in a vehicle owned by the student,
21 an employee, or the school system.
- 22
23 6. No employee may ask for or give permission to students to transport other students to and from
24 any school or school-related activity without written parental permission and proof of student
25 insurance.
- 26
27 7. No employee may seek or receive reimbursement for mileage expenses related to the use of his
28 or her private vehicle unless the travel is exclusively for school purposes, to and from a
29 designation outside Hamilton County, and has the advance authorization of the director of schools.
30 The director of schools may authorize reimbursement of mileage expense for private vehicles at
31 the published and approved rate established by the Internal Revenue Service, and this
32 authorization does not require Board approval if the travel expense has been anticipated and
33 incorporated in the operational budget of the particular program involved.

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37 Legal Reference:

- 38 1. TRR/MS 0520-1-5
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Owner/Operator Bus Service	Descriptor Code: 3.405	Issued Date:
		Rescinds:	Issued:

1 The director of schools will contract annually with individual owners of buses to provide student trans-
2 portation services.²

3 4 **RESPONSIBILITIES OF BUS OWNERS**

- 5
- 6 1. Each school bus and all related equipment shall be maintained in condition to operate safely at all
7 times during the school year and shall conform to specifications as set forth by the State Board of
8 Education¹ and National Highway Traffic Safety Administration.
 - 9
 - 10 2. Each bus driver shall obey all applicable state rules and regulations.
 - 11
 - 12 3. A school bus owner shall give four weeks written notice to the Board when he/she wishes to ter-
13 minate his/her bus operation contract.
 - 14
 - 15 4. A school bus owner shall secure the approval of the director of schools before he may sell his bus
16 during the period of his/her contract. The sale of a bus does not obligate the director of schools
17 to enter into contract with the new owner.
 - 18
 - 19 5. Each school bus owner shall have on file in the director of schools' office a current statement of
20 liability and property damage insurance coverage carried on the bus, bus driver and bus contractors.
 - 21
 - 22 6. Each school bus owner must specify for the director of schools' approval the name of the designated
23 driver and at least one substitute driver of his/her bus.
 - 24
 - 25 7. Each school bus driver shall submit to the director of schools the results of his latest physical
26 examination.
 - 27
 - 28 8. By the end of the first month of each school year, each bus owner shall file with the director of
29 schools on forms approved by the Board a report giving an accurate record of the names of all
30 students transported on his/her bus and the school to which each student is transported.
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Legal Reference:

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- 36 1. TRR/MS 0520-1-5
 - 37 2. TCA 49-6-2101
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Food Service Management	Descriptor Code: 3.500	Issued Date:
		Rescinds: 3.500	Issued: 8/16/12

1 School food service will be operated on a nonprofit basis and will comply with all rules and regulations
2 pertaining to health, sanitation, internal accounting procedures, and service of foods and will meet all
3 state and federal¹ requirements necessary for participation.
4

5 The system's food service director will oversee the program. The cafeteria manager, in cooperation with
6 the school principal, is responsible for administering the Child Nutrition program in individual schools.
7 All products and services necessary for the operation of the food service department shall be procured
8 under the direction of the cafeteria manager.
9

10 School food service receipts will be used only to pay regular food service operating costs. When food
11 service facilities are used by outside agencies, an adequate fee approved by the Board will be charged
12 and the manager will ensure that no USDA commodities or supplies provided for the regular program
13 are used.
14

15 The principal shall correlate the food service program with areas of instruction.
16

17 Students will be permitted to bring their lunches from home and to purchase beverages and incidental
18 items at school.
19

20 **FREE OR REDUCED PRICE MEALS**

21
22 The criteria and procedures for determining a student's need and steps in securing for students no-cost
23 or reduced-cost lunches as established at the state/federal level will be outlined and made known by
24 the principal.
25

26 Students who participate in no-cost or reduced-cost meals will not be distinguished in any way from
27 students who pay the regular price. Their names will not be made known to any person except such
28 staff member(s) as needed to make the special arrangements for them.
29

30 **COMPETITIVE FOODS/VENDING MACHINES**

31
32 Applicable State Law and State regulations will apply to any sale of food and beverages during school
33 hours (competitive foods) and the revenue will be deposited to the food service account.
34

35 The sale of all competitive food and beverages to students during the school hours shall be limited to
36 those approved by the Secretary of Agriculture and controlled by the principal.
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3 Vending machines in the schools will be controlled so that they will not offer competition to the school
4 lunch program or encourage poor eating habits. Vending machines may be operated by the school in
5 employee lounges for employee use only.
6

7 **SANITATION**

8
9 The Food Service Director and managers shall be responsible for implementing regulations from the De-
10 partment of Health and seeing that school cafeterias meet acceptable standards of cleanliness at all times.
11

12 **MEAL CHARGES**

13
14 It is the intent of the Board that the School Nutrition Program provides the opportunity for each student
15 to have a nutritious meal every day. However, if circumstances require it, some students may charge their
16 lunch in accordance with the following:
17

- 18 1. Elementary and middle school students will be allowed to charge.
- 19 2. High school students may not charge their lunches
- 20 3. Adult charges are not allowed with the exception of principal approved, special event
21 and/or Teacher Appreciation Day.
- 22 4. A la Carte items may not be charged.
- 23 5. A la Carte purchases cannot be made if there is a negative charge balance.
- 24 6. Procedures to be used system-wide to collect overdue charges shall be designed,
25 distributed, and monitored by the School Nutrition Department.
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33 *Procedures for implementing local board policies are on file in the district food services procedures*
34 *manual.*
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41 Legal Reference:

- 42 1. *Child Nutrition & Food Distribution,*
43 210.11 Competitive Food Services (1994)

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41 Cross References:

42 Deposit of Funds 2.500
43 Financial Reports and Records 2.701
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Wellness Policy	Descriptor Code: 3.501	Issued Date: 7/20/06
		Rescinds:	Issued: 05/24/18

1 The Hamilton County Board of Education recognizes the link between student wellness and academic
2 achievement. In order to implement overall wellness for students, the plan below shall be followed by
3 all schools in the district. Teachers, school health professionals, parents, administrators, and interested
4 citizens can participate in the development of wellness policies.

6 **COMMITMENT TO ENSURING A HEALTHY SCHOOL ENVIRONMENT**

8 Hamilton County Schools strives to ensure that all schools offer a healthy, safe and a supportive
9 environment for students, parents and visitors. To further this goal, Hamilton County Schools shall
10 implement all state and federal laws and regulations to the development, curriculum, services,
11 standards, staffing and assessment of wellness programs.

13 All schools shall implement the CDC'S Coordinated School Health (CSH) approach to managing new
14 and existing wellness-related programs and services in schools based on State Law, State Board of
15 Education CSH Standards and guidelines. The district Coordinated School Health Coordinator shall be
16 responsible for overseeing compliance with the State Board of Education CSH Standards and
17 Guidelines in the school district.

19 **I. School Health Advisory Council**

21 The advisory council will consist of a group of individuals representing the school and community,
22 including parents, students, teachers, school administrators, school board members, health
23 professionals, school food service representatives and members of the public. The council will serve
24 as a resource to school health committees for implementing the local wellness policy as a part of the
25 school improvement plan. The primary responsibilities of the council include, but not limited to:

- 27 • Developing, monitoring, reviewing and as necessary, revising physical activity and nutrition
28 policies;
- 29 • Encouraging all schools within Hamilton County Schools to create and implement an action
30 plan related to modules from the *School Health Index*;
- 31 • Ensuring that the results of the action plan are annually reported to the School Health
32 Advisory Council; and
- 33 • Ensuring that school level results include measures of progress on each indicator of the
34 *School Health Index*;

36 Hamilton County Schools will consider the recommendations of the School Health Advisory Council
37 in making any policy changes that affect the healthy learning environment.

II. Commitment to Nutrition

A. Nutrition Standards Goals for foods or beverages sold on campus:

- i. School meals meet the minimum nutrition standards in accordance to Healthy Hunger-Free Kids Act of 2010 and USDA regulations for the National School Breakfast and Lunch Programs.
- ii. All foods and beverages sold in a la carte programs, vending machines, and students stores or concession stands during the school day will meet the nutrition standards for competitive foods as defined by the Smart Snack in Schools nutrition standards.
- iii. Schools may choose to conduct infrequent school-sponsored fundraisers that include the sale of foods or beverages that do not meet the Smart Snacks in Schools nutrition standards as written in the Rule for the State Board of Education for Tennessee § 0520-010-06-04. These specially exempted fundraisers may not exceed 20 days per semester per school site. Foods and beverages sold cannot be in competition with the school meals in the food service area during meal service. All school principals must document the dates of their exempt fundraisers and the items sold.
- iv. All foods and beverages provided as part of the USDA's After School Snack Program or the Fresh Fruit and Vegetable Program will meet the minimum nutrition standards for that program as defined by the USDA regulations.
- v. The School Nutrition Program will work with the vending companies used in the schools and disseminate to the district a list of foods and beverages that meet these standards.
- vi. All School Nutrition Managers in the district will be offered the ServSafe course and will work towards certification.
- vii. All School Nutrition Program staff will regularly receive the minimum required professional development as defined by the USDA Professional Standards through district department meetings and trainings onsite from job related courses.

B. Nutrition Education Goals:

- i. Nutrition education will be integrated into all areas of the curriculum such as math, science, language arts and social studies as appropriate.
- ii. Students will have an awareness to eat a variety of foods (i.e. fruits, grains, vegetables, lower fat food items) and be physically active.
- iii. Nutrition education will involve sharing information with families and the community to positively impact students and the health of the community.
- iv. Schools will provide information to families that encourage them to teach children about health and nutrition and to provide nutritious meals for their families.

C. Nutrition Promotion Goals:

- i. The district will promote nutrition through enhancing the school campuses with the addition of posters, displays, bulletin boards, and/or food/nutrition/health-related artwork form students.
- ii. Additionally, televisions in the cafeterias will promote healthy menu items, and display tips on increasing milk, fruit, and vegetable consumption, and the importance of whole grains and lean proteins.

D. Food and Beverage Marketing Goals:

- i. The signage displayed on school campuses throughout the district will market foods and beverages that meet the Smart Snack in Schools nutrition standards. This includes but is not limited to the exterior of vending machines, posters, bulletin boards, menu boards, coolers, trashcans, other equipment throughout the school campus, cups for beverages, sporting venues, and concessions stands. All newly purchased or replaced equipment across the school campus must have logos and products marketed that meet the regulations for competitive foods and beverage. The district will strive to market healthy foods including but not limited to fruits, vegetables, whole grains, and low-fat dairy products.

E. Food and Beverages Provided but Not Sold to Students:

- i. School Nutrition and Coordinated School Health will encourage snacks offered as part of classroom celebrations, parties, and student birthdays to include fresh fruits and vegetables, whole grains, water, low-fat milk, and other foods low in fat, sugar, sodium, and caffeine.

F. Other School-Based Activities that Promote Student Wellness:

- i. Students and school staff members will have access to fresh drinking water throughout the school day. When feasible students will be allowed to bring and carry (approved) water bottles filled with only water into the classroom. Staff will be encouraged to model drinking water consumption.
- ii. Students will be given adequate time to enjoy healthy meals and relax in a pleasant environment. Good nutritional habits shall be encouraged.

III. Commitment to Physical Activity

Hamilton County Schools recognizes that physical activity is extremely important to the overall health of a child. Schools shall support and promote physical activity.

Students in elementary school shall receive 130 minutes of physical activity each full school week. Each elementary school must offer at least one period of physical activity that is at minimum 15 minutes each day. Students in middle and high school shall receive 90 minutes of physical activity each full school week.

Physical activity may include walking, jumping rope, playing volleyball, or other forms of physical activity that promote fitness and well-being. Recess and free play activities may be used to meet the requirements. Physical education may count towards meeting the physical activity law but the physical activity law shall not replace the current physical education program. Physical education classes shall be offered with moderate to vigorous physical activity.

IV. Assessment of Wellness Policy

Superintendent and administrative cabinet will evaluate and oversee school compliance with the policy. The Hamilton County School Health Advisory Council will monitor progress made toward attaining policy goals. The Coordinated School Health Coordinator will document that the school wellness policy and triennial assessments are made available to the public.

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All principals will be encouraged to complete a baseline assessment of the school’s existing nutrition and physical activity environments and policies. The results of these school assessments will be compiled by the Superintendent or designee to identify and prioritize needs.

Assessments may be repeated annually starting 2017-2018 school year to help review policy compliance, assess progress, and determine areas for improvement. The Superintendent or designee will be responsible for reviewing these assessments and for the enforcement of the wellness policy across the district. The results of these assessments completed for all schools will be reported to the Hamilton County School Health Advisory Council at the end of each school year. The Superintendent or designee will develop a report annually summarizing the district’s compliance on the wellness policy and goals for student health and nutrition. This report will be made available to the Health Advisory Council, the school board, parent-teacher-organizations, school principals, and school health services personnel.

The individual schools and the district will, as necessary, review the wellness policy and goals and develop plans to facilitate their implementation. The district will reserve the rights to amend this policy as needed to reflect any changes in local, state, or federal regulations that relate to student health, nutrition, or physical activity and education.

Hamilton County Board of Education

Monitoring: Review: Annually, in October	Offer Versus Serve	Descriptor Code: 3.502	Issued Date: 8/15/13
		Rescinds:	Issued: 11/16/17

1 Hamilton County School System implements “Offer Versus Serve” in all schools to all grade levels,
 2 Kindergarten(K) through Twelve (12). The policy reflected below will only impact Grades K-12.

3
 4 **Breakfast:** A school breakfast eligible for federal reimbursement shall offer three (3) food components.
 5 The components are grains (with optional meat/meat alternate allowed); juice/fruit/vegetable; and milk.
 6 A minimum of four (4) food items (from the three components) must be offered. Students are allowed to
 7 take a minimum of three food items, with one item required to be a fruit or juice. The student’s decision
 8 to take three or more items shall not affect the price charged for the meal. The breakfast is priced as a
 9 unit based on the student taking a minimum of three items. If less than three items or more than four are
 10 taken, the student will pay a la carte prices.

11
 12 **Note:** A meat/meat alternate may be offered as either an optional grain OR an extra item (not counting
 13 toward the components, but does count toward nutrient requirements). The menu planner will determine
 14 how the meat/meat alternate counts toward the reimbursable meal.

15
 16 **Lunch:** A School lunch eligible for federal reimbursement shall offer five (5) components (milk, fruits,
 17 vegetables, grains, meat/meat alternates) in the appropriate amounts per grade groupings. Students are
 18 allowed to decline two (2) of the five (5) required food components, but must select at least ½ cup of
 19 either a fruit (or fruit combination) or a vegetable (or vegetable combination). After selecting the ½ cup
 20 fruit or vegetable requirement, students must select two (2) additional components in the full amounts
 21 as required per age/grade group to count toward the reimbursable meal. Students may not choose two
 22 (2) of the same fruit or vegetable to count toward the required amount of that component. The student’s
 23 decision to accept all five (5) components or to decline two (2) components shall not affect the price
 24 charged for the meal. The lunch is priced as a unit.

25
 26 If a student chooses to take less than the minimum required for a reimbursable breakfast or lunch meal, or
 27 more than the maximum, those foods will be priced at a la carte prices and will have to be paid for at the
 28 time of purchase. A la Carte items cannot be charged.

29
 30 All Pre-K students are exempt from the “Offer Versus Serve” Policy.

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 34 Legal Reference:
 35 1. *Child Nutrition & Food Distribution,*
 36 210.11 Competitive Food Services (1994)

33 _____
 34 Cross References:
 35 Deposit of Funds 2.500
 36 Financial Reports and Records 2.701

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Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Food Service Employee Health Policy	Descriptor Code: 3.503	Issued Date:
		Rescinds:	Issued: 11/19/15

1 **PURPOSE**

2
3 The purpose of the Food Service Employee Illness Reporting Policy is to ensure that all food service
4 employee notify the “Person In Charge” (PIC) such as their Cafeteria Manager (or the Area Supervisor if
5 the manager is not available) when they experience any of the conditions listed so that appropriate steps
6 are taken to preclude transmission of Foodborne illness or communicable diseases.

7 **POLICY**

8
9 The Hamilton County Department of Education School Nutrition department is committed to ensuring
10 the health, safety, and well-being of our employees and customers and complying with all health
11 department regulations, State of Tennessee and federal regulations. All food service employees shall report
12 if they are experiencing any of the following symptoms to their Cafeteria Manager or Area Supervisor:

- 13 • Diarrhea
- 14 • Vomiting
- 15 • Jaundice (yellow skin or eyes)
- 16 • Sore throat with fever
- 17 • Lesions (such as boils and infected wounds, regardless of size) containing pus on the fingers, hands or
18 wrists.

19 For the below conditions, the Cafeteria Manager and/or Area Supervisor will work with the Human
20 Resources (HR) department. The HR department will partner with the Hamilton County Health Department
21 to determine next steps prior to the employee returning to work.

22
23 Food service employees should first notify their Cafeteria Manager or Area Supervisor whenever diagnosed
24 by a healthcare provider as being ill with any of the following diseases that can be transmitted through food
25 or person-to-person casual contact such as:

- 26 • Salmonellosis
- 27 • Shigellosis
- 28 • Escherichia coli (E. Coli)
- 29 • Hepatitis A Virus, or
- 30 • Norovirus

31 In addition to the above conditions, food service employees shall notify their Cafeteria Manager or Area
32 Supervisor if they have been exposed to the following high-risk conditions:

- 33 • Exposure to or suspicion of causing any confirmed outbreak involving the above illnesses.
 - 34 • A member of their household is diagnosed with any of the above illnesses.
 - 35 • A member of their household is attending or working in a setting that is experiencing a confirmed outbreak
36 of the above illnesses.
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Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Food Service Employee Health Policy	Descriptor Code: 3.503	Issued Date:
		Rescinds:	Issued: 11/19/15

1 FOOD EMPLOYEE RESPONSIBILITY

2
3 All food service employees shall follow the reporting requirements specified above involving symptoms,
4 diagnosis and high risk conditions specified. All food service employees subject to the required work
5 restrictions or exclusions that are imposed upon them as specified in Tennessee law, the local Hamilton
6 County Health Department, regulatory authority or PIC, shall comply with those requirements as well as
7 follow good hygienic practices at all times.

8 PIC RESPONSIBILITY

9
10 The PIC shall take appropriate action as specified in Tennessee Department of Agriculture State Retail
11 Food Safety Act to exclude, restrict and /or monitor food service employees who have reported any of the
12 aforementioned conditions. The HR department shall ensure these actions are followed and only release the
13 ill food service employee once evidence, as specified in the food code and after the employee is cleared by
14 the Hamilton County Health Department, is presented demonstrating the person is free of the disease
15 causing agent or the condition has otherwise resolved.

16
17 The PIC shall cooperate with the regulatory authority during all aspects of an outbreak investigation and
18 adhere to all recommendations provided to stop the outbreak from continuing. The PIC will ensure that all
19 food service employees who are employed acknowledge awareness of this policy. The PIC will continue
20 to promote and reinforce awareness of this policy to all food service employees on a regular basis to ensure it
21 is being followed.
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Hamilton County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Insurance Management	Descriptor Code: 3.600	Issued Date:
		Rescinds:	Issued:

1 The insurance program will provide coverages in a minimum of the following broad categories:

- 2
- 3 1. Property: Buildings and contents against fire, extended coverage, vandalism and malicious mis-
- 4 chief, boiler and machinery explosion; and vehicles;
- 5
- 6 2. Liability: Board members, director of schools and employees resulting from discharging their
- 7 duties; and
- 8
- 9 3. Fidelity: Blanket bond and fiscal agent's bond as required by statute.

10

11 The director of schools will continually review the insurance program to ensure that adequate protection

12 is being provided at a reasonable price. All insurance programs shall be governed by the contract with

13 the carrier or provider.

14

15 **GROUP HEALTH**

16

17 The Board shall provide group health insurance for all full-time employees.¹

18

19 Board approval of group insurance for which the Board makes full or partial payment shall be given on

20 recommendation of a committee.

21

22 **LIFE**

23 The Board will pay all or part of the individual premium for each employee for group life insurance

24 and accidental death and dismemberment (ADAD) coverage.

25

26 **DENTAL**

27 The Board will provide for each employee a dental reimbursement plan at no cost to employee. Each

28 employee must enroll in the plan in order to receive benefits.

29

30 **RETIREEES**

31

32 Payment for group health insurance coverage shall be available for any retiring employee in accordance

33 with the current memorandum of agreement.

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35 Legal References:

- 36 1. TCA 49-2-209
- 37 2. TCA 49-5-906
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Hamilton County Board of Education

4 - INSTRUCTIONAL PROGRAM

Descriptor Code	Policy Title	Issued Date
4.100	Instructional Goals	12/16/2004
Curriculum Development and Programs		
4.200	Curriculum Development	12/16/2004
4.201	Basic Program	12/16/2004
4.202	Exceptional Education	12/16/2004
4.203	Federal Programs	12/16/2004
4.204	Career & Technical Programs Magnet	12/16/2004
4.205	Programs	12/16/2004
4.206	College Credit Programs	12/16/2004
4.207	Supplementary Programs	12/16/2004
4.210	Credit Recovery	04/20/2017
4.211	Work Based Learning Program	04/20/2017
Extracurricular Programs		
4.300	Extracurricular Activities	12/16/2004
4.301	Field Trips and Excursions	12/16/2004
4.302	Intramural Athletics	12/16/2004
4.303	School Sponsored Student Publications	12/16/2004
Instructional Materials and Services		
4.400	Instructional Resources and Materials	12/16/2004
4.401	Textbook Selection, Distribution and Care	04/22/2010
4.402	Selection of Instructional Materials (Other Than Textbooks)	12/16/2004
4.403	Reconsideration of Instructional Materials and Textbooks	12/16/2004
4.404	Use of Copyrighted and Licensed Materials	12/16/2004
4.405	Employee-Developed Materials	12/16/2004
4.406	Use of the Internet	12/16/2004
4.407	Audio, Video & Digital Recordings	12/16/2004
Community Instructional Resources		
4.500	Community Instructional Resources	12/16/2004

4.501	School Volunteers	12/16/2004
4.502	Parental Involvement	12/16/2004

Academic Information

4.600	Academic Information	12/16/2004
4.601	Grading System	09/19/2013
4.602	Reporting Student Progress	12/16/2004
4.603	Drivers License Revocation	12/16/2004
4.604	Parent Conferences	12/16/2004
4.605	Lottery Scholarships	12/16/2004
4.606	Graduation Requirements	12/16/2004
4.607	Graduation Activities	12/16/2004
4.608	Class Ranking	12/16/2004
4.609	Promotion/Retention K-8	06/19/2014

Testing and Evaluation

4.700	Testing Programs	12/16/2004
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Controversial Issues and Materials

4.800	Controversial Issues	12/16/2004
4.801	Religion in Curriculum	12/16/2004

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Instructional Goals	Descriptor Code: 4.100	Issued Date:
		Rescinds:	Issued:

1 The Board approves the following broad-based instructional goals for students:
2

- 3 • To develop the basic skills of reading, writing, computation, spelling, speaking and
4 problem solving.
5
- 6 • To develop a positive attitude toward learning as a lifelong endeavor.
7
- 8 • To develop the skills necessary to function as a self-directed person.
9
- 10 • To acquire the knowledge and attitude necessary to achieve and maintain good physical
11 and mental health.
12
- 13 • To learn the rights and responsibilities of citizens of the community, state, nation, and
14 world.
15
- 16 • To know the principles involved in making moral and ethical choices.
17
- 18 • To learn to identify personal talents and interests, make appropriate career choices, and
19 develop career skills.
20
- 21 • To acquire knowledge and to develop skills in the management of personal and public
22 resources necessary for meeting obligations to self, family, and society.
23
- 24 • To develop the capacity to cope with change through an understanding of the arts,
25 humanities, and scientific processes.
26
- 27 • To learn to understand, respect and interact with people of different cultures,
28 generations, and ethnicities.
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- 30 • To learn to act in a responsible manner.
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38 Cross Reference:

39 School District Goals 1.700
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Curriculum Development	Descriptor Code: 4.200	Issued Date:
		Rescinds:	Issued:

1 The curriculum shall consist of those programs listed in the state curriculum frameworks, the Hamilton
2 County content and process standards, and such unique and innovative courses as have been approved by
3 the State Commissioner of Education and the Hamilton County Board of Education.¹
4

5 In the development of curriculum, Hamilton County will work to ensure each teacher's ability to succeed
6 in addressing the educational needs of all students as they continue to advance in the general curriculum.
7 Teachers in each school shall participate in the system-wide development of the curriculum in their ap-
8 propriate subject areas. Assignments for curriculum development in the elementary grades will be made
9 by the principal.

10
11 The curriculum will be revised and updated regularly through professional development programs and
12 curriculum planning sessions.

13
14 The complete curriculum shall be accessible to each school. Copies of the portion which pertains to their
15 area of teaching shall be available to all teachers. Curriculum orientation shall be provided for all new
16 teachers.

17
18 A special course is defined as one that is not currently included on the state approved list of courses. To
19 be offered for high school credit, it requires development of a curriculum to be submitted for approval
20 by May 1st of each year to the Associate Superintendent for Secondary Education, Director of Schools,
21 the Hamilton County Board of Education, and the Commissioner of Education.² A course may become a
22 permanent part of the school program after three (3) years of operation upon approval of the State Board
23 of Education. Pilot programs will be the responsibility of the department of secondary education.
24

25 Innovative concepts of curriculum design, scheduling and instructional strategies are encouraged but must
26 have prior approval of the principal and appropriate director.

27 **Implementation**

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30 The primary responsibility for the effective operation of the curriculum program and activities shall be
31 delegated to the director of schools.

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33 The school principals shall be responsible for administering the established instructional programs and for
34 the development and supervision of a coordinated plan for the improvement of instruction in their schools.
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38 Legal References:

- 39 1. TCA 49-1-302(a);(1);(2);(3);(8)
40 2. TCA 49-2-301(b)(1)(H)

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38 Cross Reference:

39 In-Service & Staff Development Opportunities 5.113
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Basic Program	Descriptor Code: 4.201	Issued Date:
		Rescinds:	Issued:

1 No otherwise qualified individual shall solely on the basis of his or her gender, ethnicity, national origin,
2 creed, age, marital status or disability be denied participation in, be denied the benefits of, or subjected
3 to discrimination under any program or activity sponsored by the Board.
4

5 Curriculum material utilized shall reflect the cultural and ethnic diversity present in the United States
6 and the variety of careers, roles, and life-styles open to women as well as men in our society. One of
7 the objectives of the total curriculum and teaching strategies is to reduce stereotyping and to eliminate
8 bias on the basis of gender, ethnicity, religion, and disability. The curriculum shall foster respect of
9 and appreciation for cultural diversity found in our country and an awareness of the rights, duties, and
10 responsibilities of each individual as a member of a pluralistic society.¹
11

12 The courses of study in the schools shall include those subjects required by the Legislature and the
13 Tennessee State Board of Education as follows: language arts, mathematics, science, social studies,
14 health, physical education, wellness, fine arts, dance, computer technology, career and technical educa-
15 tion, foreign language, black history and culture, character education, American history and government,
16 Tennessee history, federal and state constitutions, and the free enterprise system.
17

18 Specific topics required in the schools include: displaying of the American flag; history and usage of the
19 pledge of allegiance to the flag of the United States of America; highway safety; human reproduction,
20 hygiene, health concerns and abstinence (in Sex Education courses, if offered); and defensive driving
21 (in driver education courses, if offered).²
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33 Legal References:

- 34 1. Public Law 101-336; 42 U.S.C. 12101
35 2. TCA 49-6-1001 through 49-6-1205
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- Student Goals and Objectives 6.100
Complaints and Grievances 6.305

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Exceptional Education	Descriptor Code: 4.202	Issued Date:
		Rescinds:	Issued:

1 The Board shall provide access to a free appropriate public education to all students with disabilities
2 ages 3-21 who reside within the jurisdiction of the district and who are in need of exceptional education
3 and related services. Implementation of appropriate instruction and exceptional education services shall
4 be based upon the Individualized Education Program for each student and provided in accordance with
5 applicable and current federal¹ and state laws,² rules and regulations.³
6

7 To the maximum extent appropriate, students with disabilities eligible for exceptional education services,
8 shall be educated with students who are not disabled. Special classes, separate schooling or other removal
9 of students with disabilities from the regular education environment shall occur only if the nature or the
10 severity of the disability is such that education in regular classes cannot be achieved satisfactorily with
11 the use of supplementary aids and services.
12

13 A continuum of services shall be available to meet the needs of students with disabilities who are eli-
14 gible for exceptional education and related services. Placement determinations for students eligible for
15 exceptional education and related services shall be made by a group of persons, including the parents (or
16 adult student) and others knowledgeable about the student, the meaning of the evaluation data, and the
17 placement option. Placement decisions must be made in conformity with the least restrictive environment,
18 determined at least annually, based on the student's IEP, and as close as possible to the student's home.
19 Students with disabilities who are eligible for exceptional education and related services shall not be
20 removed from education in age-appropriate regular classrooms solely because of needed modifications
21 in the general curriculum.
22

23 Each student with a disability who is eligible for exceptional education and related services must be
24 given the opportunity to participate with nondisabled students in nonacademic, career and technical, and
25 extracurricular activities to the maximum extent appropriate to the needs of that student.
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32 Legal References:

- 33 1. Education of Individuals with Disabilities 20 U.S. C. Sections
34 1400-1485. Section 504 of the Rehabilitation Act of 1973. (Note:
35 504 of the Rehabilitation Act of 1973 has been interpreted by the
36 courts to include individuals with contagious diseases to be handicapped.)
37 2. TCA 49-10-101 et. seq.
38 3. TRR/MS 0520-1-3-.09
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Hamilton County Board of Education

Monitoring: New Policy	Descriptor Term: Federal Programs	Descriptor Code: 4.203	Issued Date:
		Rescinds:	Issued:

1 The Board shall comply with all regulations of the No Child Left Behind Act of 2001 in its execution of
2 the programs of Title I, Title II (Part A), Title II (Part D), Title III, Title IV, and Title V. In accordance
3 with the Act, a committee consisting of administrators, teachers, parents, support personnel, and com-
4 munity representatives shall assist the appropriate directors in determining the needs of the district and
5 utilization of funds.
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Career and Technical Programs	Descriptor Code: 4.204	Issued Date:
		Rescinds:	Issued:

1 The Board shall offer sequenced career and technical educational programs that provide individuals with
2 the academic and technical skills required in pursuing further education and careers in current or emerging
3 employment sectors. Implementation of appropriate programs shall be provided in accordance with appli-
4 cable and current federal and state laws, rules, and regulations of the State Board of Education.
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Magnet Programs	Descriptor Code: 4.205	Issued Date:
		Rescinds:	Issued: 12/21/17

1 Magnet school programs represent a viable choice for all students who reside in the Hamilton County school
2 zone and attend Hamilton County Schools. Hamilton County curriculum standards and benchmarks form
3 the foundation around which each magnet school theme and philosophy is developed while allowing each
4 magnet school to be unique in its approach to instruction.
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: College Credit Programs	Descriptor Code: 4.206	Issued Date:
		Rescinds:	Issued:

1 **Advanced Placement**

2
3 Advanced Placement courses, based on guidelines set by the American college board, offer motivated high
4 school students the opportunity to take challenging college-level courses while in high school. Successful
5 completion of a national AP examination offered each May can provide students college credit, advanced
6 standing, or both. The cost of an AP course to the student is the examination fee.

7
8 While Advanced Placement courses are open to all students, those who choose to take Advanced Placement
9 courses, as well as their parents, must be committed to the college-level academic demands necessary to
10 the course as defined by the College Board.

11
12 Grades earned in college level courses will be included in determining class rank, grade point average, and
13 class valedictorian or salutatorian.

14
15 **Dual Enrollment**

16
17 Students who are in good standing in their high schools and who met the registration requirements of the
18 college and successfully complete the course receive dual credit for high school and college. Written ap-
19 proval by the principal shall be required before enrollment. Students pay college tuition, purchase college
20 textbooks and provide transportation when the college class is not on the high school campus.

21
22 Grades earned in college level courses will be included in determining class rank, grade point average, and
23 class valedictorian or salutatorian.

24
25 **Hamilton County Collegiate High**

26
27 Students who attend the Hamilton County Collegiate High and who meet the admission requirements for
28 the sponsoring college pay tuition, purchase texts, and furnish transportation. Students must meet Hamilton
29 County graduation requirements.

30
31 **Early Admission**

32
33 In keeping with the State Board of Education's endorsement of the Early Admission Program, a high school
34 student may complete the twelfth grade at a participating institution of higher learning.¹ The student will
35 earn a year's credit in college at the same time that he earns credit for his/her senior year in high school.

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Legal References:

38 1. TRR/MS 0520-1-3-.06(4)(a)

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40 _____
Legal Reference:

41 1. TRR/MS 0520-1-3-.04(3)(h).

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Supplementary Programs	Descriptor Code: 4.207	Issued Date:
		Rescinds:	Issued:

1 **English Language Learners**

2
3 The purpose of instruction in English Learners (EL) is to assist students in effective transitions to
4 English and to the English speaking classroom.¹ The district will implement a program for students who
5 have limited English proficiency. This program addresses students' lack of skills in the English language,
6 while at the same time ensuring that limited English proficient students do not suffer in academic achievement.
7

8 **Summer Programs**

9
10 Summer programs shall be under the control and management of the Board and shall comply with *Rules*
11 *and Regulations of the State Board of Education.*² The summer programs shall provide opportunities for
12 remediation and enrichment at the elementary, middle, and high school levels and special programs funded
13 by state, federal, and/or private grants.
14

15 **Adult Education Program**

16
17 An adult education program may be provided to enable persons to meet GED or graduation requirements.
18 The director of schools will appoint a member of the staff to coordinate, plan, and develop the program.
19

20 **Evening Education Programs**

21
22 An evening education program may be provided by the Board for students suspended for misconduct from
23 district schools.³
24

25 The director of schools will appoint a member of the staff to coordinate, plan, and develop the program.
26

27 **Virtual Learning Programs**

28
29 Virtual Learning Programs provide an alternative way for students to earn academic credits. The Director
30 of Schools will appoint a member of the staff to coordinate, plan, and develop the program.
31
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34

35 Legal Reference:

- 36 1. Title VI of the Civil Rights Act 42 U.S.C.A § 2000d. ; TCA 4-21-901
37 2. TRR/MS 0520-1-3-..03(7)(A)
38 3. TCA 49-6-501
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Credit Recovery	Descriptor Code: 4.210	Issued Date: 04/20/17
		Rescinds:	Issued:

GENERAL

Credit recovery is a course-specific, standards based extended learning opportunity for students who have previously been unsuccessful in mastering the standards required to receive course credit or earn promotion. Credit recovery programs, in general, have a primary focus of helping students stay in school and graduate on time.

The director of schools shall ensure that credit recovery facilitators receive training regarding course organization, online instruction management and related technology.

Credit recovery teachers shall comply with all State Board of Education certification requirements.

ADMISSION AND REMOVAL¹

No student shall be admitted to or otherwise enrolled in credit recovery courses unless:

1. The student's parent/guardian gives written consent for the student to enroll in the proposed credit recovery course. Parents/guardians should be informed that not all postsecondary institutions will accept credit recovery courses for credit and that the NCAA Clearinghouse will not accept credit recovery courses for credit; and
2. The student has previously taken an initial, non-credit recovery section of the proposed course and received a grade of at least fifty percent (50%). Students who receive a grade of below fifty percent (50%) in the non-credit recovery section of the course must re-take the course.

If a student is seeking to recover credit for the first semester of a two-semester course, the student may not receive the full credit for the course until he/she has enrolled in and passed the second semester of the course and taken any applicable End of Course examinations.

The board shall track students enrolled in credit recovery courses as directed by the Tennessee Department of Education.

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Credit Recovery	Descriptor Code: 4.210	Issued Date: 04/20/17
		Rescinds:	Issued:

INSTRUCTION AND CONTENT

Credit recovery teachers shall work closely with credit recovery facilitators to correlate class content and instruction.

The director of schools shall ensure that all credit recovery courses:

1. Align with Tennessee's current academic standards for the relevant course content area, as approved by the State Board of Education; and
2. Differentiate instruction to address individual student growth needs based on diagnostic assessment or End of Course data.

Students in credit recovery programs shall:

1. Complete a course skill-specific diagnostic to determine skill-specific goals;
2. Meet individual skill-specific goals in a flexible time frame as established by identified student need; and
3. Master all individualized skill-specific goals as established by the diagnostic process in order to earn credit.

GRADES

The director of schools shall establish a grading formula for credit recovery courses that includes the original failing grade in the calculation of the final credit recovery grade.

- Students passing credit recovery shall receive a grade of seventy percent (70%).
- The student transcript shall denote that the credit was attained through credit recovery.
- The original failing grade may also be listed on the transcript, but shall not factor into the students GPA, in accordance with the State Board of Education's Uniform Grading Policy (3.103).

Grades awarded in credit recovery courses shall adhere to the State Board of Education's Uniform Grading Policy.

Legal Reference

1. SBOE Policy 2.103

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Work Based Learning Program	Descriptor Code: 4.211	Issued Date:
		Rescinds:	Issued: 04/20/17

1 Students shall have access to a system of structured work-based learning (WBL) experiences that allow
2 them to apply classroom theories to practical problems as well as explore career options.

3
4 The director of schools shall develop administrative procedures to govern the efficient administration
5 of the WLB program. Such procedures shall include, among other things, a process for evaluation and
6 assessment of the program to ensure that it is of high quality and meets the needs of students.¹
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33 Legal Reference

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35 1 State Board of Education Policy 2.103
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Extracurricular Activities	Descriptor Code: 4.300	Issued Date:
		Rescinds:	Issued:

1 Extracurricular activities are defined as any activities which occur on school property under the sponsorship
2 of the school or those activities which occur off school property involving activities which are organized
3 and planned on school property and on school time with instructional personnel involved in the planning
4 process. Student activity programs shall not include secret organizations. Student activities sponsored by
5 outside groups or agencies will be approved only if they are co-sponsored by the school.
6

7 No otherwise qualified person shall, on the basis of disability, ethnicity, religion, gender, or national origin
8 be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination
9 regarding entry and participation in extracurricular activities.¹ Nor shall a student be required to attend a
10 school-sponsored student activity that is scheduled at a time which conflicts with his religious practices.
11

12 It is the basic responsibility of the building principal to approve all extracurricular activities and to request
13 central office approval from the appropriate director for activities which require travel. All overnight ac-
14 tivities require Board approval with proof of adequate liability coverage.
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37 Legal Reference:

38 1. 20 USC 1703
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Field Trips and Excursions	Descriptor Code: 4.301	Issued Date: 5/19/16
		Rescinds:	Issued:

SCHOOL FIELD TRIPS

Field trips designed to stimulate interest and inquiry and to provide opportunities for social growth and development are considered appropriate extensions of the classroom.

To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation of the class, and opportunities for students to summarize the experience at the conclusion of the trip. To this end, teachers and principals will be expected to consider the following factors in selecting field trips:

1. Value of the activity to the particular class group or groups;
2. Relationship of the field trip activity to a particular aspect of classroom instruction;
3. Suitability of the activity and distance traveled in terms of the age level;
4. Mode and availability of transportation; and
5. Cost. School officials are reminded that they may not require the payment of any fee as a condition of any student attending any field trip that occurs during any portion of the regular school day or that is offered in connection with a class offered for credit even if the trip is voluntary.

The following guidelines shall be followed in planning and conducting academic field trips:

1. Any teacher desiring to take a group of students on a school field trip must obtain advance approval of the principal and the director of schools. All overnight activities require Board approval;
2. The trip must have a definite purpose and reflect careful planning. Students should be prepared by general class discussion and/or research;
3. If bus transportation is required, the principal or his/her designee shall make the necessary arrangements. All outside carriers must be on the approved carrier list.
4. Signed parental permission forms must be obtained for every student making an off-campus trip beyond the immediate vicinity of the school. The principal shall ensure that these forms are kept on file for the remainder of the school year. The form for parental permission must include: purpose, date, time of departure and return, travel plans, destination, number of chaperones, personal expense involved, and other facts necessary for parents to be fully informed. This information is to be completed by the school before the form is signed by the parent. *The Hamilton County Code of Acceptable Behavior* and all board policies shall be applicable to school field trips;

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Field Trips and Excursions	Descriptor Code: 4.301	Issued Date: 5/19/16
		Rescinds:	Issued:

5. For school field trips (day and overnight), groups must be accompanied by at least one certified employee. The chaperones shall be responsible for student conduct for the duration of the trip. Only certified employees can be chaperones on overnight field trips. For day trips that do not extend beyond the school day, classified employees may be included as chaperones.
6. For overnight school trips, chaperones must be approved by the principal and the director of schools in advance. There must be at least one female and one male chaperone if the trip is for a mixed group.
7. Students shall not be penalized for participating in approved school-sponsored trips and activities. Teachers shall permit students to make up class assignments missed because of a trip or activity;
8. All accidents that occur on a school-sponsored trip must be reported by the teacher to the principal immediately. Serious accidents involving personal injury must be reported immediately to the principal and/or director of schools. An emergency shall be dealt with promptly by the teacher or other members of the school staff by taking appropriate action, including sending the student to the hospital or summoning medical aid or ambulance. In cases where it is necessary to send the student to the hospital, reasonable effort must be made to notify the parents;
9. Any school-sponsored trip not meeting the “educationally beneficial” criteria as defined in this section must have prior approval of the director of schools or his/her designee;

SPECIAL RULES FOR ATHLETIC AND BAND TRIPS

1. Except as otherwise set forth in this section, the same policies governing school field trips shall govern athletic and band trips.
2. Athletic and band trips that do not extend beyond the school day must be approved by the principal and the director for the schools. In addition to the previous approvals, overnight athletic and band trips must also be approved by the Hamilton County School Board. The Board of Education recognizes, however, that in some unusual situations, school officials will not be able to secure advance approval of the Board for these trips. The Board cautions school officials, however, to be especially diligent to adhere to the terms of Board policy in those situations in which the trip must occur prior to the Board’s approval.

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Field Trips and Excursions	Descriptor Code: 4.301	Issued Date: 5/19/16
		Rescinds:	Issued:

1
2 3. There should be at least one chaperone to every fifteen students on athletic and band overnight
3 trips. Parent volunteers may serve as chaperones on athletic and band overnight trips; provided,
4 however, that these volunteers must first submit to a background check; and further provided
5 that the trip organizer shall be responsible for familiarizing these volunteers with the Hamilton
6 County Code of Acceptable Behavior and other provisions of Board policy applicable to
7 supervision of students.
8

9 **TRIPS AND EXCURSIONS NOT SANCTIONED BY THE SCHOOL**

10
11 The Board of Education does not sanction any field trip or other excursion outside the scope of this
12 policy and disclaims any legal and financial responsibilities for any such trips. Any employee who
13 organizes any such privately planned trip, whether on his or her own initiative or as an agent or
14 independent contractor for another entity, is solely responsible for the trip and his or her actions.
15

16 The Board of Education cautions any employee organizing a privately planned trip regarding an
17 educator's professional duties toward the students of the Hamilton County Schools, including the
18 obligation not to use relationships with students for personal financial gain. Furthermore, the Board
19 reminds any such employee of the obligation to adhere to the highest professional standards when
20 interacting with students, even when doing so on any privately planned trip. The Board will discipline
21 any employee who breaches his or her professional duties toward any student even when on a
22 privately planned trip.
23

24 No employee may recruit students to participate in any privately planned trip except to the extent
25 that the school also permits third party vendors to recruit students for such trips. Under no
26 circumstances may an employee recruit students during class time or other portions of the regular
27 school day.
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Intramural Athletics	Descriptor Code: 4.302	Issued Date:
		Rescinds:	Issued:

1 Intramural activities are encouraged through the physical education program and the scheduling of free
2 activity periods. Intramurals are designed to promote student involvement and encourage healthy athlet-
3 ic participation.
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: School Sponsored Student Publications	Descriptor Code: 4.303	Issued Date:
		Rescinds:	Issued:

1 School sponsored student publications including but not limited to newspapers, yearbooks, literary mag-
2 azines and web pages are encouraged. All such publications are to be part of an approved curricular or
3 extracurricular activity. Such publications are to reflect the principles of responsible journalism and are
4 to be related to the goals of the school.
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Instructional Resources and Materials	Descriptor Code: 4.400	Issued Date:
		Rescinds:	Issued:

1 All classrooms and learning centers shall be equipped with a wide assortment of teaching tools, textbooks,
2 laboratory and/or shop equipment and supplies, manipulatives and instructional technology selected to
3 meet instructional needs.
4

5 A list of textbooks and instructional materials used by the schools shall be maintained by building
6 administrators under the direction of the director of schools and shall be made available to the Board
7 and professional staff as a reference. The director of schools shall develop procedures for inspection of
8 textbooks and/or instructional materials. Textbooks and/or instructional materials shall be available for
9 inspection by parents or legal guardians of students enrolled in a Hamilton County School following a
10 request to the school principal.¹
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Legal References:

39 1. 20 USCA § 1232h(a); TCA 49-6-7003
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Textbook Selection, Distribution and Care	Descriptor Code: 4.401	Issued Date:
		Rescinds: 4.401	Issued: 4/22/10

1 **SELECTION**

2
3 The selection of textbooks including bound, print textbooks shall be completed according to the laws and
4 policies required by the State of Tennessee and the State Textbook Commission. The responsibility for
5 textbook selection rests with the local textbook selection committees subject to approval by the Board.¹
6

7 **DISTRIBUTION**

8
9 The director of schools shall appoint a textbook coordinator who is responsible for ordering and distributing
10 textbooks including bound print textbooks for each school. The principal should be responsible for the
11 distribution of textbooks within the school. Textbooks are purchased by the district to be distributed to
12 students in all core academic subjects. Homework will not be given in an academic class that requires
13 the use of a classroom set of textbooks.
14

15 **CARE OF TEXTBOOKS**

16
17 Textbooks and other instructional materials are property of the Board and shall be returned at the end
18 of the school year, upon completion of the course or upon withdrawal from a course or school. Lost or
19 damaged textbooks shall be paid for by the student, parent, or legal guardian.²
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21 Administrative procedures address reimbursement for restitution of textbooks and the due process af-
22 forded students.
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37 Legal References:

- 38 1. TCA 49-6-2207
39 2. TCA 49-3-310(1)(B)
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Selection of Instructional Materials (Other than Textbooks)	Descriptor Code: 4.402	Issued Date:
		Rescinds:	Issued:

1 The Board will seek to provide a wide range of instructional materials¹ on varying levels of difficulty,
2 with diversity of appeal, and the presentation of different points of view and will provide procedures
3 for review and reconsideration of allegedly inappropriate instructional materials.

4
5 The responsibility for coordinating and recommending the selection and purchase of instructional ma-
6 terials rests with appropriate school personnel.

7
8 The selection of instructional materials purchased through the Basic Education Program funding shall be
9 determined in part by teachers and in part by a selection committee according to the laws and policies
10 of the State of Tennessee.²

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Legal References:
1. TRR/MS 0520-1-3-.07(3)
2. TCA 49-3-359

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Reconsideration of Instructional Materials and Textbooks	Descriptor Code: 4.403	Issued Date:
		Rescinds:	Issued:

1 The Board supports principles of intellectual freedom inherent in the First Amendment of the Constitution
2 of the United States¹ and expressed in the *Library Bill of Rights* of the American Library Association.
3
4 The director of schools shall be responsible for the development of procedures concerning complaints
5 regarding instructional materials and textbooks.
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Legal Reference:

1. *Island Trees/Union Free School District v. Pico*, 457 U.S. 853, 102 S. Ct. 2799 (1982)

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Use of Copyrighted and Licensed Materials	Descriptor Code: 4.404	Issued Date:
		Rescinds:	Issued:

1 The Board shall require that all employees adhere to the provisions of the United States Code regarding
2 the copying and/or the use of copyrighted and licensed materials.¹
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36 _____
Legal Reference:

37 1. Title 17 of the U.S.C.A.
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Cross References:

37 Use fo the Internet 4.406
38 Audio, Video and Digital Recordings 4.407
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Employee-Developed Materials	Descriptor Code: 4.405	Issued Date:
		Rescinds:	Issued:

1 Materials developed as part of regular employment are equally the properties of the school system and
2 the employee.

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4 Educational materials created by the employee during the employee's leisure hours when the employee
5 is not fulfilling contractual duties to the school system are the property of the employee.
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36 Cross Reference:
37 Use of the Internet 4.406
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Use of the Internet	Descriptor Code: 4.406	Issued Date:
		Rescinds:	Issued:

1 The Board supports the right of staff and student to have reasonable access to various information
2 formats. The director of schools shall be responsible for developing administrative procedures which
3 govern student and employee use of the Internet.
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Audio, Video and Digital Recordings	Descriptor Code: 4.407	Issued Date:
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Recordings used for instructional purposes in a classroom must either be processed through the Board approved selection procedure or have the prior approval of the principal. All rented recordings will be used in the classroom for educational purposes only and must meet guidelines established by the principal.

Cross Reference:

Use of Copyrighted Materials 4.404

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Community Instructional Resources	Descriptor Code: 4.500	Issued Date:
		Rescinds:	Issued:

1 The Board recognizes the value of community resource persons in the educational program and autho-
2 rizes the use of such persons with approval of the principal or the appropriate director.
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: School Volunteers	Descriptor Code: 4.501	Issued Date:
		Rescinds:	Issued:

1 The Board endorses a volunteer program in the schools¹ and authorizes principals to develop such a
2 program for each school.

3
4 All volunteers must be approved by the principal and shall serve under the supervision and direction of
5 the professional personnel of the school to which they are assigned. The principal shall identify appro-
6 priate tasks for volunteers and shall be responsible for planning and conducting orientation programs.
7 Volunteers may assist professional personnel in the performance of their teaching and administrative
8 responsibilities. They may not teach but may reinforce skills taught by the professional staff. The prin-
9 cipal shall ensure that appropriate recognition of volunteer services is made annually.

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11 Volunteers shall serve without compensation but **shall be insured by the Board against loss or damage**
12 **in the performance of their duties.**²

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Legal References:
1. TCA 49-6-7001
2. TCA 29-20-310 (e)

Cross Reference:
Visitors to the School 1.501

Hamilton County Board of Education

Monitoring: Review: Annually, in June	Descriptor Term: Parent/Family Involvement	Descriptor Code: 4.502	Issued Date:
		Rescinds: 4.502/4.5021	Issued:

GENERAL EXPECTATIONS FOR ALL SCHOOLS

The Hamilton County Department of Education shall be governed by the statutory definition of parent involvement as cited in the Elementary and Secondary Education Act (ESEA), and shall carry out programs, activities and procedures in accordance with this definition.¹

The Board shall implement the following as required by federal and state legislation²:

- The school district will put into operation activities and procedures for the involvement of parents in all of its schools. Those programs, activities and procedures will be planned and operated with meaningful consultation with parents.
- The school district shall incorporate activities and strategies that support this districtwide family and community engagement policy into its Tennessee Comprehensive Systemwide Planning Process (TCSPP).
- The TCSPP shall include procedures by which parents may learn about the course of study for their children and have access to all learning materials.
- The TCSPP shall include strategies for parent participation in the district's schools which are designed to improve parent and teacher cooperation in such areas as homework, attendance and discipline.
- If the school district's TCSPP is not satisfactory to the parents, the school district shall submit any parent comments with the plan when the school district submits the plan to the State Department of Education.
- To the extent practicable, the school district and its schools shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports in an understandable and uniform format and including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- The school district shall appoint a Family and Community Advisory Council that will annually assess, through consultation with parents, the effectiveness of the Family and Community Engagement Program and determine what action needs to be taken, if any, to increase parental and community participation. In order to accomplish this, each advisory council shall be composed of representatives from parents of students in elementary, middle and high schools, community business leaders, a member of the school board, and representatives from the school district.
- Every school district shall ensure Title I schools are in compliance with the *No Child Left Behind Act*.

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Legal Reference:

1. PL 107-110, *No Child Left Behind Act of 2001*
2. TCA 49-6-7001-7003; State Board of Education - *Tennessee Parent Family Involvement Policy.*

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Academic Information	Descriptor Code: 4.600	Issued Date:
		Rescinds:	Issued:

1 It is the duty of the Hamilton County Board of Education to assign the director of schools the responsibility to require the use of the state course of study in all schools and a system of promotion in accordance with the regulations of the commissioner.¹

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4
5 The approved state curriculum frameworks shall be the basis for planning instructional program.²

6
7 The Hamilton County Board of Education shall approve the minimum and maximum units in any course or subject area for which a student may earn credit toward graduation.³

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33 Legal References:
- 34 1. TCA 49-2-301(b)(1)(H)
 - 35 2. TRR/MS 0520-1-3-.05(2)
 - 36 3. TRR/MS0520-1-3.06(G)

- 37 _____
38 Legal Reference:
- 39 1. 20 USCA 6319(b)

_____ Cross Reference:
In-Service & Staff Development Opportunities 5.113

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Grading System	Descriptor Code: 4.601	Issued Date:
		Rescinds: 4.601	Issued: 09/19/13

1 The Director of Schools shall develop an administrative procedure to establish a system of grading and
2 assessment for evaluating and recording student progress and to measure student performance in conjunc-
3 tion with board-adopted content standards. The grading/assessment system shall follow all applicable
4 statutes, rules and regulations of the State Board of Education.¹ The grading/assessment system shall
5 be uniform district-wide at comparable grade levels.²
6

7 The Director of Schools shall submit a copy of the grading, reporting, and assessment systems to the
8 Board before the system is implemented. These approved guidelines shall be communicated annually
9 to students and parents/guardians.³
10

11 Kindergarten through Grade 2 will issue a standards-based report card for reporting progress. In grades
12 3-12 numerical grades will be used to report student progress for all students except for approved
13 non-graded courses.
14

15 Beginning with the 2010-2011 school year, for students in grades 3-8, scores on the Tennessee
16 Comprehensive Assessment Program (TCAP) shall comprise 15% of the students final grade for the
17 spring (second) semester in mathematics, reading/language arts, science and social studies.
18

19 Conduct grades are based on behavior and shall not be deducted from scholastic grades.
20

21 Conduct shall be marked as follows:

- 22 S.....Satisfactory
- 23 N.....Needs Improvement
- 24 U.....Unsatisfactory
- 25

26 Attendance records will be used in determining the awarding of grades, the passing of a course,
27 promotion, or retention.⁴
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Legal References:

- 34 1. TRR/MS 0520-1-3-.05(3)(a)
- 35 2. TCA 49-1-302(16)(g)
- 36 3. TRR/MS 0520-1-3-.05(3)(b)
- 37 4. TCA 49-2-203(B)(7)
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Reporting Student Progress	Descriptor Code: 4.602	Issued Date:
		Rescinds:	Issued:

Reporting Student Progress

Report cards shall be given each nine (9) weeks; progress reports will be given at least at the midpoint of each reporting period. The reporting procedure shall be in writing and shall be uniform for all reporting periods during each school year with such information published annually for parents.¹ Student progress reports shall indicate the student's conduct, attendance and academic progress and other information necessary to communicate effectively with parents. In addition to the regular progress reports, principals and teachers are encouraged to confer with parents concerning the educational progress of their children.

Legal References:

1. TRR/MS 0520-1-3-.05(3)(a); TCA 49-6-901

Cross References:

- School Calendar 1.800
- Section 504/ADA Grievance Procedures 1.802
- Academic Information 4.600
- Time Schedules & Extra Duty 5.602
- Attendance 6.200

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Driver's License Revocation	Descriptor Code: 4.603	Issued Date:
		Rescinds:	Issued:

1 Any student fifteen (15) years of age or older who becomes academically deficient shall be reported to
2 the Department of Safety for driver's license revocation. A student shall be deemed academically defi-
3 cient if he/she has not received passing grades in at least three (3) full unit subjects or their equivalency
4 at the end of semester grading. A copy of the notice sent to the Department of Safety by the principal
5 or his/her designee shall also be mailed to the student's parent or guardian.¹
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34 Legal Reference:

35 1. TCA 49-6-3017; TCA 55-50-511(a)(b); TCA 55-50-512(a)(d); TCA 55-50-513
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Parent Conferences	Descriptor Code: 4.604	Issued Date:
		Rescinds:	Issued:

1 At least one (1) time during the school year, conferences shall be scheduled in which parents and
2 teachers may discuss any pertinent problems or other matters of concern regarding the development
3 and education of each student. These scheduled conferences shall not use any portion of the 180 days
4 of classroom instruction.¹ The director of schools shall be responsible for scheduling and coordinating
5 system-wide conferences.
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34 Legal Reference:

35 1. TCA 49-6-7002
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Lottery Scholarships	Descriptor Code: 4.605	Issued Date:
		Rescinds:	Issued:

1 Each school counselor shall provide incoming freshman with information on college core courses re-
2 quired for lottery scholarships as well as necessary criteria (grade point average, ACT and SAT score,
3 etc.) that must be met in order to receive a scholarship.
4

5 Seniors may apply for the Tennessee HOPE Scholarship by completing the Free Application for Federal
6 Student Aid (FAFSA). The FAFSA is available at the guidance office or on-line at www.fafsa.ed.gov.
7 The priority date for FAFSA completion is May 1.
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Legal Reference:

1. TCA 49-4--904-907

Hamilton County Board of Education

Monitoring: Review: Annually, in December	Descriptor Term: Graduation Requirements	Descriptor Code: 4.606	Issued Date:
		Rescinds:	Issued: 04/20/17

1 **GENERAL**

2
3 The program of studies shall include areas required by the State Board of Education.

4
5 Before high school graduation, every student shall;

- 6
7 1. Achieve the specified units of credit;
8 2. Take the required end of course exams;¹
9 3. Have satisfactory records of attendance and conduct
10 4. Take the ACT or SAT in the 11th grade;² and
11 5. Successfully complete a United States civics test.³

12
13 **SPECIAL EDUCATION STUDENTS⁴**

14
15 Special education students who successfully complete their Individualized Educational Program (IEP),
16 pass the required competency assessment and have satisfactory records of attendance and conduct shall be
17 awarded a regular diploma. A special education diploma shall be awarded to students who have
18 satisfactorily completed their IEP and who have satisfactory records of attendance and conduct, but who
19 have not met the proficiency testing requirements.⁵

20
21 Special education students who do not meet the requirements for a high school diploma may be awarded
22 an occupational diploma if the student has:^{1,4}

- 23
24 1. satisfactorily completed their IEP;
25 2. maintained satisfactory records of attendance and conduct;
26 3. completed the occupational diploma Skills, Knowledge, and Experience Mastery Assessment
27 (SKEMA);
28 4. completed at least four (4) years of high school; and
29 5. has two (2) years of paid or non-paid work experience.

30
31 The decision to attain an occupational diploma shall be made at the conclusion of the student's tenth (10th)
32 grade year, or two (2) academic years prior to the expected graduation date. Students who have received
33 an occupational diploma shall continue to make progress towards a high school diploma until the end of
34 the school year in which they turn twenty-two (22) years old.

35
36 **STUDENT LOAD**

37
38 All full time students in grades 9-12 shall be enrolled each semester in subjects that produce a minimum
39 of five units of credit for graduation per year. Students with hardships and gifted students may appeal this
40 requirement to the director of schools and then to the board.⁶

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1
2 **EARLY GRADUATION**
3

4 High school students shall be permitted to complete an early graduation program. Students intending to
5 graduate early shall inform the school principal of this intent prior to the beginning of 9th grade, or as soon
6 thereafter as the intent is known.
7

8 In order to graduate early, students must meet the following requirements:
9

- 10 1. Earn the required eighteen (18) credits;
11 2. Achieve a benchmark score for each required end-of-course exam;
12 3. Attain a cumulative GPA of at least 3.2 on a 4.0 scale;
13 4. Meet the minimum ACT or SAT benchmark score;
14 5. Obtain a qualifying benchmark score on a world language proficiency assessment; and
15 6. Complete at least two (2) types of the following courses
16 a. AP;
17 b. IB;
18 c. Dual enrollment; or
19 d. Dual credit.
20

21 The director of schools shall develop administrative procedures to ensure that the early graduation program
22 is conducted in accordance with state law.
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42 Legal References:

- 43 1. TCA 49-6-6001; State Board of Education Policy 2.103
44 2. Public Acts of 2016, Chp. No. 844; State Board of
45 Education Policy 2.103
46 3. Public Acts of 2016, Chapter No. 499; State Board of Education Policy 2.103
47 4. TRR/MS 0520-01-03-.06(1)(a); State Board of Education Policy 2.103
48 5. TCA 49-6-6005; State Board of Education Policy 2.103
49 6. TRR/MS 0520-01-03-.03(6)
50 7. TCA 49-6-8303; State Board of Education Policy 2.103

- Cross References:
Basic Curriculum Program 4.201
Class Ranking 4.602

Hamilton County Board of Education

Monitoring: Review: Annually, in December	Descriptor Term: Graduation Activities	Descriptor Code: 4.607	Issued Date:
		Rescinds:	Issued: 4/20/17

1 Students who have met all graduation requirements on the day of graduation may participate in the
2 graduation ceremony.¹ The graduation ceremony is optional.

3
4 Students who elect to participate in the ceremony are expected to behave with dignity and to conform
5 to the expectations and instructions of the school administration. Under no circumstances are students
6 permitted to be disruptive, to call undue attention to themselves, or to detract attention from another
7 student. Principals are authorized to withhold the printed diploma from any graduate who fails to adhere
8 to this policy subject to the completion of community service hours. Any such graduate wishing to
9 appeal a principal's decision may ask to meet with the Director of Schools, whose decision shall be final.

10
11 Graduation ceremonies and other graduation activities are not to have any religious elements. This
12 prohibition does not limit the speech rights of any student speaker so long as the speaker observes the
13 legitimate time, place, and manner restrictions that the school administration places on such speeches;
14 provided, however, that the graduation program shall have a disclaimer indicating that the views of any
15 student speaker are those of the speaker, that the speaker has the freedom to speak, and that the Hamilton
16 County Board of Education and its administration do not sponsor or endorse the speaker's views.

17
18 Principals shall ensure that students graduating with distinction and state honors are recognized at
19 graduation.² Additionally, principals shall ensure that high school students who voluntarily complete at
20 least ten (10) hours of community service each semester are recognized during the graduation
21 ceremony.³

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29 Legal Reference:

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31 1. TCA 49-6-405
32 2 State Board of Education Policy 2.103
33 3 State Board of Education Policy 2.103
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Class Ranking	Descriptor Code: 4.608	Issued Date: 01/16/14
		Rescinds:	Issued:

1 Numerical averages will be used to rank students in grades 9-12 and when applicable in other grades.
2 Numerical grades from all credit-bearing courses will be included in determining a students gradepoint
3 average and rank. To be eligible for ranking among the top high school seniors, students must be en-
4 rolled as a full-time student in a Hamilton County high school.

5
6 Students may graduate with honors or distinction by meeting criteria established by Tennessee State Board
7 of Education. Students who graduate with honors of distinction will be recognized with the placement
8 of a seal on the diploma. Valedictorian, salutatorian and honor roll status is specified by the Hamilton
9 County administrative procedures.

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Cross References:

Grading System 4.600

Graduation Requirements 4.605

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Promotion and Retention K-8	Descriptor Code: 4.609	Issued Date: 6/19/14
		Rescinds:	Issued:

1 Promotion, retention, or acceleration shall be considered on the basis of what is best for the child. The
2 teacher is responsible for making the recommendation after consulting with the appropriate professional
3 staff. In all cases, parent preference must be taken into account. The parents may appeal the decision to
4 the principal. The principal retains the final decision on promotion or retention.

5
6 **PROMOTION**

7
8 Students who have satisfactorily completed requirements for a grade or subject area are promoted.

9
10 **RETENTION**

11
12 When a pupil is not performing acceptably in a grade or subject and faces possible retention, the parent
13 shall be notified in writing.

14
15 It shall be the responsibility of the principal to send to the Director of Schools a list of pupils who have
16 been retained stating pupil's name, grade and/or subject.

17
18 **ACCELERATION**

19
20 The teacher, in consultation with appropriate professional staff and parents, will make the decision for
21 the promotion to an upper grade of a pupil.

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36 Legal Reference:
37 1. TRR/MS 0520-1-3-.05(3)(b)

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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Promotion and Retention K-8	Descriptor Code: 4.609	Issued Date:
		Rescinds:	Issued:

1 Matriculation from one grade to another will be governed by Hamilton County administrative procedures
2 and with Minimum Rules and Regulations of the State Board of Education. The director of schools shall
3 be responsible for the development of the procedures governing promotion and retention.¹
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37 Legal Reference:

- 38 1. TRR/MS 0520-1-3-.05(3)(b)
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Testing Programs	Descriptor Code: 4.700	Issued Date:
		Rescinds:	Issued:

1 The director of schools shall be responsible for the development of procedures to govern the administra-
2 tion of all system testing programs. The director of schools will designate a system testing coordinator
3 who shall be responsible for the administering, monitoring and maintaining security of all system tests
4 to be administered within the school system.¹ The principal of each school shall serve as or designate
5 a building testing coordinator. Results of all such tests shall be recorded on the students' permanent
6 records and shall be made available to appropriate personnel in accordance with established procedures.²
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31 Legal Reference:
32 1. TCA 49-1-607
33 2. TRR/MS 0520-1-3-.03(9)
34 TRR/MS 0520-1-3-.06(d)
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Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Controversial Issues	Descriptor Code: 4.800	Issued Date:
		Rescinds:	Issued:

1 The fair and objective discussion of issues in the classroom which are politically, philosophically or
2 socially controversial shall be relevant to the subject matter being taught, related to educational objec-
3 tives, appropriate for the age and maturity of students, and shall not materially or substantially disrupt
4 or threaten to disrupt the discipline of the school.

5
6 The director of schools shall be responsible for the development of procedures governing the discussion
7 of controversial issues in the classroom.

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Cross Reference:

Staff Rights and Responsibilities 5.600

Hamilton County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Religion in the Curriculum	Descriptor Code: 4.801	Issued Date:
		Rescinds:	Issued:

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It is essential that the teaching *about* religion—and not *of* a religion be conducted in a factual, objective and respectful manner. The director of schools shall be responsible for developing guidelines.

Cross References:

Basic Curriculum Program 4.201

Staff Rights & Responsibilities 5.600

Hamilton County Board of Education

5 - PERSONNEL

Descriptor Code	Policy Title	Issued Date
Employment Practices		
5.100	Goals for Personnel - Human Resources	12/16/04
5.101	Creation of Positions and Lines of Authority	05/24/07
5.102	Classification and Qualifications	12/16/04
5.1021	Military Professionals Serving as JROTC Instructors	09/28/06
5.103	Job Descriptions	12/16/04
5.104	Equal Opportunity Employment	12/16/04
	Americans with Disabilities	12/16/04
		12/16/04
5.105	Recruitment	
5.106	Application Recommendation	12/16/04
		12/16/04
		12/16/04
5.1061	Criminal Records Check	12/16/04
5.1062	Record Tampering	12/16/04
5.107	Orientation and Probation	12/16/04
5.108	Supervision	12/16/04
5.109	Evaluation	12/16/04
5.110	Compensation Guides and Contracts	12/16/04
5.113	In-Service and Staff Development Opportunities	12/16/04
5.114	Personnel Records	12/16/04
5.1141	Teacher Effect Data	05/24/07
5.1142	Employee Demographic Changes	12/16/04
5.115	Assignment/Transfer	
5.116	Reductions in Force	
5.117	Procedure for Granting Tenure	12/16/04
Separation Practices		
		12/16/04
		12/16/04
5.200	Suspension/Dismissal of Non-Tenured Teachers	12/16/04
5.201	Suspension/Dismissal of Tenured Teachers	12/16/04
5.202	Suspension/Dismissal of Non-Certified	12/16/04
5.203	Employees Nonrenewal	
5.204	Resignation	
5.205	Retirement	

Employee Leaves

5.300	Short Term Leaves of Absence	12/16/04
5.3001	Job Abandonment	12/16/04
5.301	Religious, Emergency and Legal Leave	12/16/04
5.302	Sick Leave	12/16/04
5.3021	Sick Leave Bank	07/16/09
5.3022	Bereavement Leave	12/16/04
5.303	Personal and Professional Leave	12/16/04
5.304	Extended Leaves of Absence for Certificated/ Classified Personnel	12/16/04
5.305	Family and Medical Leave	12/16/04
5.306	Military Leave	12/16/04
5.307	Physical Assault Leave	12/16/04
5.308	Sabbatical Leave	12/16/04
5.309	Legislative Leave	12/16/04
5.310	Vacations and Holidays	11/15/07
5.311	On -The- Job Injury	11/20/14

Employee Health Practices

5.400	Personnel Health Examinations/Communicable Diseases	12/16/04
5.401	Acquired Immune Deficiency Syndrome	12/16/04
5.402	Hepatitis B	12/16/04
5.403	Drug and Alcohol Testing for Employees	05/24/07

Grievances

5.500	Employee Complaints	02/16/06
5.501	Employee Grievances	12/16/04
5.502	Harassment/ Sexual Harrassment and Discrimination	12/16/04
5.503	Complaints About School Personnel	12/16/04
5.504	Evaluation Appeals	06/18/15

Employee Rights and Responsibilities

5.600	Staff Rights and Responsibilities	12/16/04
5.6001	Workplace Violence	12/16/04
5.601	Staff Conflicts of Interest	12/16/04
5.602	Time Schedules and Extra Duty	12/16/04
5.604	Overtime Pay of Classified Personnel	12/16/04
5.605	Staff Gifts and Solicitations	12/16/04
5.606	Staff Community Relations	12/16/04
5.607	Non-School Employment	12/16/04
5.608	Tutoring for Pay	12/16/04
5.609	Reimbursement for Personal Property	11/20/14

Temporary Personnel

5.700	Temporary Employees	12/16/04
5.701	Substitute Teachers	12/16/04
5.702	Student Teachers	12/16/04

Recruitment and Employment of the Director of Schools

5.800	Director of Schools	12/16/04
5.801	Director of Schools Recruitment and Selection	12/16/04
5.802	Qualifications/Duties of the Director of Schools	12/16/04
5.803	Evaluation of the Director of Schools	12/16/04

Negotiations

5.900	Professional Personnel Negotiations - Legal Status	12/16/04
5.901	Scope of Professional Negotiations	12/16/04
5.902	Board Negotiating Agent	12/16/04
5.903	Director of School's Role in Collaborative Conferences	12/16/04
5.904	Bargaining Progress Reporting	12/16/04

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Goals for Personnel - Human Resources	Descriptor Code: 5.100	Issued Date:
		Rescinds: GAA	Issued:

1 Through its personnel policies, the Board shall establish a school environment that will attract and
2 maintain the best qualified person whose mission will be to provide the best possible learning oppor-
3 tunities for the students. The Board's goals are:

- 4
- 5 1. To ensure that the best qualified personnel are recruited and employed to staff the school
- 6 system;
- 7
- 8 2. To provide staff compensation, benefits and working environment sufficient to attract and
- 9 retain qualified employees;
- 10
- 11 3. To provide an in-service training program for all employees to improve their performance;
- 12
- 13 4. To conduct an evaluation program that will contribute to the continuous improvement of
- 14 staff performance; and
- 15
- 16 5. To ensure that personnel are assigned so that they are utilized as effectively as possible.
- 17
- 18 6. To develop and implement a minority recruitment program that ensures diversity within
- 19 the Hamilton County Department of Education.
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Cross Reference:

School District Goals 1.700

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Creation of Positions and Lines of Authority	Descriptor Code: 5.101	Issued Date: 09/08/94
		Rescinds: CD	Issued: 5/24/07

1 **CREATION OF POSITIONS**

2
3 All staff positions shall be approved through the budget process and in accordance with an organizational
4 plan submitted by the director of schools. Before an additional position is established, the director of
5 schools will present to the Board a job description, required qualifications, performance responsibilities,
6 and the method by which the performance of these responsibilities will be evaluated. While the director of
7 schools has the authority to reorganize the operational structure of the school system from time to
8 time, no such reorganization shall have any impact on the budget without prior approval of the Board.

9
10 **LINES OF AUTHORITY**

11
12 The director of schools shall establish official lines of authority and shall publish these lines of authority
13 on a system organization chart. All personnel are expected to keep the person to whom they are imme-
14 diately accountable informed of their activities and shall refer matters requiring administrative action to
15 the administrator to whom they are accountable. When appropriate, that administrator shall refer such
16 matters to the next level of administration to whom he or she may be accountable.

17
18 Official lines of authority do not restrict the cooperative, sensible working relationship of all staff mem-
19 bers at all levels. These official lines of authority represent direction of authority and accountability
20 as well as avenues for a two-way flow of ideas to improve the program and operation of the Hamilton
21 County school system.

22
23 All personnel shall have the right to appeal any decision made by an administrative officer through
24 grievance procedures established through Board policy.

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Classification and Qualifications	Descriptor Code: 5.102	Issued Date: 03/15/12
		Rescinds: CGB/ GBBA/GC	Issued:

ADMINISTRATIVE AND SUPERVISORY PERSONNEL

All administrative and supervisory positions in the school system are established initially by the Board, by state law, or State Board Rule, Regulations, and Minimum Standards.

To be considered for certificated administrative or supervisory positions, the applicant must show the following qualifications:

1. Professional teaching certification; and
2. Administrative or supervisory certification and experience in accordance with state law and State Board Rules and Regulations in the appropriate area based on the minimum of a master's degree.

Non-certified administrative and supervisory personnel shall possess sufficient training and experience to perform the services required and such additional qualifications as the Board and the director of schools shall determine.

PROFESSIONAL PERSONNEL

The professional staff members are the personnel whose employment status requires certification in accordance with the rules and regulations of the State Board of Education. ¹

It is the responsibility of the employee to secure a license and to maintain its validity. When a teacher's contract must be terminated because the teachers' license has lapsed or otherwise become invalid, the director of schools shall immediately suspend the teacher without pay pending disposition of the matter. The teacher shall be notified of the reason for the suspension and given an opportunity for a hearing before the Board.

CLASSIFIED PERSONNEL

Classified personnel are those employees, regardless of education, training, experience, or licensure, who hold positions for which the Tennessee Department of Education does not require certification. Classified personnel are employees at will, meaning that either they or the Superintendent of Hamilton County schools may end their employment at any time for any reason or for no reason. While the Superintendent of Schools will endeavor to notify classified personnel by June 15 of their anticipated job assignments for the following school year, nothing within this policy or any other policy will be construed to extend to these employees a contract of employment for any specific term.

EMPLOYMENT STATUS FOR CLASSIFIED EMPLOYEES

It is the intent of Hamilton County Schools to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by Hamilton County Schools management and approval by the superintendent.

In addition to the above categories, each employee will belong to one other employment category.

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work Hamilton County Schools' full-time schedule. Generally, they are eligible for Hamilton County Schools' benefit package, subject to the terms, conditions and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 30 hours per week. While they do receive HCDE benefits on a prorated basis (ex. sick leave), they may be ineligible for all of Hamilton County Schools' benefits.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work forces or to assist in the completion of a specific project. Employment assignments in their category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change. While temporary employees receive all legally mandated benefits (such as workers' compensation (OJI), insurance, and social security) they are ineligible for the Hamilton County Schools' fringe benefits.

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Military Professionals Serving as JROTC Instructors	Descriptor Code: 5.1021	Issued Date: 9/28/06
		Rescinds:	Issued:

1 The Department of Education will contract with one or more branches of the military to provide instructors for
2 the Department of Education's Junior Reserve Officers Training Corps (JROTC) program. Each instructor must
3 be a military professional certified and in good standing as a JROTC instructor with his or her branch of the
4 military. Additionally, each military professional must hold or be pursuing a JROTC teacher license issued by the
5 Tennessee State Board of Education.

6 **EMPLOYMENT BENEFITS**

7
8 The Department of Education will develop uniform administrative practices and procedures governing the
9 employment benefits of JROTC instructors. These administrative practices and procedures will offer to JROTC
10 instructors the same opportunities for insurance coverage and other fringe benefits offered to other classroom
11 teachers. The Department of Education will develop a pay scale for JROTC instructors consistent with the
12 Board's annual budget and any agreement with the Department of Defense.

13 **DIRECTION AND SUPERVISION**

14
15
16 The Superintendent will designate one senior military professional from the Army to serve as the JROTC
17 Director. The Director will oversee the entire JROTC program, including the selection, supervision, and evalu-
18 ation of the program's other military professionals. The Director shall make any recommendations regarding
19 discipline or non-renewal to the Superintendent for appropriate action.

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Job Descriptions	Descriptor Code: 5.103	Issued Date: 09/08/94
		Rescinds: CGB	Issued:

1 The Board will approve the broad purpose and function of the position in accord with state laws and
2 state regulations, approve a statement of duties as recommended by the director of schools, and delegate
3 to the director of schools the task or writing, or causing to be written, a job description for the position.
4

5 A copy of each job description shall be provided to the employee, the immediate supervisor and included
6 in the employee's personnel record. A copy of all job descriptions shall be maintained in the director
7 of schools' designee's office. Job descriptions shall be used as guides in annual employee evaluations.
8

9 The director of schools shall maintain a comprehensive, coordinated set of job descriptions for all such
10 positions so as to promote efficiency and economy in the staff's operations.
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Cross References:

Evaluation 5.109

Qualifications/Duties of the Director of Schools 5.802

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Equal Opportunity Employment	Descriptor Code: 5.104	Issued Date: 09/08/94
		Rescinds: GAAA	Issued:

1 Opportunity for employment, as well as continuation and advancement in employment, shall be afforded
2 equally to members of all races, creeds, colors, sexes, religions, ages, national origins, and individuals
3 with disabilities or veteran status with regard only for qualifications for the positions involved. ^{1,2}
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34 Legal References:

- 35 1. U.S. Constitution, Amendment XIV; Title VII,
36 Civil Rights Act of 1964;
37 Title VI, Civil Rights Act of 1964; Title IX,
38 Education Amendments of 1972; Age Discrimination Act of 1967;
39 Section 504 of Rehabilitation Act of 1973
40 2. Public Law 101-336; 42 U. S.C. 12112
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34 Cross References:

- Section 504/ADA Grievance Procedures 1.802
Discrimination/Harassment 5.500
Complaints and Grievances 5.501

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Americans with Disabilities (ADA)	Descriptor Code: 5.1041	Issued Date: 3/16/17
		Rescinds:	Issued:

1 The Board of Education is committed to equal opportunity in all aspects of hiring and employment and
2 fully supports the Americans with Disabilities Act (ADA) and the right of all applicants, candidates, and
3 employees to be free from discrimination based on disability. The Board values all of our employees, applicants,
4 and candidates including those who are experiencing disabilities. In accordance with the Americans with
5 Disabilities Act (ADA), Section 503 of the Rehabilitation Act and state law, and consistent with the Board of
6 Education's Equal Employment Opportunity and Harassment/Sexual Harassment and Discrimination Policies,
7 it is the Board's policy to provide reasonable accommodations for qualified individuals with disabilities, unless
8 the accommodation poses an undue hardship or would change the essential functions of the position.

9 ADA REQUEST FOR ACCOMMODATION

10
11 If an employee, applicant or candidate has a medical condition that impacts his ability to perform the essential
12 functions of the job, he should work with his health care provider to complete and submit the HCDE ADA
13 Request for Accommodation Form directly to HCDE's ADA Coordinator in the Human Resources Department
14 The form may be found at: <http://www.hcde.org/ada>. (**Please Note:** Employees should not provide the completed
15 ADA Request for Accommodation Form or related medical documentation to their administrator or manager, but
16 rather the ADA Coordinator in HR.)

17
18 Completion of the ADA Request for Accommodation Form is part of the interactive process that will allow
19 HCDE to assess the individual's medical condition and determine whether a job accommodation is appropriate.
20 Employees are obligated to cooperate with this process. If sufficient medical information is not provided by the
21 individual after several attempts, failure to do so could result in delayed consideration of a request or in its
22 denial. Please note that an individual's receipt or denial of an accommodation does not preclude the individual
23 from making another request at a later time if circumstances change and they believe that an accommodation
24 is needed.

25
26 Following receipt of the completed ADA Request for Accommodation Form from the health care provider, the
27 ADA Coordinator will discuss the job accommodation request with the individual. Through these discussions,
28 consistent with applicable laws, HCDE may ultimately approve the requested accommodation(s) as presented,
29 suggest one or more alternative accommodation(s) designed to permit the employee to perform the essential
30 functions of the job, transfer the employee to another vacant (funded) position that the employee can perform
31 based upon stated restriction(s), a leave of absence consistent with law or policy in the event HCDE is unable to
32 make any other accommodation sufficient to enable the employee to perform the essential functions of the job,
33 or deny the requested accommodation(s) in appropriate circumstances. The ADA Coordinator will only involve
34 those individuals who need to have knowledge of the situation (including the use of the Job Accommodation
35 Network [JAN]) to ensure that an effective and timely accommodation is provided. The ADA Coordinator will
36 notify the employee, applicant, or candidate of the outcome of the request. All accommodation requests will
37 be reviewed on a case-by-case basis. If HCDE approves a job accommodation, HCDE reserves the right to
38 request that the individual's health care provider re-certify the need for the job accommodation at reasonable
39 intervals.
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Americans with Disabilities (ADA)	Descriptor Code: 5.1041	Issued Date: 3/16/17
		Rescinds:	Issued:

1 Job accommodations are meant to enable the employee to be successful in the performance of the essential
2 functions of the job. Therefore, essential functions of a job cannot be eliminated as part of an accommodation.
3 Once a job accommodation is offered and made, an administrator will work with the employee to make sure that
4 the accommodation enables the ability to perform the job within appropriate standards.

5 **APPEALS**

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7 An individual dissatisfied with the resolution of a reasonable accommodation may request in writing that the
8 Assistant Superintendent of Human Resources or Superintendent of Schools reconsider the decision.
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Recruitment of Employees	Descriptor Code: 5.105	Issued Date:
		Rescinds: CGC/GCD	Issued: 09/08/94

1 The authorization of all school system positions rests with the Board. Personnel employment shall be
2 within the discretion of the director of schools. ¹

3
4 The director of schools is responsible for the development of a program for the recruitment of licensed
5 personnel.²

6
7 Identification of personnel needs shall be the responsibility of the director of schools, supervisors, and
8 building principal. Effort shall be made to include representation of academic and professional experi-
9 ence, age, ethnic backgrounds, race and sex.

10
11 Vacancies will be advertised locally and through the closest placement offices. A deadline for receiving
12 applications will be established and disseminated with the vacancy notice.

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14 Vacancies for licensed personnel will be advertised in accordance with State Law and HCDE HR Guide-
15 lines.

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34 Legal Reference:

- 35 1. TCA 49-2-301(b)(1)(EE)
- 36 2. TRR/MS 0520-1-2-.14

34 Cross Reference:

35 Staff Positions 5.116

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date:
		Rescinds: GCD/GBD	Issued: 12/14/99

APPLICATION

1
2 An individual desiring a position with the Board shall make application to the director of schools on
3 forms approved by the Board. ¹ In a continuing effort to further ensure the safety and welfare of students
4 and staff, the district shall require criminal history records checks and fingerprinting of applicants for
5 teaching positions and any other employee who has proximity to children.

6
7 Knowingly falsifying information shall be sufficient grounds for termination of employment and shall
8 also constitute a Class A misdemeanor which must be reported to the District Attorney General for
9 prosecution.

10
11 Any costs incurred by the Tennessee Bureau of Investigation in conducting such investigations of appli-
12 cants shall be paid by the applicant the first time such applicant applies for a position with the Board.
13 The Board shall not reimburse the applicant if the applicant accepts a position as a teacher. Substitute
14 teachers, school maintenance employees, food service, transportation employees and all other classified
15 employees shall not be reimbursed for criminal history checks and fingerprinting.²

16
17 The Board assigns to the director of schools the duty to conduct thorough background checks and to
18 advise all applicants that all hiring decisions are contingent upon satisfactory background check results.

19 20 *Professional Employees (Certified)*

21
22 The application must include a transcript of credits earned at the colleges or universities attended along
23 with reference information from persons such as previous employers, college professors and supervisors
24 of student teachers. Other information shall include whether such applicant has been dismissed for cause
25 from a school system. If previously employed by a local board of education, the applicant shall provide
26 evidence of acceptable resignation. ¹

27
28 No person shall be employed:

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- 31 1. Who does not hold a valid license to teach from the State Board of Education; ³
 - 32 2. Who does not present a physician's certificate showing a satisfactory health record or has
33 any contagious or communicable disease in such form that might endanger the health
34 of school children; ⁴
 - 35 3. Who refuses to take and subscribe to an oath to support the Constitution of the State of
36 Tennessee and of the United States of America;
 - 37 4. Who fails to make a full disclosure of any prior criminal record and any prior dismissals
38 from employment for cause;¹ or
 - 39 5. Who does not receive a satisfactory background check.¹
 - 40 6. Who has not complied with the Immigration Reform and Control Act of 1986.
- 41

1 *Classified Employees*

2
3 No person shall be employed:

- 4 1. Who does not present a physician's certificate showing a satisfactory health record; or
- 5 2. Who has any contagious or communicable disease in such form that might endanger the
- 6 health of the children;⁴ or
- 7 3. Who has not complied with the Immigration Reform and Control Act of 1986;⁶ or
- 8 4. Who fails to make a full disclosure of any prior criminal record and any prior dismissals
- 9 from employment for cause; or
- 10 5. Who does not receive a satisfactory criminal background check.¹

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13 **EMPLOYMENT**

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15 *Professional Employees (Certified)*

16
17 After checking references and receiving written recommendations, the director of schools shall hire and
18 assign qualified applicants. ⁷

19
20 *Initial Employment*

21
22 Upon initial employment, the director of schools shall notify such person, in writing, of the offer and
23 conditions of employment. Upon receipt of employment notification, such person shall have fifteen (15)
24 days to accept or reject, in writing, the offered employment. From the date of the written acceptance,
25 such person is considered to be under employment with the Board and is subject to all rights, privileges
26 and duties. ¹

27
28 *Classified Employees*

29
30 After checking references and receiving written recommendations from principals and/or supervisors,
31 the director of schools shall hire and assign qualified applicants.

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39 Legal Reference:

- 40 1. TCA 49-5-406
- 41 2. TCA 49-5- 406 (a); TCA 49-5-413(b)
- 42 3. TCA 49-5-403; TCA 49-5-101
- 43 4. TCA 49-5-404; TRR/MS 0520-1-3-.08(2)(f)
- 44 5. TCA 49-5-405
- 45 6. Immigration Reform and Control Act of 1986
- 46 7. TCA 49-2-301(b)(1)(J)(L)(EE); TCA 49-2-303 (b)(3)

- Orientation and Probation 5.107
- Compensation Guides & Contracts 5.110

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Criminal Record Checks	Descriptor Code: 5.1061	Issued Date:
		Rescinds:	Issued: 2/18/10

1 The Hamilton County Board of Education, in an effort to provide a safe environment for its employees
2 and students, will conduct pre-employment criminal background checks on all prospective employees,
3 both full-time, part-time, licensed, and non-licensed. This also includes certified and non-certified
4 individuals desiring to coach athletics in the district's middle and high schools who are not employed
5 by the Hamilton County Department of Education.
6

7 The criminal record checks will include a TBI and FBI criminal background check and a search of the
8 Department of Children's Services Tennessee Sex Offender and Child Abuse Registries. The cost of a
9 criminal background check shall be paid by the prospective employee at the time he/she is fingerprinted.
10 Background check results must be received and cleared prior to an employee or volunteer beginning work.
11

General Regulations:

- 13 1. An applicant for employment, as a condition for employment will authorize in writing
14 a criminal records check to determine if he/she has been convicted of criminal or drug
15 offenses. Failure on the part of an applicant to cooperate in the criminal background
16 check process will result in denial of employment.
- 17 2. The Superintendent will not knowingly employ a person who is disqualified from
18 employment because of a conviction for a felony, a crime involving moral turpitude, or
19 a disqualifying narcotic offense. [TCA Sec. 49-5-501, Tennessee Administrative Rules
20 and Regulations. The following criteria will be used to evaluate those persons
21 whose fingerprints or criminal record checks indicate former criminal convictions:
22 a. felony convictions less than five (5) years from the date of the criminal
23 records check will result in immediate termination and/or recession of the
24 employment offers.
25 b. felony convictions more than five (5) years from the date of the criminal records
26 check will be at the discretion of the superintendent. Information required for such
27 decision will include, but is not limited to, name and address of the court, date
28 of the alleged offense, description of charges, explanation of the final action taken
29 including any fines, probation, imprisonment, first offender adjudication or similar
30 disposition.
- 31 3. Bus drivers, other CDL (Commercial Driver's Licensed) employees, and any employee
32 who may from time to time drive a Board of education vehicle, that are arrested for DUI
33 while on duty, will be suspended immediately and upon conviction will be subject to ter-
34 mination. Employees who transport students on school and/or district-related business
35 in a privately owned vehicle who are arrested for DUI while on duty will be suspended
36 immediately and upon conviction will be subject to termination.
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- 4. Bus drivers and other CDL employees who are arrested for DUI charges will be suspended from any employment involving the driving of a vehicle until the charges are resolved.
- 5. Falsifying information or not fully and accurately disclosing information about convictions and/or pending charges on the employment application shall be grounds for immediate termination.
- 6. If an employee leaves and returns to work within the same period of employment, the fingerprint and criminal records check requirement may be waived provided there is a fingerprint and criminal records report in the personnel file and the length of time does not exceed one calendar year from the date the employee left HCDE. If not, the person must be fingerprinted and have another criminal records check to update the previous records check. The individual shall pay the cost.

HCDE EMPLOYEES ARRESTED OR CONVICTED

All Hamilton County Department of Education employees, including part-time, temporary, contracted, and substitute personnel, who are arrested and/or convicted of a felony (including felonies that have been reduced to a lesser charge), or misdemeanor but not to include minor traffic offenses, are to report this information to the Superintendent or his/her designee within 48 hours of the arrest and/or conviction.

This policy applies to all Hamilton County Department of Education employees as a condition of employment and as a condition of continued employment.

Employees must also notify the Superintendent or his/her designee immediately if the Department of Children Services has named them as an indicated perpetrator of child abuse.

Hamilton County Board of Education

Monitoring: NEW POLICY	Descriptor Term: Record Tampering	Descriptor Code: 5.1062	Issued Date:
		Rescinds:	Issued:

1 Upon employment, all Hamilton County Department of Education employees shall be notified that it
2 is unlawful for any person to:

- 3 1. Knowingly make a false entry in, or false alteration of a governmental record;
- 4 2. Make, present, or use any record, document or thing with knowledge of its falsity and
5 with intent that it will be taken as a genuine governmental record; or
- 6 3. Intentionally and unlawfully destroy, conceal, remove, or otherwise impair the verity,
7 egibility or availability of a governmental record.

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9 Violation of this policy is a Class A misdemeanor as well as grounds for other disciplinary action up to
10 and including termination.
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30 Legal References:

- 31 1. TCA 39-16-504
 - 32 2. Acts 1989, ch.59§1
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Classified Employees	Descriptor Code: 5.107	Issued Date: 12/19/2013
		Rescinds:	Issued:

1 **CLASSIFIED EMPLOYEE HANDBOOK**

2
3 All classified employees, new to the school system, will receive a Classified Employee Handbook. The
4 handbook contains general information and guidelines only. It is not intended to be comprehensive of
5 all general policies and procedures or their exceptions. For these reasons, classified employees shall
6 address specific questions to the supervisor/principal or the Human Resources Department.
7

8 **CLASSIFIED EMPLOYMENT**

9
10 Classified employees are those employees, regardless of education, training, experience, or licensure, who hold
11 positions for which the Tennessee Department of Education does not require certification. Classified personnel
12 are employees at will, meaning that either they or the Superintendent of Hamilton County Schools may end their
13 employment at any time for any reason or for no reason. While the Superintendent of Schools will endeavor to
14 notify classified personnel by June 15 of their anticipated job assignment for the following school year, nothing
15 within the handbook, board policy, or other policy, will be construed to extend to these employees a contract of
16 employment for any specific term.

17 A transfer from one position to another within the same position classification shall not be considered a demotion.
18 Any notice of termination or demotion shall include the reason for the dismissal or demotion.
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24 Cross Reference:
25 Evaluation 5.109
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Supervision	Descriptor Code: 5.108	Issued Date:
		Rescinds:	Issued:

- 1 Supervision of administrative and supervisory personnel shall be provided by the director of schools.
- 2
- 3 Apprentice teachers shall be assisted by supervising teachers in the development of competencies re-
- 4 quired by the Board.¹
- 5
- 6 Classified personnel shall be supervised by the person designated on the approved job description.
- 7
- 8 The immediate supervisor and director of schools' office share the responsibility for providing desirable
- 9 orientation experience of newly hired employees. Periodic training sessions may be provided for em-
- 10 ployees or employee groups as deemed necessary.
- 11
- 12 The immediate supervisor has the responsibility of assigning specific duties and for giving guidance to
- 13 the employee for the satisfactory performance of those duties.
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29 Legal Reference:
30 1. TCA 49-5-5606(b)

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28 _____
29 Cross References:
30 Nepotism 1.108
31 Line and Staff Relations 5.101
32 Job Descriptions 5.103
33 Staff Positions 5.116

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Evaluation	Descriptor Code: 5.109	Issued Date: 03/15/12
		Rescinds: CGI/GBI/ GCI	Issued: 09/18/14

1 The evaluation of performance and its effectiveness must be a cooperative and shared endeavor on the
2 part of the director of schools and administrative and supervisory personnel.

3
4 The Board shall use a state-approved model for evaluating administrative and supervisory personnel and
5 shall approve standard forms to be used in evaluating classified personnel.

6
7 The director of schools is responsible for ensuring that all administrative and supervisory personnel are
8 evaluated.

9 10 **LICENSED TEACHING PERSONNEL**

11 The Board shall use guidelines developed by the State Board of Education for implementation of an
12 approved evaluation system. All certificated teaching personnel working at least 120 days shall be
13 evaluated on an annual basis.

14
15 If the state-approved model is not used, the Board shall submit to the Commissioner of Education for
16 approval, an evaluation plan with implementation procedures, validation procedures and training plans.
17 The evaluation plan shall be reviewed at least annually for improvement and revision. All changes in
18 the evaluation system shall be submitted by July 1 prior to the proposed implementation year.

19
20 The Board shall annually submit to the Commissioner of Education for approval, the evaluations and
21 recommendations of all apprentice teachers who are in their final apprentice year.² The evaluation
22 deadline for these teachers shall be May 1. The evaluation deadline for all other licensed teachers shall
23 be completed no later than 5 working days prior to the last day of school.

24
25 Teachers shall be evaluated for the following purposes:

- 26
27 1. Accountability - to assure that evaluation considers the effectiveness in the classroom and in
28 the school.
- 29 2. Professional Growth - to provide a focus for professional growth in an area(s) which has
30 the greatest capacity for facilitating student performance.
- 31 3. Cohesive School Structure - to increase and focus the dialogue within schools on the goal(s)
32 of improved services to students.⁴

33
34 Evaluations will be conducted by a school administrator and/or designee(s). All evaluators shall be
35 trained and certified through state-sanctioned training in the evaluation procedures before conducting
36 evaluations. The principal shall be responsible for the final evaluation decision.⁴

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41 Evaluations shall use multiple data sources which include but are not limited to:

1. Classroom or position observations including planning and reflecting information and/or review;
2. Review of previous evaluations and an educator self-assessment;
3. Conferences;
4. Examination of professional growth;
5. Student and/or school-wide achievement and growth.
6. Examination of assessment techniques, results and applications.

As part of the evaluation process, a growth plan shall be developed for all teachers. The plan shall be developed collaboratively by the teacher and the immediate supervisor and/or principal. The plan shall include identified area(s) for growth, action plan, and progress reporting procedures.⁴

INTENSIVE ASSISTANCE PROGRAM

The failure of a tenured employee to meet expectations established by previous development plans, previous evaluation(s), or formal classroom observations may be recommended for participation in the Intensive Assistance Program.

The purpose of the Intensive Assistance Program is to improve instruction, provide accountability, and maximum teachers' growth and student achievement. The process is one that is designed to both assist and support those teachers and other special certificated populations personnel in the Hamilton County Department of Education who are performing at less than acceptable levels.

The process of the Intensive Assistance Program includes the formation of an IAP team made up of trained administrators, directors, and supervisors. The IAP team members will complete extended formal observations and offer detailed, actionable feedback and support on a weekly basis to the employee. Upon completion of the Intensive Assistance Process, the IAP Team shall make recommendation(s) to the Superintendent.

NON-LICENSED PERSONNEL

Classified personnel shall be evaluated annually.

Evaluations shall be used as an aid in improving an employee's performance and as a basis for continuing employment. Evaluation reports shall be discussed with the evaluated employee. Each employee shall be given a copy of the evaluation and shall sign the supervisor's copy as evidence it has been discussed.

Legal References:

1. TRR/MS 0520-1-2-.01
2. TRR/MS 0520-2-1-.03
3. TRR/MS 0520-2-1-.02 (1)(c)
4. TRR/MS 0520-2-1-.02

Cross References:

- Job Descriptions 5.103
Orientation and Probation 5.107

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Compensation Guides & Contracts	Descriptor Code: 5.110	Issued Date:
		Rescinds:	Issued: 11/20/14

1 All Certified personnel must make a written contract with the Board at a fixed salary per month before
2 entering upon their duties.¹

3
4 The director of schools shall establish the salary rating of each person employed and shall recommend
5 such salary rating to the Board for its approval.²

6
7 Salaries of all employees, including substitute and supplemental pay, shall be paid by the Board. No
8 payment to any employee for service performed on behalf of the school system shall be made from
9 any source other than the Board.³

10
11 Contracts for administrators and system-wide professional personnel shall include two-hundred one
12 (201) days of responsibility, plus twenty (20) days for each additional month assigned by the Board.
13 Each contract shall provide:⁴

- 14
15 1. A minimum of one hundred and eighty (180) working days;
16 2. A minimum of six (6) days for in-service education;
17 3. Ten (10) vacation days; and
18 4. Five (5) days as designated by the Board.(teachers shall use one (1) day for parent-teacher
19 conferences. ⁴)

20
21 The school calendar adopted by the Board each year shall become part of each employee's contract.

22
23 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided
24 the revenue is deposited with and salaries paid through the Board. This includes donations or con-
25 tributions from individual, civic or other non-school related sources of funds from individual school
26 activity funds, such as gate receipts and concessions.^{1,5}

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34 Legal References:

- 35 1. TCA 49-2-203(a)(1); TCA 49-5-408
36 2. TCA 49-5-402
37 3. TCA 49-3-306; TCA 49-5-709; TCA 49-2-203(a)(1)
38 4. TCA 49-6-3004
39 5. TCA 49-6-2006; *Tennessee Internal School Financial Management Manual*,
40 Section 5, Title 6
41

- Cross References:
School Calendar 1.800
Revenues 2.400
Payroll Procedures 2.802
Salary Deductions 2.803

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: In-Service and Staff Development Opportunities	Descriptor Code: 5.113	Issued Date:
		Rescinds:	Issued:

1 IN-SERVICE EDUCATION

2
3 In-service education is a program of planned activities designed to increase the competencies needed by
4 all personnel in the performance of their responsibilities. Competencies are defined as the knowledge,
5 skills, and attitudes which enable personnel to perform their tasks with maximum effectiveness.¹

6
7 In-service training days will be paid as days of school, and it is mandatory that teachers be present or
8 lose the day's pay unless their absence conforms to the requirements of the sick leave plan or is approved
9 in advance by the Director of Schools.

10 11 *Administrative and Supervisory Employees*

12
13 These employees shall show evidence of continual professional growth by attendance at in-service programs
14 and institutes, studying professional literature, meeting with other professionals for discussion, and
15 otherwise keeping abreast of research in methodology, curriculum, and student growth and development.

16
17 Each principal and administrator shall be required to attend the principal-administrator academy for
18 instruction at least once every five (5) years unless a principal or administrator has completed fifteen
19 (15) or more years as a principal, supervisor or other administrator and has received an exemption from
20 the state.²

21 22 *Professional Employees*

23
24 A system-wide in-service committee, composed of membership from a cross-section of other personnel,
25 shall assess system-wide needs, establish priorities, develop objectives, design activities, and evaluate
26 the in-service program.¹

27
28 The Board encourages the professional growth of all teachers through activities including travel, workshops,
29 research and publications, college training, course auditing, curriculum study conventions, and offices
30 in professional organizations.

31
32 In-service credit shall not be given while performing duties which are required as part of regular
33 teaching assignments.

34 35 *Classified Personnel*

36
37 The immediate supervisor shall be responsible for providing in-service trainings. Absences to attend
38 meetings relating to the employee's job description may be granted by the director of schools without
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1 loss of pay to the employee.
2
3

4 **STAFF DEVELOPMENT PROGRAM**
5

6 Staff development programs and activities shall reflect the National Standards for Staff Development
7 and shall reflect the needs identified in school improvement plans.
8

9 The Board may pay expenses of selected personnel who participate in the training sessions conducted
10 by the State Department of Education.
11

12 The director of schools shall involve central office personnel and staff development trainers in devel-
13 oping the system-wide staff development program and schedule and shall recommend it to the Board
14 for approval.
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43 Legal References:

- 44 1. State Department of Education Guidelines for
- 45 Planning Approvable In-service Education Activities
- 46 TCA 49-1-214; TCA 49-6-3004(c)(1)
- 47 2. TCA 49-5-5703 (a)
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Cross References:

- School Calendar 1.800
- Curriculum Development 4.200
- Reporting Student Progress 4.601

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Personnel Records	Descriptor Code: 5.114	Issued Date: 03/15/12
		Rescinds:	Issued: 6/18/15

1 The director of schools or his designee(s) shall be authorized to maintain personnel records and to
2 permit inspection of the same. The following personnel records shall be maintained for all employees
3 as appropriate, but not limited to:

- 4
- 5 1. Employee applications and contracts
- 6 2. Professional certificates and other documents required by state and federal laws and
7 regulations¹
- 8 3. Evaluations
- 9 4. Cumulative information files; and
- 10 5. INS Form I-9²
- 11

12 The following guidelines shall be followed:

- 13
- 14 1. Information contained in personnel records shall be limited to job-related matters;
- 15 2. The Director of Schools shall be responsible for notifying all employees of the types of
16 records kept and uses made of such records;
- 17 3. Employees shall be granted an opportunity to respond in writing to material placed in
18 records;
- 19 4. Employee records are public records, except for matters deemed confidential by
20 law, and shall be open for inspection during regular business hours;³
- 21 5. A record of the person inspecting and the date of inspection shall be recorded;
- 22 6. Copies of records may be made under rules determined by the director of schools;⁴
- 23 7. Members of the public may not obtain an employee's home or personal cell phone
24 numbers; bank account, individual health savings account, retirement account, or pension
25 account information; residential information, including the street address, city, state
26 and zip code; social security number; driver's license information except where driving
27 or operating a vehicle is considered to be a part of the employee's duties, unless release
28 of this information is expressly authorized by the employee. The previous information
29 may also not be obtained for the employee's immediate family members or household
30 members.
- 31
- 32 8. The Human Resources Department will release to credit agencies only the present
33 employment status of an employee and the length of service in the Hamilton
34 County School System. Additional salary and personnel information will be
35 released only upon written authorization of the employee.
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Employees who wish to review their own file should contact the Human Resources Department. With a reasonable advance notice (at least two (2) work days), employees may review their own personnel files in Hamilton County Schools' Human Resources Office and in the presence of an HR employee. Requests to view personnel files by the press, parents, and/or other Tennessee residents shall also require reasonable notice.

Legal References:

- ¹TCA 49-2-301(b)(1)(BB)
- ²Immigration Reform and Control Act of 1986
- ³TCA 49-2-301(b)(1)(CC);TCA 10-7-503-504
- ⁴TCA 10-7-506; TCA 8-5-108
- ⁵TCA 10-7-504

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Teacher Effect Data	Descriptor Code: 5.1141	Issued Date:
		Rescinds:	Issued:

1 Teacher effect data or its replacements will be used to provide an estimate of the statistical distribution of
2 teacher effects on the educational programs of students within the Hamilton Count Department of Education
3 for grades three (3) through eight (8)."³

4
5 A specific teacher's effect on the educational progress of students may not be used as part of formal personnel
6 evaluations until data for three (3) complete academic years are obtained. Teacher effect data shall not be
7 retained for use in evaluation for more than the most recent five (5) years."⁴

8
9 The estimates of specific teacher effects on the educational progress of students will not be a public record,
10 and will be made available only to the specific teacher, the teacher's appropriate administrators as designated
11 by the HCDE Board of Education, and school board members.

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Legal References:

1. TCA 49-1-606
2. *Guidelines for the Distribution, Security and Application of TVAAS Teacher Effect Data* State Board Guidelines 1996.

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Employee Demographic Changes	Descriptor Code: 5.1142	Issued Date:
		Rescinds:	Issued:

1 It is the responsibility of each employee to promptly notify the HCDE Personnel - HR Division of changes
2 in personnel data, personal mailing addresses, telephone numbers, name changes, and the names of
3 individuals to be contacted in the event of an emergency, and the addition of educational degrees should also
4 be reported. Employees must make beneficiary changes to the appropriate offices responsible for retirement
5 and other fringe benefits.

6
7 Certified employees should report address and name changes to the Office of Teacher Licensing in State
8 Department of Education, when appropriate.

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Assignment/Transfer	Descriptor Code: 5.115	Issued Date:
		Rescinds:	Issued:

1 **ASSIGNMENT**

2
3 The director of schools shall assign personnel to the various schools or departments by May 15 for
4 licensed personnel and by June 15 for non-licensed personnel preceding the school year for which such
5 persons are employed while allowing each principal or immediate supervisor to assign more specific
6 responsibilities within each school.¹

7
8 Assignment of employees will be made by the director of schools based on the recommendation of
9 the appropriate division director and/or building principal. The assignment will be determined by the
10 applicant's training, experience and ability to perform the duties of the position and in the best interest
11 of the schools.

12
13 Extra assignments for which supplements are provided and upon which initial employment was based may
14 not be relinquished in part by the employee without the approval of the person making the assignment.
15 Other assignments for which supplemental salary is provided shall be made on an annual contract basis.

16
17 **TRANSFER (to move from one school or administrative unit to another)**

18
19 The director of schools shall transfer employees as necessary for efficient operation of the schools.²
20 Transfers shall be nondiscriminatory and shall not be arbitrary or capricious. The director of schools is
21 responsible for developing and disseminating procedures for transfer.

22
23 All employees transferred shall receive written notification of the transfer with reason(s) prior to the
24 transfer.

25
26 If a transfer is performance-based, the transfer shall be preceded by a written statement of deficiencies
27 and when feasible, a reasonable opportunity to improve.

28
29 Individual members of the Board shall be notified of transfers five (5) business days in advance of the
30 transfer whenever practical or as soon as possible thereafter through the monthly section on personnel
31 changes in the HCDE Board of Education agenda.

32
33 Transfers made in accordance with board policy, state law and any negotiated contract are final.

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REASSIGNMENT (to move to another assignment within the same school or administrative unit)

Reassignments shall be nondiscriminatory and shall not be arbitrary or capricious. Employees shall be reassigned as necessary for efficient operation of the schools. The director of schools is responsible for developing and disseminating procedures for reassignments.

Reassignments shall be made by the employee's immediate supervisor, and/or personnel administrator with approval by the director of schools.

Reassignments shall be in accordance with any negotiated contract for licensed personnel.

Legal Reference:

- 1. TCA 49-2-301(b)(1)(L); TCA 49-5-501
 - 2. TCA 49-2-301(b)(1)(EE); TCA 49-5-510 ;
OP Tenn. Atty. Gen. 98-164 (August 24, 1998)
- TCA 49-2-303

Cross References:

- Nepotism 1.108
- Line and Staff Relations 5.101
- Job Descriptions 5.10
- Recruitment 5.105

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Reductions in Force	Descriptor Code: 5.116	Issued Date: 11/20/14
		Rescinds:	Issued: 11/20/14

1 **REDUCTIONS IN FORCE**

2
3 When it becomes necessary to reduce the number of positions in the system because of a decrease in
4 enrollment or for other good reasons, the Board shall abolish the positions. The Board or the director
5 of schools, as appropriate, shall dismiss such employees as may be necessary.

6
7 **Licensed Personnel**

8
9 Reductions in staff will be made according to which have the least detrimental effect on children. In
10 general, this objective dictates a staff reduction policy which:

- 11
12 1. Retains the most effective teachers;
13 2. Avoids undue increases in class size; and
14 3. Provides consideration for the exceptional teacher without emphasis on seniority.

15
16 The elimination of a position does not necessarily mean the person occupying the position will be dis-
17 missed. When an employee is released, it is the responsibility of the director to make a recommendation
18 to the Board about which employee shall be released and to justify the recommendation based upon a
19 composite of the following criteria:

- 20
21 1. Effectiveness in teaching and in related professional responsibilities evidenced by teacher
22 evaluation;
23 2. Adaptability to other assignments (academic and extracurricular);
24 3. Evidence of professional growth as well as specialized or advanced training;
25 4. Previous history of grade levels and subject areas taught;

26
27 When a teacher is released because of reduction in staff, the teacher shall be given written notice of
28 release explaining the circumstances or conditions making dismissal necessary.

29
30 **Non-Licensed Personnel**

31
32 When a non-licensed employee is released because of a reduction in the number of classified positions,
33 the director of schools shall give the employee written notice of dismissal explaining the circumstances
34 or conditions making termination of employment necessary.

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Procedure for Granting Tenure	Descriptor Code: 5.117	Issued Date: 03/15/12
		Rescinds: 5.117	Issued: 4/20/17

1 The Hamilton County Board of Education will grant tenure subject to provisions of Tennessee state law
2 governing tenure. The superintendent and/or his/her designees are responsible for documenting and
3 presenting the recommendation for tenure to the Board of Education.

4
5 Documentation of a record of excellence in teaching and/or other administrative responsibilities should
6 include but is not limited to:

- 7 1. Appropriate and consistent ratings on evaluations conducted by school principals and/or
8 other educators.
- 9 2. Specific evidence of effectiveness in teaching students and/or executing job responsibilities
10 can include but is not limited to:
 - 11 a. Positive student achievement as indicated by test scores
 - 12 b. Narrative descriptions of specific examples of effectiveness with students
 - 13 c. Letters from parents or patrons
 - 14 d. Letters of commendation and/or other accolades
- 15 3. Record of attendance for the last five (5) years
- 16 4. Other documentation and indicators of effectiveness may be included

17
18 The following additional guidelines will apply:

- 19 1. The decision as to whether or not to grant tenure is solely within the discretion of the
20 Hamilton County Board of Education.
- 21 2. The school principal and/or administrator shall provide the superintendent and the Board
22 of Education with a written narrative as to why tenure should be awarded to an eligible
23 employee.
- 24 3. The superintendent will recommend persons eligible for tenure at a board meeting in
25 ample time for the superintendent to provide notice of non-renewal to each teacher or
26 educator not granted tenure within five (5) business days following the last instructional
27 day of the school year.
- 28 4. Only those teachers or educators who receive a majority vote of the membership of the
29 board will be granted tenure.

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34 Legal References:

- 35 1. TCA 49-2-301(10)
 - 36 2. TCA 49-2-203(1)
 - 37 3. TCA 49-5-504
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Suspension/Dismissal of Non-tenured Teachers	Descriptor Code: 5.200	Issued Date: 03/15/12
		Rescinds:	Issued:

Suspension/Dismissal of Non-Tenured Teachers

All nontenured teachers for the Hamilton County Board of Education are under the direction and control of the director of schools. In accordance with Tennessee law, the Board of Education hereby delegates to the director the authority to suspend and dismiss all nontenured teachers.

The director of schools may suspend a non-tenured teacher at any time when deemed necessary. ¹ As soon as practicable, the director will provide the employee with written notice explaining the grounds for the suspension and any instructions the employee is to observe during the suspension.

Under no circumstances shall a director of schools suspend an employee with pay. If reinstated, the non-tenured teacher shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an appropriate penalty for the employee's infraction, in which case, the Superintendent shall provide the employee with notice of charges supporting the suspension without pay and an opportunity to be heard by an impartial hearing officer in accordance with the requirements of this policy.

Dismissal

The director of schools may dismiss any non-tenured teacher during the contract year for incompetence, inefficiency, insubordination, improper conduct, neglect of duty, or other just cause after giving the nontenured teacher in writing, due notice of the charges.

The director of schools shall give the non-tenured teacher an opportunity for a full and complete hearing before an impartial hearing officer. ²

Personnel Hearings

Any non-tenured teacher may contest the grounds and extent of the director's proposed discipline by requesting, in writing, a personnel hearing within ten (10) days of having received from the Superintendent notice of charges. An impartial personnel hearing officer, appointed by the Board, will hear the case and give the employee the right to:

1. Be represented by counsel;
2. Call and subpoena witnesses;
3. Examine all witnesses; and
4. Require all testimony to be given under oath.

Within ten (10) working days following the conclusion of the hearing, the personnel hearing officer shall reduce to writing all findings of fact and decisions regarding discipline. The personnel hearing officer shall immediately deliver his or her findings and decisions to the teacher and the director.

Appeals

The teacher may appeal the personnel hearing officer's finding and decision to the Board. To pursue such an appeal, the teacher must give the director written notice of his or her intent to appeal within ten (10) working days of having received the personnel hearing officer's findings and decisions.

The director shall have the same right to appeal any adverse ruling by the personnel hearing officer as the teacher.

Within twenty (20) days of any notice of appeal, the director shall prepare a transcript of the proceedings before the personnel hearing officer. The director shall also prepare copies of any evidence presented to the personnel hearing officer as well as copies of the officer's findings and decisions. The Superintendent shall then provide the Board with copies of these materials.

The Board shall hear the appeal based upon the record submitted by the director. No new evidence shall be introduced. The teacher may appear in person or be represented by counsel and argue why the decision should be modified or reversed.

The Board shall take one of the following actions:

1. Sustain the decision;
2. Send the record back if additional evidence is necessary; or
3. Revise the penalty or reverse the decision.

The Board shall render a decision on the appeal within ten (10) working days after the conclusion of the hearing.

The director of schools shall also have the right to appeal any adverse ruling by the personnel hearing officer in the same manner as the non-tenured teacher.

Within twenty (20) days after receipt of the notice of the decision of the Board, either party may appeal to the chancery court where the school system is located. The Board shall provide the entire record of the hearing to the court.

(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and does NOT follow the suspension/dismissal procedures outlined in this policy. Please refer to the board policy on nonrenewal of non-tenured teachers for further information.)

Legal References:

¹ TCA 49-2-301 (b)(1)(EE)

² TCA 49-2-301 (b)(1)(GG)

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Suspension/Dismissal of Tenured Teachers	Descriptor Code: 5.201	Issued Date: 9/20/12
		Rescinds:	Issued: 4/16/15

1 **SUSPENSION**

2
3 A director of schools/designee may suspend a tenured teacher at any time when deemed necessary.¹ As
4 soon as practicable, the director will provide the employee with written notice explaining the grounds
5 for the suspension and any instructions the employee is to observe during the suspension. The causes
6 for which a professional employee may be dismissed are as follows: incompetence, inefficiency, neglect
7 of duty, unprofessional conduct and insubordination.¹

8 Under no circumstances shall a director of schools suspend an employee with pay. If reinstated, the
9 employee shall be paid full salary for the period of suspension,² unless suspension without pay is deemed
10 to be an appropriate penalty for the employee's infraction, in which case, the Superintendent shall pro-
11 vide the employee with notice of charges supporting the suspension without pay and an opportunity to
12 be heard by an impartial hearing officer in accordance with the requirements of this policy.

13 **SUSPENSION OF THREE DAYS OR LESS** ^{5,6,7}

14
15 A director of schools/designee may suspend a teacher for incompetence, inefficiency, neglect of duty,
16 unprofessional conduct and insubordination. Before an employee is suspended s/he shall be: (1) provided
17 with written notice, including the reasons for the suspension along with an explanation of the evidence;
18 (2) given an opportunity to respond to the director at a conference, if requested within five(5) days;
19 and (3) given a written decision of the suspension within (10) days. Both parties may be represented
20 by counsel at the conference, which shall be recorded. If the teacher is dissatisfied with the director's
21 decision, s/he may appeal to the Hamilton County chancery court.

22
23 Under no circumstances shall a director of schools suspend a tenured teacher with pay. If reinstated,
24 the tenured teacher shall be paid full salary for the period of suspension, unless a suspension without
25 pay is deemed to be an appropriate penalty.

26 **DISMISSAL**

27
28 When charges are made against a tenured teacher, charging the teacher with offenses which may justify
29 dismissal, the charges shall be made in writing, specifically stating the offenses which are charged and
30 shall be signed by the party or parties making the charges.

31
32 If, in the opinion of the Board, the charges are of such nature as to warrant the release of the teacher, the
33 director of schools shall give the teacher a written notice of this decision, a copy of the charges against
34 the teacher, and a copy of a form provided by the Commissioner of Education advising the teacher of
35 his/her legal duties, rights and recourse.

36
37 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days
38 after receipt of notice give written notice to the director of schools of his/her request for a hearing.
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The director of schools shall within five (5) days after receipt of request, assign an impartial hearing officer appointed by the Board. The hearing officer shall notify the parties, or their attorney, of the officer’s assignment and direct the parties or the attorneys for the parties, or both, to appear before the hearing officer for simplification of issues and the scheduling of the hearing. That hearing shall be set no later than thirty (30) days following receipt of the initial request for a hearing. In the discretion of the hearing officer, all or part of any prehearing conference may be conducted by telephone if each participant has an opportunity to participate, be heard, and to address proof and evidentiary concerns. The hearing officer is empowered to issue appropriate orders and to regulate the conduct of the proceedings.

Either party may appeal to the Board of Education an adverse ruling by giving written notice of appeal within ten (10) working days of the hearing officer’s delivery of the hearing officer’s written findings and conclusions. The director of schools shall prepare a copy of the proceedings, including all transcripts and evidence, documentary or otherwise, and transmit the same to the Board within twenty (20) days of the receipt of the notice of appeal.⁴

The Board shall hear the appeal on the record, and no new evidence may be submitted by either party. The appealing party may appear before the Board to argue why the adverse ruling should be overturned. In no event should such argument last more than fifteen (15) minutes, unless the Board should vote to extend additional time. At the conclusion of the hearing, any member of the Board may vote to sustain the decision of the Hearing officer, send the record back for additional evidence, revise the penalty or reverse the decision. The Board shall render its decision within ten (10) working days after the conclusion of the hearing. In the event that the decision of the Board is appealed to the Chancery court, the Board shall transmit the entire record prepared by the director and reviewed by the Board to the Chancery court for its review.⁴

Legal References:

- 1. TCA 49-2-301 (b)(1)(EE)
- 2. TCA 49-5-511
- 3. TCA 49-5-511 through 513
- 4. TCA 49-5-512, 513
- 5. TCA 49-2-301 (b)(1)(EE), Tenn. Code Ann. §49-5-512(d)
- 6. TCA 49-5-511(a)(2)
- 7. TCA 49-5-511 through 513

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Suspension/Dismissal of Classified Employees	Descriptor Code: 5.202	Issued Date: 03/15/12
		Rescinds:	Issued:

1 All classified employees of the of the Hamilton County Board of Education are under the authority of
2 the Superintendent of Hamilton County Schools who may hire, direct and control, transfer, suspend or
3 dismiss them in his sole discretion. No classified employee will be employed under a contract or have
4 any expectation of continued employment.

5
6 Not with standing the Superintendent' s broad authority to hire, direct and control, suspend or dismiss
7 classified personnel, if the Superintendent elects to terminate a classified employee for any reason that
8 would preclude future employment with the Hamilton County Department of Education or that might
9 disqualify the employee from receiving unemployment benefits, then the Superintendent shall first
10 require the employee's supervisor to provide the employee with written notice that the Superintendent is
11 considering terminating the employee for cause along with a summary of the allegations supporting ter-
12 mination. Within ten (10) days of the Superintendent's notice, the employee may request a meeting with
13 the Superintendent to discuss the allegations. The employee may refute the charges, request the
14 Superintendent to impose some lesser discipline, or simply ask for an explanation of the Superinten-
15 dent's decision. At the Superintendent's option, the Superintendent may require the employee's
16 supervisor to be present and may permit the employee to bring witnesses to speak on the employee's
17 behalf. After meeting with the employee, the Superintendent may conduct whatever additional
18 investigation he/she deems necessary and appropriate. After the Superintendent believes he/she has
19 investigated the charges against the employee and has heard the employee's position on the charges, the
20 Superintendent shall render his decision in writing. The Superintendent's decision shall be final.

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Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Nonrenewal	Descriptor Code: 5.203	Issued Date: 6/16/16
		Rescinds: 5.203	Issued:

1 Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of
2 employment enjoyed by tenured teachers except that they have no claim upon continuing employment
3 or tenure protections.

4
5 The principal is responsible for discussing deficiencies as part of the evaluation process with the non
6 tenured teacher and providing assistance for overcoming these deficiencies.

7
8 The director of schools is under no obligation to re-employ nontenured teachers at the end of their
9 contract period. If the director of schools determines not to renew the contract of a non-tenured teacher,¹
10 the following action shall be taken:

11
12 Written notice of non-renewal shall be hand delivered or sent to the employee by registered mail so
13 that it will be received by the employee within 5 business days following the last instructional day of
14 the school year.¹

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28 Legal References:

29 1. TCA 49-5-409(a); OP Tenn. Atty Gen. 97-123 (September 2, 1997); OP Tenn. Atty Gen. 99-091 (April 12, 1999)

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Resignation	Descriptor Code: 5.204	Issued Date: 03/15/12
		Rescinds:	Issued:

1 PROFESSIONAL PERSONNEL

2
3 A teacher shall give the director of schools notice of resignation at least thirty (30) days before the
4 effective date of the resignation. A teacher who fails to give such notice, in the absence of justifiable
5 extenuating circumstances, shall not be eligible for reemployment by the Board for a period of three (3)
6 years and shall forfeit all tenure status. The Board may waive the thirty (30) days notice requirement
7 and permit a teacher to resign in good standing.
8

9 The conditions under which it is permissible to break a contract with the Board are as follows:

- 10 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified
11 statement of a physician approved by the Board;
12
- 13 2. The release by the Board of the teacher from the contract which the teacher has entered into with
14 the Board.¹
15

16
17 Any teacher on leave shall notify the director of schools in writing at least thirty (30) days prior to the
18 date of return if the teacher does not intend to return to the position from which he/she has taken leave.
19 Failure to render such notice may be considered a breach of contract.²
20

21 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with
22 the Commissioner and request the suspension of a teacher's certificate. After the Commissioner has
23 provided the teacher an opportunity for defense during a hearing, the Commissioner may suspend the
24 certificate for no less than thirty (30) and no more than three hundred sixty-five (365) days.³
25

26 CLASSIFIED PERSONNEL

27
28 While classified personnel are employed at will, meaning that they may terminate their employment with
29 the Hamilton County Department of Education at any time and for any reason, the Board of Education
30 requires classified employees to give their immediate supervisor written notice of their intent to resign
31 their employment at least ten (10) working days in advance of the effective date of their resignation. Any
32 employee who fails to provide the supervisor with his/her requisite notice shall not be eligible for reem-
33 ployment in the Hamilton County School system; provided, however, that the Superintendent of Schools
34 may waive this notice requirement and the disqualification for good cause.
35

36 37 38 Legal References:

- 39 1. TCA 49-5-508
- 40 2. TCA 49-5-706
- 41 3. TCA 49-5-411

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Retirement	Descriptor Code: 5.205	Issued Date: 03/15/12
		Rescinds:	Issued:

1 Retirement shall mean a termination of services under conditions which will allow the employee to
2 draw benefits from retirement plans and/or social security benefits.
3
4 Employees eligible for retirement benefits may elect to retire at any age according to the provisions
5 of the retirement system.
6
7 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the
8 responsibility of the retiring employee to file for benefits.
9
10 Employees who retire under TCRS may be employed up to one-hundred and twenty (120) days per
11 year without loss of retirement benefits. Retired teachers may substitute teach for an additional ninety
12 (90) days if the director of schools certifies in writing to the Board that no other qualified personnel
13 are available to substitute teach.¹
14
15 Employees who retire under any State of Tennessee or Hamilton County approved retirement plans
16 shall be paid for accrued sick leave. In the event of termination of employment as a result of death,
17 any salary payment and accrued sick leave days shall be paid to the employee's beneficiary as
18 determined by TCRS. The sick leave payment shall be at the rate of twenty dollars (\$20.00) per day.
19 If notice of retirement is given prior to February 1 of the school year, the sick leave payment shall
20 be at the rate of thirty (\$30.00) per day. Any unused sick leave may also be applied toward TCRS for
21 additional service credit.
22
23 To be eligible to receive Hamilton County Schools health insurance at the same rate(s) paid by active
24 employees, the classified retiree must have worked for Hamilton County Schools for at least fifteen
25 (15) years and the certified retiree for at least twenty (20) years. In addition, all retiring employees
26 must be at least age 55, or have at least 30 years of service with the Tennessee Consolidated
27 Retirement system.

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Legal References:

31 1. TCA 8-36-805
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Short Term Leaves of Absence	Descriptor Code: 5.300	Issued Date:
		Rescinds:	Issued:

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Short term leaves of absence shall consist of the following: Emergency, legal, sick, personal and professional leave.¹

Legal Reference:

1. TRR/MS 0520-1-2-.04(8)

Cross References:

- Emergency & Legal Leave 5.301
- Sick Leave 5.302
- Personal & Professional Leave 5.303
- Vacations and Holidays 5.310

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Job Abandonment (Classified Employees)	Descriptor Code: 5.3001	Issued Date:
		Rescinds:	Issued:

1 All non-certificated employees of the Hamilton County Department of Education must be willing and
2 able to assume responsibilities for all of the duties assigned, which includes, reporting absences to one's
3 immediate supervisor.
4

5 Non-certificated employees shall report his/her absence to the immediate supervisor in a timely manner,
6 according to the established and published regulations of the division, department and/or office, the
7 employee is assigned. Non-certificated employees who failed to report their absence(s) for three (3)
8 consecutive work days, shall be reported to the Superintendent as a voluntary resignation due to job
9 abandonment. Absences that can be officially documented as an emergency beyond the control of the
10 employee, shall not be included in the three (3) day period.
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31 _____
Legal Reference:
32 1. TRR/MS 0520-1-2-.04(8)
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31 _____
Cross References:
32 Emergency & Legal Leave 5.301
33 Sick Leave 5.302
34 Personal & Professional Leave 5.303
35 Vacations and Holidays 5.310
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Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Religious, Emergency and Legal Leave	Descriptor Code: 5.301	Issued Date: 6/18/15
		Rescinds: 5.301	Issued: 6/18/15

RELIGIOUS LEAVE

An employee whose religious affiliation requires the observance of a regularly scheduled religious service during an employee's scheduled workday shall be granted paid leave for a maximum of two (2) days annually non-accumulative for such services. However, this leave shall not be interpreted to include wedding ceremonies.

The employee's immediate supervisor shall grant religious leave upon request, provided that the leave is requested at least one (1) working week in advance of the anticipated absence. Religious leave shall be taken and charged in at least one-half (1/2) day increments.

EMERGENCY LEAVE (CLASSIFIED EMPLOYEES)

An immediate supervisor may grant a classified employee emergency leave during the workday for a sudden, unexpected occurrence demanding immediate attention. Leave shall be taken as personal leave,¹ sick leave or leave without pay.

EMERGENCY LEAVE (CERTIFIED EMPLOYEES)

An immediate supervisor may grant a certified employee emergency leave during the workday for a maximum of three (3) hours. Such leave shall be for a sudden, unexpected occurrence demanding immediate attention. Leave beyond three (3) hours shall be taken as personal leave, sick leave, or leave without pay.

DUTY

An employee called for jury duty or subpoenaed as a witness in court or required by the Board to appear in a court related proceeding during the workday shall suffer no loss in pay or leave days. Any fees or remuneration the employee receives during such leave shall be turned over to the Hamilton County School System.

COURT APPEARANCES

If a employee appears in state court because of a personal interest, whether as a plaintiff, defendant or witness or voluntarily appears in behalf of family or friends, or when a teacher is required to appear in court either as a defendant or plaintiff in a civil case, personal leave or leave without pay shall be granted in accordance with the established board policies on leaves.

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Religious, Emergency and Legal Leave	Descriptor Code: 5.301	Issued Date: 6/18/15
		Rescinds: 5.301	Issued: 6/18/15

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Any employee who is involuntarily subpoenaed as a witness in a case pending in any court, will be paid for time in attendance in court provided that the time sheet is accompanied by a copy of the subpoena.

Any employee who is absent by reason of attending court to participate in the trial of a case either as plaintiff or defendant will not be entitled to pay.

Legal References:

1. TCA 49-5-711 (c)(1)(2); OP Tenn. Atty. Gen. 81-5 (Jan. 9, 1981)
2. TCA 22-1-103 (a)(3)
3. TCA 22-4-108 (b)(1)

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sick Leave	Descriptor Code: 5.302	Issued Date: 6/16/16
		Rescinds:	Issued:

CERTIFIED PERSONNEL

The time allowed for sick leave for certified personnel shall be one (1) day for each month employed during the school year and shall accumulate for an unlimited number of days.¹

Sick leave shall be defined as: illness of a teacher from natural causes or accident, quarantine, or illness or death of a member of the immediate family of a teacher, including the teacher's wife or husband, parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law.²

A signed statement listing the cause of absence shall be provided by the employee on forms furnished by the director of schools and shall promptly be given to the immediate supervisor in support of all claims for sick leave pay. A falsified statement shall be grounds for dismissal.

A certificate from the physician on forms furnished by the Board may be required in support of any claim for sick leave pay.¹

The principal shall notify the personnel and payroll office at once if an employee is sick beyond the limit of his/her sick leave accumulation. The substitute teacher, beyond this point, must have a certificate or permit and must be paid according to the state salary scale.

Permanent, cumulative sick leave records for each active professional employee shall be kept in the director of schools' or designee's office.

A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee school system, provided that the director of schools of the system in which the accumulated leave was held provides notarized verification.¹

Sick leave for maternity purposes may be taken during the period of physical disability only. A teacher may use up to thirty (30) days of accumulated sick leave for the adoption of a child. If both adoptive parents are teachers only one parent may request leave. Written verification from the adoption agency or other entity handling the adoption shall be required before the leave is granted.¹

CLASSIFIED PERSONNEL

Sick leave shall be the same for classified personnel as for certified employees.

The time allowed (days earned) for sick leave shall be one (1) day for each month an employee is employed.

Sick leave shall be cumulative for all earned days not used.

1 At the termination of the employment of any employee, all unused sick leave accumulated shall be
2 administered as follows:

- 3
- 4 1.
- 5 In recognition of faithful attendance over the course of an employee’s career, the Board
- 6 will pay a bonus of \$20 per unused sick leave day accrued by an employee at the time of
- 7 his or her retirement; provided, however, that the bonus will be \$30 if the employee
- 8 submits their notice on or before February 1 AND completes the remainder of their
- 9 contract/work year; and further provided that the administration shall not report this
- 10 bonus to the Tennessee Consolidated Retirement System as part of the employee’s final
- 11 compensation.
- 12 2. If the employee resigns, his/her leave shall be held in escrow in the event the employee is
- 13 rehired at a later date.
- 14 3. If the employee is hired by another Tennessee Public School System and/or entity that
- 15 accepts sick leave, the employee may transfer his/her accumulated sick leave provided
- 16 that the director of school of the system or other appropriate Tennessee official requests
- 17 the leave to be transferred by HCDE.
- 18

19 The immediate supervisor may require a physician's certificate stating the reason for absence.

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Legal References:

- 1. TCA 49-5-710
- 2. TRR/MS 0520-1-2-.04(2)

Cross References:

- Family and Medical Leave 5.305
- Physical Assault Leave 5.307

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sick Leave Bank	Descriptor Code: 5.3021	Issued Date:
		Rescinds: 5.3021	Issued: 09/18/14

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The purpose of the sick leave bank is to provide sick leave to members who have suffered a serious personal illness, injury, disability, or quarantine and whose paid leave is exhausted. Serious implies an unplanned life threatening or severely incapacitating condition for which extensive medical treatment or prolonged absence from work is necessary. Illness or medical problems of a short-term nature shall not be considered as serious.

CERTIFIED EMPLOYEES

A Committee of Trustees shall administer the sick leave bank. The Committee of Trustees shall be composed of five (5) members: two (2) members appointed by the School Board; two (2) members appointed by the Association; and the Director of Schools, or designee, who shall serve as chairperson. Committee members are not required to be members of the certified sick leave bank. All actions of the trustees shall require three (3) affirmative votes and shall be final and binding. All appointments shall be for three year staggered terms and can be replaced only because of death, retirement, resignation and/or discontinuation of employment with the board of education or at the expiration of a term.

All persons employed in the school system who are entitled to sick leave under the provisions of TCA 49-5-710 shall be eligible to participate in the sick leave bank. A minimum participation of twenty (20) members shall be required to establish the bank.

CLASSIFIED EMPLOYEES

A Committee of Trustees shall administer the classified sick leave bank. The committee shall be composed of seven (7) members: three (3) members appointed by the School Board, three (3) members elected from among the members of the classified sick leave bank, and the Director of Schools, or designee, who may serve as the chairperson. The actions of the trustees shall require (4) affirmative votes and shall be final and binding. Committee members appointed by the board are not required to be members of the classified sick leave bank. All appointments shall be for three year staggered terms and can be replaced only because of death, retirement, resignation and/or discontinuation of employment with the board of education or at the expiration of a term. All persons employed in the school system who are entitled to sick leave under the provisions of TCA 49-5-710 shall be eligible to participate in the sick leave bank; however, a minimum participation of fifty (50) members shall be required to establish the bank.

CERTIFIED and CLASSIFIED

The following rules apply to both certified and classified employees:

An employee who elects to participate in the bank shall initially have one (1) day of sick leave deducted from his/her personal accumulation and deposited to the sick leave bank. Donations of sick leave to the bank are non-refundable and non-transferable, unless the bank is dissolved.

1 Employees shall be eligible to join one year after their hire date during their anniversary month (i.e.,
2 calendar month of August, January, etc.), or during any open enrollment period (generally October) fol-
3 lowing one year of employment.

4
5 Employees shall be eligible to request days from the bank thirty (30) consecutive calendar days after
6 joining the sick leave bank.

7
8 Days from the bank must be approved by the trustees and shall be in units of no more than twenty (20)
9 consecutive pay days for the individual applicant. Members may submit requests for extensions before
10 their prior grant expires. The maximum number of days any member may receive in any fiscal year is
11 sixty (60). The maximum number of days any member may receive as a result of any one or recurring
12 diagnosed illness, or accident is ninety (90) days. Days from the bank may not be utilized for those days
13 when an employee would not receive pay. The trustees may establish regulations restricting the number
14 of days which may be withdrawn from the bank by one (1) member on account of one (1) illness, par-
15 ticularly any known illness existing at the time the employee elected to participate in the bank.

16
17 In the event a member is physically or mentally unable to make a request to the sick leave bank for use
18 of sick leave days, a family member or agent may file the request.

19
20 All requests to utilize days from the bank shall be accompanied by a physician's statement verifying the
21 cause of the illnesses or injury and attesting to the individual's inability to perform assigned duties. Re-
22 fusal to supply such a statement shall result in the request being denied.

23
24 For all pregnancy related requests, the member's physician must certify that the employee is disabled
25 and/or the pregnancy is at risk. The employee's physician must state specifically the employee's disabili-
26 ty and/or reason for the high risk pregnancy.

27
28 Individual members shall not be required to repay the days granted unless all members are uniformly
29 assessed.

30
31 Days from the sick leave bank shall not be granted to any member on account of any elective surgery, or
32 illness of any member of the participant's family, or during any period the member is receiving disability
33 benefits from social security or the state or local retirement plan or on the job injury (OJI).

34
35 If at any time the number of days in the sick leave bank is less than twenty (20), or one (1) per member
36 if there are more than twenty (20) members, or at any time deemed advisable, the trustees shall assess
37 each member one (1) or more days of accumulated sick leave. If a member has no accumulated sick
38 leave at the time of assessment, the first earned days shall be donated as they are accrued.

39
40 By written notice to the trustees, a member may withdraw from bank participation effective the next
41 June 30 following the written request to withdraw from the sick leave bank. Membership withdrawal
42 shall result in the forfeiture of all days contributed. A withdrawn member may rejoin during open en-
43 rollment by donating one day to the bank.

44
45 A participant shall not receive any sick leave from the bank until after having exhausted all accumulated
46 paid leave, and then only after satisfying a five (5) day waiting period. The waiting period shall apply to
47 each illness or the recurrence of an illness after thirty (30) calendar days without use of sick leave bank
48 days.

1 A member shall lose the right to obtain the benefits of the sick leave bank by:

- 2 1. Resignation or termination of employment;
- 3 2. Cancellation of participation, which is effective on June 30 following the written request;
- 4 3. Refusal to honor such assessment as may be required by the trustees;
- 5 4. Being on approved leave of absence with the exception of personal illness or disability leave;
- 6 5. Retirement

7 PROCEDURES

8 The following procedures apply to both Certified and Classified employees:

9
10 Employees must complete a membership application. It is the responsibility of the member requesting
11 days from the sick leave bank to ensure that the request form is completed and the physician's state-
12 ment is legible and in terms in which the trustees can understand the illness or injury, using as few
13 medical terms as possible.

14
15 Enrollment in the bank shall be for the current fiscal year and subsequent years unless revoked in writ-
16 ing. Cancellation shall be effective the next June 30 following the written request to withdraw from
17 the sick leave bank.

18
19 Each member shall sign an authorization form stating that he/she is aware of the provisions of the sick
20 leave bank and also relieving the Board, the Association and the individual trustees from any liability
21 as a result of action taken by the trustees.

22
23 Any member submitting a request to draw on the bank must have made his/her proper contribution for
24 the fiscal year in which the request is made.

25
26 Trustees reserve the right to review a sick leave bank member's use of accrued leave and past work
27 history.

28
29 At the request of a majority of the trustees, an applicant may be required to undergo at his/her expense
30 a medical review by a physician approved by the trustees.

31
32 The trustees shall act affirmatively or negatively on all applications within ten (10) calendar days of
33 the completed application.

34
35 Pay for approved sick leave bank days shall be made on the next regularly scheduled payroll date for
36 that individual.

37
38 Any days approved by the trustees but not utilized by an individual shall be returned to the bank.

39
40 All records of the sick leave bank shall be kept in the Human Resources Department of the school sys-
41 tem. The trustees shall inform this office of all requests they approve and the number of days granted
42 the member.

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Bereavement Leave	Descriptor Code: 5.3022	Issued Date:
		Rescinds:	Issued: 09/18/14

1 Employees who wish to take time off due to the death of an immediate family member should notify their
2 supervisor immediately.

3
4 An employee shall be granted five (5) consecutive work days of paid bereavement leave without loss of
5 pay or benefits, and not chargeable to any other type of leave on the death of parent or court appointed
6 legal guardian, spouse, child of the employee, natural and/or adopted siblings and current parents-in-law
7 if the leave is taken within seven (7) calendar days for the funeral or cremation. Bereavement leave will
8 be provided to employees in the following classification(s):

- 9
10 •Regular full-time employees
11 •Regular part-time employees

12
13 Bereavement pay for classified employees is calculated based on the base pay rate at the time of absence
14 and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift
15 differentials.

16
17 In cases of relationships other than listed in paragraph 2, approval by the director of schools as a special
18 circumstance to attend memorial services where dependent children are involved, not to exceed three (3)
19 consecutive work days.

20
21 In the event of the death of an employee or student in the Hamilton County School System, and with the
22 agreement of the director of schools, the immediate supervisor may grant to an appropriate number of
23 employees sufficient time to attend the services.

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Personal and Professional Leave	Descriptor Code: 5.303	Issued Date: 03/15/12
		Rescinds: 5.303	Issued:

CERTIFIED EMPLOYEES

Personal and professional leave shall be granted in accordance with laws of the State of Tennessee and rules and regulations of the State Board of Education.

Certified employees shall earn personal leave for a total of three (3) days per year. Personal leave that is not used and reported to Payroll prior to the first payroll in June will convert as follows:

Employees shall be paid seventy-five dollars (\$75) for the first unused personal leave day. The balance will be credited as sick leave.

If, at the termination of services, any employee has been absent for more days than leave has been earned, an amount sufficient to cover the excess days used shall be deducted from the employee's final salary payment.

Subject to the following conditions, personal leave may be taken at the discretion of the employee:

1. Except in emergency, each employee shall give the principal at least one (1) day's notice in writing of intent to take leave;
2. The approval of the Superintendent, his designee, or the Board shall be required under the following conditions:
 - a. If more than ten percent (10%) of the teachers in any given school request its use on the same day; however on making this calculation any major fraction shall be considered as one (1); and in schools of five (5) teachers or less, one (1) teacher may take personal leave at his/her discretion;
 - b. If requested during any prior established student examination period;
 - c. If requested on the day immediately preceding or following a holiday or vacation period.¹
 - d. If requested for day(s) scheduled for professional development or in-service training; or
 - e. If requested for day(s) scheduled for parent-teacher conferences.

Personal leave shall be taken and charged in at least one-half (1/2) day increments.

Professional leave is a short, temporary absence for the purpose of attending workshops and other meetings relating to school business or serving on boards and commissions which meet during daytime hours when appointed by a mayor, city council, county executive or county commission.²

1 Requests shall be submitted to the principal at least five (5) days prior to requested leave of absence.

2
3
4 In addition, certified employees shall be granted leave to serve on any board or commission of the
5 state when the appointment is made by the Governor or General Assembly. Such leave shall not
6 be counted against any other accumulated leave credits. The employee shall notify the principal
7 at least five (5) days prior to leave being taken.²

8
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10 **CLASSIFIED EMPLOYEES**

11 All full-time and part-time classified employees who earn benefits shall earn three (3) personal
12 leave days per year. For part-time classified employees earning benefits, personal leave shall be
13 prorated. Any personal leave remaining unused at the end of a year shall be credited to sick leave.

14
15 If, at the termination of employment, any employee has been absent for more days than leave has
16 been earned, an amount sufficient to cover the excess days used shall be deducted from the em-
17 ployee's final salary payment.

18
19 Subject to the following conditions, personal leave may be taken at the discretion of the employee:

- 20
21 1. Except in an emergency, each employee shall give his/her immediate supervisor at
22 least one (1) day's notice in writing of intent to take leave;
- 23
24 2. Leave is subject to the approval of the immediate supervisor and should not be
25 taken without approval;
- 26
27 3. Immediate supervisors reserve the right to deny leave if requested during a "peak
28 work period" or if more requests are received than an office/department could allow
29 without a decrease in services;
- 30
31 4. Except in case of an emergency approved by the immediate supervisor, personal
32 leave cannot be taken on the day immediately preceding or following a holiday or
33 vacation period.
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Legal References:

- 42 1. TCA 49-5-711; TRR/MS 0520-1-2-.04(3)
- 43 2. TCA 49-5-205
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Hamilton County Board of Education

Monitoring:	Descriptor Term: Extended Leaves of Absence for Certificated/Classified Personnel	Descriptor Code: 5.304	Issued Date: 12/18/2014
		Rescinds: 5.304	Issued: 12/21/17

CERTIFICATED EMPLOYEES:

Any person holding a position requiring a license to teach shall be granted leave for military service, legislative service, maternity, adoption, recuperation of health, educational improvements or other sufficient reason without loss of accumulated leave credits, tenure status, or other fringe benefits, if applicable. All leaves shall be requested in writing at least thirty (30) calendar days in advance on forms provided by the director of schools. The application for leave forms shall require:

1. A description of the type of leave requested;
2. The requested dates for beginning and ending the leave; AND
3. A statement of intent to return to the position from which leave is granted.

With regard to LOA's for the recuperation of health or maternity leave, the thirty (30) calendar day notice may be waived or reduced by the director of schools upon submission of a certified statement by a physician.

If the physician is unable to provide estimated date of return, LOA will be granted for no more than eight (8) weeks. If an employee needs to extend leave beyond the eight-week leave period, the employee must formally request an extension from Human Resources no less than 30 days before the expiration of that eight-week leave period, unless the notice period is waived by the director of schools upon receipt of a certified statement by a physician. This request must be accompanied by updated documentation from a physician.

Each request for leave must be acted upon by the director of schools within fifteen (15) working days. Each applicant shall be notified in writing of the action of the director and the beginning and ending dates of the leave which is granted. All leaves, except military leave, shall be from a specific date. However, any leave may be extended by the director of schools upon written request from the teacher. Military leave shall be granted for whatever period may be required. The procedure and condition for extending a leave are the same as those used when originally requesting and granting the leave. Furthermore, if the employee seeks to extend leave, thirty (30) days' notice must be given prior to the expiration of the leave.

Positions vacated for less than twelve (12) calendar months by teachers on leave shall be filled with an interim teacher while the teacher is on leave. If the teacher returns from leave within twelve (12) calendar months, the interim teacher shall relinquish the position provided the interim teacher is no longer under contract. If the teacher returns from leave and the interim teacher's contract has not yet ended, the interim teacher shall complete the full term of the contract before the teacher who was on leave resumes performing the functions of his or her position. If the leave exceeds twelve (12) months, the teacher shall be placed in the same or a comparable position upon return. Please note that placement depends upon the teacher's licensure and position availability, as the teacher's original position is no longer guaranteed. A reasonable accommodation to extend leave may be explored for an employee who cannot return to work following twelve (12) months of leave due to a disability.

1 Any teacher on leave shall notify the director of schools at least thirty (30) calendar days prior to the date of return
2 if the teacher does **not** intend to return to the position from which he/she is on leave. Failure to give such notice
3 shall be considered breach of contract and may result in penalties up to and including suspension of a teacher’s
4 license for up to one calendar year.¹

5
6 Certificated employees on an extended leave of absence are prohibited from accepting employment elsewhere,
7 working elsewhere while on leave, or receiving compensation for work during the leave.

8 **PAY AND BENEFITS - CERTIFIED**

9 All leave granted in conformance with this policy shall be without pay except as may be covered by personal or
10 sick leave in the case of maternity and recuperative leaves. Employees shall have the opportunity to continue
11 participation, at their own expense, in group insurance plans subject to restrictions of the insuring carrier.

12
13 Employees who take leave under the provisions of the Family Medical Leave Act (FMLA) shall have the same
14 portion of their insurance premiums paid by the Board as is paid for active employees. FMLA leave is limited to
15 twelve (12) calendar weeks and subject to the restrictions and conditions of the Family Medical Leave Act.

16 **CLASSIFIED EMPLOYEES:**

17 Any person may request leave for military service, legislative service, maternity, adoption, recuperation of health,
18 educational improvements or other sufficient reason without loss of accumulated leave credits or other fringe
19 benefits. All leaves shall be requested in writing at least thirty (30) calendar days in advance on forms provided by
20 the director of schools. The application for leave forms shall require:

- 21
- 22 1. A description of the type of leave requested;
- 23 2. The requested dates for beginning and ending the leave; AND
- 24 3. A statement of intent to return to the position from which leave is granted.
- 25

26 With regard to LOAs for the recuperation of health, the thirty (30) calendar day notice may be waived or
27 reduced by the director of schools upon submission of a certified statement by a physician.

28
29 If the physician is unable to provide an estimated date of return, LOA will be granted for no more than
30 eight (8) weeks. If an employee needs leave extending beyond the eight-week leave period, then the
31 employee must formally request an extension from Human Resources no more than 30 days before the
32 expiration of that eight-week leave period. This request must be accompanied by updated documentation
33 from a physician.

34
35 Each request for leave must be acted upon by the director of schools within fifteen (15) working days.
36 Each applicant shall be notified in writing of the action of the director and the beginning and ending
37 dates of the leave which is granted. All leaves, except military leave, shall be from a specific date to
38 a specific date. However, any leave may be extended by the director of schools upon written request
39 from the employee. Military leave shall be granted for whatever period may be required. The procedure
40 and condition for extending a leave are the same as those used when originally requesting and granting
41 the leave. If the employee seeks to extend his or her leave, a minimum of thirty (30) days’ notice must
42 be given prior to the expiration of the original leave period, unless the notice period is waived by the
43 director of schools upon receipt of a certified statement by a physician.

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1 Unless required by law or other HCDE board policy (i.e., FMLA), the employee may or may not return to
 2 the same position depending upon business needs and job availability, as the employee’s position is no longer
 3 guaranteed once FMLA (if eligible and applicable) is exhausted. While Board Policy allows for employees to
 4 take up to twelve (12) months of leave, the classified employee is **not** guaranteed a position, as the efficient
 5 operation of school and business functions must be considered. A reasonable accommodation may be explored for
 6 an employee who cannot return to work following twelve (12) months of leave due to a disability. If an employee
 7 is released to return to work and a position is no longer available, the employee is welcome to apply for future
 8 openings.

9 Any employee on leave shall notify the supervisor at least thirty (30) calendar days prior to the date of return if the
 10 employee does **not** intend to return to the position from which he/she is on leave. Failure to give such notice shall
 11 be considered job abandonment and the employee will be terminated.

12 Classified employees on an extended leave of absence (other than to student teach/internship) are prohibited from
 13 accepting employment elsewhere, working elsewhere while on leave, or receiving compensation for work during
 14 the leave.

15
 16 **PAY AND BENEFITS-CLASSIFIED**

17 All leave granted in conformance with this policy shall be without pay except as may be covered by personal or
 18 sick leave in the case of maternity and recuperative leaves. Employees shall have the opportunity to continue
 19 participation, at their own expense, in group insurance plans subject to restrictions of the insuring carrier.

20 Employees who take leave under the provisions of the Family Medical Leave Act (FMLA) shall have the same
 21 portion of their insurance premiums paid by the Board as is paid for active employees. This leave is limited to
 22 twelve (12) calendar weeks and subject to the restrictions and conditions of the Family Medical Leave Act.

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 27 Legal References:

- 28 1. TCA 49-5-702 through TCA 49-5-709
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Cross References:

- Family and Medical Leave 5.305
 Military Leave 5.306
 Physical Assault Leave 5.307
 Sabbatical Leave 5.308
 Legislative Leave 5.309
 Interim Employees 5.700

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Family and Medical Leave	Descriptor Code: 5.305	Issued Date: 03/15/12
		Rescinds: 5.305	Issued: 12/15/16

1 HCDE complies with the Federal Family and Medical Leave Act guidelines in accordance with United
2 States Department of Labor Regulations 29 CFR Part 825.

3 **PURPOSE**

4 To provide up to twelve (12) weeks of unpaid leave for the birth and care of the newborn child of
5 an employee , for placement with the employee of a child for adoption or foster care, to care for an
6 immediate family member (spouse, parent or child); to take medical leave when the employee is unable
7 to work because of a serious health condition, or because of any qualifying exigency arising out of the
8 fact that the employee’s spouse, child, or parent is a covered military member on active duty (or has
9 been notified of an impending call or order to active duty) in support of a contingency operation. In
10 addition, “eligible employees” may take up to twenty-six (26) weeks during a “single 12-month period”
11 of unpaid leave to care for a covered servicemember who is a spouse, child, parent or next of kin with a
12 serious injury or illness.

14 **ELIGIBILITY**

15 Employees eligible for leave are those who have worked for at least 1,250 hours during the previous 12
16 months prior to the start of the leave and have worked for HCDE for at least 12 months.

18 **FAMILY AND MEDICAL LEAVE**

19 Employees shall contact Human Resources department to determine if the reason for leave qualifies as
20 Family and Medical Leave. If the leave is foreseeable, the employee shall give 30 days notice. If the
21 leave is not foreseeable, the employee shall notify Human Resources as soon as practicable, but within
22 two (2) business days. Furthermore, when certification is requested, the employee shall return the
23 completed certification within 15 days, unless there are unusual circumstances. If the employee fails or
24 refuses to return a certification or any medical documentation at all without good cause, the leave shall
25 not be treated as authorized under FMLA. However, the district reserves the right to designate leave as
26 FMLA if provided with adequate medical documentation and/or information concerning the leave.

27
28
29 HCDE uses the fixed 12-month fiscal year from July 1 to June 30 for leave calculations. Employees on a
30 leave of absence from HCDE may not work for another employer during the time of leave.

31
32 Special rules apply to school employees which affect the taking of intermittent leave or leave on a
33 reduced schedule, or return from a leave near the end of an academic term (semester), by instructional
34 employees.

35
36 Upon return from FMLA, most employees will be restored to their original or equivalent position with
37 equivalent pay and benefits. An employee returning from medical leave shall provide medical certification
38 of his or her ability to return to work.

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1 **KEY EMPLOYEES**

2 Certain key employees may not be eligible to return to the same or similar position upon returning
3 from FMLA leave, if such denial is necessary to prevent substantial and grievous economic injury to
4 HCDE. A key employee is a salaried employee who is among the highest paid ten percent (10%) of
5 the employees employed by HCDE.
6
7

8 **EMPLOYMENT AND BENEFITS**

9 Family and Medical Leave shall run concurrently with Tennessee Maternity Leave, OJI, HCDE
10 sick leave, personal leave, and/or paid vacation time. After using all accrued paid leave, then an
11 employee's Family and Medical Leave shall be without pay. Furthermore, leave shall be taken in no
12 less than one-half (1/2) day increments.
13

14 If the employee returns to work, the employee is entitled to seniority, sick leave, and other benefits
15 the employee would have enjoyed before the employee left. However, the employee will not receive
16 benefits that would have accrued in his or her absence, if the leave was unpaid. The employee's
17 health benefits will continue during the leave unless the employee fails to pay his or her portion of the
18 premiums in a timely manner.
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Military Leave	Descriptor Code: 5.306	Issued Date: 03/15/12
		Rescinds:	Issued:

1 Employees who are members of any reserve component of the Armed Forces of the United States shall
2 be granted leave of absence for all periods of military service during which they are engaged in the per-
3 formance of duty or training in the service of the state or the United States. ¹ Reservists who anticipate
4 military duty during the school year must give written notice to the director of schools, within thirty
5 (30) days of the beginning of the school year, of the dates of the anticipated duty. While performing
6 such duty or training, the employee shall be paid his/her regular salary up to a maximum of twenty
7 (20) working days in any one (1) calendar year, plus such additional days as may result from any call
8 to active state duty. ² An employee called to active duty by the governor to enforce the laws of the state
9 shall be paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty,
10 and any time spent in active state duty shall not count against the twenty-day period of leave allowed
11 for military service. ³
12
13 Request for leaves and extension of leaves shall conform to state law and board policy governing all leaves
14 of absence. Failure to comply with applicable laws and policies shall constitute grounds for dismissal.
15
16 The employee shall supply a copy of the orders for duty, including the dates of departure and return it
17 to the director of schools prior to, or simultaneous with, requesting leave.
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35 Legal References:
36 1. 38 U.S.C.A. § 2024(d)
37 2. TCA 8-33-109; TCA 49-5-702(a)
38 3. TCA 58-1-106(d) TCA 58-1-109; TCA 58-1-109
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35 Cross Reference:
36 Long Term Leaves of Absence 5.304
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Physical Assault Leave	Descriptor Code: 5.307	Issued Date:
		Rescinds:	Issued: 01/15/15

1 An Employee who is absent from assigned duties as a result of personal injury caused by physical assault
2 or other violent criminal acts committed in the course of the employee's work activities shall receive
3 without loss of board-paid benefits or salary continuance for twenty (20) days accumulated or granted
4 sick, personal or professional leave. ¹

5
6 A signed statement listing the cause of the absence shall be provided by the employee's treating physician
7 and shall promptly be given to the immediate supervisor in support of all claims. A certificate from the
8 physician on forms furnished by the director of schools may also be required periodically to verify the
9 extent of the injury and document continuing absences. ²

10
11 The Board shall provide the following benefits to the employee:

- 12 (a) Legal counsel to advise the employee of his legal rights.
- 13 (b) When absence from assigned duties is directly caused by such bodily injury, the employee shall
14 receive regular salary and benefits for the period of such absence up to twenty (20) working
15 days per separate incident and shall not forfeit any accumulated leave. Thereafter, for up to one
16 (1) year or following the physical assault, the employee shall receive board-paid and weekly
17 compensation benefits equivalent that is provided by the Tennessee Workers' Compensation
18 Law while under a physician's care.
- 19 (c) The Board shall reimburse an employee for the actual value of any personal property damaged
20 or destroyed during such physical attack, in excess of any valid and collectible insurance in
21 effect at the time of the attack.
- 22 (d) The Board shall also assume medical costs beyond the employee's insurance coverage incurred
23 by an employee as a result of such bodily injury for up to one (1) year following the physical
24 assault.

25
26 The benefits shall be provided under the following conditions:

- 27 (a) The employee promptly files an official complaint, giving complete details of the physical
28 attack, with the governmental agency having police jurisdiction in the matter.
- 29 (b) The employee must have been performing his duties in a reasonable and prudent manner.
- 30 (c) The physical assault must not have been provoked by the employee.
- 31 (d) The Board shall receive a notarized statement from the employee, listing all personal property
32 damaged or destroyed and reasonable proof of value, within two weeks of the physical assault.

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36 Legal References:

- 37 1. TCA 49-5-714 (a)(8); TRR/MS 0520-1-2-.04 (5)
- 38 2. TCA 49-5-710 (a)(7)(8); TCA 49-6-2008(d)

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36 Cross References:

37 Extended Leaves of Absence 5.304

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sabbatical Leave	Descriptor Code: 5.308	Issued Date:
		Rescinds:	Issued: 12/18/14

1 Sabbatical leave may be granted for a maximum of one (1) calendar year to certified personnel who have
2 been recommended by the director of schools and approved by the Board for graduate study beyond the
3 Master's degree, which will benefit the school system and the pupils of the system.
4

5 Certified personnel may apply for such leave provided they have completed at least seven (7) consec-
6 utive years of service in the system prior to the effective date of the leave. (Any other leaves without
7 pay granted by the Board will be considered neither as interruption in computing consecutive years of
8 service nor creditable toward total service in determining eligibility for a sabbatical leave.) A person
9 should not be eligible for more than one (1) sabbatical leave every seven (7) years of consecutive ser-
10 vice in the system.
11

12 An employee on sabbatical leave shall be paid one-half (1/2) of the regular salary received at the time
13 the leave commences.
14

15 All requests for sabbatical leave shall be submitted to the Board by January 15 of the calendar year for
16 which the leave would commence.
17

18 Any employee who takes a sabbatical leave shall return to the system for three (3) years of employment
19 or refund to the Board all money received from the Board while on leave, on a prorated basis.
20

21 **Overseas Teaching Leave of Absence**

22 Tenured certificated personnel may request leave without pay and benefits for overseas teaching in mil-
23 itary or civilian schools on the elementary, middle, high or post-secondary levels; or the Peace Corps.
24 Such leave shall be subject to the following:
25

- 26
- 27 (a) Leave will be for one (1) academic year and may be renewed for one (1) additional year.
 - 28
 - 29 (b) Return after leave for one (1) academic year shall be to the employee's former position.
 - 30
 - 31 (c) Return after leave for more than one (1) academic year shall be to a comparable position for
32 which the employee is certificated.
 - 33
 - 34 (d) Overseas teaching leave is limited to two (2) academic years per occurrence.
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38 Cross Reference:

39 Long Term Leaves of Absence 5.304
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Legislative Leave	Descriptor Code: 5.309	Issued Date:
		Rescinds:	Issued:

1 Certified employees who have been elected to state or local law-making bodies shall be granted personal
2 leave or leave without pay for the time those law-making bodies are in official session or while attending
3 official meetings outside the session.¹
4

5 In addition, certified employees shall be granted leave to serve on any board or commission of the state
6 when the appointment is made by the Governor or General Assembly. Such leave shall not be counted
7 against any other accumulated leave credits. The employee shall notify the principal at least five (5)
8 days prior to leave being taken.²
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Legal References:
1. TCA 49-5-702; TCA 49-5-713
2. TCA 49-5-205

Cross Reference:
Long Term Leaves of Absence 5.304

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Vacations and Holidays	Descriptor Code: 5.310	Issued Date:
		Rescinds: 5.310	Issued: 1/17/08

CERTIFIED EMPLOYEES VACATIONS

All eligible employees shall receive annual vacation according to the following schedule. Experience shall mean experience in the Hamilton County School System.

<u>Experience</u>	<u>Vacation Earned</u>
0-9 years	12 days (90 hours)
10-14 years	17 days (127.5 hours)
15-19 years	18 days (135 hours)
20 + years	24 days (180 hours)

Employees below 1680 hours as of July 1, 2008 who accrue leave, including assistant principals, can continue to accrue leave until they reach the 1680 hour cap. Employees at or above 1680 hours as of July 1, 2008 can accrue 50% of earned leave according to the vacation schedule until July 1, 2011. Beginning July 1, 2011 an employee in this category must take their annual accrued leave or lose the days. All employees below 1680 hours of accrued leave as of July 1, 2008 may use their accrued leave at their discretion until they reach the 1680 hour cap. All new non-twelve month employees, including assistant principals, will earn vacation days but they will not accrue. All new twelve month employees as of July 1, 2007 will have a cap of 1680 hours. Upon retirement employees shall be reimbursed at his/her daily rate for all unused vacation days.

HOLIDAYS

Holidays will be granted as follows:

- Christmas and New Years - 4 days (total)
- Thanksgiving - 2 days
- Labor Day - 1 day
- Spring Holidays - 1 day
- Independence Day - 1 day
- M.L. King - 1 day
- Memorial Day - 1 day
- Total - 11 days**

The specific days of each year to be utilized will be scheduled by the director of schools.

If employed prior to the Christmas holiday and currently in pay status, the teacher who works a minimum of 201 days will be paid for the break. If employment occurs after the Christmas break, the employee is not eligible for any accrued paid time off.

Teachers who leave the system prior to the scheduled Christmas holiday are not eligible for any paid time off during the break.

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Payment for legal holidays shall be established to exclude payment where an employee is absent prior to or following a legal holiday and the absence does not conform to allowed sick leave as established in the state sick leave for teachers; and, if it is determined that the teacher was absent as established in conformity with the sick leave law prior to and/or following a legal holiday, the payment shall be made.

**CLASSIFIED EMPLOYEES
VACATIONS**

All eligible twelve month classified employees shall receive annual vacation according to the following schedule. Experience shall mean experience in the Hamilton County School System.

<u>Experience</u>	<u>Vacation Earned</u>
0-9 years	12 days (90 hours)
10-14 years	17 days (127.5 hours)
15-19 years	18 days (135 hours)
20 + years	24 days (180 hours)

VACATION REGULATIONS

- A. Vacation days shall be accrued before being used.
- B. An eligible employee may use accrued vacation days in the amount of half or whole days.
- C. Upon termination of employment for any reason, an eligible employee shall be paid at his/her daily rate for all accrued vacation days. __
- D. The official record of a calendar-month employee's vacation days accrued and used shall be maintained by the payroll department.
- E. An eligible employee may use accrued vacation days for sick leave.
- F. An eligible employee may use accumulated vacation days subject to the approval of his/her administrative supervisor, director, assistant superintendent, and the superintendent or his designated representative.
- G. Newly hired classified employees can only receive a maximum credit of fifteen (15) years outside experience or less.

Employees below 1680 hours as of July 1, 2008 who accrue leave can continue to accrue leave until they reach the 1680 hour cap. Employees at or above 1680 hours as of July 1, 2008 can accrue 50% of earned leave according to the vacation schedule until July 1, 2011. Beginning July 1, 2011 an employee in this category must take their annual accrued leave or lose the days. All employees below 1680 hours of accrued leave as of July 1, 2008 may use their accrued leave at their discretion until they reach the 1680 hour cap. Upon retirement employees shall be reimbursed at his/her daily rate for all unused vacation days.

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HOLIDAYS

An employee who is employed on a regular full-time calendar month basis for twelve (12) calendar months per year is eligible for the following paid holidays:

New Year's Day	1 day
Martin Luther King's Birthday	1 day
Good Friday	1 day
Memorial Day	1 day
Independence Day	1 day
Labor Day	1 day
Thanksgiving	2 days*
Christmas	3 days**

*Thursday and Friday

**Definite days determined annually by the director of schools

Paid holidays shall be allowed to eligible employee in pay status on the dates of the designated holidays. An employee who is in pay status the day preceding a holiday and the day following a holiday shall be considered in pay status on the date of the holiday.

Legal Reference:

- 1. TCA 5-23-101;104

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: ON-THE-JOB INJURY	Descriptor Code: 5.311	Issued Date:
		Rescinds:	Issued: 11/20/14

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In the event that an employee experiences an on-the-job injury, the employee should notify their supervisor immediately. Absence due to an injury incurred by an employee while performing duties within the course and scope of his assignment which renders the employee unable to perform normal duties shall not be charged against the employee's accumulated sick leave to a maximum of twenty (20) working days per separate incident, provided that the employee alleging such injury files or causes to be filed a completed copy of the specified OJI report form with the Risk Management Office within five (5) working days of the incident. If the injury occurs while the employee is on a Board approved activity outside of the District, the employee shall file or cause to be filed the OJI report within five (5) working days of the return date. The board reserves the right to require a physician's statement to verify the employee's inability to perform normal duties. The OJI Procedures can be found on our website or by contacting the Risk Management Office. A hard copy of the procedures and forms will also be kept in the school office.

OJI leave runs concurrently with other leaves of absence including FMLA, Extended Leave, TN Maternity, and/or other applicable leaves.

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Personnel Health Examinations/ Communicable Diseases	Descriptor Code: 5.400	Issued Date:
		Rescinds:	Issued:

1 All employees, prior to entering service, shall present a certificate showing a satisfactory health record.¹
2 Employees shall inform the director of schools whenever they contract a contagious or communicable
3 disease. All employee hired to work in Pre-K program shall, within thirty-six (36) hours of beginning
4 employment, have or file written evidence of a physical examination written within the last three (3)
5 years and a statement that his/her general physical and mental condition will permit him/her to direct and
6 actively supervise the activities of young children. The physical form and the statement shall have the
7 signature or stamp of a licensed physician, certified nurse practitioner or a certified physicians' assistant.
8

9 Pre-K employees shall present to the director of schools a physical health form every three (3) years or
10 more often if deemed necessary by HCDE.
11

12 No employee who has any communicable disease shall perform his/her duties in any location where
13 such might endanger the health of school children. The Board shall require any employee to submit to
14 a physical examination by a physician whenever there is reason to believe that the employee has any
15 communicable disease.²
16

17 The director of schools shall reassign or suspend any employee who is suspected of having a commu-
18 nicable disease which might endanger the health of children, pending investigation and final disposition
19 of the case before the Board.³
20

21 To assist the Board in making final disposition of the case, the director of schools may refer the case to
22 the County Health Office or other medical experts.
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24 The Board shall use the written report to determine the employment status of the employee.
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34 Legal References:

- 35 1. TRR/MS 0520-1-3-.08(2)(f)
36 2. TCA 49-2-203(b)(2); TCA 49-5-710(a)(7); TCA 49-5-404
37 3. TCA 49-5-511
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34 Cross References:

- 35 Grievances & the Americans w/ Disabilities Act 1.802
36 Suspension/Dismissal 5.200-202
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Acquired Immune Deficiency Syndrome (AIDS)	Descriptor Code: 5.401	Issued Date:
		Rescinds:	Issued:

1 The Board has the responsibility to ensure that each school system's employees are in a state of physi-
2 cal condition which will not endanger their personal health or the health of others. Concerns regarding
3 health matters shall be approached within the boundaries of confidentiality.
4

5 The director of schools shall be responsible for developing, revising and implementing the administrative
6 guidelines and procedures for this policy. The director of schools shall be responsible for enforcing this
7 policy by communicating it to all personnel and by providing necessary instruction to all administrators.¹
8

9 **HIV/AIDS TESTING**

10
11 No school official can require any employee to undergo an HIV antibody test or other HIV-related test.
12 This does not preclude school officials from requiring an employee to undergo an examination when
13 another communicable illness is suspected.
14

15 **LIABILITY AND NON-DISCRIMINATION**

16
17 No employee who is diagnosed with HIV infection or AIDS shall be prevented from continuing his/
18 her employment. No disciplinary action may be taken against an employee solely on the basis of HIV
19 infection or AIDS. Action may be taken against an employee only if s/he is disabled and the disability
20 interferes with his/her ability to perform the activities involved in employment duties. The Board shall
21 make reasonable accommodation to enable the employee to perform employment duties as may be re-
22 quired by state² or federal³ law.
23

24 **CONFIDENTIALITY**

25
26 If information is received regarding an employee's HIV status, the director of schools may consult with the
27 school board attorney on the appropriate course of action to pursue, bearing in mind the school system's
28 potential liability for defamation, employment discrimination, and breach of confidentiality requirements.
29

30 Information obtained is confidential and may not be released to anyone except: ²

- 31
- 32 1. Persons named on an Authorization for Release of Confidential HIV-Related Information Form
 - 33
 - 34 2. Persons listed on a court order
 - 35
 - 36 3. Persons authorized to receive such information without a release or court order according to
 - 37 TCA 68-10-113
 - 38

39 Under no circumstances shall information identifying an employee with AIDS be released to the public
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EDUCATION AND UNIVERSAL PRECAUTIONS

To prevent and manage exposure in the workplace, all school system employees will receive in-service training and education annually regarding HIV/AIDS and OSHA's Bloodborne Pathogens Standard.

COMMUNICATIONS AND PUBLIC RELATIONS

The director of schools or his/her designee will be responsible for coordinating educational/training programs for all personnel, parents and board members. These programs can utilize the educational/training resources of agencies or private institutions with personnel trained in the areas of HIV/AIDS prevention education.

Legal References:

- 1. State Board of Education Plan for Addressing AIDS
1.802 in Tennessee Public Schools, March 1995;
TRR/MS 0502-1-3-.08 (2)(g)
- 2. TCA 68-10-113
- 3. 20 USC 1232(g); 29 CFR § 1630.13(b)

Cross Reference:

Grievances & the Americans w/ Disabilities Act

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Hepatitis B (HBV)	Descriptor Code: 5.402	Issued Date:
		Rescinds:	Issued:

1 All schools shall provide a sanitary environment and shall establish routines for handling body fluids
2 that are recommended by appropriate health professionals.¹

3
4 All school district personnel shall be advised of routine procedures to follow in handling body fluids.
5 These procedures shall provide simple and effective precautions against transmission of diseases to
6 persons potentially exposed to the blood or body fluids of another. These procedures shall be standard
7 health and safety practices. No distinction shall be made between body fluids from individuals with a
8 known disease and individuals without symptoms or with an undiagnosed disease.

9
10 The administration shall develop, in consultation with medical personnel, a regulation to be distributed
11 to all staff. Training and appropriate supplies shall be available to all personnel including those involved
12 in transportation and custodial services.

13
14 In addition to insuring that these health and safety practices are carried out on a districtwide basis, spe-
15 cial emphasis shall be placed in those areas of school district operation that potentially present a greater
16 need for these precautions.

17 **CONFIDENTIALITY AND NON-DISCRIMINATION**

18
19
20 In all instances, district personnel shall respect the individual's right to privacy and treat any medical
21 diagnosis as confidential information. The director of schools shall initiate procedures to insure that all
22 medical information will be held in strict confidence. Any school staff member who violates confiden-
23 tiality shall be subject to appropriate disciplinary measures.

24
25 Under no circumstances shall information identifying an employee with HBV be released to the public.

26 **SAFETY**

27
28
29 Employees who are at high risk of occupational exposure shall be identified and provided with personal
30 protective equipment, including HBV vaccinations. Employees considered to be at high risk shall include
31 custodians, school nurses, special education teachers and instructional assistants, playground supervisors,
32 coaches and physical education teachers.

33
34 When any employee is known to have been exposed to HBV on the job site, the employee will be no-
35 tified immediately by a supervisor, and the Board shall provide vaccinations.

36
37 The principal will ensure that an accident report is filed for all accidents. The report will include the
38 employee's name, date of the accident, an explanation of the accident and the care used in treating the
39 individual. These reports will be kept on file in the principal's office for a minimum of one (1) year.

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EDUCATION AND UNIVERSAL PRECAUTIONS

HBV education, including universal precautions on handling blood and other body fluids, will be provided to all school personnel and volunteers and may include members of the Board.

Legal References:
1. 29 CFR Part 1910.1030

Hamilton County Board of Education

Monitoring:	Descriptor Term: Drug & Alcohol Testing for Employees	Descriptor Code: 5.403	Issued Date:
		Rescinds: 5.403	Issued: 05/24/07

1 The Hamilton County Department of Education does not tolerate the use or possession of alcohol and/or illegal
2 drugs by its employees while they are on duty, nor does the Department of Education tolerate its employees
3 being under the influence of alcohol or any such drugs while they are on duty. Violation of this policy will
4 result in severe discipline.

5
6 Whenever a supervisor reasonably suspects that an employee's work performance or on-the-job behavior is
7 being affected by alcohol or illegal drugs, the supervisor may ask the Assistant Superintendent for Human
8 Resources or his or her designee to order the employee to submit to an alcohol or drug test. If the employee
9 refuses to submit to such a test, the employee may be subjected to appropriate discipline for his or her
10 insubordination, including termination of employment.

11
12 For purposes of this policy, a supervisor has reasonable suspicion to believe the employee has violated this
13 policy under the following circumstances:

- 14 1. Observed use, possession, or sale of illegal drugs and/or use, possession, sale or abuse of alcohol
15 and/or the illegal use or sale of prescription drugs;
- 16 2. Apparent physical state of impairment of motor functions;
- 17 3. Marked changes in personal behavior not attributable to other factors;
- 18 4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is
19 reasonably suspected; or employee involvement in the pattern of repetitive acts, whether or not
20 these acts involve actual potential injury.
- 21 5. Violation of criminal drug law statutes involving the use of illegal drugs, alcohol, or prescription
22 drugs and/or violation of drug statutes.

23 **TESTING METHODS**

24
25 Whenever testing is required under the terms of this policy, testing shall be performed according to the
26 protocols provided herein. Alcohol testing will be performed by using Evidential Breath Testing equipment
27 (EBT). Blood alcohol tests may be used when it is not practicable to use an EBT. Tests may be performed
28 either on or offsite in accordance with Federal Highway Administration (FHWA) Guidelines.

29
30 Drug testing will be performed through analyzing an employee's urine specimen. Tests may be performed
31 either on or offsite in accordance with FHWA Guidelines. All positive drug test results will be reviewed and
32 interpreted by a Medical Review Officer (MRO) before they report it to the Director of Schools. If an
33 employee provides appropriate documentation and the MRO determines that a positive test is the result of
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1 legitimate medical use of a prescription or non-prescription drug, the MRO may report the drug test as
2 negative, may require the employee to be retested, may recommend that the employee be suspended without
3 pay for five (5) days if the employee’s otherwise legitimate drug use impaired the employee’s ability to
4 perform a safety sensitive function, as that term is defined in this policy, or recommend the employee’s
5 termination if the employee had been previously impaired in the performance of a “safety sensitive function”
6 from the otherwise legitimate drug use.
7

8 **SPECIAL RULES FOR SAFETY SENSITIVE EMPLOYEES**
9

10 All “safety sensitive employees” shall be required to work within the guidelines of the Omnibus Transportation
11 Testing Act of 1991. For purposes of this policy, the term “safety sensitive employees” shall include, but is
12 not limited to, school bus drivers, mechanics, driver assistants, maintenance employees who drive vehicles
13 during the performance of their duties, food service employees who drive vehicles during the performance of
14 their duties, and all other employees whose driver assignment requires a Commercial Driver’s License (CDL)
15 and/or HCDE employees who operate and drive school system-owned vehicles.
16

17 “Safety sensitive functions” shall include, but are not limited to, use, operation, or maintenance of any HCDE
18 vehicle regardless of whether the employee is officially on duty for the Hamilton County Department of
19 Education.
20

21 **Alcohol Use by Safety Sensitive Employees**
22

23 No safety sensitive employee shall report for duty or remain on duty or operate HCDE vehicles while having
24 a blood alcohol concentration (BAC) of 0.02 or greater. Employees may not use alcohol within eight (8)
25 hours preceding the employment of safety sensitive functions. Employees may not use or possess alcohol on
26 duty or while operating an HCDE vehicle.
27

28 **Controlled Substances and Drug Use by Safety Sensitive Employees**
29

30 Illicit (illegal or unsafe) use of drugs by safety sensitive employees is prohibited. No employee shall report
31 for duty or remain on duty or perform any safety sensitive function when the employee uses or has used any
32 controlled substances, except when the use is pursuant to instruction of a physician who has advised the
33 safety sensitive employee that the substance does not adversely affect the employee’s ability to operate a
34 motor vehicle safely or to perform any other safety sensitive function.
35

36 All safety sensitive employees shall advise their supervisors when they are taking prescription or non-
37 prescription medication that might impair their ability to perform their safety sensitive duties. Failure to report
38 such potential impairment shall be considered a violation of this policy and shall subject to the employee to
39 disciplinary action.
40

41 **Required Alcohol and Drug Tests for Safety Sensitive Employees**
42

43 In addition to the suspicion-based drug testing required by this policy for all employees, the Hamilton County
44 Department of Education requires alcohol and drug testing for safety sensitive employees under the following
45 circumstances:
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1. **Pre-employment Screening:** All safety sensitive employees must submit to a pre-employment alcohol and drug screening after the Department of Education makes them a conditional offer of employment and before they actually perform on duty functions as safety sensitive employees. If a prospective employee fails to pass the alcohol and drug screen, the Department of Education shall not hire the employee.

2. **Post Accident:** Any safety sensitive employee who is involved in a commercial or HCDE motor vehicle accident in which there is a loss of human life, the employee receives a citation under state or local law for a moving traffic violation arising from the accident, or physical damage or personal injury occurs, shall submit to an alcohol or drug test as soon as practicable. Following the accident, the employee shall not consume alcohol in any form for at least eight (8) hours unless he or she is tested sooner. The employee shall remain available to give a drug test for at least 32 hours following the accident.

If an alcohol test is not administered within two (2) hours following the accident or a drug test is not administered within eight (8) hours following the accident, the immediate supervisor shall prepare and maintain on file a record indicating the reasons the test was not administered. Records of any such test shall be submitted to the FHWA upon FHWA's request.

3. **Random:** Safety sensitive employees will be randomly selected by a statistically valid method assuring that each safety sensitive employee has an equal chance of being selected. Tests will be conducted on an unannounced basis just before, during, and just after performance of on-duty functions. A minimum of ten (10%) percent of the safety sensitive HCDE employees, or a percentage established by the FHWA, shall be tested on an annual basis for alcohol. A minimum of fifty (50%) percent of the safety sensitive HCDE employees, or a percentage established by the FHWA, shall be tested randomly on an annual basis for scheduled drugs.

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Employee Complaints	Descriptor Code: 5.500	Issued Date:
		Rescinds:	Issued: 11/20/14

1 The Hamilton County Board of Education believes that differences of opinion arising during the course
2 of employment should be resolved as quickly as possible and at the lowest supervisory level.

3
4 In instances of questions by an individual staff member concerning the interpretation of policies and
5 procedures impacting that staff member, administrative practices within their own school, and/or rela-
6 tionships with other employees, the staff member concerned must first consult their immediate super-
7 visor. If a satisfactory resolution cannot be reached after ample opportunity for consideration of the
8 matter, the staff member may discuss the matter with the next level of supervision up to and including
9 the director of schools.

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11 In instances where the complaint is against the employee's immediate supervisor, they may take the
12 problem immediately to the director of schools or his designee.

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Legal References: _____

Cross References: _____

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: EMPLOYEE GRIEVANCES	Descriptor Code: 5.501	Issued Date:
		Rescinds:	Issued: 06/18/15

1 Should any professional employee believe that a specific HCDE Board Policy has been violated, and that such
2 violation resulted in a personal loss, he may file a grievance using the following protocols.

3
4 The term “days” shall mean any day, Monday through Friday, on which schools are open during the normal school
5 year. The first day to be counted shall begin at 8:00 a.m. the day following the day on which the time limits are
6 based. After the last day of the normal school year, a “day” shall be any day Central Office is open.

7
8 Should any employee feel that a Tennessee or Federal Law has been violated, or that they have been harassed,
9 sexually harassed, or discriminated against in any way, please refer to Board Policy 5.502 for reporting procedures.

10
11 The following procedures do not apply to evaluation grievances. Please see Board Policy 5.504.

12 **PROCEDURES**

13
14 An employee who has a grievance will first meet with and discuss the issue with his immediate supervisor, in an
15 attempt to resolve the matter informally.

16
17 When the employee requests such a meeting, the employee shall inform his immediate supervisor in writing
18 that the meeting constitutes the Informal Level of the grievance procedures. This meeting will include only the
19 employee and immediately-involved supervisor. At the conclusion of this meeting, the employee and immediate
20 supervisor will complete the Informal Level Grievance Form (available online), with the employee receiving a
21 copy of the completed form.

22
23 If the matter is not resolved to the satisfaction of the employee at the informal level, the employee may file a
24 Formal Grievance with his immediate supervisor. This grievance must be submitted in writing on the Employee
25 Grievance Form (EGF available online), within five days of the informal meeting. The immediate supervisor
26 shall arrange for a meeting with the grievant to take place and that meeting will be within five days of receipt of
27 the EGF.

28
29 The immediate supervisor shall communicate his decision, with reasons, to the grievant in writing with five days
30 of the grievance hearing.

31
32 If the matter is not resolved, at the formal level, the employee may appeal the decision to the Superintendent.
33 Such an appeal must be submitted in writing on the EGF, no later than five days after receipt of the immediate su-
34 pervisor’s decision. The Superintendent or his designee will arrange for a meeting with the grievant to take place
35 and that meeting will be within ten days of receipt of the EGF.

36
37 The Superintendent’s decision will be communicated, with reasons, in writing to the employee and the immediate
38 supervisor within seven days of the grievance meeting.

39
40 All formal grievances involving employees from two or more locations will first be heard at the Superintendent’s
41 level.

1 If the matter is not resolved at the Superintendent's level, or if the time limit expires without the issuance of the
2 Superintendent's written reply, then the employee may, within ten days thereafter, give written notice to the Su-
3 perintendent's Office of the employee's desire to submit the matter to advisory arbitration, whereupon the parties
4 shall jointly request the Federal Mediation and Conciliation Service to supply a list of seven names from which to
5 select an Arbitrator. Within ten days of receipt of such list, an authorized representative of each party shall meet
6 in person or by telephone, and alternately strike names in rotation until one name remains. The parties shall de-
7 termine by random selection who shall strike the first name, and then the other party shall strike the second name,
8 and so on until the selection process is completed. The person chosen shall be commissioned to hear the dispute
9 and shall operate under the following guidelines:

- 10 1. The Arbitrator's consideration shall be limited to the terms of this Board Policy.
- 11 2. The Arbitrator shall have no jurisdiction over any dispute not deriving from the specific
12 terms of this Board Policy.
- 13 3. Neither the Board nor the Employee shall be permitted to assert any grounds or evidence
14 before the Arbitrator which was not previously disclosed to the other party, at least seven
15 days prior arbitration hearing.
- 16 4. The Arbitrator shall have not power to alter the terms of this Board Policy.
- 17 5. At least ten days prior to the arbitration hearing, each party shall submit to the Arbitrator
18 and to the other party a written submission which shall include:
 - 19 • A statement of the issue(s)
 - 20 • A summary of the relevant facts.
 - 21 • Position of the party on the grievance.
 - 22 • A list of witnesses.
- 23 6. The fees and expenses of the Arbitrator will be shared by the two parties equally.
- 24 7. If an advisory arbitration decision is contested then the issue may be brought to
25 collaborative conferencing for further discussion.
- 26 8. The Arbitrator's decision shall be advisory only, and shall be submitted to the School
27 Board to assist it in making a final determination. The Board's decision shall be given
28 within thirty days of the receipt of the Arbitrator's findings.

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39 If the dispute is not settled at the Superintendent's level and if the employee does not ask for arbitration,
40 the grievance may be advanced directly to the Board of Education. Within ten days after the employee
41 receives the written decision from the Superintendent, the employee may request a review by the Board
42 of Education. The Board shall review the case at its next regularly scheduled monthly meeting provided,
43 however, that if the request for a review is not received earlier than ten days before the next regularly
44 scheduled monthly meeting, the Board of Education shall review the case at its following regularly sched-
45 uled monthly meeting. The Board of Education shall issue a written decision with ten days of its review,
46 with copies to the aggrieved and the Superintendent.

1 GENERAL GUIDELINES FOR THE GRIEVANCE PROCEDURE
2

- 3 A. All documents pertaining to an employee grievance shall be maintained confidentially and filed
4 separately from the personnel file.
- 5
6 B. A grievance may be withdrawn at any level without establishing precedent.
- 7
8 C. Failure at any step of this procedure to communicate the decision on a grievance within the speci-
9 fied time limits shall permit the grievant to proceed to the next level. Failure at any level of this
10 procedure to appeal a grievance to the next level within the specified time limits shall result in the
11 grievance being considered void.
- 12
13 D. A grievance, to be considered under this procedure, must be properly initiated by the employee
14 within twenty days from the time the employee knew of the incident which caused the grievance.
- 15
16 E. The time limits prescribed in this procedure may be extended by written mutual consent.
- 17
18 F. Upon request, a professional employee is entitled to have assistance of another professional
19 employee or an organization at all formal grievance levels.
- 20
21 G. Notices of hearing dates, acknowledgements of the date of receipt of grievances, and decisions
22 rendered must be in writing.
- 23
24 H. For all formal grievances heard by the immediate supervisor or Superintendent, grievance
25 notices, or decisions shall be sent by certified mail.
- 26
27 I. Withdrawal of a grievance at any level shall not indicate acceptance of the decision at that level.
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Cross Reference:
Board Policy 5.600 Staff Rights and Responsibilities

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Harassment/Sexual Harassment and Discrimination	Descriptor Code: 5.502	Issued Date: 11/15/12
		Rescinds: 5.502	Issued:

1 The Hamilton County Board of Education is committed to safeguarding the rights of all students and
2 employees within the school system to learn and work in an environment that is free from all forms of
3 harassment and/or sexual harassment.
4

5 It is the policy of the Hamilton County School System to maintain a learning and working environment
6 that is free from harassment of any type. The school system prohibits any form of sexual harassment or
7 harassment based upon age, religion, disability, or race/national origin.
8

9 It shall be a violation of this policy for any student, staff member or member of the public, during any
10 school related activity or during any education sponsored event, whether in a building or other property
11 being used or operated by the Hamilton County School System, to engage in any form of harassment.
12 Persons found to have violated this policy shall be subject to penalties or discipline that the school
13 system deems appropriate.
14

15 **I. Harassment/Discrimination Defined**

16 It is the policy of the Hamilton County Board of Education not to discriminate on the basis of
17 sex, race, national origin, creed, religion, age, marital status, or disability in its educational
18 programs, activities, or employment policies as required by the herein-referenced federal statutes.
19

20 Discrimination/harassment will not be tolerated. Discrimination/harassment is defined as
21 conduct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or
22 religious nature or based on a disability which:
23

- 24 1. Unreasonably interferes with the individual's work performance, or education; or
- 25 2. Creates an intimidating, hostile or offensive work, or academic environment; or
- 26 3. Implies that submission to such conduct is made an explicit or implicit term of
27 employment or education; or
- 28 4. Implies that submission to or rejection of such conduct will be used as a basis for an
29 employment or educational decision affecting the harassed individual.
30

31 **II. Sexual Harassment Defined and Prohibited**

32 A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors,
33 sexually motivated physical conduct, or other verbal or physical conduct or
34 communication of a sexual nature when:

- 35 1. Submission to that conduct or communication is made a term or condition, either
36 explicitly, of obtaining or retaining employment or of obtaining an education; or
- 37 2. Submission to or rejection of that conduct or communication by an individual is
38 used as a factor in decisions affecting that individual's employment or education; or
- 39 3. That conduct or communication has the purpose or effect of substantially or
40 unreasonably interfering with an individual's employment or education or creating
41 an intimidating, hostile, or offensive employment or education environment.

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Harassment/Sexual Harassment and Discrimination</h2>	Descriptor Code: <h3 style="text-align: center;">5.502</h3>	Issued Date: <h3 style="text-align: center;">11/15/12</h3>
		Rescinds: <h3 style="text-align: center;">5.502</h3>	Issued:

1 Any sexual harassment as defined when perpetrated on any student or employee will be
 2 treated as sexual harassment under this policy.

- 3
- 4 **B.** Sexual harassment may include, but is not limited to:
- 5 1. sexual advances
 - 6 2. verbal harassment or abuse
 - 7 3. subtle pressure for sexual activity
 - 8 4. touching of a sexual nature including inappropriate patting or pinching
 - 9 5. intentional brushing against a student's or an employee's body
 - 10 6. demanding sexual favors accompanied by implied or overt threats concerning
 - 11 an individual's employment or educational status
 - 12 7. demanding sexual favors especially when accompanied by implied or overt
 - 13 promises of preferential treatment with regard to an individual's employment or
 - 14 educational status
 - 15 8. graffiti of a sexual nature
 - 16 9. displaying distributing sexually explicit drawings, pictures, or other written
 - 17 materials including making and playing sexually explicit audio/video tapes
 - 18 10. sexual gestures including touching oneself sexually or talking about one's sexual
 - 19 activities in front of others
 - 20 11. sexual or "dirty" jokes, or
 - 21 12. spreading rumors about or rating other students and adults as to sexual activity
 - 22 or performance

23

24

25 **III. Reporting Procedures**

26 Any person who believes he or she has been the victim of harassment or sexual harassment by
 27 a student or an employee of the school system, or any third person with knowledge or belief
 28 of conduct which may constitute harassment or sexual harassment, should report the alleged
 29 acts immediately to an appropriate school system official as designated by this policy.

30 Reports shall be made to the immediate supervisor except when the immediate supervisor is
 31 the offending party. If the immediate supervisor is the offending party, the report may be made
 32 to the Office of the Superintendent or the Human Resource Office at 3074 Hickory Valley
 33 Road, Chattanooga, TN 37421 or by calling (423) 209-8538 immediately.

34

35 Student to student complaints should be reported to the Assistant Superintendent of Campus
 36 Support at 3074 Hickory Valley Road, Chattanooga, TN 37421 or by calling (423) 209-8530.
 37 If a complaint made by a student is given verbally, the principal shall reduce it to a written
 38 form within twenty-four (24) hours and forward it to the Assistant Superintendent of Campus
 39 Support under a confidential cover.

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Harassment/Sexual Harassment and Discrimination</h2>	Descriptor Code: <h3 style="text-align: center;">5.502</h3>	Issued Date: <h3 style="text-align: center;">11/15/12</h3>
		Rescinds: <h3 style="text-align: center;">5.502</h3>	Issued:

1 An oral complaint may be submitted, however, such complaint must be reduced in writing to
 2 ensure a more complete investigation. The complaint should include the identity of the
 3 alleged victim and the person accused; the location, date, time and circumstances surrounding
 4 the alleged incident; a description of what happened and any other evidence.

5
 6 Submission of a complaint or report of harassment or sexual harassment will not affect the
 7 reporting individual's future employment, grades, or work assignments.

8
 9 The school system will respect the confidentiality of the complainant and the individual(s)
 10 against whom the complaint is filed as much as possible, consistent with the school
 11 system's legal obligations and the necessity to investigate allegations of harassment and
 12 take disciplinary action when the conduct has occurred.

13
 14 **IV. Investigation and Recommendation**

15
 16 By authority of the school system, the superintendent or his designee, upon receipt of a
 17 report or complaint alleging harassment or sexual harassment, shall immediately authorize
 18 an investigation. This investigation shall be conducted by school system officials or by a third
 19 party designated by the board of education. The party making the investigation shall provide
 20 a written report of the status of the investigation within twenty (20) working days to the
 21 superintendent and deputy superintendent. The twenty (20) day period may be extended by
 22 the superintendent or Board of Education if the investigation warrants the extension.

23
 24 In determining whether alleged conduct constitutes harassment or sexual harassment, the
 25 school system shall consider the surrounding circumstances, the nature of the sexual advances
 26 if sexual harassment is alleged, relationships between the parties involved, and the context
 27 in which the alleged incidents occurred.

28
 29 The investigation shall consist of, but not be limited to, personal interviews with the
 30 complainant, the individual(s) against whom the complaint is filed, and others who may
 31 have knowledge of the alleged incident(s) or circumstances giving rise to the complaint.
 32 The investigation shall also consist of any other methods and documents deemed pertinent
 33 by the investigator.

34 In addition, the school system shall take immediate steps to protect the complainant,
 35 students, and employees pending completion of an investigation of alleged harassment or
 36 sexual harassment.

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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Harassment/Sexual Harassment and Discrimination</h2>	Descriptor Code: <h3 style="text-align: center;">5.502</h3>	Issued Date: <h3 style="text-align: center;">11/15/12</h3>
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V. School District Action

- A. Upon receipt of a recommendation that the complaint is valid, the school system shall take such action as is appropriate based on the results of the investigation.
- B. The result of the investigation for each complaint filed under these procedures shall be reported in writing to the complainant by the school system. The report shall document any disciplinary action taken as a result of the complaint.
- C. The school system shall take such other steps as are necessary to prevent recurrence of the harassment.
- D. The school system shall keep the complainant informed of the status of the complaint.

VI. Reprisal

There shall be no retaliation against any person who reports discrimination/harassment or participates in an investigation. The school system shall discipline any individual who retaliates against any person who reports alleged incidents of harassment or sexual harassment or who retaliates against any person who testifies, assists, or participates in an investigation, proceeding, or hearing relating to a harassment or sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment which creates a hostile environment. As an example of prohibited retaliation, the District staff may not, because of a parent or guardian's protected activity, fail to provide the parent or guardian information concerning his or her child.

VII. Non-Harassment/False Accusations

The school system recognizes that not every reported incident or advance or consent of a sexual nature constitutes harassment. Whether a particular action or incident constitutes a personal or social relationship having a discriminatory effect requires a determination based on all the facts and surrounding circumstances.

False accusations of harassment or sexual harassment can have a serious detrimental effect on innocent parties. Any person who knowingly and intentionally makes a false accusation, for any reason which would be contrary to the spirit and intent of this policy, shall be subject to immediate and appropriate disciplinary action.

VII. Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of re-course which may include filing charges with the Tennessee Department of Human Rights, initiating civil action, filing a complaint with the Office of Civil Rights of the United States Department of Education, or, in certain instances, seeking redress under state statutes.

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Harassment/Sexual Harassment and Discrimination</h2>	Descriptor Code: <h3 style="text-align: center;">5.502</h3>	Issued Date: <h3 style="text-align: center;">11/15/12</h3>
		Rescinds: <h3 style="text-align: center;">5.502</h3>	Issued:

- 1 **IX. Sexual Harassment as Sexual Abuse**
- 2 Under certain circumstances, sexual harassment may constitute sexual abuse under
- 3 Tennessee Law. In such situations, the school system shall comply with Tennessee Law
- 4 regarding the reporting of suspected abuse to appropriate authorities.
- 5
- 6 **X. Discipline**
- 7 Any school system action taken pursuant to this policy will be consistent with requirements
- 8 of federal law, Tennessee statutes, and school system policies. The school system will take
- 9 such disciplinary action it deems necessary and appropriate, including warning, suspension,
- 10 or immediate discharge, to end harassment or sexual harassment and prevent its recurrence.
- 11
- 12 **XI. Policy Distribution**
- 13 A copy of the foregoing policy and reporting procedure shall be published in the school
- 14 system's policy manual, shall be included in each student handbook published by the
- 15 school system, and shall be posted in a conspicuous place in each school building and
- 16 other HCDE work sites. Current HCDE employees and students shall be informed of this
- 17 policy annually by their immediate supervisor and/or school principal. New employees shall
- 18 sign a harassment/sexual harassment acknowledgment form at the time of employment.
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Complaints About School Personnel	Descriptor Code: 5.503	Issued Date:
		Rescinds:	Issued:

- 1 Whenever a complaint about an employee is made to the Board as a whole or a board member as an
- 2 individual, it will be referred to the school administration for study and possible solutions. The employee
- 3 involved will be advised of the nature of the complaint and given opportunity for explanation, comment,
- 4 and presentation of the facts as he/she sees them.
- 5
- 6 If, after such procedure is followed there is still a question or complaint, the matter shall then be referred
- 7 in writing to the Board, which shall determine whether it will hear the individual or group.
- 8
- 9 Individuals or groups desiring to speak to the Board shall follow the same procedures as outlined in board
- 10 policy dealing with public participation at board meetings.
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Cross Reference:

[Appeals To & Appearances Before the Board 1.404](#)

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: EVALUATION APPEALS	Descriptor Code: 5.504	Issued Date:
		Rescinds:	Issued: 6/18/15

1 **1) Purpose.**

2
3 (a) To comply with Tenn. Code Ann. §49-1-302 which requires, “the development of a local-level
4 evaluation grievance procedure to provide a means for evaluated teachers and principals to chal-
5 lenge only the accuracy of the data used in the evaluation and the adherence to the evaluation poli-
6 cies adopted by the State Board of Education.”

7
8 1. “Accuracy of the data” means only that the data identified with a particular
9 teacher is correct.

10
11 2. Minor procedural errors in implementing the evaluation model shall be resolved
12 at the lowest possible step in the grievance procedure but shall not constitute
13 grounds for challenging the final results of an evaluation. Minor procedural errors
14 shall be defined as errors that do not materially affect or compromise the integrity of
15 the evaluation results. The final results of an evaluation may only be challenged if
16 the person being evaluated can demonstrate, no later than during step II of the
17 grievance procedure, that the procedural errors made could materially affect or
18 compromise the integrity of the evaluation results. The department of education
19 shall provide guidance on which procedural errors may materially affect or
20 compromise the results of the evaluation.

21
22 (b) To efficiently and fairly resolve grievances regarding procedural errors in the evaluation process,
23 not to address disputes regarding employment actions taken based on the results of an evaluation.
24 More significant due process rights are provided pursuant to state law to teachers when actual em-
25 ployment actions are taken.

26
27 (c) To ensure evaluations are fundamentally fair because correct procedures have been followed.

28
29 (d) To address grievances objectively, fairly, and expeditiously by resolving them at the lowest possi-
30 ble step in the procedure.

31
32 (e) To provide teachers and principals a process for resolving grievances without fear, discrimination,
33 or reprisal.

34
35 **(2) Responsibility.**

36
37 (a) LEAs shall be responsible for the proper effectuation of this policy at the local level.

38
39 (b) Local Boards of Education shall charge Directors with the responsibility for ensuring that all
40 teachers, principals and administrators are aware of the provisions of this policy, including the
41 identification of the administrator designated to conduct Step I of this procedure.

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: EVALUATION APPEALS	Descriptor Code: 5.504	Issued Date:
		Rescinds:	Issued:

1 **(3) Basic Standards.**

2
3 (a) A grievance must be filed no later than 15 [calendar] days from the end of summative evaluation,
4 otherwise it will be considered untimely and invalid.

5
6 (b) The State Department of Education or LEAs may develop and make available to teachers stan-
7 dard grievance forms. No grievance may be denied because a standard form adopted by a LEA has
8 not been used as long as the components required by this policy are included.

9
10 (c) At the informal hearing before the Director of Schools, an attorney or a representative of an em-
11 ployee may speak on behalf of the employee.

12
13 (d) An attorney may represent a grievant before the local board of education, which is the final step
14 of this procedure. The grievant and the local board of education may have counsel present at dis-
15 cussions prior to the final step.

16
17 (e) Each grievance submitted at every step of the process provided below shall contain:

- 18 1. The teacher or principal's name, position, school, and additional title if any;
- 19 2. The name of the teacher or principal's immediate supervisor;
- 20 3. The name of the evaluator/reviewer;
- 21 4. The date the challenged summative evaluation was received;
- 22 5. The evaluation period in question;
- 23 6. The basis for the grievance;
- 24 7. The corrective action desired by grievant; and
- 25 8. Sufficient facts or other information to begin an investigation.

26
27 (f) A failure to state specific reasons shall result in the grievance being considered improperly filed
28 and invalid.

29
30 (g) All student achievement data used in evaluations must be made available to individual educators
31 prior to the completion of their evaluations.

Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: EVALUATION APPEALS	Descriptor Code: 5.504	Issued Date:
		Rescinds:	Issued:

1 (4) **Procedures.** Grievances shall be processed by working through the 3 steps to finality as follows:

2
3 (a) **Step I**—Evaluator

- 4
5 1. Written grievance submitted to evaluator no later than 15 days from the end of the
6 summative evaluation.
7
8 2. Administrative investigation and fact finding.
9
10 3. Decision clearly communicated in writing to grievant within fifteen (15) days of
11 receipt of the complaint.
12
13 4. To allow disputes to be resolved at the lowest level possible, the Evaluator may
14 take any action necessary, based on the circumstances, to immediately correct
15 any procedural errors made in the evaluation process.
16

17 (b) **Step II**—The Director of Schools or his/her designee who shall have had no input or involvement
18 in the evaluation for which the grievance has been filed.

- 19
20 1. Written grievance and prior step decision submitted to the Director of Schools
21 or his/her designee within fifteen (15) days of receipt of decision from Step I.
22 The designee cannot be used in cases involving a principal's evaluation.
23
24 2. Informal discussion or hearing of facts, allegations, and testimony by appropriate
25 witnesses as soon as practical.
26
27 3. Investigation, fact finding, and written final decision communicated to grievant in
28 writing within fifteen (15) days of discussion.
29
30 4. To allow disputes to be resolved at the lowest level possible, the Director of
31 Schools may take any action necessary, based on the circumstances, to
32 immediately correct any procedural errors made in the evaluation process.
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: EVALUATION APPEALS	Descriptor Code: 5.504	Issued Date:
		Rescinds:	Issued:

1 (c) *Step III*—Local Board of Education

- 2
- 3 1. Teachers and principals may request a hearing before the local board of education
- 4 by submitting a written grievance and all relevant documentation to the local
- 5 board of education within fifteen (15) days of receipt of decision from Step II.
- 6
- 7 2. The board of education, based upon a review of the record, may grant or deny
- 8 a request for a full board hearing and may affirm or overturn the decision of the
- 9 Director of Schools with or without a hearing before the board.
- 10
- 11 3. Any hearing granted by the board of education shall be held no later than thirty
- 12 (30) days after receipt of a request for a hearing.
- 13
- 14 4. The local board of education shall give written notice of the time and place of the
- 15 hearing to the grievant, Director of Schools and all administrators involved.
- 16
- 17 5. The local board of education's decision shall be communicated in writing to all
- 18 parties, no later than thirty (30) days after conclusion of the hearing.
- 19
- 20 6. The local board of education shall serve as the final step for all grievances.
- 21

22 Reference:

23 Tennessee State Board of Education Policy 5.201

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Hamilton County Board of Education

Monitoring:	Descriptor Term: Staff Rights & Responsibilities	Descriptor Code: 5.600	Issued Date:
		Issued: 5.600	12/18/14

In fulfilling any citizenship rights and responsibilities, employees shall give proper consideration to the educational welfare of the students and ensure that no conflict exists with their actual duties.

Each staff member has the right to:

1. A work environment free from sexual, racial, ethnic and religious discrimination/harassment. ¹
2. Academic freedom within the confines of state law and board policy in order to create an atmosphere of freedom in the classroom.
3. Upon request, a professional employee is entitled to have assistance of another professional employee or an organization with respect to any aspect of employment.

Each staff member has the responsibility to:

1. Make themselves familiar with and abide by, the laws of the state as these affect their work, the policies of the Board and the procedures designed to implement them.²
2. To adhere to the Code of Ethics of the Tennessee Education Association.³
3. Exercise good judgment in selecting issues for discussion and balance the relative maturity of his/her students and the students' right to know.
4. Be courteous and helpful in interacting and responding to parents, visitors and members of the public.
5. Keep all records and prepare and submit promptly all reports that may be required by state law, state board regulations, board policy and administrative procedures.
6. Wear appropriate dress for work according to board guidelines and local school rules.

Use of Electronic Communications

The Hamilton County Board of Education considers an employee's use of any electronic media for the purpose of communicating with a student or a parent to be an extension of the employee's workplace responsibilities. Accordingly, the Board expects employees to use professional judgment and appropriate decorum when using any such media in this fashion.

In view of this expectation, the Board of Education authorizes the administration to require employees to provide access to any web sites used by an employee for communication with students or parents.

1 and to produce copies of any electronic communication with students or parents, including text
2 messages, web page posts, etc. This policy does not authorize any administrator to inspect any
3 employee's personal equipment without the employee's express consent.
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33 Legal References:

- 34 1. 42 U.S.C.A. § 2000 E-E2; TCA 49-6-8002 through 8006
- 35 2. TCA 49-5-201
- 36 3. TCA 49-5-501(3)
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Cross References:

- Curriculum Development 4.200
- Controversial Issues 4.800
- Religion in the Curriculum 4.804

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Workplace Violence	Descriptor Code: 5.6001	Issued Date:
		Rescinds:	Issued:

1 Hamilton County Schools will promptly and thoroughly investigate all reports of threats of (or actual)
2 violence and of suspicious individuals or activities. The identity of the individual making a report will
3 be protected as much as is practical. In order to maintain workplace safety and the integrity of it its
4 investigation, the superintendent may suspend employees pending investigation.

5
6 Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in vio-
7 lation of these guidelines will be subject to prompt disciplinary action up to and including termination
8 of employment.

9
10 Hamilton County Schools encourages employees to bring their disputes or differences with other employ-
11 ees to the attention of their supervisors or the Human Resources Office before the situation escalates into
12 potential violence. Hamilton County Schools is eager to assist in the resolution of employee disputes,
13 and will not discipline employees for raising such concerns.

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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Conflict of Interest	Descriptor Code: 5.601	Issued Date:
		Rescinds:	Issued:

ADMINISTRATIVE PERSONNEL

Administrative and supervisory personnel shall have no financial interest, directly or indirectly, in supplying books, maps, school furniture, or apparatus for the schools or to act as agent for any author, publisher, bookseller, or dealer in school furniture or apparatus, however a spouse or family member of a principal, teacher or other school administrative employee may participate in business transactions with the school system where a sealed competitive bid system is used, provided that the employee does not have discretion in the selection of bids or specifications.¹

It shall be a misdemeanor for the director of schools to take any other contract under the Board, to perform any other service for additional compensation, to act as principal or teacher in any school, or to become the owner of a school warrant other than that allowed for his/her service as director of schools or as secretary to the Board.²

PROFESSIONAL AND SUPPORT PERSONNEL

Employees of the Board will not engage in, or have financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as members of the school staff. This includes but is not limited to the following:

1. School employees may not purchase for sale to students any goods or equipment or render any service to the school system on a commission basis; ¹
2. Employees who have patented or copyrighted any device, publication, or other item will not receive royalties for use of such item in the school system;
3. Employees will not engage in any type of work where the source of information concerning a customer, client, or employer originates from information obtained through the school system;
4. The Board shall make no purchase of supplies, materials, or equipment from a school system employee; and
5. Employees shall not solicit for the purpose of selling instructional supplies, equipment and reference books in a territory that includes the parents of the children of the school in which the employee is assigned.

Legal References:

1. TCA 49-6-2003
2. TCA 49-2-301(g)(h)

Cross References:

- Purchasing 2.805
- Bids and Quotations 2.806
- Purchase Orders and Contracts 2.808
- Employee-Developed Materials 4.405

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Time Schedules and Extra Duty	Descriptor Code: 5.602	Issued Date:
		Rescinds: 5.602	Issued: 1/17/08

1 **Professional Personnel**

2

3 **DAILY SCHEDULES**

4

5 The normal workday for teachers shall be seven (7) hours. Teachers will be at their assigned work

6 location ten (10) minutes before the workday begins and remain in the afternoon five (5) minutes after

7 the workday ends.¹

8

9 **EXTRA DUTIES**

10

11 Teachers may be assigned duties beyond the normal workday, provided, however, that such duties shall

12 be distributed on an equitable basis, as determined by the principal and the faculty.

13

14 At least one (1) principal or teacher must be on the school grounds when a bus arrives and at least one

15 (1) teacher or principal must remain after the close of the school day until all buses depart.

16

17 **PLANNING TIME**

18

19 An unencumbered schedule for any teacher is to provide time for planning, student and/or parent con-

20 ferences, preparation for effective teaching and attention to major program improvement.²

21

22 **LEAVING CLASSROOM**

23

24 Teachers shall not be called from their classroom, unit or area while students are under their immediate

25 supervision for any purpose other than an emergency concerning the teacher's immediate family or

26 property or for purposes, as deemed by the principal, to be official school business needing immediate

27 attention.

28

29 **Classified Personnel**³

30

31 The school system shall comply with Wage and Hour Regulations as administered by the U.S. Depart-

32 ment of Labor. Actual hours worked are to be reported by each employee. No employee shall be at the

33 job location unless so directed by the immediate supervisor.

34

35 **WORK SCHEDULES**

36

37 Supervisors shall prepare a daily work schedule for both school and non-school months. The daily

38 schedule includes the time to begin work, lunch time and ending time.

39

40

41

1 Each employee is required to work according to his/her schedule unless there is an emergency. When an
2 emergency arises, the immediate supervisor shall be notified as soon as possible.

3
4 All authorized overtime or time-on-the-job-location not within the scheduled time must be approved by
5 the immediate supervisor before the overtime occurs.

6
7 **TIME RECORDS REQUIRED**

8
9 Each employee covered by the Wage and Hour Law shall keep a time record of *actual hours worked*.

10
11 At the end of each reporting period, employees shall turn in time records to their immediate supervisor
12 for approval. All time records will be forwarded to the payroll office for calculations.

13
14 **LUNCH PERIODS**

15
16 All employees covered by the Wage and Hour Law have at least thirty (30) minutes lunch period without
17 pay. During this scheduled lunch period, the employee shall be relieved of all duties of any nature.

18
19 **EMPLOYEES NOT COVERED BY WAGE AND HOUR LAW**

20
21 All employees are covered by the Wage and Hour Law except:

- 22
- 23 1. Students who work an hour or less per day;
- 24 2. Volunteer workers other than regular employees; and
- 25 3. Those set forth in the Fair Labor Standards Act as executives, administrative employees and
- 26 professional (to include all certified personnel).
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Legal References:

- 40 1. TRR/MS 0520-1-3-.03(1)
- 41 2. TRR/MS 0520-1-3-.03(4)
- 42 3. TCA 5-23-101;104
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Cross References:

- School Day 1.801
- Curriculum Development 4.200
- Reporting Student Progress 4.601
- In-Service & Staff Development Activities 5.113
- Supervision of Students 6.408

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Overtime Pay of Non-Exempt Classified Personnel	Descriptor Code: 5.604	Issued Date: 1/17/08
		Rescinds: 5.604	Issued: 3/22/18

1 The Board expects that employees will work in excess of standard hours when requested. When work in
2 excess of standard hours is required, employees will be compensated for the unscheduled hours worked.¹
3

4 Overtime is defined as hours physically worked in excess of forty (40) hours per week. When an
5 employee is requested to work over regularly scheduled hours, the following shall apply:
6

7 **Compensation for Unscheduled Hours**

- 8
- 9 1. Hours worked over the scheduled hours must be approved by the immediate supervisor.
- 10 2. All payment for overtime shall be processed through the payroll office.
- 11

12 **Payroll Provisions**

- 13
- 14 1. Time and one-half (1 1/2) shall be paid for all hours physically worked in excess of forty (40)
15 in a week.
- 16 2. An authorization for overtime payment must be submitted by the immediate supervisor.
- 17 3. Payment for overtime will be included in the paycheck for the period immediately following the
18 one in which it was earned.
- 19
- 20

21 **Overtime Provision for Maintenance Employees**

- 22
- 23 1. Time and one-half (1 1/2) shall be paid for all hours physically worked in excess of eight
24 (8) hours in one day and/or forty (40) in a week.
- 25 2. Call-in pay constitutes a request to return to work either after hours or on a weekend, vacation,
26 holiday, or non-scheduled work shift. Overtime calculation for call-ins will be paid at time and
27 one-half (1 ½). The hours will be calculated from the time the employee leaves his home and
28 reports to the site location and the time for which the employee returns home.
- 29 3. When work is required on a Saturday or Sunday, employees will be paid time and one-half
30 (1 ½) for hours physically worked.
- 31 4. When work is required on HCDE designated Holiday, employees will be paid double-time
32 (2x regular rate) for hours physically worked.
- 33 5. For attendance at designated Board meetings, the employee will be paid at time and one-half
34 (1 ½) for a minimum of four (4) hours.
- 35 6. An authorization for overtime payment must be submitted by the immediate supervisor.
- 36 7. Payment for overtime will be included in the paycheck for the period immediately following the
37 one in which it was earned.
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Overtime Pay of Non-Exempt Classified Personnel	Descriptor Code: 5.604	Issued Date: 1/17/08
		Rescinds: 5.604	Issued: 3/22/18

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Discipline

1. Persons who have been assigned to work overtime, whether voluntary or mandatory, shall be expected to report to work as scheduled.
2. Failure to report shall subject an employee to disciplinary procedures as specified for any other non-appearance for a regularly scheduled work time.
3. Employees shall be released from mandatory overtime, without fear of discipline, when they can provide a reasonable excuse such as the following:
 - a. Personal family emergency;
 - b. Personal or family health maintenance;
 - c. Important family function; weddings, etc.

If there is doubt concerning the employee's sincerity in offering such an excuse, the burden of proof will rest with the employee.

Legal References:

1. TCA 5-23-101;104; Section 7(o) 29 CFR § 553.20; 21

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Staff Gifts and Solicitations	Descriptor Code: 5.605	Issued Date:
		Rescinds:	Issued:

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GIFTS

Employees of the Board shall not accept gifts from students unless the gifts are of token value only. Parents should be encouraged to write notes of appreciation to the teacher or administrator when they desire to show their appreciation for a job well done.

Individual employees of the Board will refrain from giving gifts to staff members who exercise administrative or supervisory jurisdiction over them, either directly or indirectly. The collection of money for group gifts is discouraged except in special circumstances such as bereavement, serious illness, or for mementos at retirement.

Employees are prohibited from accepting things of material value from individuals, companies or organizations doing business with the school system. Exceptions to this policy are the acceptance of minor items which are generally distributed to all by the companies through public relations programs.

SOLICITATIONS

No organization may solicit funds from employees within the schools. Flyers or other materials related to fund drives shall not be distributed through the schools without the written approval of the director of schools.

Employees will not be made responsible for the collection of any money or the distribution of any fund drive literature within the schools unless such activity has the director of schools' written approval.

Cross References:
Advertising & Distribution of Materials in Schools 1.806
Vendor Relations 2.809
Staff Conflicts of Interest 5.601
Student Solicitations/Fund-Raising 6.701
Student Gifts 6.710

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Staff-Community Relations	Descriptor Code: 5.606	Issued Date: 4/22/10
		Rescinds: 5.606	

1 COMMUNITY ACTIVITIES

2
3 Employees of the Hamilton County Board of Education have a right to express their views on any issue
4 or to associate with any group of their choosing. When exercising these rights, however, any employee
5 must not give the impression that his or her views or actions represent those of the Hamilton County
6 Board of Education. Whenever an employee acts in a capacity where the public would be aware of his
7 or her employment with the Hamilton County Board of Education, he or she should act appropriately
8 and professionally.
9

10 When using social media sites such as Facebook, Twitter and MySpace, employees must be mindful
11 of the policies of the Hamilton County Board of Education, including this policy, policies relating to
12 student confidentiality, and policies governing an employee's interaction with students.
13

14 POLITICAL ACTIVITIES

15
16 Employees may, on their own time, campaign for or against any candidate or referendum, but they shall
17 not use the schools, the classroom or system position for political forum nor engage in any political
18 promotion or solicitation during school hours.
19

20 Any discussions of politics in the classroom is to be handled in such a manner as to give unbiased infor-
21 mation and present all points of view. The teacher shall not impose or attempt to impose, the teacher's
22 point of view or political philosophy upon the students.
23

24 Any employee who intends to campaign for an elective public office which infringes upon a contracted
25 agreement shall present a proposed solution to the Board for consideration. The essential element to
26 be determined by the Board is whether the activities proposed by the employee are consistent with his
27 services to the school system and the best interests of education.
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Cross References:

Board-Community Relations 1.500
News Releases, News Conferences & Interviews 1.503
Advertising & Distribution of Materials in Schools 1.806

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Non-School Employment	Descriptor Code: 5.607	Issued Date:
		Rescinds:	Issued:

1 PROFESSIONAL PERSONNEL

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3 A given professional position may require additional hours during evenings or other times when offices
4 may be closed. Outside employment is regarded as employment for compensation which is not within
5 the duties and responsibilities of the employee's regular position with the school system.

6
7 An employee will not perform any duties related to an outside job during his/her regular working hours
8 or during the additional time that the responsibilities of the position require, nor will an employee use
9 any district facilities, equipment or materials in performing outside work.

10
11 When the periods of work are such that certain evenings, days or vacation periods are duty-free, the
12 employee may use such off-duty time for the purposes of remuneration, provided all the following
13 conditions are met:

- 14
15 1. The work in no way interferes with the degree of effectiveness of his/her work in the school
16 system;
- 17
18 2. The work in no way reflects detrimentally upon the school system or its prestige;
- 19
20 3. Such outside obligations do not prevent the individual from assuming duties required by the
21 regular position; and
- 22
23 4. The individual does not receive remuneration for work which is customarily within his/her regular
24 position.¹

25 CLASSIFIED PERSONNEL

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28 Classified personnel shall not be prohibited from holding employment outside the school system so long
29 as such employment does not interfere with regular and overtime scheduled duties for the school system.
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36 Legal Reference:

- 37 1. TCA 49-5-410
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Tutoring for Pay	Descriptor Code: 5.608	Issued Date:
		Rescinds:	Issued:

1 Any teacher may enter into an agreement with parents for tutoring children for a fee, but this practice
2 must be limited to children other than those for whom the teacher is currently exercising teaching,
3 administrative, or supervisory responsibility.¹
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5 School facilities may not be used for private profit.²
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33 Legal References:

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35 1. TEA Code of Ethics of the Education Profession
36 2. TCA 49-2-203(b)(10)(A)
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Hamilton County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Reimbursement for Personal Property	Descriptor Code: 5.609	Issued Date:
		Rescinds:	Issued: 11/20/14

1 The Board agrees to reimburse employees for the replacement of personal property stolen, damaged
2 or destroyed while the employee was discharging his duties within the scope of his assignment. The
3 Board shall provide this reimbursement only if the employee immediately informs his supervisor in
4 writing of the loss and contacts the Risk Management Department to obtain the “Reimbursement for
5 Personal Property” form (also available online). This form should be completed and notarized within
6 ten (10) calendar days of the loss stating the circumstances of the loss and the estimated replacement
7 or repair cost. No employee shall receive more than \$300.00 per fiscal year under this Section. The
8 reimbursement provided by the Board shall be in excess of any valid and collectible insurance in effect
9 at the time of the loss.

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Legal References: _____

Cross References: _____

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Interim Employees	Descriptor Code: 5.700	Issued Date:
		Rescinds:	Issued:

1 Vacancies occurring after the beginning of the school year for any reason will be filled as **temporary**
2 replacements for the remainder of the school year and will not be considered as initial employment.
3
4 Said positions will be filled at the discretion of the director of schools in such a manner as to cause the
5 least disruption in the educational process for students and as quickly as possible to ensure a continuous
6 function of the position.
7
8 Persons filling any temporary positions shall have no expectancy of continued employment under
9 TCA 49-5-409 or any other, but such person shall be considered for employment in filling vacancies
10 as specified in the section dealing with initial employment. The contract of each temporary employee
11 shall contain the following explicit understanding: *In filling a temporary position I have no expectancy*
12 *of continued employment.*
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Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Substitute Teachers	Descriptor Code: 5.701	Issued Date:
		Rescinds:	Issued:

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.^{1,2}
2 All substitute teachers shall be employed by the director of schools and paid by the Board.²

3 4 **APPLICATION/QUALIFICATIONS**

5
6 Criminal history record checks and fingerprinting of applicants for substitute teaching are required.³

7
8 Applicants whose records with the State Department of Education indicate a license or certificate cur-
9 rently in revoked status shall not be hired.⁴

10
11 Qualifications for substitute teachers shall be:

- 12
- 13 • A completed application
- 14 • Proper identification such as a Driver's License and an official Social Security Card
- 15 • Copy of High School Diploma or GED Certificate (Applicants with less than 60 semester hours
- 16 of college credit must also take and pass a test.)
- 17 • College transcripts, if applicable
- 18 • Three favorable references
- 19 • Pass a criminal background check - All new employees are required by the State of Tennessee
- 20 and School Board Policy to be fingerprinted for a criminal background check, at his/her expense,
- 21 as a condition of employment. The fee must be paid at time he/she is fingerprinted. May pay
- 22 by check or money order to the company that does HCDE fingerprinting.
- 23

24 In order to be paid as a degressed substitute, a copy of college transcript showing date degree was con-
25 ferred or a copy of college diploma is required.

26
27 To be paid as a certified substitute, a copy of a valid Tennessee Teaching License is required.

28
29 The substitute teacher lists will be prepared by the [director of schools, personnel director, etc.] who
30 will maintain a complete file on all substitute teachers. This file will include transcripts, credentials,
31 recommendations and other pertinent information. A list of all approved substitutes shall be provided
32 to all building principals. **Only** those persons on the approved substitute list shall be employed to
33 substitute teach.

34 35 **COMPENSATION**

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37 The compensation of substitute teachers is determined annually by the Board.
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CERTIFICATION

When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a substitute teacher must possess a teaching certificate with endorsement in the discipline(s) to be taught.⁵ When substituting for a teacher without sick leave, the substitute shall be certified and paid according to the state salary schedule.¹

Retired teachers may substitute one-hundred (100) days per year without loss of retirement benefits,¹ and may substitute for additional ninety (90) days if the director of schools certifies in writing to the State Board of Education that no other qualified personnel are available to substitute teach.⁶

EMERGENCY NEEDS

All teacher aides, secretaries and clerks are approved substitute teachers for use in emergency situations. Emergency use shall be defined as less than a full day due to the regular or substitute teacher being unable to arrive on time or remain for the full day.

Such substitutes shall receive the proportionate equivalent salary regular substitute teachers would receive under similar circumstances or their regular salary, if higher; however, they shall not receive pay for both positions at the same time.

TRAINING AND ORIENTATION

The director of schools shall be responsible for providing appropriate training and development programs for substitute teachers.

All substitute teachers shall be required to attend an orientation session held at the beginning of each school year to provide instructions regarding reporting, pay schedules, and other pertinent information and to answer questions.

Substitute teachers shall assume the same responsibilities and have the same authority, as the regular teacher, including bus duty and playground supervisions.

RE-EMPLOYMENT/TERMINATION

On an annual basis, the director of schools, with input from the principals, shall determine which substitute teachers performed at an acceptable level. Substitute teachers who performed below an acceptable level shall not be re-employed.

All substitutes shall be responsible for providing correct addresses and phone numbers and for notifying the principal if they wish to terminate their service as substitutes.

Legal References:

1. TRR/MS 0520-1-2-.04 (6)
2. TCA 49-5-709
3. TCA 49-5-413
4. TCA 49-2-203(a)
5. TCA 49-3-312(14)(B); TRR/MS 0520-1-2-.04(b)
6. TCA 8-36-805

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Student Teachers	Descriptor Code: 5.702	Issued Date: 11/17/11
		Rescinds:	Issued: 1/21/16

1 Student teachers shall be accepted or refused by principal. Cooperating/Host teachers shall be assigned
2 by the principal and should have three (3) or more years of experience, or shall meet the criteria set forth
3 by the college/university making the placement request. With the exception of pre-approved full-year
4 internship or residency programs, no classroom teacher, guidance counselor, social worker, or other certi-
5 fied employee whose assignment requires a license, shall be assigned more than one (1) student teacher,
6 intern, or practicum student per semester, and no longer than one (1) quarter per semester. Assignments
7 longer than one (1) quarter shall have prior approval by the Director of Schools and the school principal.
8

9 Student teachers will be expected to observe all rules and regulations established by the Board.

10
11 A student teacher shall be afforded the same protection of the laws as a certified teacher and shall comply
12 with all rules and regulations of the Board and observe all duties of teachers as set forth in state statute.¹
13

14 In addition, student teachers shall be required to fulfill all normal local responsibilities, both school and
15 extracurricular, and shall familiarize themselves with the policies of the Board and the school.
16

17 No classroom student shall have more than one (1) student teacher, intern, or practicum student per
18 semester in a given subject or area. Any exception to this policy must have prior approval from the
19 Director of Schools.
20

21 The compensation provided by the teacher training institution shall be mutually agreed to by the insti-
22 tution and the Board. Compensation, other than monetary, may be provided by the institution to the
23 cooperating/host teacher. Any monetary compensation shall be given to the cooperating/host teacher's
24 school. The money received by the school shall be placed into the cooperating teacher's account or the
25 department's account.
26

27 The evaluation of a student teacher shall be based upon a joint agreement between the cooperating/host
28 teacher and the college/university supervisor.
29

30 A student teacher, intern, or practicum student may be asked to terminate his or her service upon the
31 mutual consent of the school principal, the cooperating/host teacher, and the college/university supervi-
32 sor at any time during the term.
33

34 No HCDE School should accommodate more student teachers, interns, or practicum students than it
35 can provide optimal educational experiences for during any semester.
36

37 **Legal Reference:**

38 ¹TCA 49-5-403 (a);TCA 49-5-201; TRR/MS 0520-2-3-.11(3)
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Director of Schools	Descriptor Code: 5.800	Issued Date:
		Rescinds:	Issued:

1 The director of schools shall be the chief executive officer of the school system and shall have, under
2 the direction of the Board, general supervision of all the public schools, personnel and departments of
3 the school system. The director of schools is responsible for the management of the schools under the
4 Board's policies and is accountable to the Board.

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6 The director of schools, at his/her discretion, may delegate any of his/her duties to other school personnel.
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Legal Reference:

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33 1. TCA 49-2-301(a)
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Director of Schools Recruitment and Selection	Descriptor Code: 5.801	Issued Date: 6/14/11
		Rescinds:	Issued:

1 When a vacancy occurs, the appointment of a director of schools is a function of the Board.¹ The Board
2 is responsible for finding the person it believes can most effectively translate into action the policies of
3 the Board and the goals of the community and the professional staff.

4
5 The Board may employ a consultant to advise and assist the Board in the search and selection process.
6 However, final selection shall rest with the Board after a thorough consideration of qualified applicants.
7 An interim director of schools appointed during the time of a search shall not become a candidate unless
8 the Board expressly permits such inclusion in the selection procedures. A board member may not apply
9 for or in any other way be considered for the position of director of schools.²

10
11 When a search is conducted to fill the position, the Board shall initially develop the following:³
12 • a job description
13 • a timeline
14 • a process for accepting and reviewing applications
15 • selection procedures which shall include, but not be limited to, the following:

16
17 1. The Board shall invite the community, including board employees, to participate in the
18 process of selecting a director of schools by suggesting selection criteria, participating in
19 sessions with and asking questions of the candidates and by attending board interviews with
20 the candidates. Resumes of persons interviewed by the Board shall be available in the central
21 office for public inspection.

22 2. The interview process for each finalist shall include meetings with various staff and
23 community groups and an interview with the entire board.

24 3. Candidates shall be interviewed by the Board in an open session. Only board members will
25 be allowed to ask questions during the interview.

26 4. Notwithstanding the provisions of this policy to the contrary, the Board reserves the right to
27 forego a formal search and selection process and, for the efficient operation of the school system,
28 to appoint a new director of schools upon fifteen (15) days public notice.

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Legal Reference:

- 36 1. TCA 49-2-203(a)(15)(A)
37 2. TCA 49-2-203(a)(1)(D)
38 3. TCA 49-2-203(a)(15)(F)
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Qualifications and Duties of the Director of Schools	Descriptor Code: 5.802	Issued Date:
		Rescinds:	Issued:

1 **QUALIFICATIONS:**

- 2
- 3 1. A professional educator's license
 - 4 2. A master's degree in education with preference for a doctorate degree
 - 5 3. Three years of successful experience in school administration
 - 6 4. Such other qualifications as the Board deems desirable

7 **REPORTS TO:** The Board of Education

8

9 **SUPERVISES:** All administrative and supervisory personnel in the district

10

11 **JOB GOAL:** To provide leadership in developing and maintaining the best possible educational
12 programs and services

13 **SCOPE OF RESPONSIBILITY:** The management responsibilities of the director of schools shall
14 extend to all activities of the district, to all phases of the educational
15 program, to all aspects of the financial operation, to all parts of the
16 physical plant, and to the conduct of such other duties as may be
17 assigned by the Board. The director of schools may delegate these
18 duties together with appropriate authority, but may not delegate
19 nor relinquish ultimate responsibility for results or any portion of
20 accountability.

21 **ESSENTIAL FUNCTIONS:**

22 **General Administrative**

- 23 1. Provides leadership in identification of priorities and assures that all activities reflect those
24 board-established priorities.
- 25 2. Prepares and recommends short- and long-range plans for board approval and implements
26 those plans when approved.
- 27 3. Prepares, in conjunction with the board president, agenda recommendations relative to all
28 matters requiring board action, including all facts, information, options and reports needed to
29 assure informed decisions. Provides advice and counsel to the Board on matters before it.
- 30 4. Attends all regular and special meetings of the Board and keeps a complete and accurate record
31 of the proceedings of all meetings of the Board and of its official acts.
- 32 5. Recommends drafts of new policies or changes to the Board. Anticipates potential problems.
33 Recommends policies or courses of staff action.
- 34 6. Develops administrative procedures to implement board policy and disseminates these
35 procedures to appropriate staff.
- 36 7. Keeps the Board informed regarding development in other districts or at state and national
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1 levels that would be helpful to the district.

2
3 8. Ensures that all local, state/federal standards for the health and safety of the students and staff
4 are maintained and that required reports are maintained.

5
6 9. Fulfills all statutory obligations and implements the education law of the State of Tennessee
7 and the rules and regulations of the State Board.¹

8 **Financial Management**

9
10 1. Provides direction to and supervisions of school business functions. Encourages development
11 and implementation of sound business practices. Continually assesses business practices to
12 achieve efficiency.

13
14 2. Prepares annually, a budget and submits it to the Board for approval. Presents approved budget
15 to the appropriate local funding body for adoption.

16
17 3. Makes appropriate written reports for the Board detailing all receipts and expenditures of the
18 public school funds and submit them to the local funding body.

19
20 4. Ensures that funds are spent prudently by providing adequate control and accounting of the
21 district's financial and physical resources.

22 **Personnel Administration**

23
24 1. Employs such personnel as may be necessary within the limits of budgetary provisions and
25 recommend to the Board teachers who are eligible for tenure.

26
27 2. Develops recruitment procedures to assure well-qualified applicants for professional and
28 nonprofessional positions.

29
30 3. Assigns and transfers employees as the interest of the district may dictate and reports such
31 action to the Board for information and record.

32
33 4. Holds meetings of teachers and other employees as necessary for the discussion of matters
34 concerning the welfare and improvement of the schools.

35
36 5. Communicates directly or through delegation all actions of the Board relating to personnel
37 matters to all and receives from employees communications to be made to the Board.

38 **Instructional Leadership**

39
40 1. Administers as chief school executive, the development and maintenance of a positive
41 educational program designed to meet the needs of the community and to carry out the
42 policies of the Board. Ensures that a system of thorough and efficient education, as
43 defined by state law, is available to all students.

44
45 2. Recommends to the Board for its adoption all courses of study, curriculum guides and
46 major changes in tests and time schedules to be used in the schools.

- 3. Oversees the timely revisions of all curriculum guides and courses of study.
- 4. Develops guidelines and direction for monitoring the effectiveness of existing and new programs.
- 5. Conducts a periodic audit of the total school program and advises the Board of recommendations for the educational advancement of the schools.
- 6. Seeks out available sources for grant funding to support programs and projects.
- 7. Ensures that the goals of the school system are adequately reflected in its educational program and operations.

Community/Public Relations

- 1. Promotes community support of the schools. Interprets district programs and services, reports plans, events and activities of interest and solicits community opinions regarding school and educational issues.
- 2. Identifies available community resources and links to social service agencies that support education and healthy child development.
- 3. Develops strategies to promote parental involvement in their children's education and provides opportunities for parent-teacher interaction.
- 4. Maintains contact and good relations with local media. Acts as the Board's spokesperson.
- 5. Ensures that the district interests will be represented in meetings and activities of municipal and other governmental agencies.
- 6. Represents the school systems and its interests in community organizations, activities and projects.

TERMS OF EMPLOYMENT: Twelve (12) months a year. Serves in accordance with the terms of the contract between the board and the director of schools. Salary to be determined by the Board.

EVALUATION: Performance of this job will be evaluated in accordance with provisions of state law and the board's policy on evaluation of the director of schools.

GENERAL REQUIREMENTS: The above statements are intended to describe the general nature and level of work being performed by the person assigned to this position. They are not intended to be a complete list of responsibilities, duties and skills required of personnel so assigned.

Legal References:

- 1. TCA 49-2-301

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Evaluation of the Director of Schools	Descriptor Code: 5.803	Issued Date:
		Rescinds: 5.803	Issued: 2/15/07

1 Through an annual evaluation of the director of schools,¹ the Board will strive to accomplish the following:

- 2
- 3 1. Clarify the role of the director according to a job description as agreed upon by the Board and
- 4 the director;
- 5
- 6 2. Develop harmonious working relationships between the Board and the director; and
- 7
- 8 3. Develop improvements in the administrative leadership of the school system.
- 9

10 The Board will develop, with the director, a set of performance objectives based on the needs of the

11 system. The performance of the director will be reviewed in accordance with these specified goals.

12

13 At a time agreed to by the Board and the director, the Board will meet as a body to evaluate the direc-

14 tor's performance.

15

16 The following guidelines will be used in the evaluation process:

- 17
- 18 1. The director shall submit to the Board a recommended format for the Board to use in conducting
- 19 the director's evaluation on or before April 1st of each contract year. As quickly thereafter as
- 20 is practicable, the Board shall meet with the director to discuss the proposed evaluation format,
- 21 and they shall attempt in good faith to agree on a mutually acceptable format.
- 22
- 23 2. A part of the evaluation may be a composite of the evaluation by individual board members, but
- 24 the Board, as a whole, will meet with the director to discuss the composite evaluation.
- 25
- 26 3. The evaluation shall include a discussion of strengths as well as weaknesses.
- 27
- 28 4. Both the Board and director will prepare for the evaluation; the director will conduct a self-eval-
- 29 uation and board members will document the evidence used in rating the director's
- 30 performance.
- 31
- 32 5. All documentation will be supported by objective evidence.
- 33
- 34 6. The evaluation process shall take place prior to the Board's regular July meeting of each year. A
- 35 final, written copy of the Board's evaluation shall be delivered to the director on or before Au-
- 36 gust 1st of each year of his contract. The director shall have a right to prepare a written or oral
- 37 response to the evaluation. Within 30 days of delivering the written evaluation to the director,
- 38 the Board shall meet with the director to discuss the evaluation.
- 39

40 Legal Reference:

41 1. TRR/MS 0520-2-1-.01

Cross Reference:

Board-Director Relations 1.205

Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Professional Personnel Collaborative Conferences- Legal Status	Descriptor Code: 5.900	Issued Date:
		Rescinds:	Issued: 8/21/14

1 The Board, as the duly constituted representative of the people and as the agent of the State, has the fol-
2 lowing rights, duties and legal status:

- 3
- 4 1. To manage and control public education in this school system;¹
 - 5
 - 6 2. To not delegate or abdicate its legal responsibilities;
 - 7
 - 8 3. To retain its legal status in any state, federal or private statute even with passage of the
9 PECCA.²
 - 10
 - 11 4. To collaborative conference with its employees subject to the requirements and
12 limitations set forth in the Professional Educators Collaborative Conferencing Act
13 of 2011 (PECCA); and
 - 14
 - 15 5. To not be subject to the National Labor Relations Act.²
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30 Legal References:

- 31 1. TCA 49-2-203(a)(2)
32 2. TCA 49-5-601
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Scope of Professional Collaborative Conferencing	Descriptor Code: 5.901	Issued Date:
		Rescinds:	Issued: 8/21/14

1 The Board shall restrict the scope of professional conferences to those specific conditions of employment
2 that are designated as mandatory topics for collaborative conferencing by the Professional Educators
3 Collaborative Conferencing Act of 2011 (PECCA),¹ which are:

- 4
- 5 1. Salaries and wages;
- 6 2. Grievance procedures;
- 7 3. Insurance;
- 8 4. Fringe benefits, not including the Tennessee Consolidated Retirement System;
- 9 5. Working conditions;¹
- 10 6. Leave;
- 11 7. Payroll deductions.

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13 The representatives of the Board shall not collaborative conference on any terms and conditions of em-
14 ployment except as stated above.

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28 Legal References:

- 29 1. TCA 49-5-601(4)(5)
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Board Collaborative Conferencing	Descriptor Code: 5.902	Issued Date:
		Rescinds:	Issued: 8/21/14

1 Between October 1 and November 1 of any given year, 15% or more of the professional employees in an
2 LEA must submit a written request to conduct collaborative conferencing (CC). This written request may
3 be in the form of a signed petition, with district verification of signatures allowed.
4

5 Upon the submission of the 15%, the BOE appoints an equal number of professional employees and board
6 members to serve on a special question committee.¹
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20 Legal References:

- 21 1. TCA 49-5-605
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Director of Schools' Role in Collaborative Conferences	Descriptor Code: 5.903	Issued Date:
		Rescinds:	Issued: 8/21/14

1 The director of schools is a member of management personnel.¹

2
3 The director of schools shall serve as a member of the Board's collaborative conference team.

4
5 The director's duties shall be:

- 6
- 7 1. To consult with the Board on all proposals presented to the Board's collaborative conferencing
8 team; and
 - 9
10 2. To coordinate the collective efforts of the central office staff and the Board's collaborative confer-
11 encing team.

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Legal Reference:

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33 1. TCA 49-5-608
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Hamilton County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Collaborative Conferencing Progress Reporting	Descriptor Code: 5.904	Issued Date:
		Rescinds:	Issued: 8/21/14

1 The Board shall report on the progress of collaborative conferencing to the extent that the best interest of
2 the public and the school district is served. Any release of information shall be made through the Board's
3 official spokesman.
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5 When a state of misunderstanding or misrepresentation exists, the Executive Committee of the Board may
6 authorize the release of information to the extent necessary to foster greater understanding by all parties.
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Hamilton County Board of Education

6 - STUDENT

Descriptor Code	Policy Title	Issued Date
6.100 Attendance	Student Goals	12/16/04
6.200	Attendance	12/16/04
6.201	Compulsory Attendance Ages	12/16/04
6.202	Home Schools	12/16/04
6.203	School Admissions	12/16/04
6.204	Non-Resident Students	12/16/04
6.205	Student Assignments	04/20/17
6.209	Child Custody/Parental Access	12/16/04
6.210	Registered Sex Offenders	10/15/09
Behavior and Discipline		
6.300	Code of Behavior and Discipline	12/16/04
6.301	Rights and Responsibilities	12/16/04
6.302	Procedural Due Process	12/16/04
6.303	Interrogations and Searches	06/18/15
6.304	Student Discrimination/ Harassment Hazing and Bullying/ Intimidation	12/16/04
6.307	Alcohol and Drug Use	12/16/04
6.309	Zero Tolerance Offenses	12/16/04
Student Welfare		
6.401	Student Health Services	12/16/04
6.403	Communicable Diseases	12/16/04
6.404	Surveys of Students, Analyses, & Eva.	05/15/14
6.408	Supervision of Students	12/16/04
6.409	Child Abuse and Illnesses Emergency	12/16/04
6.412	Allergy Response Plan	03/05/07
6.413	Concussions	04/20/17
6.415	Students Suicide Prevention	04/20/17

Hamilton County Board of Education

Individual Needs Students

6.502	Foreign Exchange Students Homeless	12/16/04
6.503	Students	12/16/04
6.504	Migrant Students	12/16/04
6.505	Students in Foster Care	04/19/07
6.506	Homebound Instruction Program Guidelines	4/19/07

Student Records

6.600	Student Records	12/16/04
6.601	Student Records, Annual Notification of Rights	09/24/15
6.602	Student Records Inspection & Correction Procedure	09/24/15

Student Activities

6.701	Solicitation & Fundraising	12/16/04
6.702	Student Clubs and Organizations	12/16/04

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Student Goals	Descriptor Code: 6.100	Issued Date:
		Rescinds:	Issued:

1 In order to establish an environment conducive to learning for each student, the Board establishes the
2 following goals:

- 3
- 4 1. To assure all students the same educational opportunities regardless of race, color, creed, religion,
5 ethnic origin, sex or disabilities. ¹
- 6
- 7 2. To protect and observe the legal rights of students;
- 8
- 9 3. To promote a learning environment which provides opportunities for all students without regard
10 to race, creed, ethnic origin, sex or disabilities;
- 11
- 12 4. To enhance the self-image of each student by helping him/her feel respected and worthy through
13 a learning environment which provides positive encouragement from frequent success;
- 14
- 15 5. To provide an environment of reality in which students can learn personal and civic responsibility
16 for their actions through meaningful experiences as school citizens;
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- 18 6. To deal with students in matters of discipline in a fair and constructive manner;
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- 20 7. To provide for the safety, health and welfare of students; and
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- 22 8. To promote faithful attendance and good work.
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Legal Reference:

38 1. 20 U.S.C. § 1703; TCA 49-6-3109

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37 _____
Cross References:

38 School District Goals 1.700
39 Instructional Goals 4.100
40 Discrimination/Harassment 6.304
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Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Attendance	Descriptor Code: 6.200	Issued Date: 7/17/2014
		Rescinds:	Issued:

STATEMENT

The Hamilton County Board of Education believes in the establishment of a tradition of regular school attendance for each student. This establishes the first step toward a successful academic career culminating in a high school diploma and this is an essential concept to learn for the job market.

RECORDING

The Hamilton County Department of Education has a state approved system for maintaining attendance records for each student enrolled in the district.

EXCUSED ABSENCES

- 1. Personal Illness:** Students are excused who are sick and whose attendance would be detrimental to their health and the health of other students. A physician's statement may be required.
- 2. Death in Immediate Family:** Students may be excused for three (3) days in the event of a death in their immediate families including mother, father, stepparent, brother, sister, or grandparent. Extenuating circumstances may require a longer period of excused absence.
- 3. Family Illness:** Students having an illness in the family which requires them to give temporary help will be excused from attendance after receipt of a physician's statement concerning the necessity of the student's assistance.
- 4. Religious Holiday:** Students shall be excused on special or recognized religious holidays regularly observed by that particular faith. Prior approval is required should these days occur while school is in session.
- 5. Personal:** Students who are absent for a good cause such as a doctor or dental appointment which cannot be scheduled at times other than school hours, court appearances, etc. may be excused upon proof of appointment. Prior approval by parent or guardian and the principal or his designee is required.
- 6. Approved School Sponsored Activities:** Students shall be marked present when participating in a school sponsored activity away from the school building.

EXCESSIVE ABSENCES

The law requires that school officials report to the court and parent/guardian of a child who is unlawfully absent from school for any five (5) days during the school year (this means an aggregate of five (5) days) without adequate excuse. When a student reaches five (5) unexcused absences, the school will notify the parent/guardian that their child must attend school on a regular basis by mailing the Attendance Notification Letter. After ten (10) days absence without adequate excuse, a student is referred to the school social worker. If the child continues to accrue unexcused absences after the referral, a legal notice will be mailed by the school social worker.

1 This notice shall serve as intent to file a truancy or dependency and neglect petition with Hamilton
 2 County Juvenile Court unless proper documentation is provided to the school within five (5) days of
 3 receipt of this notice.
 4

5 **EXPLANATION OF ABSENCES**

6 By law students must attend school daily. HCDE will allow parent/guardian excuses to serve as docu-
 7 mentation for three (3) personal illness days only. After three (3) parent/guardian excused personal
 8 illness days, parents must provide medical services documentation for the following: personal illness,
 9 family illness, or personal (as defined above). To avoid student absences being recorded as unexcused,
 10 a written statement signed and dated by the parent/guardian and any medical documentation should be
 11 presented to the appropriate school official within five (5) days of the student returning to school.
 12

13 **PROCEDURAL DUE PROCESS**

14 The established policy should be reviewed periodically to ensure that procedural due process is pro-
 15 vided.
 16

- 17 1. Prior to its enactment, notice of the rules, regulations, and penalties are provided to
- 18 students and parents.
- 19 2. All students receive a written copy of the policy. Students who arrive during the school
- 20 year also receive the policy.
- 21 3. Policy is to be enforced by all in a fair, consistent, nondiscriminatory manner.
- 22 4. The policy provides for exceptions through an impartial hearing and appeals process.
- 23 5. Announce policy at student assemblies and parent meetings.
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32 Legal References:

- 33 1. TRR/MS 0520-1-3-.08(1)(a)
- 34 2. TRR/MS 0520-1-3-.03(15); TCA 49-6-2904
- 35 3. Attendance Accounting Procedural Manual,
 36 Minimum Standards and Guidelines, State Department of Education
- 37 4. TCA 49-6-3017; TCA 49-2-2-3(b)(7)
- 38 5. TCA 10-7-504; 20 U.S.C. § 1232g
- 39 6. TCA 49-6-3108
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Cross References:

Extracurricular Activities 4.300
 Reporting Student Progress 4.601
 Promotion and Retention 4.603
 Recognition of Religious Beliefs 4.803
 Student Records 6.600

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Compulsory Attendance Ages	Descriptor Code: 6.201	Issued Date: 07/18/13
		Rescinds:	Issued: 09/15/16

General Provisions

Children between the ages of 6 and 17 years, inclusively, must attend a public or private school.¹

The compulsory attendance law, however, shall not apply to the following:²

- 1) A student who has received a diploma or other certificate of graduation;
- 2) A student who is enrolled and making satisfactory progress in a course leading to a GED;
- 3) A student enrolled in a homeschool who has reached the age of 17.

A parent or guardian or legal custodian who believes that his or her six-year old child is not ready to attend school may make application to the principal of the public school that the child would attend requesting a one-semester or one-year deferral in required attendance. Any such deferral shall be reported to the director of schools by the principal. Under certain circumstances, the Board may temporarily excuse students from complying with the provisions of the compulsory attendance law.³

No child shall be eligible to enter first grade without having attended an approved Kindergarten program.

A child entering a special education program shall be no less than three years of age.

Five-year old children

Any child residing within the State who will be five years of age on or before August 15 and whose parent(s) or legal guardian(s) applies for admission shall be enrolled in the school designated by the Board.⁴

Adult Students

Any student presently enrolled in the Hamilton County Schools who has his or her 18th birthday during the school year will be allowed to complete the school year at that school.

The student may be allowed to continue in that school for one additional semester provided that (1) the student will be able to earn sufficient credits in order to graduate at the end of that semester; (2) in the judgment of the principal, the student has had good attendance; and (3) in the judgment of the principal, the student has not been a disciplinary problem. Any student who wishes to remain enrolled in Hamilton County Schools who does not meet these criteria may apply to attend Hamilton County High School's adult high school program.

¹ T.C.A. §49-6-3001(c)(1)

² T.C.A. §49-6-3005

³ T.C.A. §49-6-3005

⁴ T.C.A. §49-6-201(3); T.C.A. §49-6-201(8)(d); Tennessee Rules and Regulations 0520-1-3.03(10)

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Home Schools	Descriptor Code: 6.202	Issued Date:
		Rescinds:	Issued: 09/19/13

1 A "home school" is a school conducted by parent(s) or legal guardians for their own children. Home
 2 schools which teach K-12 where the parents are associated with an organization that conducts church-re-
 3 lated schools (*as defined by §49-50-801*) which are supervised by such organization and which administer
 4 standardized achievement tests at the same time tests are given in their regular day schools are exempt
 5 from the following provisions, but must follow procedures issued by the State Department of Education.¹
 6

7 A parent wishing to conduct a home school, except as defined above, shall meet the following requirements:
 8

- 9 1. Provide notice to the director of schools by August 1 before the commencement of each school
 10 year of the intent to conduct a home school;
- 11 2. Submit to the director of schools the name, number, age, grade level of children involved, lo-
 12 cation of the school, curriculum to be offered, proposed hours of instruction, qualifications of
 13 the parent/teacher, whether a college preparatory or general course of education will be taught
 14 in grades 9-12, and a description of the courses to be taught each year;
- 15 3. Maintain attendance records, subject to inspection of the local director of schools;
- 16 4. Submit attendance records to the director of schools at the end of each school year;
- 17 5. Provide instruction for at least four (4) hours per day for the same number of instructional days
 18 as are required by state law for public schools;
- 19 6. Possess a high school diploma or GED in order to conduct classes in grades K-12, or proper
 20 State Department of Education exemption;
- 21 7. Cooperate in the administration to home school students of appropriate tests by the Commis-
 22 sioner of Education, his/her designee or by a professional testing service;
- 23 8. Take action according to state law if home school student falls behind appropriate grade level;
- 24 9. Submit proof to the director of schools that the home school student has been vaccinated as
 25 required by law;
- 26 10. Submit proof to the director of schools that other health services and examinations as required
 27 by law have been received by the home school student; and
- 28 11. In the event of illness or inadequacy of the home school parent-teacher to teach a specific
 29 subject, employ a tutor having the same qualifications as required of parent/teacher.

30 If one or more of these requirements are not met, the Board authorizes the director of schools to take
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1 formal action to bring the child into compliance with the compulsory attendance law (until the child has
2 reached age 17), either in the home school or in a public, private or church-related school.

3
4 It shall be the policy of this Board that public school facilities shall be available for home school in-
5 struction only when *all* of the following conditions exist:

- 6
7 1. Special needs courses are being taught which require services unavailable to the home school
8 student;
- 9
10 2. These services cannot be provided through any means other than the public schools;
- 11
12 3. Requests for services are made known by the home school parent when notice is given to the
13 director of schools of the intent to conduct a home school;
- 14
15 4. The director of schools investigates request and make recommendations to the Board;
- 16
17 5. No overcrowding, additional expenses, including providing transportation, or other special
18 situations which interfere with the normal operation of the school system shall be incurred;
19 and
- 20
21 6. Approval by the Board on a case-by-case basis.

22
23 The director of schools, through the attendance supervisor, shall have the attendance records of the home
24 school inspected at least two (2) times each school year in order to provide assistance in implementing
25 the Compulsory Attendance Law.

26
27 If a home school student falls more than one (1) year behind his appropriate grade level in his/her
28 comprehensive test score for two (2) consecutive tests, and if a certified teacher who would have taught
29 the child at his/her grade level determines through appropriate means that the student is not learning
30 disabled, the director of schools shall require the parents to enroll the child in a public, private or
31 church-related school.

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Legal Reference:

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41 1. TCA 49-6-3050
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Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: School Admissions	Descriptor Code: 6.203	Issued Date: 6/20/13
		Rescinds:	Issued: 1/18/18

- 1 Any student entering school for the first time must present:
2
3 1. A birth certificate or officially acceptable evidence of date of birth at the time of registration; ¹
4
5 2. Evidence of a current medical examination. ² There shall be a complete medical examination of
6 every student entering school for the first time. This applies to kindergarten, first grade and other
7 students for whom there is no health record;
8
9 3. Evidence of state-required immunization; ³
10
11 4. Proof of residence;
12
13 5. Proof of court-ordered custody for a child living with a divorced parent , custodian or guardian.
14
15 The name used on the records of a student entering school must be the same as that shown on the birth
16 certificate unless evidence is presented that such name has been legally changed through a court as
17 prescribed by law. If the parent does not have or cannot obtain a birth certificate, then the name used
18 on the records of such student will be the same as that shown on documents which are acceptable to
19 the school principal as proof of date of birth.
20
21 A student may transfer into the school system at any time during the year if his/her parent(s) or legal
22 guardian moves his/her residence into the school system. Students may be disenrolled if the parent/
23 guardian gives a false address.
24
25 Unless a student enrolls in a school of choice, e.g., magnet school or charter school, the Office of
26 Student Services will assign the student to the appropriate school based upon the Board of Education's
27 zoning plan and the actual residence of the student's custodial parent or legal guardian. If the student's
28 parents or guardians have joint custody or some other arrangement whereby the student occupies more
29 than one residence during the course of a month, then the Office of Student Services will assign a
30 student to a school based upon the residence where the student spends most of the school nights during
31 any given month. In the case of a hardship, the parent or guardian may appeal the assignment to the
32 Superintendent of Schools or his designee whose decision shall be final.
33
34 When a student enrolls in a school of choice, that student commits to attending that school for the entire
35 school year. Absent unusual circumstances, the student may not withdraw from a school of choice
36 before the end of the school year and enroll back into his or her zoned school. In the case of a hardship,
37 the parents or guardians may ask the Superintendent of Schools to waive this policy. The
38 Superintendent's decision shall be final.
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Parents of students who enter school who have been judged delinquent for an offense involving murder, rape, robbery, kidnapping, aggravated assault or reckless endangerment shall notify the principal in writing. This information shall be shared only with school employees who have responsibility for classroom instruction of the student. Such information is otherwise confidential and shall not be released to others except as required by law. The written notification shall not become a part of the student's record.⁵

Legal References:

1. TCA 49-6-3008(b)
2. TRR/MS 0520-1-3-.08(2)(a); TCA 49-6-5004(a)
3. TCA 49-6-5001(c)
5. TCA 49-6-3051

Cross Refereces:

- Student Transportation 3.400
- Homeless Students 6.503
- Students in Foster Care 6.505

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Attendance of Non-Resident Students	Descriptor Code: 6.204	Issued Date:
		Rescinds: 6.204	Issued: 8/20/09

1 Students residing outside of Hamilton County may attend Hamilton County schools subject to the
 2 following requirements:

- 3
- 4 1. Non-resident students must make application to attend a Hamilton County school at least two
 5 weeks prior to the first day of school. After two (2) weeks prior to the beginning of school and
 6 thereafter during the remainder of the school year, students wishing to transfer into the system
 7 must also have the approval of the sending system.
 8
- 9 2. Any such application must be approved by the director of schools, who shall have the discretion
 10 to decide whether to admit any non-resident student on a case by case basis, provided, however,
 11 that he shall give specific consideration to whether space is available at the school the non-res-
 12 ident student has requested.¹ If space is not available at the requested school, the director of
 13 schools may offer a space at an alternate school in Hamilton County.
 14
- 15 3. Non-resident students must pay a tuition fee established annually by the Board. Tuition may
 16 not exceed per student, per annum, an amount equal to the amount of funds actually used for
 17 school purposes by the school system per student during the preceding school year minus any
 18 funds received from the state or from the student's resident system.² Tuition may be paid in
 19 ten (10) equal installments. Failure to pay tuition for two (2) consecutive months shall result
 20 in the student's loss of eligibility to attend any county school.
 21
- 22 4. When accepted at a specific school, the non-resident's enrollment at that school will be guar-
 23 anteed only for the upcoming school year. During this period of time, brothers and sisters will
 24 be assured of enrollment at the same school. Non-resident students must reapply each year for
 25 readmission into a Hamilton County school.
 26
- 27 5. Students who become residents of the school system will be refunded any unused portion of
 28 the tuition on a pro-rata basis.
 29
- 30 6. If an employee of the Hamilton County school system resides outside Hamilton County, the
 31 children of that employee may attend Hamilton County Schools tuition-free at the school or
 32 within the feeder system of the school to which that employee is assigned to work.³ In the
 33 event the employee works at the central office, W. 40th Street or at the Dodds Avenue location,
 34 then the employee's children may attend whichever school is the closest geographically to the
 35 employee's primary place of assignment.
 36

NOTE: REQUIREMENT #6 WILL NOT GO INTO EFFECT UNTIL JULY 1, 2010.

38 Legal References:

- 39 1. TCA 49-6-3104; TCA 49-6-3105; TRR/MS 0520-1-3-.03(11)(f-i)
- 40 2. TCA 49-6-3003; TCA 49-6-403(f)
- 41 3. TCA 49-6-403(f)

Cross Reference:

Foreign Exchange Students 6.502

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Student Assignments	Descriptor Code: 6.205	Issued Date: 04/20/17
		Rescinds:	Issued:

1 **TO SCHOOLS**

2
3 Students, including those in kindergarten, shall attend the school to which they are assigned.¹

4
5 **TO CLASSES**

6
7 The principal shall be responsible for assigning all students to classes.

8
9 Students who enter the system from another school system are to be placed by the principal in the grade
10 and/or level as indicated by records from the former school. If the student's placement is inappropriate in
11 the grade or level assigned, he/she may be reassigned by the principal to another grade level. Parents shall
12 be kept advised.

13
14 The principal shall separate an alleged victim of child sexual abuse from an alleged perpetrator if the abuse
15 allegedly occurred while the child was under the supervision or care of the school. If available and
16 appropriate, a child shall be reassigned if a request is made by the child's parent or custodian and the
17 perpetrator has been: (1) substantiated by the department of children's services; (2) adjudicated by a juvenile
18 court to have committed the child sexual abuse; or (3) criminally charged.²

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Legal Reference

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34 1. TCA 49-6-3102-3103
35 2. Public Acts of 2015, Chapter No. 286

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Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Child Custody/Parental Access	Descriptor Code: 6.209	Issued Date:
		Rescinds:	Issued:

1 The Board presumes that the person who enrolls a student in school is the student's custodial parent.
2 Unless a Tennessee court specifies otherwise, the custodial parent shall be the one whom the school
3 district holds responsible for the education and welfare of that child.

4
5 Parents or guardians shall have the right to receive information contained in school records concerning
6 their minor child. ¹ The Board, unless informed otherwise, assumes there are no restrictions regarding
7 the non-custodial parent's right to be kept informed of the student's progress and activities. If restrictions
8 are made relative to the rights of the non-custodial parent, the custodial parent shall be requested to
9 submit a certified copy of the court order which curtails these specific rights.

10
11 Unless there are specific court-imposed restrictions, the non-custodial parent, upon request, shall be given
12 access to all of the student's educational records including but not limited to the student's cumulative
13 file and the student's special education file, if applicable. ²

14
15 No principal or teacher shall permit a change in the physical custody of a child at school unless:

- 16
17 1. The person seeking custody of the child presents the school official with a certified copy of
18 a valid court order from a Tennessee court designating the person who has custody of the
19 child; and
20
21 2. The person seeking custody shall give the school official reasonable advance notice of his/
22 her intent to take custody of the child at school. ³

23
24 The individual who has official custody of a child controls access of all other individuals to the child at
25 school, unless a court order specifies otherwise. A copy of all court orders, such as a restraining order,
26 which affects access to a child, shall be on file at school.

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36 Legal References:

- 37 1. 20 U.S.C. § 1232g
38 (Family Educational Rights and Privacy Act of 1974)
39 2. TCA 49-6-902
40 3. TCA 36-6-105
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Cross Reference:

Student Records 6.600-604

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Registered Sex Offenders	Descriptor Code: 6.210	Issued Date: 10/15/09
		Rescinds:	Issued: 10/14/10

1 The State of Tennessee has determined that perpetrators of certain sex crimes pose a continuing
2 threat to society as a whole even after completion of their criminal sentences. ¹ Recognizing that the
3 safety and welfare of students is of paramount importance, the Hamilton County Board of Education
4 hereby declares that, except in limited circumstances, Hamilton County schools should be off limits
5 to registered sex offenders.

6 **EMPLOYMENT**

7
8
9 Notwithstanding any other Board policy, individuals listed by the State of Tennessee as registered
10 sex offenders are ineligible for employment in any position within the Hamilton County Department
11 of Education; provided, however, that the Superintendent shall have discretion consistent with other
12 Board policies to hire an individual whose names has been expunged from the Sex Offender Registry
13 only after conferring with local law enforcement or the Tennessee Bureau of Investigation.

14 **SCHOOLS OFF LIMITS**

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17 Consistent with the State of Tennessee's restrictions governing residency and employment, the
18 Board of Education hereby declares that no registered sex offender whose victim was a minor may
19 come on, about, or within 500 feet of any Hamilton County school except as otherwise provided in
20 this policy. If a principal becomes aware that such a sex offender is on, about, or within 500 feet of
21 school property, the principal shall direct the sex offender to leave the area immediately. The Board
22 of Education authorizes the principal to request the assistance of the appropriate law enforcement
23 authorities to secure the removal of any registered sex offender from the area. If a registered sex
24 offender disregards the terms of this policy or the directives of the school principal, then the
25 Superintendent is authorized to confer with counsel and to pursue such criminal or civil action as
26 may be necessary to enforce compliance with this policy.

27
28 This policy shall not be construed to impose any duty upon any principal or any other employee of
29 the Hamilton County Department of Education to review the Sex Offender Registry or to screen
30 individuals coming on, about, or within 500 feet of school property to ascertain whether they are on
31 the Registry. This policy shall apply only when principals are actually aware that the person in
32 question is on the Sex Offender Registry and that the offender's victim was a minor.

33
34 The provisions of this policy prohibiting a registered sex offender from coming on, about or within
35 500 feet of school property shall not apply in the event that a sex offender's name should be
36 expunged from the Registry.

RIGHTS OF PARENTS ON THE SEX OFFENDER REGISTRY

In the event that a registered sex offender whose victim was a minor has a child attending the Hamilton County schools, the principal of the school where the child attends shall be authorized to modify this policy's restrictions to permit the parent to drop off and pick up the child from school and to come onto campus to attend parent-teacher conferences where the parent has first received written permission from the principal; provided, however, that the parent may not linger on or about school property before or after dropping off his or her child; and further provided that the parent is prohibited from being in any part of the school building except the front office. ²

This policy does not impose a duty upon the principal of any school or any other employee of the Hamilton County Department of Education to review the Sex Offender Registry and the school system's directory information to ascertain whether a registered sex offender may have a child in the Hamilton County school system. The provisions of this policy shall apply only if a principal actually becomes aware that a parent of a student at the principal's school is a registered sex offender.

To facilitate voluntary compliance with this policy, principals are encouraged to speak with any affected parents upon learning of their status as sex offenders to communicate the restrictions of this policy. At all times, the principal shall endeavor to protect the privacy of the offender's child.

In the event of a truly exceptional situation such as graduation, a parent on the Sex Offender Registry may ask the Superintendent for a waiver of this policy to permit the parent on the Sex Offender Registry to attend these special events. It is the intent of the Board, however, that these special circumstances be truly unusual and infrequent occurrences.

¹ *T.C.A. § 40-39-201 et seq.*

² *T.C.A. § 40-39-211(d)(2)(B)*

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Code of Behavior and Discipline	Descriptor Code: 6.300	Issued Date:
		Rescinds:	Issued:

1 The director of schools shall be responsible for the overall implementation and supervision of the Board's
2 Code of Behavior and Discipline and shall ensure that students at all schools are subject to a uniform
3 and fair application of the Code.
4

5 The principal of each school shall be responsible for implementation and administration in his/her
6 school and shall apply the Code uniformly and fairly to each student at the school without partiality
7 and discrimination.
8

9 The Board delegates to the director of schools the responsibility of developing more specific codes of
10 behavior and discipline which are appropriate for each level of school, namely, elementary, middle, junior
11 high and senior high. The development of each code shall involve principals and faculty members of
12 each level of school and shall be consistent with the content of the Board's Code.
13

14 A copy of the Code shall be posted at each school and guidance counselors shall be supplied copies for
15 discussion with students. The code shall be referenced in all school handbooks. All teachers, adminis-
16 trative staff and parents shall be provided copies of the Code. ¹
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32 _____
33 Legal Reference:

- 34 1. Student and Employee Safe Environment Act of 1996 ; TCA 49-6-4011, et. al.
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Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Rights and Responsibilities	Descriptor Code: 6.301	Issued Date:
		Rescinds:	Issued:

1 The Board expects all school staff, students and parents to assume the responsibility for appropriate
2 behaviors in the school.

3
4 Each student has the right to:

- 5
- 6 1. Have the opportunity for a free education in the most appropriate learning environment;
- 7 2. Be secure in his/her person, papers and effects against unreasonable searches and seizure;
- 8 3. Expect that the school will be a safe place;
- 9 4. Have an appropriate environment conducive to learning;
- 10 5. Not be discriminated against on the basis of sex, race, color, creed, religion, national origin or
- 11 disabilities¹; and
- 12 6. Be fully informed of school rules and regulations.

13
14 Each student has the responsibility to: ²

- 15
- 16 1. Know and adhere to reasonable rules and regulations established by the Board;
- 17 2. Respect the human dignity and worth of every other individual;
- 18 3. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression;
- 19 4. Study and maintain the best possible level of academic achievement;
- 20 5. Be punctual and present in the regular school program;
- 21 6. Dress and groom in a manner that meets reasonable standards of health, cleanliness, modesty
- 22 and safety;
- 23 7. Maintain and/or improve the school environment, preserve school and private property, and
- 24 exercise care while using school facilities;
- 25 8. Refrain from behavior which would lead to physical or emotional harm or disrupts the educa-
- 26 tional process;
- 27 9. Respect the authority of school administrators, teachers and other authorized personnel in
- 28 maintaining discipline in the school and at school-sponsored activities;
- 29 10. Obey the law and school rules as to the possession or the use of alcohol, illegal drugs and other
- 30 unauthorized substances or materials; and
- 31 11. Possess on school grounds only those materials which are acceptable under the law, Board policy
- 32 and school rules and accept the consequences for articles stored in one's locker or vehicle.
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37 _____
38 Legal References:

- 39 1. 20 U.S.C. § 1703
- 40 2. TCA 49-6-3401

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Procedural Due Process	Descriptor Code: 6.302	Issued Date:
		Rescinds:	Issued:

1 Prior to the enactment of procedural due process, notice of the rules, regulations, and penalties are pro-
2 vided to students and parents. All students receive a written copy of this policy. Students who enroll
3 during the school year also receive the policy.
4

5 Before school authorities administer disciplinary measures, reasonable inquiry shall be made to determine
6 the truth of what happened.¹ The nature of this inquiry will vary in degree with the seriousness of the
7 offense and the consequence attached thereto.²
8

9 For minor offenses where corrective measures are taken by the classroom teacher, no formal procedure
10 is required. An inquiry into the incident to ensure that the offender is accurately identified, that he
11 understands the nature of the offense, and that he/she knew the consequences of the offense for which
12 he is accused.
13

14 In case of severe offenses where there is a possibility of suspension, the student shall be advised of the
15 nature of his/her misconduct, questioned about it, and allowed to give an explanation.
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17 If the principal determines that the offense is of such nature that the student's continued presence would
18 be detrimental to the school or persons within the school, he/she shall suspend the student for an ap-
19 propriate number of days.³
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36 Legal References:

37 1. *Ingraham v. Wright*, 430 U.S. 651 (1977)
38 2. *Goss v. Lopez*, 410 U.S. 565, (1975)
39 3. TCA 49-6-3401

Cross References:

Interrogations and Searches 6.303
Discipline Procedures 6.313
Disciplinary Hearing Authority 6.317

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Interrogations and Searches	Descriptor Code: 6.303	Issued Date:
		Rescinds:	Issued: 06/18/15

1 INTERROGATIONS BY SCHOOL PERSONNEL

2
3 Students may be questioned by teachers or principals about any matter pertaining to the operation of
4 a school and/or the enforcement of its rules. Questioning must be conducted discreetly and under cir-
5 cumstances which will avoid unnecessary embarrassment to the student being questioned. Any student
6 answering falsely, evasively or refusing to answer a proper question may be subject to disciplinary
7 action, including suspension.

8
9 If a student is suspected or accused of misconduct or infraction of the student code of conduct, the
10 principal may interrogate the student, without the presence of parent(s)/guardian(s) or legal custodians
11 and without giving the student constitutional warnings.

12 INTERROGATIONS BY POLICE (AT ADMINISTRATOR'S REQUEST)

13
14 If the principal has requested assistance by the police department to investigate a crime involving his/her
15 school, the police shall have permission to interrogate a student suspect in school during school hours.
16 The principal shall first attempt to notify the parent(s)/guardian(s) or legal custodians of the student of
17 the intended interrogation, but the interrogation may proceed without attendance of the parent(s)/
18 guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

19
20 The use of police women or female staff members is desirable in the interrogation of female students.

21 POLICE-INITIATED INTERROGATIONS

22
23 If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated
24 crimes committed outside of school hours, the police department shall first contact the principal
25 regarding the planned interrogation, inform him/her of the probable cause to investigate within the school.
26 The principal shall make reasonable effort to notify the parent(s)/guardian(s) or legal custodians of the
27 interrogation, but the interrogation may proceed without attendance of the parent(s)/guardian(s) or legal
28 custodians. The principal or his/her designee shall be present during the interrogation.

29 SEARCHES BY SCHOOL PERSONNEL

30
31 Any principal, or his/her designee, having reasonable suspicion may search any student, place or thing
32 on school property or in the actual or constructive possession of any student during any organized school
33 activity off campus, including buses, vehicles of students or visitors (*Notice shall be posted in the school*
34 *parking lot that vehicles parked on school property by students or visitors are subject to search for drugs,*
35 *drug paraphernalia or dangerous weapons*), and containers or packages if he/she receives information
36 which would cause a reasonable belief that the search will lead to the discovery of:
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- 1 1. Evidence of any violation of the law;
- 2 2. Evidence of any violation of school rules or regulations or proper standards of student or faculty
- 3 conduct;
- 4 3. Any object or substance which, because of its presence, presents an immediate danger of harm
- 5 or illness to any person.
- 6

7 A student using a locker that is the property of the school system does not have the right of privacy in
8 that locker or its contents. All lockers or other storage areas provided for student use on school premises
9 remain the property of the school system and are provided for the use of students subject to inspection,
10 access for maintenance and search. *Notice shall be posted in each school that lockers and other storage*
11 *areas are school property and are subject to search.*

12
13 A student may be subject to physical search or a student's pocket, purse or other container may be re-
14 quired to be emptied because of the results of a locker search, or because of information received from a
15 teacher, staff member or other student if such action is reasonable to the principal. All of the following
16 standards of reasonableness shall be met:

- 17 1. A particular student has violated policy;
- 18 2. The search could be expected to yield evidence of the violation of school policy or disclosure
- 19 of a dangerous weapon or drug;
- 20 3. The search is in pursuit of legitimate interests of the school in maintaining order, discipline,
- 21 safety, supervision and education of students;
- 22 4. The primary purpose of the search is not to collect evidence for a criminal prosecution; and
- 23 5. The search shall be reasonably related to the objectives of the search and not excessively
- 24 intrusive in light of the age and sex of the student, as well as the nature of the infraction alleged
- 25 to have been committed.
- 26
- 27

28 A student, his/her possessions or room may be searched while the student is on a school-sponsored field
29 trip. The reason for the search must be based on reasonable information or evidence that the student has
30 violated or is violating a rule related to the trip. Students shall be advised of the above prior to the trip.

31 **USE OF METAL DETECTORS**

32
33
34 In view of the escalating presence of weapons in the schools, the Board of Education authorizes the use
35 of hand-held or walk-through metal detectors to check a student's person or personal effects as follows:

36
37 School officials or law enforcement officers may conduct metal detector checks of groups of individuals
38 if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all
39 students in a randomly selected class; or every third individual entering an athletic event). Metal detector
40 checks of groups of individuals may not be used to single out a particular individual or category of
41 individuals.

42
43 If a school official or a law enforcement officer has reasonable suspicion to believe that a particular
44 student is in possession of an illegal or unauthorized metal-containing object or weapon, he/she may
45 conduct a metal detector check of the student's person and personal effects.

46
47 A student's failure to permit a metal detector check as provided in this policy will be considered grounds
48 for disciplinary action including possible suspension.

1 The director of schools shall develop prodedures for use of metal detectors.
2

3 **SEARCHES BY POLICE** 4

5 If public health or safety is involved, upon request of the principal who shall be present, police officers
6 may make a general search of students' lockers and desks, or students' or nonstudents' automobiles for
7 drugs, weapons or items of an illegal or prohibited nature.
8

9 If the principal has received reliable information which he/she believes to be true that evidence of a
10 crime or of stolen goods, not involving school property of members of the school staff or student body,
11 is located on school property and that any search for such evidence or goods would be unrelated to
12 school discipline or to the health and safety of a student or the student body, he/she shall request police
13 assistance; and procedures to obtain and execute a search warrant shall thereafter be followed.
14

15 Anything found in the course of the search conducted in accordance with this policy which is evidence
16 of a violation of the law or a violation of student conduct standards may be:
17

- 18 1. Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It
19 should be tagged for identification at the time it is seized and kept in a secure place by the
20 principal or the principal's designee until it is presented at the hearing. At the discretion of the
21 principal, the items seized may be returned to the parent or guardian of a student or, if it has no
22 significant value, the item may be destroyed, but only with the express written permission of the
23 director of schools.
24
- 25 2. Any seized item may be turned over to any law enforcement officer. Any dangerous weapon or
26 drug as defined in TCA 49-6-4202 shall be turned over to an appropriate law enforcement official
27 after completion of an administrative proceeding at which its presence is reasonably required.
28

29 Whenever the possibility of uncovering evidence of a criminal nature exists, the principal or his/her
30 designee may request the assistance of a law enforcement officer to:
31

- 32 1. Search any area of the school premises, any student or any motor vehicle on the school premises;
33 or
34
- 35 2. Identify or dispose of anything found in the course of a search conducted in accordance with
36 this policy.
37

38 The involvement of law enforcement officials is encouraged when there is reasonable cause to suspect
39 that criminal evidence is about to be uncovered.
40

41 In order to facilitate a search, dogs or other animals trained to detect drugs by odor or other means may be
42 used in conducting the search. Such animals shall be used only to pinpoint areas required to be searched
43 and shall not be used to search the persons of students or visitors.
44

45 Legal References:

- 46 1. TCA 49-6-4202 through TCA 49-6-4212
47
48
49

Cross References:

- Procedural Due Process 6.302
Child Abuse and Neglect 6.409

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Student Discrimination/Harassment/ Hazing and Bullying/Intimidation	Descriptor Code: 6.304	Issued Date: 11/15/12
		Rescinds: 6.304	Issued: 11/16/17

Hamilton County Board of Education's Expectation of Student Conduct

The Hamilton County Board of Education expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. Hamilton County students are expected to behave in a way that does not interrupt the education of other students.

This policy addresses conduct taking place on school grounds, at any school-sponsored activity, on school-provided transportation, or at any official school bus stop immediately before boarding and immediately following deboarding.¹ This policy also addresses any conduct taking place off of school property or outside of the school sponsored activity if this conduct is directed at a specific student or students and has the effect of either creating a hostile educational environment or substantially disrupting the educational environment or learning process.

Hamilton County Board of Education's Commitment

The Hamilton County Board of Education is fully committed to providing a safe and orderly learning environment for all students in order for them to achieve academic success. This environment shall be free from discrimination, harassment, sexual harassment, hazing, bullying or cyber-bullying.

The Hamilton County Board of Education will not tolerate acts of discrimination, harassment, sexual harassment, hazing, bullying, or cyber-bullying toward students by other students or staff. In addition, the Board of Education will not tolerate conduct aimed at defining a student in a sexual manner, and conduct impugning the character of a student based on allegations of sexual promiscuity.

Discrimination and Harassment

It shall be a violation of this policy for any employee or any student to discriminate against or harass another student on the basis of sex, gender identity, race, ethnicity, disability, or religion.² Discrimination and harassment will not be tolerated.³

For purposes of this policy, discrimination and harassment include words, gestures, threats, or any other conduct that is severe or pervasive and that creates a hostile environment that substantially interferes with or limits a student's ability to participate in or benefit from services, activities, or opportunities offered by a school.

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5 Examples of discrimination and harassment include any act that, alone or in combination with other
6 acts, has the effect of:

- 7
- 8 1. Unreasonably interfering with the student's work or educational opportunities; or
- 9 2. Creating an intimidating, hostile or offensive learning environment; or
- 10 3. Implying that submission to such conduct is made an explicit or implicit term of
- 11 receiving grades or credit; or
- 12 4. Implying that submission to or rejection of such conduct will be used as a basis for
- 13 determining the student's grades and/or participation in a student activity; or
- 14 5. Defining a student in a sexual manner; or
- 15 6. Impugning the character of a student based on allegations of sexual promiscuity.
- 16

17 **Bullying, Cyber-Bullying, and Hazing**

18
19 It shall be a violation of this policy for any student to bully or haze another student whether directly,
20 through a third party, or through the use of electronic devices such as text messages or posts on social
21 media sites.

22
23 For purposes of this policy, bullying includes any act that substantially interferes with a student's
24 educational benefits, opportunities or performance. If the act occurs on school grounds, on a school
25 sponsored activity, on school sponsored transportation or at a school designated bus stop, it is bullying
26 if it has the effect of harming a student or damaging his or her property; knowingly placing a student in
27 reasonable fear of harm to the student or to his or her property; causing emotional distress to the student;
28 or creating a hostile educational environment. If the act occurs off school property or outside of any
29 school sponsored activity, it is nevertheless bullying if it is directed at a specific student or students and
30 has the effect of creating a hostile educational environment or a substantial disruption to the educational
31 environment or the learning process.

32
33 Cyber-bullying is bullying that takes place using electronic technology. Electronic technology includes
34 devices and equipment such as cell phones, computers, and tablets, as well as communication tools
35 including social media sites, text messages, chat, and websites. Examples may include inappropriate text
36 messages or emails, rumors sent by email or posted on social network sites, and embarrassing pictures,
37 videos, websites, or fake profiles.

38
39 Hazing is any act intended or reasonably expected to endanger the physical or mental health of a
40 student or students, or to humiliate, intimidate or demean a student or students in connection with joining
41 or maintaining membership in any team or organization affiliated with any school or school program.

42 **Procedures**

43
44
45 Victims of or witnesses to discrimination, harassment, bullying, cyber-bullying, or hazing shall report
46 these incidents immediately to a teacher, counselor, building administrator, or anonymously on the Quick
47 Tip link located on the Hamilton County Department of Education website.⁴ The willful filing of a false
48 report will itself be considered harassment and/or bullying and will be treated as such.
49

1
2 Any staff member who witnesses any action that may be a violation of this policy or who receives any
3 report of any alleged conduct that would constitute a violation of this policy must report to the principal/
4 designee as quickly as possible, but in no event more than 24 hours after receiving the report.
5

6 If the principal is involved in the incident or if the adult/student is uncomfortable reporting the incident
7 to the principal/designee of the school, the following reporting options can be used:
8

- 9 • Title VI Coordinator, Title VI of the Civil Rights Act of 1964 (race, color, national origin)
10 423-498-7021
- 11 • Title IX Coordinator, Title IX of the Education Act of 1972 (sex) 423-498-7221
- 12 • 504 Coordinator, Section 504 of the Rehabilitation Act of 1973 (disability) 423-498-7082
13

14 All allegations shall be fully investigated by a building administrator and/or school official. Investigations
15 must commence as soon as possible but in no event more than 48 hours after the report. Investigations
16 must be resolved within 20 days of the report.
17

18 Every building administrator shall record complaints of discrimination, harassment, bullying, cyber-
19 bullying, and hazing and shall document how the administrator or other school officials responded to each
20 complaint and the final disposition of each complaint. Administrators may not take disciplinary action
21 based solely upon anonymous complaints.
22

23 At the end of each school quarter, each building administrator shall send a report summarizing
24 complaints of discrimination, harassment, bullying, cyber-bullying, and hazing to the Director of Schools.
25 Each building administrator is expected to be aware of trends in his or her school and to investigate
26 and respond accordingly.
27

28 Even when a complaint has not been reported anonymously, the confidentiality of all parties and
29 witnesses will be respected. However, because confidentiality must be balanced against the school
30 system's obligation to cooperate with police investigations or legal proceedings, to provide due process
31 to the accused, to conduct a thorough investigation, or to take necessary action to resolve a complaint,
32 the identity of parties and witnesses, when known by school system officials, may be disclosed in
33 appropriate circumstances to agencies and persons with a need to know.
34

35 There will be no retaliation against any person who reports harassment or participates in an
36 investigation. However, any employee who refuses to cooperate or gives false information during the
37 course of any investigation may be subject to disciplinary action.
38

39 Building administrators are responsible for educating and training their respective staff and students as
40 to the terms of this policy and the procedures for reporting discrimination, harassment, bullying,
41 cyber-bullying, and hazing.
42

43 At the start of every school year, this policy should be reviewed through the Code of Acceptable Conduct
44 with Students acknowledging having read it and/or parents indicating having explained it to their child.
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Consequences

For students, a substantiated charge of discrimination, harassment, bullying, cyber-bullying, and hazing may result in consequences ranging from behavioral interventions to suspension or expulsion. Additionally, acts of discrimination, harassment, bullying, cyber-bullying, and hazing may also be prosecuted as criminal acts under the laws of the State of Tennessee.

The following factors will be considered in determining the consequences and appropriate remedial action:

- The developmental level and maturity levels of the parties involved;
- The levels of harm as determined by the student's ability to be educated in a safe and orderly environment;
- The surrounding circumstances;
- The nature of the behavior(s)
- Past incidences or continuing patterns of behavior;
- The relationships between the parties involved; and
- The context in which the alleged incidents occurred.

For employees, a substantiated charge shall result in disciplinary action up to and including termination. Additionally, acts of discrimination, harassment, bullying, cyber-bullying, and hazing may also be prosecuted as criminal acts under the laws of the State of Tennessee.

1. TCA § 49-6-4501-4506
2. TCA § 49-6-3109
3. Title VII; 29 CFR §1604.11;
Davis v. Monroe County Board of Education,
No. 97-843 Board 1.404
(U.S. Sup. Ct. May 24, 1999)
4. Title IX (20 U.S.C §§1681-1686)

Cross References:
Appeals To & Appearances Before the

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Alcohol and Drug Use	Descriptor Code: 6.307	Issued Date:
		Rescinds:	Issued:

1 In order to protect the rights of students, to safeguard the learning environment, and to contribute to a
2 “Drug Free” community, the Board’s plan for dealing with alcohol and drugs¹ shall include the following:
3 1. Appropriate ways for handling alcohol/drug-related medical emergencies;
4 2. Guidelines for reporting alcohol/drug incidents and illegal activities;
5 3. Guidelines for referral of students who may have an alcohol/drug problem and/or are considered
6 “high risk” to agencies and other sources of appropriate help;
7 4. Effective working relationships with appropriate community agencies, such as alcohol/drug service
8 providers, law enforcement agencies and judicial officials.

9
10 Through the use of state guidelines the director of schools shall be responsible for:
11
12 1. Developing and implementing an appropriate curriculum on alcohol and drug education for stu-
13 dents;
14 2. Providing adequate information and training for all staff personnel as appropriate to their respon-
15 sibilities;
16 3. Implementing the relevant portions of the Drug-Free Youth Act² by:
17 a. Informing all students in grades seven (7) through twelve (12) of its provisions;
18 b. Distributing to all such students a pamphlet describing the law;
19 c. Including the teaching of the components of the law in the annual pre-school year in-service
20 training for teachers and principals; and
21 4. Developing administrative rules and guidelines for the school system to effectively respond to
22 alcohol and drug situations that may occur at school or school-sponsored events.

23
24 Students will not possess, distribute or be under the influence of illegal drugs or alcoholic beverages in
25 school buildings or on school grounds, in school vehicles or buses, or at any school-sponsored activity
26 at any time, whether on or off school grounds.

27
28 Students will not market or distribute any substance which is represented to be or is substantially similar
29 in color, shape, size or markings to a controlled substance in school buildings or on school grounds,
30 in school vehicles or buses, or at any school-sponsored activity at any time, whether on or off school
31 grounds.³

32
33 Upon information that a student is suspected of violating this policy, the principal of the school shall
34 be notified immediately. If it is determined that board policy has indeed been violated, the principal
35 shall notify the student’s parent or guardian and the appropriate law enforcement officials.⁴ A student
36 who unlawfully possesses any narcotic, stimulant, prescription drug or other controlled substance shall
37 be subject to suspension for a period of not less than one (1) calendar year. The director of schools
38 shall have the authority to modify this suspension requirement on a case-by-case basis.⁵

39
40 **Legal References:**
41 1. TRR/MS 0520-1-3-.08(2)(d) 4. TCA 49-6-4209
2. TCA 55-10-701 et seq. 5. TCA 49-6-4018
3. TCA 39-17-417

Cross References:
Drug-Free Workplace 1.804
Suspensions 6.316

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Zero Tolerance Offenses	Descriptor Code: 6.309	Issued Date: 4/24/2014
		Rescinds:	Issued: 9/15/16

1 In order to ensure a safe and secure learning environment, the following offenses will not be tolerated:

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WEAPONS & DANGEROUS INSTRUMENTS

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 buses or off the school grounds at a school-sponsored activity, function or event.¹

Dangerous weapons for the purposes 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 the manner of its use or intended use is capable of causing death or serious bodily injury.²

Violators of this section shall be subject to suspension and/or expulsion from school.

FIREARMS (as defined in 18 U.S.C. § 921)³

In accordance with state law, any student who brings or possesses a firearm on school property shall be expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis.⁴

DRUGS

In accordance with state law, any student who unlawfully possesses or is under the influence of any drug including any controlled substance or legend drug shall be expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis.⁵

BATTERY

In accordance with state law, any student who commits battery upon any teacher, principal, administrator, any other employee of the school, or school resource officer, shall be expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis.

NOTIFICATION

When it is determined that a student has violated this policy, the principal of the school shall notify the student's parent or guardian and the criminal justice or juvenile delinquency system as required by law.⁶

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Legal References:

1. TCA 39-17-1309
2. TCA 39-11-106(a)(5)(A)(B)
3. 18 U.S.C. 921
4. 20 U.S.C. § 8921; TCA 49-6-4216(b); TCA 49-6-3401(g)
5. TCA 49-6-3401(g); TCA 49-6-4216(b)
6. TCA 49-6-4209; TCA 39-17-1312

Cross References:

- Discipline Procedures 6.313
Suspension/Expulsion/Remand 6.316

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Health Services	Descriptor Code: 6.401	Issued Date:
		Rescinds:	Issued:

1 The major objective of student health services is to protect and promote the health of the student. This
2 responsibility is shared by all individuals and agencies in the community.

3 To obtain this objective:

- 4 1. A safe, sanitary, healthful school environment shall be provided; and
- 5 2. Basic principles of healthful living shall be taught.

6 The student health services program¹ shall include:

- 7 1. Identification of physical, mental or emotional characteristics of students which will prevent
8 them from attaining their potentialities through public education;
- 9 2. Evidence of a complete medical examination of every student entering school for the first time;
- 10 3. Proof of immunization except those who are exempt by statute;
- 11 4. A medical examination as directed by the TSSAA of every student prior to participation in
12 interscholastic athletics;
- 13 5. A cumulative health record;
- 14 6. A record for each student which contains information as to how and where to contact parents
15 in case of emergency;
- 16 7. A report of each accident taking place while the student in under the jurisdiction of the school;
- 17 8. Plan for taking care of sick or injured students;
- 18 9. Procedures for reporting suspected child abuse or neglect;
- 19 10. Plan for dealing with communicable diseases;
- 20 11. Procedures for dispensing medication;
- 21 12. Teacher referral of students for available health service; and
- 22 13. Method for evaluating criteria, including the extent and use of available health services based
23 upon the needs of students within the school.

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Legal Reference:
1. TRR/MS 0520-1-3-.08(e)(2)

Cross References:
Communicable Diseases 6.403
Medicines 6.405

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Communicable Diseases	Descriptor Code: 6.403	Issued Date:
		Rescinds:	Issued:

1 No student will be denied an education solely because of a communicable disease, and his/her educational
2 program shall be restricted only to the extent necessary to minimize the risk of transmitting the disease.

3
4 Parents or guardians of infected students shall inform appropriate school officials of the infection so that
5 proper precautions for the protection of other students, employees, and the infected student shall be taken.

6
7 No student with a communicable disease which may endanger the health of either himself/herself or
8 other individuals will enter or remain in the regular school setting.^{1,2} If a school principal has reason to
9 believe a student has a communicable disease which may endanger the health of either himself/herself
10 or other individuals in the regular school setting, the principal shall:

- 11
- 12 1. Assign the student to a setting which will protect other students, employees and the student
13 himself; or
 - 14
 - 15 2. Exclude the student from school until certification is obtained from a physician or the County
16 Health Department by either the parent or principal stating that the disease is no longer commu-
17 nicable.
 - 18

19 If the principal has reason to believe that the student has a long-term communicable disease, the prin-
20 cipal must require confirmation from a physician or the County Health Department as to the student's
21 condition. If the student is confirmed to have a long-term communicable disease the principal shall
22 refer the student for special education services.³

23
24 The principal may request that further examinations be conducted by a physician or County Health De-
25 partment and may request periodic re-examinations after the student has been readmitted to the school.²

26
27 Expenses incurred from examinations requested by school officials shall be paid by the Board.

28
29 The names of all students excluded from school under this policy will be forwarded to the office of the
30 director of schools.

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Legal References:	Cross References:
1. TRR/MS 0520-1-3-.08(2)(c)	Special Education 4.202
2. TCA 49-2-203(b)(2)	Special Programs 4.206
3. TRR/MS 0520-1-3-.08(2)(g)(2)(v)	

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Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Surveys, Analyses, and Evaluations	Descriptor Code: 6.404	Issued Date:
		Rescinds:	Issued: 9/24/15

1 Surveys, analyses, and evaluations for research purposes shall be allowed by the Board when the project
2 is viewed as contributory to a greater understanding of the teaching-learning process, the project does
3 not violate the goals of the Board, and the disruption of the regular school program is minimal. The
4 director of schools shall develop administrative procedures for approving requests for conducting surveys,
5 analyses, or evaluations by agencies, organizations or individuals. The requests shall outline what is to be
6 done, who is to be involved and how the results will be used and distributed. ¹

7 Prior to the dissemination of a survey, analysis, or evaluation to students, parents/guardians shall be
8 notified of their ability to review the materials. Such notification shall include information indicating the
9 purpose of the survey, analysis, or evaluation as well as who will have access to the results. Following
10 such notification and prior to the administration of the survey, analysis, or evaluation, parents/guardians
11 may opt their child out of participation.

12 The director of schools shall develop procedures for granting such parental requests and to implement the
13 other provisions of this policy. ⁵

14 No student shall be required, as part of any program, to submit to a survey, analysis or evaluation that
15 reveals information concerning: ^{2,5}

- 16 1. mental or psychological problems of the student or the student's family;
- 17 2. sexual behavior or attitudes;
- 18 3. illegal, anti-social, self-incriminating, or demeaning behavior;
- 19 4. critical appraisals of other individuals with whom respondents have close family relationships;
- 20 5. legally privileged relationships;
- 21 6. income; or
- 22 7. the collection of student biometric data involving the analysis of facial expressions, EEG brain
23 wave patterns, skin conductance, galvanic skin response, heart-rate variability, pulse, blood
24 volume, posture, and eye-tracking ⁶

25 Without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of
26 an emancipated minor, without the prior written consent of the parent. ⁵

27 The collection of the following student data is strictly prohibited: ⁷

- 28 1. political affiliation or voting history;
- 29 2. religious practices; and
- 30 3. firearm ownership.

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Surveys, Analyses, and Evaluations	Descriptor Code: 6.404	Issued Date:
		Rescinds:	Issued:

COLLECTING, DISCLOSING OR USING INFORMATION FOR MARKETING ³

In general, the district will not collect, disclose or use personal student information for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose.

If any collected information is to be marketed or sold, parents will be directly notified at least annually at the beginning of the school year of the specific or approximate dates when such information will be collected. Parents, upon request, may inspect any instrument used to collect personal information for the purpose of marketing or selling that information before the instrument is administered or distributed to the student. All parents and students of appropriate age may decline to provide the information requested.

This portion of the policy does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions to the extent allowed by law, such as the following: ⁴

1. College or other postsecondary education recruitment or military recruitment.
2. Book clubs, magazines and programs providing access to low-cost literary products.
3. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
4. The sale by students of products or services to raise funds for school-related or education related activities.
5. Student recognition programs.

Legal References

1. TCA 49-2-211
2. 20 USCA § 1232h
3. No Child Left Behind, Part F § 1061 (1)(E) & (F) & (2)
4. No Child Left Behind, Part F § 1061 (4)(A)
5. TCA 49-2-211
6. TCA 49-1-706
7. TCA 49-1-705

Cross References

Testing Programs 4.700

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Supervision of Students	Descriptor Code: 6.408	Issued Date: 6/19/14
		Rescinds:	Issued:

1 Students will be under the supervision of school personnel, either certified or noncertified, ¹ at all times,
2 including play periods and lunch periods, as well as during the school day and during extracurricular
3 activities.

4
5 The principal shall assign students to school personnel and ensure proper supervision.

6
7 The principal, teacher or school personnel may relocate a student from the student's present location to
8 another location for the student's safety or safety of others. The use of reasonable or justifiable force, if
9 required to accomplish this task due to the unwillingness of the student to cooperate, is allowed. If steps
10 beyond the use of reasonable or justifiable force are required, the student shall be allowed to remain in
11 place until such a time as local law enforcement officers or school resource officers can be summoned to
12 relocate the student or take the student into custody until such time as a parent or guardian can retrieve the
13 student. Teachers and school personnel may also intervene in a physical altercation between two (2) or
14 more students, or between a student and LEA employees using reasonable or justifiable force upon student,
15 if necessary to end the altercation by relocating the student to another location. ²

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Legal Reference:

- 1. TCA 49-2-303(6)(10)(A)
- 2. TCA 49-6-4008

Cross Reference:

Time Schedules and Extra Duty 5.602

Hamilton County Board of Education

Monitoring: Review:	Descriptor Term: Child Abuse and Neglect	Descriptor Code: 6.409	Issued Date: 5/19/16
		Rescinds:	Issued:

1 **CHILD ABUSE REPORTING PROCEDURES**

2
3 All school system employees have a duty to report suspected child abuse immediately to the appropriate authorities.
4 Given the number of agencies that have the authority to investigate abuse, however, and further considering the
5 lack of resources that many of these agencies face, the Hamilton County Board of Education has developed this
6 policy to give employees guidance to ensure that suspected child abuse is promptly investigated and that children
7 are adequately protected.

8 **THE DUTY TO REPORT**

9
10 A person has the duty to report suspected child abuse when the following occur:

- 11
- 12 • The person has knowledge of (or is called upon to render aid to) any child who is suffering from
13 (or has suffered from) any wound, injury, disability, or other physical or mental condition; and the
14 physical or mental condition is of such a nature that it reasonably appears to have been caused by
15 brutality, abuse, or neglect caused by a caregiver of the child;
 - 16 or
 - 17
 - 18 • The person has reason to suspect that the child is a victim of sexual abuse regardless of whether
19 the child has suffered a physical injury from the suspected sexual abuse and regardless of whom
20 the perpetrator of the abuse may have been.
- 21

22 **HOW TO REPORT**

23
24 Anyone having knowledge of suspected child abuse, as described above, must report his or her belief to at least one
25 of the following offices:

- 26 • The Department of Children’s Services by way of the statewide hotline (1-877-542-2873), the local
27 DCS office, or the DCS website, bearing in mind that circumstances may dictate the need to speak
28 to a DCS agent as quickly as possible
 - 29
 - 30 • The Hamilton County Sheriff’s Office or the local police department for the municipality in which
31 the child lives
 - 32
 - 33 • The Hamilton County Juvenile Court
- 34

35 Any report of child abuse shall include, if known, the name, age, address and telephone number of the child; the
36 name, address and telephone number of the child’s caregiver; and any facts pertinent to the report.

37
38 Additionally, if the suspected child abuse occurs outside of Hamilton County, it may be necessary to notify the local
39 law enforcement agency so that the child is protected and the matter is investigated promptly.

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Hamilton County Board of Education

Monitoring: Review:	Descriptor Term: Child Abuse and Neglect	Descriptor Code: 6.409	Issued Date: 5/19/16
		Rescinds:	Issued:

1 The Hamilton County Board of Education strongly advises any school based employee who reports suspected child
2 abuse to notify his or her principal or supervisor and to have the principal or supervisor join in placing the phone
3 call to the appropriate authorities. If, however, the principal or supervisor is not available to participate in the phone
4 call, the employee must nevertheless report any suspected child abuse to the appropriate authorities without delay.

5
6 The Hamilton County Department of Education strongly encourages any employee notifying any of these offices of
7 any suspected child abuse to make a written record of the report to include the following: agency contacted; agency
8 phone number; the person to whom the employee spoke; date and time of the conversation; name of the child in
9 question; the precise information conveyed to the agency; and the DCS case number assigned, if the report is made
10 to DCS.

11 **ACTION BY ADMINISTRATORS**

12
13 The Hamilton County Board of Education does not expect administrators to screen or approve the decision of
14 subordinate employees to report suspected child abuse. Each employee has an independent duty under state law and
15 this policy to report child abuse whenever he or she believes it has occurred. Nevertheless, the Board of Education
16 expects administrators to support their employees and to provide guidance as necessary.

17 Accordingly, the Board of Education advises administrators that it may be necessary and appropriate for them to
18 direct their employees to contact several agencies in order to ensure that the allegations of abuse will be investigated
19 promptly and that the child in question will be protected. If an administrator has any question or concern about the
20 effectiveness of any response he or she is receiving regarding reports of child abuse, the administrator should contact
21 the Director of DCS' Special Investigations Unit, and report the suspected child abuse and what efforts the Board of
22 Education employees have taken to report this matter.

23
24 The Board of Education expects administrators to make a written record of any conversation they have with their
25 employees and any agency officials regarding allegations of suspected child abuse and efforts made to report this
26 abuse to the appropriate authorities. These records should be maintained in confidential files kept separate and apart
27 from other students or employee records.

28 **NOTICE TO PARENTS OR LEGAL GUARDIANS**

29
30 In the event that suspected child abuse occurred either on school property or off campus while the child was under
31 the care or supervision of a school system employee, then the school principal or the principal's designee shall
32 verbally notify the child's parent or legal guardian, in coordination with the Department of Children's Services, no
33 later than 24 hours after the initial report to the appropriate authorities unless there is reasonable cause to suspect
34 that the parent or legal guardian is in any way responsible for the abuse.

35
36 The administrator will share with the parent or legal guardian whatever information is necessary to provide for the
37 future wellbeing of the child and, upon request, may provide additional information pertaining to the suspected child
38 abuse; provided, however, that the administrator will protect otherwise confidential information including the name
39 of the reporting employee, the name of anyone whose safety would otherwise be jeopardized, and any information
40 protected by federal law.
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Hamilton County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review:	Child Abuse and Neglect	6.409	5/19/16
		Rescinds:	Issued:

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WRONGDOING BY A SCHOOL EMPLOYEE

In the event any school system employee becomes aware that another employee may have been responsible for the suspected child abuse, or if the employee becomes aware that another employee has failed to report suspected child abuse, then he or she shall immediately contact both the Department of Children’s Services and the Assistant Superintendent for Human Resources and report the other employee’s suspected wrongdoing.

CONFIDENTIALITY

Once a school system employee becomes aware of suspected abuse, he or she is to report the matter to the appropriate agencies and to the appropriate officials within the school system. Aside from his or her duty to report to agency officials or school system administrators, however, no employee is to discuss the suspected abuse of a child with anyone. Under no circumstances shall the employee discuss the matter with the media or any member of the public, including the child’s parents or legal guardian unless the employee is given express permission by the Superintendent or the Superintendent’s designee to do so. Violation of this instruction will be treated as insubordination and will be punished accordingly.

FURTHER DIRECTIONS TO PRINCIPALS AND SUPERVISORS

Administrators are to circulate these guidelines to their employees at faculty meetings, staff meeting, and otherwise as may be appropriate. Written copies of these guidelines shall be kept in break rooms and shall be disseminated to school system employees.

Additionally, administrators are to require that their employees receive appropriate training regarding the application of this policy and Tennessee law. This training shall include signs of abuse, brutality or neglect and appropriate reporting procedures.

If there are any questions about this policy, including compliance, these questions shall be directed to the Assistant Superintendent for Campus Support at 209-8530

Hamilton County Board of Education

	Descriptor Term:	Descriptor Code:	Issued Date:
	Emergency Allergy Response Plan	6.412	03/05/07
		Rescinds:	Issued:

1 The director of schools shall develop and maintain an Emergency Allergy Response Plan that
2 meets state guidelines for managing students with life-threatening allergies. The Plan shall
3 include measures to reduce exposure to allergens and procedures to treat allergic reactions.
4 Components of the plan shall include, but are not limited to; education and training of person-
5 nel, record keeping/documentation, development and reviews of the allergy action plan, and
6 protocols for classrooms and cafeterias that include strategies to reduce exposure to allergens.¹
7
8 Using the state food allergy guidelines plan as a guide, the director shall also develop a process
9 to identify all students with food allergies and develop and implement an Individualized Health
10 Care Plan (IHCP) with an Allergy Action Plan for each specific student.²
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34 Legal References:

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36 1. TCA 49-5-415 (f)(1) and (2)
37 2. *Guidelines for Use of Health Care Professionals and Health Care*
38 *Procedures in a School Setting, including Guidelines for Managing Life*
39 *Threatening Food Allergies in Tennessee Schools* (Tennessee Department
40 of Education and Tennessee Department of Health) (2007)
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Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Prevention and Treatment of Sports Related Concussions	Descriptor Code: 6.413	Issued Date: 04/20/17
		Rescinds:	Issued:

1 A concussion is a traumatic brain injury caused by a direct or indirect blow to the head or body. In order to
2 ensure the safety of students that participate in interscholastic athletics, it is imperative that student athletes,
3 coaches, and parents are educated about the nature and treatment of sports related concussions. The board
4 recognizes that concussions can be a serious health issue and should be treated as such.

5
6 The Board adopts the guidelines and other pertinent information and forms developed by the Tennessee
7 Department of Health to inform and educate coaches, school administrators, student athletes, and
8 parent(s) / guardian(s) of the nature, risk and symptoms of concussions and head injuries. These guidelines
9 and materials may be viewed on the Department of Health's website and shall be made available to inter-
10 ested parties through the Central Office.

11
12 This policy shall govern all activities and those individuals involved in those activities which constitute an
13 organized athletic game or competition against another team or in practice or preparation for an organized
14 game or competition. It does not govern those activities or individuals involved in those activities which are
15 entered into for instructional purposes only or those that are incidental to a nonathletic program or lesson.

16 **REQUIRED TRAINING¹**

17
18
19 The director of schools shall ensure that each school's athletic director and coaches, employed or volunteer,
20 annually complete the *Concussion in Sports – What You Need to Know* online course. This course may
21 be accessed online at www.nfhslearn.com.

22
23 Prior to the annual initiation of practice or competition, the following persons must review and sign a
24 concussion and head injury information sheet approved by the Tennessee Department of Health: the
25 director of schools, licensed healthcare professionals (if appointed), each school athletic director, and each
26 coach, employed or volunteer.

27
28 In addition, prior to the annual initiation of practice or competition, all student athletes and their
29 parent(s) / guardian(s) shall review the concussion and head injury information sheet approved by the
30 Tennessee Department of Health. A form confirming this review shall be signed and returned by the student
31 athlete, if the athlete is eighteen (18) years of age or older; or by the student athlete's parent(s) / guardian(s),
32 for athletes younger than eighteen (18) years of age.

33
34 All documentation of the completion of a concussion recognition and head injury safety education course
35 program and signed concussion and head injury information sheets shall be maintained by the director of
36 schools or his/her designee for a period of three (3) years.

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Removal from Athletics²

Any student athlete who shows signs, symptoms and/or behaviors consistent with a concussion during an athletic activity or competition shall be immediately removed for evaluation by a licensed healthcare professional, if available, and if not, by the coach or other designated individuals.

No student athlete who has been removed from an athletic activity or competition due to a concussion or suspected concussion shall be allowed to return to any supervised team activities involving physical exertion, including games, competitions, or practices, until the student athlete has been evaluated by and received written clearance on forms approved by the Department of Health from a licensed health care provider for a full or graduated return. "Health care provider" means a Tennessee licensed medical doctor (M.D.), osteopathic physician (D.O.), a clinical neuropsychologist with concussion training, or a physician's assistant (P.A.) with concussion training who is a member of a health care team supervised by a Tennessee licensed medical doctor or osteopathic physician.

This requirement for clearance prior to a student athlete returning to an athletic activity shall not apply if there is a legitimate explanation other than a concussion for the signs, symptoms, and/or behaviors observed.

The director of schools or his/her designee shall ensure that all protocols approved by the Tennessee Department of Health or required by law relative to the provisions of this policy are followed and implemented within each school.

Legal References:
1. . TCA 68-55-502
2. Public Chapter No. 948

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Student Suicide Prevention	Descriptor Code: 6.415	Issued Date: 04/20/17
		Rescinds:	Issued:

1 The board is committed to protecting the health and well-being of all students and understands that physical,
2 behavioral, and emotional health are integral components of student achievement. Students are strongly
3 encouraged to report if they, or a friend, who may be struggling with thoughts of suicide and/or may be in
4 need of help. Students will be provided information regarding The National Suicide Prevention Lifeline
5 1-800-273-8255 (TALK).
6

7 The Hamilton County School District in recognition of the need to protect the health, safety and welfare of
8 its students, to promote healthy development, to safeguard against the threat or attempt of suicide among
9 school aged youth, and to address barriers to learning, hereby adopts this policy. This policy corresponds
10 with and supports other federal, state and local efforts to provide youth with prevention education, early
11 identification and intervention, and access to all local resources to promote health and prevent personal
12 harm or injury.
13

14 **PREVENTION**

15
16 All certified school-based employees shall either attend the annual in-service training in suicide prevention
17 or participate in other equivalent training approved by the director of schools. The training shall include,
18 but not be limited to, identification of risk factors, warning signs, intervention and response procedures,
19 referrals, and postvention.
20

21 The director of schools shall identify a district suicide prevention coordinator(s) responsible for planning
22 and coordinating the implementation of this policy. Each school-assigned school counselor will act as a
23 point of contact for issues relating to suicide prevention and policy implementation.
24

25 * **Prevention Education**

26 Students will receive age appropriate lessons in their classrooms through health education on the
27 importance of safe and healthy choices, as well as help seeking strategies for self or others.

28 Lessons will contain information on comprehensive health and wellness, including emotional,
29 behavioral and social skills development. Lessons are taught by health and physical education
30 teachers, school counselors, and, or community service providers. Students who are in need of
31 intervention will be referred to the school counselor, and/or community counseling agencies.
32

33 **INTERVENTION**

34
35 Any employee who has reason to believe that a student is at risk of suicide shall report such belief to the
36 principal or designee and school counselor. Upon notification, the principal or designee shall ensure the
37 student is placed under adult supervision and the parent/guardian shall be contacted. Emergency medical
38 services shall be contacted immediately if an in-school suicide attempt occurs. The principal or designee
39 shall contact the director of schools or designee as soon as practicable.
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2 **POSTVENTION**
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4 Immediately following a student suicide death, the Crisis Team shall meet and implement the Crisis
5 Management plan. In the event the incident occurs on the school campus, refer to guidelines noted in
6 the HCDE Emergency Preparedness Plan. At a minimum, the Crisis Management plan shall address the
7 following:
8

- 9 1. Verification of death;
10 2. Preparation of postvention response to include support services;
11 3. Informing faculty and staff of a student death;
12 4. Informing students that a death has occurred;
13 5. Providing information on the resources available to students;
14

15 The Crisis Team shall work with teachers to identify the students most likely to be impacted by the death
16 in order to provide additional assistance and counseling if needed. The director of schools or designee shall
17 be responsible for all media inquiries.
18

19 * **Staff Training and Responsibilities**

20 All staff are responsible for safeguarding the health and safety of students. All staff are expected to
21 exercise sound professional judgement, use caution and demonstrate extreme sensitivity throughout
22 any crisis situation. All school personnel should be knowledgeable of the signs of youth
23 depression/suicide.
24

25 Any staff member who is originally made aware of any threat or witnesses any attempt towards
26 self-harm, that is written, drawn, spoken or threatened, will immediately notify the principal or
27 their designee and school counselor. Any threat in any form must be treated as real and dealt with
28 immediately. No student should be left alone during crisis. The district's suicide crisis response
29 procedures will be implemented.
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Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Foreign Exchange Students	Descriptor Code: 6.502	Issued Date:
		Rescinds:	Issued:

1 Any foreign student is eligible for acceptance into the foreign exchange student program, provided she/he
 2 is participating through any agency endorsed by the Council on Standards for International Educational
 3 Travel and is sponsored by an individual or organization and has a J-1 visa.¹ Before approval by the
 4 Board, the exchange program representative must make written application on behalf of the student in
 5 the local school serving the host family. No foreign exchange student shall be brought into the United
 6 States by the sponsor unless s/he has been accepted **in writing** as a student by the director of schools/
 7 designee of the school in which she/he is to be enrolled. The school may accept the student after de-
 8 termining the following:

- 9
- 10 1. The student will have a sufficient command of the English language to enable them
- 11 to participate in the general curriculum;
- 12
- 13 2. Appropriate curriculum offerings can be provided for the student; and
- 14
- 15 3. An overcrowded situation will not be further aggravated.
- 16

17 Prior to enrolling a foreign student, the principal or designee shall require, in addition to a valid student
 18 visa, the following documentation:

- 19
- 20 1. Citizenship;
- 21
- 22 2. Birthdate; (Must be at least fifteen (15) years of age and must not have obtained eighteen
- 23 (18) years of age upon enrollment)
- 24
- 25 3. Health/immigration records;
- 26
- 27 4. Custody (including phone number, name and address of person responsible for the student);
- 28 and
- 29
- 30 5. School records, including a transcript of academics (in English). (The student must not have
- 31 graduated from high school or its equivalent)
- 32

33 Admission requirements and all other considerations and expectations shall be the same for foreign
 34 students as for United States students. Students will be accepted only in grades 9-12. No more than
 35 four (4) foreign students shall be placed in one school. (Students may only participate in an exchange
 36 program for one (1) school year.)

37
 38 Students must have had acceptable academic achievement in their native countries and must have been
 39 screened for maturity and ability to get the maximum benefit from an exchange program. Exchange
 40 students must have an adequate command of the English language and be able to function without
 41 special assistance in regular classes.

1 The principal shall be responsible for assignment to the appropriate grade level.

2
3 Each school shall name a faculty member as a student representative to serve as a liaison between the
4 school and exchange program agency and as an advisor to exchange students.

5
6 The sponsoring individual/organization shall provide evidence to the school that the student will receive
7 adequate financial support for the duration of his/her stay. Exchange students shall not be eligible for
8 free or reduced-price lunches, nor shall schools hold fund-raising events to pay expenses incurred by
9 exchange students. Foreign exchange student will be responsible for all school fees and expenses.

10
11 Privately sponsored exchange students on an F-1 visa may be enrolled if an adult resident of the district
12 has temporary guardianship and the student lives in the home of that guardian. Exchange students on an
13 F-1 visa are required to pay tuition at the established district rate. F-1 visa student admission is limited
14 to secondary schools and attendance may not exceed twelve (12) months.

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16 Organizations or host families or students are subject to having their relationship with the Board
17 terminated due to violations of policy or rules and regulations.

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43 _____
Legal Reference:

- 44 1. 22 CFR §514.2
- 45 2. Immigration and Nationality Act § 214(3)(m)(1)
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Cross Reference:
School Admissions 6.203

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Homeless Students	Descriptor Code: 6.503	Issued Date: 08/01/05
		Rescinds:	Issued: 05/18/17

1 A homeless student shall have equal access to the same free, appropriate public education as provided
2 to other children and youths.¹

3
4 Homeless students are individuals who lack a fixed, regular and adequate nighttime residence.²
5 Homeless students include: ²

- 6
7 1. Students who are sharing the housing of other persons due to loss of housing, economic hardship
8 or a similar reason; students living in motels, hotels, trailer parks or camping grounds due to the
9 lack of alternative adequate accommodations; students living in emergency or transitional shelters;
10 or students abandoned in hospitals.
- 11 2. Students who have a primary nighttime residence that is a public or private place not designed for
12 or ordinarily used as a regular sleeping accommodation for human beings.
- 13 3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing,
14 bus or train stations or similar settings; and
- 15 4. Migratory students who are living in circumstances described above.

16 17 **ENROLLMENT**

18
19 Homeless students shall be immediately enrolled, even if the student is unable to produce records
20 normally required for enrollment (i.e. academic records, immunization records, health records, proof of
21 residency), or missed the district's application or enrollment deadlines.³ Parents/guardians are required
22 to submit contact information to the district's homeless coordinator.³

23 24 **PLACEMENT**

25
26 For the purposes of this policy, school of origin shall mean the school that the student attended when
27 permanently housed or the school in which the student was last enrolled, including a preschool/pre-k
28 program.⁹ School of origin shall also include the designated receiving school at the next grade level
29 when the student completes the final grade level served by the school or origin.⁹

30
31 Placement shall be determined based on the student's best interest.⁴ At all times, a strong presumption
32 that keeping the student in the school of origin is in the student's best interest shall be maintained,
33 unless doing so would be contrary to a request made by the student's parent/guardian or the student in
34 the case of an unaccompanied youth.⁵ When determining placement, student-centered factors, including
35 but not limited to impact of mobility on achievement, education, health, and safety shall be considered.⁵
36 The choice regarding placement shall be made regardless of whether the student lives with their
37 homeless parents/guardians or has been temporarily placed elsewhere.⁶

38
39 If it is not in the student's best interest to attend the school of origin, or the school requested by the
40 parent/guardian or unaccompanied youth, the director or his/her designee shall provide a written
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1 explanation of the reasons for the determination, in a manner and form that is understandable to the
2 parent/guardian or unaccompanied youth.⁵ The written explanation shall include a statement regarding
3 the right to appeal the placement decision.⁵ If the placement decision is appealed, the district shall
4 refer the parent/guardian or unaccompanied student to the homeless coordinator, who shall carry out the
5 dispute resolution process as expeditiously as possible and in accordance with the law.⁷ Upon notice of
6 an appeal, the director of schools shall immediately enroll the student in the school in which enrollment
7 was sought pending a final resolution of the dispute, including all available appeals.⁷

8 9 **RECORDS**

10 Records ordinarily kept by the school shall be maintained for all homeless students. Information
11 regarding a homeless student's living situation shall be treated as a student education record, and shall
12 not be considered directory information.⁸

13 14 **SERVICES¹⁰**

15 The director of schools shall ensure that each homeless student is provided services comparable to those
16 offered to other students within the district, including transportation, special education services, programs
17 in career and technical education (CTE), programs for gifted and talented students, and school nutrition.

18 The director of schools shall designate a district homeless coordinator who shall ensure this policy is
19 implemented throughout the district. The homeless coordinator shall ensure:

- 20 1. Homeless students are quickly identified and have access to education and support
21 services, to include Head Start and district pre-k programs;
 - 22 2. Coordination with local social service agencies and other entities providing services to
23 homeless students;
 - 24 3. Coordinate transportation, transfer of records, and other interdistrict activities with other
25 school districts;
 - 26 4. Coordinate transportation to the school of origin or choice for homeless students;
 - 27 5. Refer homeless students and their families to health care services, dental services, mental
28 health and substance abuse services, and housing services;
 - 29 6. Assist homeless students in obtaining immunizations, medical or immunization records, and
30 any additional assistance that may be needed;
 - 31 7. Public notice of the educational rights of homeless students is disseminated in places
32 frequented by parents/guardians of homeless students, including schools, shelters, public
33 libraries, and soup kitchens; and
 - 34 8. Unaccompanied youth are enrolled and informed of their status and independent students.
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1 The director of schools shall develop procedures to ensure that homeless students are recognized
 2 administratively and that the appropriate and available services are provided for these students. The
 3 director shall ensure professional development is provided to school personnel providing services to
 4 homeless students.
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33 **Legal References**

- 34 1. 42 USCS §§ 11431 to 11435; McKinney-Vento
- 35 Education Assistance Improvements Act of 2001, Part C, § 721
- 36 2. McKinney-Vento Act, as amended by ESSA (Pub
- 37 L. 114-95), § 725
- 38 3. McKinney-Vento Act, as amended by ESSA (Pub.
- 39 L. 114-95, § 722(g)(3)(C)(i), § 722(g)(3)(H)
- 40 4. McKinney-Vento Act, as amended by ESSA (Pub.
- 41 L. 114-95, § 722(g)(3)(A)
- 42 5. McKinney-Vento Act, as amended by ESSA (Pub.
- 43 L. 114-95, § 722(g)(3)(B)
- 44 6. McKinney-Vento Act, as amended by ESSA (Pub.
- 45 L. 114-95, § 722(g)(3)(F)
- 46 7. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(3)(E)
- 47 8. McKinney-Vento Act, as amended by ESSA (Pub
- 48 . L. 114-95, § 722(g)(3)(G)
- 49 9. McKinney-Vento Act, as amended by ESSA (Pub.
- L. 114-95, § 722(g)(3)(I)
- 10. McKinney-Vento Act, as amended by ESSA (Pub.
- L. 114-95, § 722(g)(4) - (6)

Cross References

- Student Transportation 3.400
- Parental Involvement 4.502
- Promotion and Retention 4.603
- School Admissions 6.203
- Migrant Students 6.504
- Students in Foster Care 6.505

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Migrant Students	Descriptor Code: 6.504	Issued Date:
		Rescinds:	Issued:

1 The director of schools will designate a staff member to identify migratory students in the district, as
2 required by law, and to develop written administrative procedures for ensuring that migrant students
3 receive services for which they are eligible. In developing and implementing a program to address the
4 needs of migratory students the district will:¹

- 5
- 6 1. Identify migratory students and assess the educational and related health and social
7 needs of each student.
- 8
- 9 2. Provide a full range of services to migrant students including applicable Title I
10 programs, special education, gifted education, vocational education, language
11 programs, counseling programs, elective classes, fine arts classes, etc.
- 12
- 13 3. Provide migratory children with the opportunity to meet the same statewide
14 assessment standards that all students are expected to meet.
- 15
- 16 4. To the extent feasible, provide advocacy and outreach programs to migratory
17 students and their families and professional development for district staff.
- 18
- 19 5. Provide parents an opportunity for meaningful participation in the program.
- 20

21 If a migrant student is identified by the district, the director of schools or designee will notify the Ten-
22 nessee Department of Education and request assistance if needed.

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Legal Reference: _____

1. P.L. 107-110 Part C §§ 1301-1309

Legal Reference: _____

1. TCA 49-2-303(6)(10)(A)

Cross Reference: _____

Time Schedules and Extra Duty 5.602

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Students in Foster Care	Descriptor Code: 6.505	Issued Date: 04/20/17
		Rescinds:	Issued:

1 The Hamilton County School System shall provide all students in foster care, to include those awaiting
2 foster care placement, with a free and appropriate public education.

3 4 **ENROLLMENT**

5
6 Students in foster care, to include those awaiting foster care placement, shall be immediately enrolled,
7 even if the student is unable to produce records normally required for enrollment (i.e. academic records,
8 immunization records, health records, proof of residency), or missed the district's application or enrollment
9 deadlines.¹

10 11 **PLACEMENT**

12
13 The district and the child welfare agency shall determine whether placement in a particular school is in a
14 student's best interest. Other parties, including the student, foster parents, and biological parents (if
15 appropriate), shall be consulted. If the child has an IEP or a Section 504 plan, then the relevant school staff
16 members shall participate in the best interest decision process. This determination shall be made as quickly
17 as possible to prevent educational disruption.

18
19 Placement shall be determined based on the student's best interest. At all times, a strong presumption that
20 keeping the student in the school of origin is in the student's best interest shall be maintained.² For the
21 purposes of this policy, school of origin shall mean the school in which the student was enrolled, including
22 a preschool/pre-k program, at the time of placement in foster care or at the time of a placement change if
23 the student is already placed in foster care.³

24
25 When determining placement, student-centered factors including, but not limited to, the following shall
26 be considered:

- 27
- 28 1. Preferences of the student;
- 29 2. Preferences of the student's parent(s) or education decision maker(s);
- 30 3. The student's attachment to the school, including meaningful relationships with staff and peers;
- 31 4. Placement of the student's siblings;
- 32 5. Influence of the school climate on the student, including safety;
- 33 6. The availability and quality of the services in the school to meet the student's educational needs;
- 34 7. History of school transfers and how they have impacted the student;
- 35 8. How the length of the commute would impact the student;
- 36 9. Whether the student is receiving special education and related services, and if so, the availability
37 of those required services in a school other than the school of origin; and
- 38 10. Whether the student is an EL and is receiving language services, and, if so, the availability of
39 those required services in a school other than the school of origin.
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41 Transportation costs should not be considered when determining a student's best interest.

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If it is not in the student’s best interest to attend the school of origin, the director or his/her designee shall provide a written explanation of the reasons for the determination. The written explanation shall include a statement regarding the right to appeal the placement decision. If the placement decision is appealed, the district shall refer the student to the district coordinator for children in foster care, who shall carry out the dispute resolution process as expeditiously as possible and in accordance with the law.² Until the dispute is resolved, to the extent feasible, the student shall remain in his/her school of origin.²

TRANSPORTATION^{3,4}

The district shall collaborate with the local child welfare agency to develop and implement clear and written procedures governing how transportation to a student’s school or origin shall be provided, arranged, and funded. This transportation will be provided for the duration of the student’s time in foster care.

The director of schools shall develop administrative procedures to provide for transportation of students in foster care.⁵ These procedures must ensure that:

- 1. Students in foster care needing transportation to their schools of origin will promptly receive that transportation in a cost-effective manner and in accordance with federal law; and
- 2. If there are additional costs incurred in providing transportation to the school of origin, the district will provide such transportation if:
 - a. the local child welfare agency agrees to reimburse the district for the cost of such transportation;
 - b. the district agrees to pay for the cost; or
 - c. the district and local child welfare agency agree to share the cost.⁴

The district will ensure that a student in foster care, to include a student awaiting foster care placement, remains in his/her school of origin while any disputes regarding transportation costs are being resolved.

Legal References

- 1. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95) § 1111(g)(1)(E)(ii)-(iii)
- 2. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1111 (g)(1)(E)(i)-(iv)
- 3. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1111 (g)(1)(E)
- 4. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1112 (c)(5); § 475(4)(A) of the Social Security Act, 42 U.S.C. § 675(4)(A)
- 5. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1112 (c)(5)(B)(i)

Cross References

- Attendance 6.200
- School Admissions 6.203

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Homebound Instruction Program Guidelines	Descriptor Code: 6.506	Issued Date: 4/19/07
		Rescinds:	Issued:

1 The Board of Education recognizes the importance of providing hospital or homebound instruction to
2 students who are physically unable to attend class for an extended period of time. The Department of
3 Education, therefore, shall implement a Homebound Instruction Program according to this policy.

4 **Eligibility:**

5
6 Any school-age person enrolled in a Hamilton County school is eligible for homebound instruction
7 provided the following conditions are met:
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9

- 10 1. The student must obtain a homebound request form from the school he or she regularly
11 attends.
- 12 2. A licensed physician must sign the medical form stating that the student is unable to attend
13 school because of pregnancy or a serious health or orthopedic impairment, but will benefit
14 from instruction. The physician must state that:
 - 15 a. The student is expected to be absent from school due to the condition for at least two (2)
16 weeks following the date of certification.
 - 17 b. The student has no contagious disease that would endanger the health of the teacher or
18 for which contagious disease precautions (e.g., quarantine) have been taken.
- 19 3. If the student is confined to a hospital and the above conditions are met, instruction will be
20 provided in the hospital and, if necessary, will be continued when the student goes home.
- 21 4. Pregnant students may be approved for up to six (6) weeks of homebound instruction, the
22 dates of which are to be designated by a physician.
 - 23 a. If, in the opinion of the physician, a student suffers complications from the pregnancy
24 and is unable to return to class following the expiration of the initial six (6) weeks, the
25 physician may certify the need for up to an additional two (2) weeks of homebound
26 instruction.
 - 27 b. The physician may recertify the need for additional homebound instruction in successive
28 increments of not more than two (2) weeks.

29 **Program:**

- 30 • The homebound program will consist of three (3) hours of instruction per week by a certified and
31 properly endorsed teacher.
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36 Legal Reference:

- 37 1. 22 CFR §514.2
- 38 2. Immigration and Nationality Act § 214(3)(m)(1)

36 Cross Reference:

37 School Admissions 6.203

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- The homebound teacher will develop the instructional program for the homebound or hospitalized student in collaboration with the classroom teacher(s).
- The homebound teacher will evaluate the student’s progress and provide grades for the term of home or hospital instruction to the school administrator.
- The student on homebound may not be employed.
- Attendance at homebound services will be reported to the Attendance Office. The homebound teacher must be notified if the student must be absent.
- Parent/Legal guardian must be present during homebound instruction.
- Parent/Legal Guardian will give sufficient notice to the homebound teacher if student is unable to meet for scheduled instruction. Homebound may be discontinued after two (2) canceled sessions or “no shows”, unless sufficient excuse is provided.

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Records	Descriptor Code: 6.600	Issued Date:
		Rescinds:	Issued: 9/24/15

1 A cumulative record shall be kept for each student enrolled in school. The folder shall contain a health
2 record, attendance record, and scholarship record; shall be kept current; and shall accompany the
3 student through his/her school career. ¹

4
5 The name used on the record of the student entering the school system must be the same as that shown
6 on the birth certificate, unless evidence is presented that such name has been legally changed. If the
7 parent does not have, or cannot obtain a birth certificate, then the name used on the records of such
8 student shall be as shown on documents which are acceptable as proof of date of birth.

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

12
13 When a student transfers to another school within the system, copies of the student's records, including
14 the student's disciplinary records, shall be sent to the transfer school. ⁷

15
16 When a student transfers to a school outside the system, copies of the student's records, including the
17 student's disciplinary records, shall be sent to the transfer school. ⁷

18
19 All records shall be remitted in accordance with the Family Education Rights and Privacy Act
20 (FERPA).

21 **ACCESS TO STUDENT RECORDS** ⁸

22
23 Student records shall be confidential. Authorized school officials shall have access to and permit
24 access to student education records for legitimate educational purposes. ² A "legitimate educational
25 interest" is the official's need to know information in order to:

- 26
27 1. Perform required administrative tasks;
- 28
29 2. Perform a supervisory or instructional task directly related to the student's education;
- 30
31 3. Perform a service or benefit for the student or the student's family such as health care,
32 counseling, student job placement, or student financial aid.

33
34 Authorized school officials may release information from or permit access to a student's education
35 record without the parent(s) or eligible student's* prior written consent in the following instances:
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Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Records	Descriptor Code: 6.600	Issued Date:
		Rescinds:	Issued: 9/24/15

1 To comply with a judicial order or lawfully issued subpoena. The school system will make a
2 reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure;

3 1. If the disclosure is an item of directory information;

4
5 2. To comply with the requirements of child abuse reports to the extent known by the school
6 officials including the name, address, and age of the child; the name and address of the person
7 responsible for the care of the child, and the facts requiring the report;³

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9 3. When certain federal and state officials need information in order to audit or enforce legal
10 conditions related to federally-supported education programs in the school system;

11
12 4. When the school system has entered into a contract or written agreement for an organization to
13 conduct scientific research on the system's behalf to develop tests or improve instruction,
14 provided that the studies are conducted in a manner which will not permit the personal
15 identification of students and their parents by individuals other than representatives of the
16 organization and the information will be destroyed when no longer needed for the purpose for
17 which the study was conducted;

18
19 5. To appropriate officials if the parent(s) claim the student as a dependent as defined by the
20 Internal Revenue Code;

21
22 6. To accrediting organizations to carry out their accrediting functions;

23
24 7. When a student seeks or intends to enroll in another school district or a post-secondary school.
25 Parent(s) of students or eligible students have a right to obtain copies of records transferred
26 under this provision;⁴

27
28 8. To financial institutions or government agencies that provide or may provide financial aid to a
29 student in order to establish eligibility, to determine the amount of financial aid, to establish
30 conditions for the receipt of financial aid, and to enforce financial aid agreements.

31
32 9. To make the needed disclosure in a health or safety emergency when warranted by the
33 seriousness of the threat to the student or other persons, when the information is necessary and needed
34 to meet the emergency, when time is an important and limiting factor, and when the persons to
35 whom the information is to be disclosed are qualified and in a position to deal with the
36 emergency.

37
38 10. To the Attorney General or his designee for official purposes related to the investigation or
39 prosecution of an act of domestic or international terrorism. An educational agency that, in
40 good faith, produces education records in accordance with an order issued under this Act shall
41 not be liable to any person for that production.⁵

11. 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.⁶

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Records	Descriptor Code: 6.600	Issued Date:
		Rescinds:	Issued: 9/24/15

1 Authorized school officials may release information from a student's education record if the student's
2 parent(s) or the eligible student gives written consent for the disclosure. The written consent must
3 include:

- 4 1. A specification of the records to be released;
- 5 2. The reasons for the disclosure;
- 6 3. The person, organization, or class of persons or organizations to whom the disclosure is to be
7 made;
- 8 4. The signature of the parent(s) or eligible student;
- 9 5. The date of the consent and, if appropriate, a date when the consent is to be terminated. The
10 student's parent(s) or the eligible student* may obtain a copy of any records disclosed under
11 this provision.

12
13 The school system will maintain an accurate record of all requests to disclose information from or to
14 permit access to a student's education records. The system will maintain an accurate record of infor-
15 mation it discloses and access it permits. The system will maintain this record as long as it maintains
16 the student's education record.

17 The record will include at least:

- 18 1. The name of the person or agency that makes the request;
- 19 2. The interest the person or agency has in the information;
- 20 3. The date the person or agency makes the request; and
- 21 4. Whether the request is granted and, if it is, the date access is permitted or the disclosure is
22 made.

23
24
25 ** The student becomes an "eligible student" when he/she reaches age 18 or enrolls in a post-secondary
26 school, at which time all of the above rights become the student's right.*

30 Legal References

- 31 1. USCA 20-1232g; TCA 10-7-503; TCA 10-7-504
- 32 2. TCA 10-7-504(a)(4); 20 USC 1232g
- 33 3. TCA 37-1-403
- 34 4. TRR/MS 0520-1-3-.03(11)(e)
- 35 5. USA Patriot Act of 2001 § 507
- 36 6. Uninterrupted Scholars Act of 2013
- 37 7. TCA 49-6-3001(c)(1)
- 38 8. TCA 49-1-704 (c)

Cross References

School Board Records 1.407
Promotion and Retention 4.603
Attendance 6.200
Child Custody/Parental Access 6.209
Disciplinary Hearing Authority 6.317
AIDS 6.404

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Records Annual Notification of Rights	Descriptor Code: 6.601	Issued Date:
		Rescinds:	Issued: 9/24/15

1 Within the first three weeks of each school year, the school system shall notify parent(s) of students
2 and eligible students.* of each student's privacy rights.¹ For students enrolling after the above period,
3 this information shall be given to the student's parent(s) or the eligible student at the time of
4 enrollment.² The notice shall include the right of the student's parent(s) or the eligible student to.⁶

- 5 1. Inspect and review the student's education records;
- 6 2. Seek correction of items in the record which are believed to be inaccurate, misleading or in
7 violation of the student's rights, including the right to a hearing upon request;
- 8 3. File a complaint with the appropriate state or federal officials when the school system violates
9 laws and regulations relative to student records;
- 10 4. Obtain a copy of this policy and a copy of the student's educational records;
- 11 5. Exercise control over other people's access to the records, except when prior written consent is
12 given, or under circumstances as provided by law or regulations, or where the school system
13 has designated certain information as "directory information." Parent(s) of students or eligible
14 students have two weeks after notification to advise the school system in writing of items they
15 designate not to be used as directory information. The records custodian shall mark the
16 appropriate student records for which directory information is to be limited, and this
17 designation shall remain in effect until it is modified by the written direction of the student's
18 parent(s) or the eligible student.

19 DIRECTORY INFORMATION

20 "Directory information" means information contained in an education record of a student which would
21 not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not
22 limited to the student's name, address, telephone number, e-mail address, photograph, date and place of
23 birth, dates of attendance, grade level, enrollment status, participation in officially recognized activities
24 and sports, weight and height of members of athletic teams, degrees, honors and awards received, and
25 the most recent educational agency or institution attended..³

26 Student directory information for 11th and 12th graders shall be made available upon request to
27 persons or groups which make students aware of occupational and educational options, including official
28 recruiting representatives of the military forces of the State and the United States..⁴

29 *The student becomes an "eligible student" when he/she reaches age 18 or enrolls in a post-secondary
30 school, at which time all of the above rights become the student's rights..⁵

31 Legal References

- 32 1. 34 CFR 99.4; 34 CFR § 99.7
- 33 2. 34 CFR § 99.7; TCA 10-7-504
- 34 3. 34 CFR § 99.3
- 35 4. TCA 49-6-406; 10 U.S.C. § 503(c)
- 36 5. 34 CFR § 99.5
- 37 6. TCA 49-1-704

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Records Inspection & Correction Procedure	Descriptor Code: 6.602	Issued Date:
		Rescinds:	Issued: 9/24/15

INSPECTION PROCEDURE.⁵

Parent(s) of students and eligible students* may inspect and review the student's education records upon written request.¹

Parent(s) or eligible students shall submit to the records custodian a request which identifies as precisely as possible the record(s) to inspect, and this inspection must be completed within 45 days from the receipt of the request.

The right to inspect and review educational records includes the right to a response from school officials concerning requests for explanation and interpretation of the data. School officials shall presume that the parent has the authority to inspect and review records relating to his/her child unless the school system has been advised that the parent does not have the authority under applicable state law governing guardianship, separation, and divorce.²

When a record contains information about students other than the parent's child or the eligible student, the parent(s) or eligible student may not inspect and review that information.²

FEES FOR COPIES

A reasonable fee for copies provided to parent(s) or eligible students shall be determined by the director of schools. If the fee represents an unusual hardship, it may be waived in part or entirely by the records custodian.³

CORRECTION PROCEDURES

Parent(s) of students or eligible students may seek to change any part of the student's record they believe to be incorrect.⁴ The director of schools shall develop an acceptable procedure to establish an orderly process to review and potentially correct an education record.

**The student becomes an "eligible student" when he/she reaches age 18 or enrolls in a post-secondary school, at which time all of the above rights become the student's rights.*

Legal References

1. 34 CFR § 99.10

2. 34 CFR § 99.4

3. TCA 10-7-506; 34 CFR § 99.11

4. 34 CFR § 99.20; 21; 22

5. TCA 49-1-704

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: <h2 style="text-align: center;">Student Solicitations/Fundraising Activities</h2>	Descriptor Code: <h3 style="text-align: center;">6.701</h3>	Issued Date:
		Rescinds:	Issued:

1 The schools shall avoid exploiting students, whether by advertising or otherwise promoting products
 2 or services, soliciting funds or information, or securing participation in non-school related activities
 3 and functions. Fundraising activities involving students shall be kept to a minimum and serve only to
 4 provide for goods and/or services that enhance the instructional program and provide desirable learning
 5 experiences. For purposes of this policy a fundraising activity is defined as any activity (e.g resale, fund
 6 drive, use of school facilities for which the school receives a commission, or the requesting of
 7 voluntary contributions of money or other resources) conducted by the school or its representatives
 8 which is intended or designed to generate a profit for the general fund or for an individual club or class
 9 account. To attempt a fair balance, the following general guidelines will apply:

- 10 1. Fundraising activities are authorized by the Board and shall be for the purpose of supplementing
 11 funds for established school programs and not for supplanting funds which are the responsibility
 12 of the local board of education.
- 13 2. Any commission payable by companies will be paid in the form of reduced prices to the students,
 14 or paid into the activity fund of the school for use by the school. No school employee shall
 15 personally benefit from any fundraising activity.
- 16 3. All fundraising activities must be approved in writing by the director of schools or his/her
 17 designee. In granting approval for a fundraising activity the director of schools shall determine
 18 whether or not the activity will benefit the school, contribute to the welfare of the student body
 19 and supplement, **not replace**, funds necessary to fulfill the board's required contributions. The
 20 authorization request shall contain the following information: ¹
 21
 - 22 1. A list of the proposed fundraising activities;
 - 23 2. Purpose of the fundraising activity;
 - 24 3. Amount needed and proposed uses;
 - 25 4. Present balance of affected fund and/or accounts;
 - 26 5. Expected student involvement in fundraising activity (school-wide or individual
 27 class or club);
 - 28 6. Anticipated beginning and ending dates; and
 - 29 7. Margin of profit and how it is to be paid to the school.
- 30 4. Students will not be excused from a regular class to participate in a fundraising activity. No grade
 31 in a subject or course will be affected by a student's participation in a fundraising activity.
- 32 5. No quotas will be imposed on students involved and their efforts will be voluntary. Students who
 33 do not participate in fundraising activities will not be punished or discriminated against in any
 34 way.

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- 6. Hamilton County Department of Education Employees who knowingly authorize unapproved fundraising activities are subject to disciplinary actions up to and including termination of employment.

This policy shall not be construed as preventing a teacher from using instructional or informational materials even though the materials might include reference to a brand, product or a service.

ONLINE FUNDRAISING

Online fundraiser/donation sites should be considered fundraisers and follow all policies above and the following:

- 1. All crowdfunding sites considered for approval must provide reliable contribution reports for the fundraiser.
- 2. Property received through crowdfunding sites is considered to be the property of the District and will remain in the classroom. If the teacher moves to another site, either within the District or to another school system, the materials remain in the school.

All fundraisers must comply with the procedures established by the Tennessee Internal School Uniform Accounting Policy Manual and by Hamilton County Department of Education.

LOTTERIES

No fundraising activity shall be conducted which distributes prizes or makes awards to winners from among purchasers of chances by means of tickets or otherwise through a random drawing or other random selection process. ²

Legal Reference:

- 1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-26
- 2. OP Tenn. Atty. Gen. 95-039(April 18, 1995)

Cross References:

- Student Activity Funds Management 2.900
- Staff Gifts and Solicitations 5.605

Hamilton County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Clubs and Organizations	Descriptor Code: 6.702	Issued Date:
		Rescinds:	Issued:

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

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4 The principal, in cooperation with the faculty and student body representatives, shall approve all clubs
5 and organizations within the school.

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7 One or more staff members will serve as sponsors of each activity and will attend all meetings. Each
8 sponsor will evaluate the activity and make recommendations concerning changes, continuance, or de-
9 lation from the school's activity program.

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

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

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16 The nature of any initiation shall be outlined and presented in writing to the club sponsor and the prin-
17 cipal of the school for approval prior to the actual initiation. Hazing of students is strictly prohibited.
18 Any organization which permits an initiation to go beyond the scope of activities planned and previously
19 approved will be suspended until reinstated by the principal.

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21 Sororities, fraternities, and all secret organizations are prohibited.

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