



2016-2017
STUDENT-PARENT
HANDBOOK

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Visit us on the web at www.scsk12.org

SCHOOL STAFF WILL DISCUSS THE CONTENTS OF THIS HANDBOOK WITH THEIR STUDENTS.

SHELBY COUNTY SCHOOLS RESPECTFULLY REQUESTS PARENTS ALSO REVIEW THE INFORMATION CONTAINED IN THIS HANDBOOK WITH THEIR CHILDREN.

To view the policy manual for Shelby County Schools, please visit our web page at www.scsk12.org/uf/policy.

Policies referenced in this handbook are subject to change throughout the school year.

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Also, visit the SCS website to view a summary of our **FY15 Local Consolidated Application for Federal Funding**. To find this on our website click the FEDERAL PROGRAMS link.

Shelby County Board of Education
(Offices Held At Time of Publication)

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Shelby County Board of Education

MEETING SCHEDULE 2016-2017

AUGUST 2016

- 23 Work Session
- 30 Business Meeting

SEPTEMBER 2016

- 20 Work Session
- 27 Business Meeting

OCTOBER 2016

- 18 Work Session
- 25 Business Meeting

NOVEMBER/DECEMBER 2016

- 29 Work Session

NOVEMBER/DECEMBER 2016

- 6 Business Meeting

JANUARY 2017

- 24 Work Session
- 31 Business Meeting

FEBRUARY 2017

- 14 Work Session
- 28 Business Meeting

MARCH 2017

- 22 Work Session
- 28 Business Meeting

APRIL 2017

- 18 Work Session
- 25 Business Meeting

MAY 2017

- 23 Work Session
- 30 Business Meeting

JUNE 2017

- 20 Work Session
- 27 Business Meeting

JULY 2017

- 18 Work Session
- 25 Business Meeting

UNLESS OTHERWISE NOTED, BUSINESS MEETINGS WILL BE HELD THE LAST TUESDAY OF THE MONTH AT 5:30 P.M. IN THE FRANCES E. COE ADMINISTRATION BUILDING AUDITORIUM, 160 S. HOLLYWOOD STREET, MEMPHIS. WORK SESSIONS WILL BE HELD ONE WEEK PRIOR TO THE BUSINESS MEETING AT 5:30 P.M. IN THE FRANCES E. COE ADMINISTRATION BUILDING AUDITORIUM, 160 S. HOLLYWOOD STREET, MEMPHIS. IF CONFLICTS ARISE THAT WOULD RESULT IN CHANGES IN MEETING DATES, NOTIFICATION WILL BE GIVEN TO THE LOCAL MEDIA AND CHANGES WILL BE POSTED ON OUR WEBSITE.

Mission Statement

Preparing all students for success in learning, leadership, and life.

Vision Statement

Our district will be the premier school district attracting a diverse student population and effective teachers, leaders, and staff all committed to excellence.

2016-2017 STUDENT SCHOOL CALENDAR

The calendar provides for two terms/semesters. The first term/semester begins on **August 8th** and ends on **December 16th**. The second term/semester begins on **January 3rd** and ends on **May 26th**.

Online Student Registration began May 9th
Important Dates to Remember.....Student Holidays/Non-Teaching Day

First Semester

August

First Day of School.....August 8th

September

Labor Day.....September 5th

Parent ConferencesSeptember 15th
(Times: 3-6 p.m. & 4-7 p.m.)

District Learning Day.....September 16th

October

End of First Quarter.....October 7th

Fall Break.....October 10th-14th

November

Veteran’s Day Break.....November 11th

Thanksgiving Break.....November 23rd-25th

December

End of 2nd Quarter.....December 16th

Last Day of 1st Semester (half day)

Semester Exams.....December 14th-16th

District Learning Day.....December 19th

Winter BreakDecember 20-January 2nd

Second Semester

January

First Day Second Semester.....January 3rd

Dr. M.L. King’s Birthday.....January 16th

February

Parent ConferencesFebruary 9th

(Times: 3-6 p.m. & 4-7 p.m.)

District Learning Day (Students Out).....February 10th

Presidents’ Day.....February 20th

March

End of Third QuarterMarch 10th

Spring BreakMarch 13th-17th

April

Spring HolidayApril 14th

May

Semester Exams.....May 24th-26th

Last Day of School (half day).....May 26th

NON-DISCRIMINATION (Policies #1009)

Student Rights and Responsibilities

The privileges and rights of all students shall be guaranteed without regard to race, color, religion, sex, creed, age, handicap, disability, or national origin. Students may exercise their right to freedom of expression through lawful means. The exercise of this right may not interfere with the rights of others. Freedom of expression may not be utilized to present material which tends to be obscene, slanderous, or to defame character, or to advocate violation of federal, state, and local laws, or official school policies, rules, and regulations.

Title VI of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972
Section 504 of the Rehabilitation Act of 1973
Individuals with Disabilities Act of 2004
Title II of the Americans with Disabilities Act of 1990

Federal Rights Coordinator for students: Dr. Angela Hargrave
2800 Grays Creek, Arlington, TN 38002
901.416.6007 or hargraveal@scsk12.org

Federal Rights Coordinator for employees: Chantay Branch
160 S. Hollywood, Memphis, TN 38112
901.416.5811 or branchcy@scsk12.org

VISITORS TO SCHOOLS

Except on occasions such as school programs, athletic events, open house and similar events at which the general public is invited, all persons with the exception of school district personnel and students entering the school buildings or school grounds at which they are enrolled are prohibited from entering any school building or school grounds unless they have first reported to the school office and been granted permission to enter the school building or school grounds by the school principal or his/her designee. The principal or his/her designee has the authority to exclude from the school premises any persons disrupting the educational programs in the classroom or in the school, disturbing the staff or students on the premises, or on the premises for the purpose of committing an illegal act. To see policy in its entirety please visit <http://www.scsk12.org/uf/policy/>

SCHOOL FEES AND DEBTS (POLICY #6047)

A. Requested Fees (may only be requested)

The following fees may be requested from but not required of any student, regardless of financial status:

1. Fees for activities that occur during the school hours (the required one hundred eighty (180) instructional days), including field trips, any portion of which fall within the school day; or for activities outside regular school hours if required for credit or grade;
2. Fees for activities and supplies required to participate in all courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit in accordance with local board policies;
3. Refundable security deposits collected by a school for use of school property for courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit.

B. Required Fee/Fines (may be required)

The district may require and collect the following fees/fines from students:

1. Fines imposed on all students for late-returned library books; parking or other traffic fines imposed for abuse of parking privileges on school property; or reasonable charges for lost or destroyed textbooks, library books, workbooks or any other property of the school;
2. Debts incurred to a school;
3. Refundable security deposits collected by a school for use of school property for participating in extracurricular activities;

4. Costs for extracurricular activities occurring outside the regular school day including sports, optional trips, clubs or social events; and
5. Non-resident tuition charged of all students attending a school system other than the one serving their place of residence.

More information regarding the fee waiver process can be found at: <http://www.scsk12.org/uf/policy/>

CHILD CUSTODY/PARENTAL ACCESS (POLICY #6058)

Shelby County Schools requires students to be enrolled in and registered for school by their custodial parent or legal guardian or a person who provides the school with written permission from the custodial parent/legal guardian to register the student (see policy on School Admissions – 6002). Unless a Tennessee court specifies otherwise, the custodial parent or legal guardian shall be the one whom the district holds responsible for the education and welfare of that student.

Parents and/or legal guardians shall have the right to receive information contained in school records concerning their minor child. However, the personal information of a custodial parent and/or legal guardian shall not be released to a non-custodial parent with the child's education record. The board, unless informed otherwise, assumes there are no restrictions regarding the non-custodial parent's rights to be kept informed of the student's progress and activities. If restrictions are made relative to the rights of the non-custodial parent, the custodial parent and/or legal guardian shall be requested to submit a certified copy of the court order which curtails these specific rights.

Unless there are specific court-imposed restrictions, the non-custodial parent, upon request, shall be granted reasonable access to the student at the school and shall be given access to all the student's educational records including, but not limited to, the student's cumulative file and the student's special education file, if applicable.

No principal or teacher shall permit a change in the physical custody of a student at school unless:

1. The person seeking custody of the student presents the school official with a certified copy of a valid court order from a Tennessee court designating the person who has custody of the student; and
2. The person seeking custody shall give the school official reasonable advance notice of his/her intent to take custody of the child at school.

PROMOTION AND RETENTION (POLICY #5013)

Assessment

Regular assessment is important in order to guide the provision of academic services, enhance district and classroom instructional strategies, and measure student learning and students' progress toward meeting the district's academic achievement standards. Therefore, the district shall employ a comprehensive student assessment system to help ensure that students remain on course to meet the academic achievement standards of the district and on target to meet the grade level standards recognized by state and federal governments.

Promotion and Retention Decisions

Assessment of the student in the context of the total learning situation and its attendant circumstances should be used to determine what is best for the student. Factors to be considered in deciding what is best for the student should include:

1. current skill level;
2. the student's age;
3. achievement potential;
4. previous performance;
5. evaluative data;
6. chances for success with more difficult material when current skills are inadequate;
7. number of absences;
8. previous retention;
9. maturity level;
10. standardized test results; and
11. what benefits can be accomplished by retention.

Promotion

Promotion shall be based on skill mastery and shall be considered on the basis of what is best for the student in terms of school success.

Conditional Promotion and/or Assignment to Transitional Classes

If a student's ability to succeed at the next grade level is highly questionable, consideration shall be given to conditional promotion and/or assignment to transitional classes if such classes exist.

Retention

Retention is used to help students improve their knowledge base by providing an additional year of instruction to address inadequate skills mastery. Retention will be considered on an individual basis. Deficiencies in several of the factors to be considered in deciding what is best for the student that are listed above indicate that retention shall be considered. Retention, however, should not be used as a punitive measure or as a way to hold a student back because of parental wishes when a student's performance does not warrant it or when the school feels retention is inappropriate.

Special Consideration

Special consideration for promotion and/or retention shall be given to students with special academic, social, and emotional needs.

Third-Grade Promotion/Retention

A student in the third grade shall not be promoted to the next grade level unless the student has shown a basic understanding of curriculum and ability to perform the skills required in the subject of reading as demonstrated by the student's grades or standardized test results. However, such student may be promoted if the student participates in a Shelby County Board of Education approved research-based intervention prior to the beginning of the next school year. This provision shall not apply to students who have IEPs pursuant to 20 U.S.C. § 1400 *et seq.*

A collectively developed educational plan, which suggests different strategies and materials, should be considered for every student to be retained. The superintendent (or designee) shall monitor the progress of the retained students.

Academic Interventions

It is expected that interventions will occur on an ongoing basis and that effective intervention strategies may result in a student's promotion. Therefore, instructional strategies, classroom grades, and intervention opportunities shall be monitored and reviewed by principals on a regular basis.

Required Interventions

Academic interventions shall be required for the following students:

- Students who are not making satisfactory progress toward academic benchmarks;
- Students who have not met promotional standards by the end of the school year (retained students);
- Students who are one or more years behind grade level in a course or grade;
- Students not performing at the level to meet the College Readiness Benchmarks, as defined by ACT.

Student Evaluation and Intervention – Grades 3-8

A criterion-referenced test will be administered in subjects and grade levels in accordance with policy of the State Board of Education. Based on achievement data from the benchmark years 3, 5, and 8, there shall be a research-based intervention initiated by the local education agency for students scoring below proficient in reading, language, and mathematics on the criterion referenced portion of the state achievement test. The intervention shall occur during the year following the benchmark assessment data. Evidence of compliance with this requirement shall become a component of the school improvement plan.

English Language Learners (ELL)

ELL students shall meet the same standards as all students. However, in accordance with federal law, English language proficiency shall not be the sole factor in determining that a student has not met performance standards for promotion. Intervention strategies shall include, where appropriate, assistance in the development of English language proficiency.

Students with Disabilities

To the maximum extent appropriate, students with disabilities shall be governed by SCS student standards established for students without disabilities. Students with disabilities who meet the requirements established by the Tennessee Board of Education shall earn regular diplomas. All enrichment, interventions/remediation, opportunities, benefits and resources made available to students without disabilities shall be made available to students with disabilities. Students with disabilities may be exempt from

promotion/retention standards if an Individualized Education Plan (IEP) team determines that the student does not have the ability to successfully meet general curricular standards.

Students with disabilities are not subject to promotion/retention standards if, due to the nature and severity of their disability, they have an IEP allowing them to take an alternative form of state assessment.

Parent Concerns

Parents who disagree with the decision of the teacher(s) and principal regarding the promotion or retention of a student may appeal the decision to the superintendent or his designee. The decision of the superintendent or his designee shall be final.

TEXTBOOKS AND INSTRUCTIONAL MATERIALS (POLICY #6029)

Distribution and Access

Students are provided access to textbooks/instructional materials to enhance the learning process.

Additionally, individual copies of textbooks may be distributed/issued to students. In accordance with state law, every student shall be permitted to take any textbook specifically issued to the student home for the purpose of studying the textbook. This does not prevent the school or a teacher from requiring a student to return the textbook during school hours.

Care and Protection

Textbooks/instructional materials are issued to the students with the understanding that the textbooks/instructional materials will be properly maintained and returned at the appointed time. Sanctions will be invoked in the event that a student refuses to pay for lost or damaged textbook/instructional materials at the replacement cost less reasonable depreciation. Sanctions are intended to prohibit lost or damaged textbooks/instructional materials through willful intent or neglect and include:

1. The withholding of all grade cards, diplomas, certificates of progress, or transcripts until restitution is made.
2. The refusal to issue any additional textbooks/instructional materials until restitution is made. (However, access to textbooks/instructional materials shall be provided.)

Nothing in this policy shall prohibit any student or parent from voluntarily purchasing textbooks/instructional materials.

ADMISSION AND ENROLLMENT (POLICY #6002)

Only the residence of the parent with legal custody may be used for registration. (T.C.A. §49-6-3103) In cases where parents have joint custody, only the address of the parent named as the primary residential parent may be used for registration. The parent whose residence qualifies the student to be registered is the parent the school personnel will consider as the custodial parent. The noncustodial parent may receive school records when a written request is given to the school principal in compliance with T.C.A. §49-6-902 or T.C.A. §36-6-104.

Student Assignment

All school aged students attending school within the Shelby County Schools boundaries are assigned to schools based on their residence, as is reflected by the residence of their custodial parent/legal guardian/custodian. A student whose care, custody and support has been assigned to a resident of Shelby County in the Shelby County School District by power of attorney or order of the court shall be enrolled in school provided appropriate documentation is reviewed and approved by the district. Thereby, all students who live in the County of Shelby in the Shelby County School District with their parents/legal guardians/custodians shall be admitted to the public schools without payment of tuition. Proof of legal residence and legal custody may be required.

Entrance Age

A child must be five (5) years of age on or before August 31st for the 2013-2014 school year and on or before August 15th for all school years thereafter of the current school term to be admitted to kindergarten.

A child must be six (6) years of age on or before September 30 of the current school term to be admitted to the first grade. All children entering the first grade must have attended an approved kindergarten.

Any transfer student legally enrolled as a first grade student in another state who will be six (6) years of age no later than December 31 of the current school year, making application for admission, shall be eligible for enrollment in the Shelby County Schools.

Any child legally enrolled in an approved kindergarten in another state during the preceding school year and who could have enrolled in the first grade in that state in the current school year, making application for admission, shall be eligible for enrollment in the first grade in the Shelby County Schools provided he/she is six (6) years of age on or before December 31 of the current year. Students with disabilities who reside within the Shelby County School District may be enrolled in Shelby County Schools provided the eligibility requirements determined by the state of Tennessee have been met.

Cut-off Date for Entering Kindergarten

Parents/legal guardians/custodians are encouraged to enroll students who are of legal age in kindergarten at the beginning of the school year. Students who have not been enrolled previously in kindergarten will not be accepted after the first thirty (30) days of the school year. Students who have been enrolled previously in an approved kindergarten will be accepted at any time. **Students enrolling in kindergarten who have not previously enrolled in any school will furnish the following:**

1. **Certified birth certificate:** Other evidence of age is acceptable only if the certificate is not available, such as a foreign-born student, and only if approved by the Department of Attendance and Discipline.
2. **Proof of Immunization:** Please see the preceding section entitled “Immunization (New State Immunization Rules and Certificate).”
3. **Physicals:** Physical examinations are a requirement for entry into kindergarten or new students entering a Tennessee school for the first time (within the last 12 months is acceptable).

Out-of-state physicals for entering students in kindergarten or a Tennessee school for the first time are acceptable; however, documentation on the Tennessee Immunization Certificate is necessary for submission to the school along with all immunizations transferred to the Tennessee Department of Health Immunization Certificate. Proof of physical exam is required.

4. **Social Security Card:** Students who cannot provide a social security number will be assigned a personal identification number. Attendance operators are provided instruction as to procedure to assign PIN numbers at their in-service. Students cannot be denied admission to public schools because they did not provide a social security number at registration.

General Enrollment

Proof of legal residence and legal custody shall be required for enrollment in school (unless otherwise prohibited by law and/or board policy).

First-time Enrollment

The parent/legal guardian/custodian of any student entering school for the FIRST TIME must present:

1. At the time of registration, officially acceptable evidence of date of birth (Examples include documents such as birth certificates, visas, passports, or adoption documentation.)

With regard to birth certificates, the name used on the records of a student entering school must be identical to the name shown on the birth certificate unless evidence is presented that such name has been legally changed through a court as prescribed by law. If the parent/legal guardian/custodian does not have or cannot obtain a birth certificate, then the name used on the records of such student will be the same as that shown on documents which are acceptable to the school principal as proof of date of birth. Exceptions will be made for students who meet the federal homeless/migrant provisions and guidelines;

2. Evidence of a current medical examination the medical examination must be completed by a doctor of medicine, osteopathic physician, physician assistant, certified nurse practitioner, or a properly trained public health nurse; and
3. Evidence of state-required immunizations parents or legal guardians shall be responsible for having their children immunized against designated diseases as authorized by the Tennessee Commissioner of Health.

Proof of Residency

Unless otherwise prohibited by law, parents/legal guardians/custodians having lawful control of students (proof of legal custody shall be required) must provide the following proof of residence in order to enroll a student in Shelby County Schools.

General Proof of Residency

The parents/legal guardians/custodians having lawful control of the student must provide two (2) of the following items listed below:

1. Driver's license or other state or government (military) issued identification bearing the address at which the student will be residing during the current school year;
2. Most recent MLGW or municipal water bill of the owner, renter or lessee of the home in which the student will reside during the current school year;
3. Mortgage statement or deed of the owner of the home in which the student will reside during the current school year;
4. Lease of the lessee of the home in which the student will reside during the current school year;
5. Rental agreement of the renter of the home in which the student will reside during the current school year;
6. Real Estate tax receipt;
7. Public assistance/government benefits check, card, or papers;
8. In the event that two (2) of the items listed above cannot be provided, residency may be established by submitting other documentation deemed to be appropriate proof of residence by the department responsible for verifying residency.

Shared Residency Requirements

Unless otherwise prohibited by law, in the case in which a student resides with his/her parents/legal guardians/custodians having lawful control of the student in the home of someone else, the following proof of shared residency must be provided in order to enroll a student in the Shelby County School District:

- A. Unless otherwise approved by the department responsible for verifying residency, the homeowner of the home in which the student resides must accompany the parents/legal guardians/custodians to registration and provide two (2) of the items listed in the **General Proof of Residency Section** above; and
- B. The parents/legal guardians/custodians having lawful control of the student claiming shared residency must provide two (2) of the following items listed below:
 1. **Driver's license or other State or Government (military) issued identification** of the parent/legal guardian/custodians having lawful control of the student, bearing the address at which the student will be residing during the current year;
 2. **Car registration** of the parent/legal guardian/custodians having lawful control of the student bearing the address at which the student will be residing during the current school year;
 3. **Voter registration** of the parent/legal guardian/custodians having lawful control of the student bearing the address at which the student will be residing during the current school year;
 4. **Payroll stub** of the parent/legal guardian/custodians having lawful control of the student bearing the address at which the student will be residing during the current school year;
 5. **Three (3) significant pieces of mail** with a forwarding sticker bearing the address at which the student will be residing during the current school year;
 6. **Government Assistance Communication** directed to the parent/legal guardian/custodians having lawful control of the student bearing the address at which the student will be residing during the current school year.
 7. In the event that two (2) of the items listed directly above cannot be provided, residency may be established by submitting other documentation deemed to be appropriate proof of residence by the department responsible for verifying residency. The parents/legal guardians/custodians of homeless students shall not be subject to the provisions outlined in the Shared Residency Requirements section above.

Fraudulent Enrollment

Suspicion of Fraudulent Enrollment

If the school suspects that a student is fraudulently enrolled but is unable to substantiate the suspicion, the principal will report the information to the department responsible for verifying residency for further investigation. The student will remain enrolled at the school while the investigation is conducted. All referrals for residency verification will come directly from the principal or the principal's designee.

If it is verified that a student is out-of-zone or out-of-district, then a letter will be sent to the parents/legal guardians/custodians advising that the student must be immediately withdrawn and should be enrolled by the parent in the appropriate school or district. The school will also receive a copy of this letter. When questions of residency cannot be conclusively determined by the department responsible for verifying residency, the cases will be referred to the superintendent (or designee) for district-level administrative review.

District-level Administrative Review for Out-of-Zone Fraudulent Enrollment

Cases of out-of-zone fraudulent enrollment that are investigated and substantiated through district-level administrative review will result in immediate withdrawal of the student and advisement to the parent to enroll the student in the appropriate school.

Out-of-District Fraudulent Enrollment

Cases of out-of-district fraudulent enrollment that are investigated and substantiated through district-level administrative review will be forwarded to Shelby County Schools' General Council as deemed appropriate. After conferring with all offices involved in the investigative process, Shelby County Schools' General Council will make a determination about pursuing legal remedies

pertaining to fraudulent enrollment. "Any parent, guardian, or other legal custodian who enrolls an out-of-district student in a school district and fraudulently represents the address for the domicile of the student for enrollment purposes is liable for restitution to the school district for an amount equal to the local per pupil expenditure identified by the Tennessee Department of Education for the district in which the student is fraudulently enrolled." In the case of out-of-state enrollment, the "parent, guardian, or other legal custodian is liable for restitution to the school district for an amount equal to the state and local per pupil expenditure identified by the Tennessee Department of Education. Restitution shall be cumulative for each year the child has been fraudulently enrolled in the system. Such restitution shall be payable to the school district and, when litigation is necessary to recover restitution, the parent, guardian, or other legal custodian shall be liable for costs and fees, including reasonable attorneys' fees, incurred by the school district." TCA § 49-6-3003.

In the event that a person, other than a student's parent, guardian, or other legal custodian, provides proof that the parent, guardian, or other legal custodian and student are residing in his/her home, that person shall sign a statement affirming that the student is in fact residing in their home. The person signing the statement affirming that the student is residing in their home shall also sign an agreement that if they are found to have falsely represented that the student is residing in their home, the person signing the statement shall be responsible for paying to Shelby County Schools, an amount equal to Shelby County Schools' local per pupil expenditure identified by the Tennessee Department of Education. A student relying upon proof of residency of a person other than the student's parent, guardian, or other legal custodian shall not be enrolled in Shelby County Schools unless the person providing the proof of the student's residence signs the aforementioned agreement, except where prohibited by law or policy (e.g., homeless students).

In accordance with state law, fraudulent enrollment cases which are substantiated and identified as being cases for which a legal remedy should be sought by Shelby County Schools' General Council, will be legally pursued using the remedies available under TCA §49-6-3003.

Determination of Fraudulent Enrollment

When it is conclusively determined that a student is out of the Shelby County School District or his/her assigned attendance zone due to fraudulent enrollment, the school will send a standardized letter to the parents/legal guardians/custodians stating that the student will be withdrawn. The withdrawal date provided by the school will be no less than two (2) and no more than six (6) business days from the date the letter is issued. Once a letter is sent to the parents/legal guardians/custodians, staff from the department responsible for verifying residency will conduct future dialogues with the parents/legal guardians/custodians, if necessary.

Homeless Students

Homeless students shall have equal access to the same free appropriate public education as provided to other students.

1. The McKinney-Vento Act (Section 725) defines "homeless children and youth" as individuals who lack a fixed, regular, and adequate nighttime residence, including children and youth who are:
 - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - Living in motels, hotels, trailer parks, camping grounds, or similar settings due to the lack of alternative adequate accommodations;
 - Living in emergency or transitional shelters;
 - Abandoned in hospitals;
 - Awaiting foster care placement;
 - Students who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings (cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations);
 - Migratory children who qualify as homeless because they are living in circumstances described above; or
 - Unaccompanied youth, including youth not in the physical custody of a parent or guardian, such as runaways and youth denied housing by their families.

2. The aforementioned youth have the following rights:
 - The right to immediate enrollment in school, even if lacking paperwork normally required for enrollment (e.g., such as previous academic records, immunization records, proof of residency or other documentation);
 - The right to attend 1) his/her school of origin, 2) last school attended, or 3) the school in the attendance area where the family or youth is currently residing, based on the parent's request or views of an unaccompanied homeless student and where feasible to the district considering the best interests of the student;

- The right to receive transportation to his/her school of origin, if this is requested by the parent or district staff charged with assisting homeless students;
- The right to services comparable to those received by housed schoolmates, including transportation and supplemental education services;
- The right to attend school along with children not experiencing homelessness. Segregation based on a student's status as homeless is strictly prohibited.

The rights of homeless students as defined above shall be posted in all schools and other places around the community (e.g., shelter, soup kitchen, etc.).

District staff charged with assisting homeless students shall be identified by the superintendent (or designee) and shall ensure that services and information regarding the rights existing under federal law are provided to students and parents who are homeless.

Power of Attorney for Childcare (T.C.A. §34-6-302) (Policy #6002)

Parents of a minor child may delegate to any adult person residing in this state temporary care-giving authority regarding a minor child when hardship prevents the parent(s) from caring for the child. Hardships identified are:

1. The serious illness or incarceration of a parent or legal guardian;
2. The physical or mental condition of the parent or legal guardian is such that care and supervision cannot be provided;
3. The loss or uninhabitability of the child's home as the result of a natural disaster.

When one of the above hardships is applicable, the custodial parent(s) and the caregiver must make an appointment to meet with Attendance and Discipline Personnel in order to complete the application for Power of Attorney. Hardships not listed above should be referred to juvenile court to change the custody.

**ATTENDANCE, ABSENCES, TRUANCY, AND WITHDRAWAL
(Policy # 6010, 6011, 6012, 6014, & 6016)**

Attendance

The Tennessee State Compulsory Attendance Law (T.C.A. §49-6-3001 and T.C.A. §49-6-2007) requires that pupils of legal age attend school (ages of six and seventeen years, both inclusive) unless special circumstances arise which temporarily or permanently excuse the student from attendance. This also applies to five (5) year old students who have attended school for six (6) weeks. By state law, the student's school year shall consist of a minimum of 180 teaching days exclusive of all vacations, as approved by the board of education. (T.C.A. §49-6-3004) The annual calendar is divided into two semesters. A copy of this calendar is included at the front of this handbook.

Enrollment of Students Beyond Compulsory Attendance Age (Policy #6010)

During the first twenty (20) days, students beyond compulsory attendance age [eighteen (18) years of age or older] who have been continuously enrolled with the district may register for school through the standard registration process. However, upon enrollment, all such students shall meet with their school principals and other appropriate staff to evaluate academic options and make appropriate education placement referrals for the students, including overage for grade students; and outline the academic and behavioral expectations of the student within the school.

An application for admission must be evaluated for approval by the principal for a person eighteen (18) years of age or older who:

1. has dropped out of school and wants to re-enter; **or**
2. fails to enroll within twenty (20) school days after school officially starts, unless one or more of the following applies:
 - a. The student can show proof of satisfactory attendance in another school system during the first twenty (20) day period.
 - b. A doctor's certificate states that illness has prevented enrollment during the first twenty (20) day period.
 - c. The district is required to permit the student to enroll under the Individuals with Disabilities Education Act.

Students not initially accepted for enrollment by the principal may then contact the district department responsible for student services for possible enrollment.

Attendance of Students Beyond Compulsory Attendance Age (Policy # 6011)

Any student having passed the compulsory attendance age may be dropped from the rolls after three (3) consecutive unexcused absences, or an aggregate five (5) unexcused absences, from class or school, upon approval of the superintendent (or designee).

Compulsory Attendance (Policy# 6012)

Students between the ages of six (6) and seventeen (17), both inclusive, must attend a public or non-public school. The principal shall be responsible for the initial placement of students entering school for the first time. A parent/guardian or legal custodian who believes that their child is not ready to attend school at the designated age of mandatory attendance may make application to the superintendent (or designee) for a one (1) semester or one year deferral in required attendance. Any such deferral shall be communicated to the principal of the school that the student would have attended. In accordance with the provisions outlined in the state law, the Board may temporarily excuse students from complying with the provisions of the compulsory attendance law.

Attendance and Excuses (Policy #6014)

The Shelby County Board of Education believes that regular attendance is a necessary requirement of all students.

All students are expected to attend school on each day that school is officially in session and remain at school for the entirety of the school day. Only the following reasons will be considered for excused absences:

1. Illness, injury, pregnancy, homebound circumstance, or hospitalization of student. The District may require a parent conference and/or physician verification to justify absences after the accumulation of ten (10) days of absence during a school year. Notes must be date specific and will be required for subsequent absences beyond ten (10) days.
2. Death or serious illness within the student's immediate family.
3. When the student is officially representing the school in a school sponsored activity or attendance at school-endorsed activities and verified college visits.
4. Special and recognized religious holidays regularly observed by persons of their faith. Any student who misses a class or day of school because of the observance of a day set aside as sacred by a recognized religious denomination of which the student is a member or adherent, where such religion calls for special observances of such day, shall have the absence from that school day or class excused and shall be entitled to make up any school work missed without the imposition of any penalty because of the absence.
5. A court order; a subpoena; and/or a legal court summons.
6. Extenuating circumstances over which the student has no control as approved by the principal.
7. If a student's parent, custodian or other person with legal custody or control of the student is a member of the United States Armed Forces, including a member of a state National Guard or a Reserve component called to federal active duty, the student's Principal shall give the student:
 - a. An excused absence for one (1) day when the student's parent, custodian or other person with legal custody or control of the student is deployed;
 - b. An additional excused absence for one (1) day when the student's parent, custodian or other person with legal custody or control of the student returns from deployment; and
 - c. Excused absences for up to ten (10) days for visitation when the student's parent, custodian or other person with legal custody or control of the student is granted rest and recuperation leave and is stationed out of the country.
 - d. Excused absences for up to ten (10) days cumulatively within the school year for visitation during the deployment cycle of the student's parent, custodian or other person with legal custody or control of the student. Total excused absences under this section (c) and (d) shall not exceed a total of ten (10) days within the school year. The student shall provide documentation to the school as proof of the deployment of the student's parent, custodian or other person with legal custody or control of the student.
8. Participation in a non-school-sponsored extracurricular activity. A school principal or the principal's designee may excuse a student from school attendance to participate in a non-school-sponsored extracurricular activity, if the following conditions are met:
 - (1) The student provides documentation to the school as proof of the student's participation in the non-school-sponsored extracurricular activity; and
 - (2) The student's parent, custodian, or other person with legal custody or control of the student, prior to the extracurricular activity, submits to the principal or the principal's designee a written request for the excused absence. The written request shall be submitted no later than seven (7) business days prior to the student's absence. The written request shall include:
 - (A) The student's full name and personal identification number;
 - (B) The student's grade;
 - (C) The dates of the student's absence;

- (D) The reason for the student's absence; and
- (E) The signature of both the student and the student's parent, custodian, or other person with legal custody or control of the student.

The principal or the principal's designee shall approve, in writing, the student's participation in the non-school-sponsored extracurricular activity.

The principal may limit the number and duration of non-school-sponsored extracurricular activities for which excused absences may be granted to a student during the school year; however, such the principal shall excuse no more than ten (10) absences each school year for students participating in non-school-sponsored extracurricular activities.

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

A written statement within two (2) school days of the student's return to school shall be required from the parent or guardian explaining the reason for each absence.

If necessary, verification is required from an official source to justify absences.

All absences other than those outlined above shall be considered unexcused.

Parents may appeal unexcused absences to their child's school principal (or designee). The appeal must be: (1) in writing and include documentation necessary to support the appeal; (2) submitted within five (5) school days of the parent's receipt of the first official attendance letter generated by the District that is referenced in policy 6016 Truancy District; and (3) based on one or more of the allowable reasons for excused absences outlined in this policy. Within five (5) school days of receipt of the request for appeal, the Principal (or designee) shall review the appeal, meet with the parents to allow them an opportunity to be heard, and render a decision regarding the appeal. The decision of the principal (or designee) that is compliant with applicable law and district policy is final. (This appeal process for determining unexcused absences is ancillary to a truancy decision rendered by a juvenile court judge as described in TCA 49-6-3010.) Questions regarding school-level decisions may be directed to the district department responsible for academic school operations.

Make-up Work

In the event of an excused absence, students are expected to make up work missed within a reasonable time.

In the event of an unexcused absence, one day of makeup time shall be allowed for each day of unexcused absence, if the following conditions are met. The parent of a student or a student with an unexcused absence must submit a written request to the teacher to make up the work and must participate in an appropriate intervention (e.g., student or parent conference with the teacher, Saturday school, online tutorial, other appropriate intervention determined and scheduled by the teacher).

For absences due to long-term suspension (over 10 days)/expulsion, the program of making up work shall be in accordance with state law.

Truancy (Policy #6016)

Unauthorized absence from school is considered truancy and will be treated as such. This includes absence from any class, study hall, or activity during the school day for which the student is scheduled and remedial programs that are offered at no cost to parents provided that prior to requiring the student to attend the program a commitment of transportation is provided to those students who qualify for transportation to and from school. The principals, in coordination with any teachers who provide instruction to a student and any other appropriate school faculty, shall make the decision to require the student's attendance at such remedial instruction occurring outside of the regular school day, including but not limited to programs conducted during the summer and after the conclusion of the regular school day pursuant to state law.

DRIVER'S LICENSE OR PERMIT (T.C.A. §49-6-3017)

To obtain a driver's license or permit to drive in Tennessee, the Department of Safety requires each person between the ages of fifteen (15) and seventeen (17) inclusive to:

1. Obtain a Certificate of Compulsory Attendance, and
2. Pass a Driver's Education class OR have a learner's permit (for at least three months)

The Certificate of Compulsory Attendance is provided by the high school attendance office to students who meet the legal requirements of compulsory attendance, in addition to currently passing three (3) full unit subjects or the equivalency. To maintain

the driver's permit or certificate, the student must continue to meet the legal requirement of compulsory attendance and the academic requirement of currently **passing three (3) full unit subjects or the equivalency**. (T.C.A. §49-6-3017(c))

Motor Vehicle or Permit License Revocation

Any student fifteen (15) years of age or older who becomes academically deficient or deficient in attendance shall be reported to the Department of Safety for motor vehicle or permit license revocation.

A student shall be deemed academically deficient if he/she has not received passing grades in at least (3) full unit subjects or their equivalency at the end of semester grading.

A student shall be deemed deficient in attendance when he/she drops out of school or has ten (10) consecutive or fifteen (15) days total unexcused absences during a single semester. Suspensions shall be considered unexcused absences. A copy of the notice sent to the Department of Safety by school personnel shall also be mailed to the student's parent or guardian.

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INTERSCHOLASTIC POLICY (POLICY #6051)

All middle schools (6-8) and high schools (9-12) in Shelby County are members of the Tennessee Secondary Schools Athletic Association (TSSAA) and as members follow its rules and regulations. Academics and conduct requirements must be met by participants on middle and high school teams; as well as eligibility requirements established by TAMS and TSSAA. Any pupil participating as a member of any interscholastic athletic team must have a complete annual medical examination prior to participation. Specific eligibility requirements may be obtained from the coach or administration of the school. For additional information and requirements related to participation in interscholastic athletics, please see Policy #6051 in the SCS Policy Manual located on the SCS web page at www.scsk12.org/uf.

STUDENT ASSIGNMENT AND EVALUATION OF PUPIL PROGRESS

Assignment of Students to Classes (Policy #6049)

The assignment of students to classes and classes to teachers is the responsibility of the principal. Each school shall develop and publish for students and parents any criteria and/or processes involved in the selection and assignment of classes.

STUDENT RECORDS

Accumulative Records

A confidential accumulative record of educational history and progress is maintained in a secured file for each student enrolled in the school system. This accumulative record contains all courses taken, grades received, credits earned, attendance, as well as results of achievement tests taken and suspensions/expulsions. Records are copied/transferred by school officials upon formal request from the receiving school.

Special Education Records

Special education records are maintained for students currently served by an IEP (Individual Educational Plan) and receiving services such as speech, CLUE, Functional Skills, etc. The psychological and other relevant records are kept in individual schools in separate folders. These confidential folders are maintained in a locked file cabinet or a locked room. The psychological reports are maintained at the Department of Exceptional Children. When special services are discontinued or the student withdraws from the district, the Special Education student record is forwarded to the Department of Exceptional Children. A request for these records along with a Confidential Release of Information must be signed by the parent/guardian or student, if of legal age, and must specifically request "Special Education Records" and must be forwarded to the Department of Exceptional Children. Records will not be released to outside agencies without a signed release from the parent/guardian or student of legal age, with the exception of release to other school districts as permitted under FERPA (Family Educational Rights and Privacy Act; Buckley Amendment) Public Law 93-380).

Access and Content/FERPA

In 1974 the Family Educational Rights and Privacy Act (Buckley Amendment) Public Law 93-380, §438, was passed to ensure confidentiality of student records.

F.E.R.P.A. gives school districts the right to disclose “directory information” without the consent of parents and eligible students. “Directory information” means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Examples of “directory information” are student’s name, address, telephone listing, e-mail address, and parents’ name(s). Parents and eligible students may request that directory information regarding the student not be disclosed. If you are a parent or eligible student and ***DO NOT*** want your child’s/your directory information to be disclosed, please notify, in writing, the Shelby County Schools, Department of Attendance and Discipline at 2800 Grays Creek, Arlington, TN 38002.

Military Recruiters

Parents have the right to request in writing that their child’s name, address and telephone number not be released to a military recruiter without prior written consent. This request shall be presented to the school principal at the beginning of each school year.

DEPARTMENT OF EXCEPTIONAL CHILDREN

Shelby County Schools offers a wide range of services to meet the needs of students with disabilities. Eligible students from ages three through twenty-one are served in all schools. A full continuum of services, including related services of Speech/Language Therapy, Occupational Therapy, and Physical Therapy are available in every school. Specialists are available to work with students with visual impairment, hearing impairment, and behavior problems. Detailed information regarding special education programs may be obtained by calling 901.416.5600.

Student Referral

If parents are concerned about their child’s learning or behavior in school they may call or write their child’s teacher or school administrator expressing these concerns. The school administrator may explain the student intervention and referral process if parents are requesting an evaluation for special education services. Parents may also contact the Division of Exceptional Children regarding the referral process.

The district does not discriminate in evaluation or programming on the basis of race, color, creed, national origin, religion, sex, or disability. Parents, teachers, or administrators may refer students for screening to its gifted services program (CLUE). As with all students with disabilities, a continuum of service options is offered for gifted students. Services may range from consultation to subject or grade acceleration. Parents interested in gifted screening for their child should contact the school principal for a review of student data or other program information. Further requests regarding student referrals may also be forwarded to the school administration or the Division of Exceptional Children.

Per Tennessee Public Chapter 585 (T.C.A. §49-2-203 (b)), the following contact information is provided for parent and student use. Answers to many questions and much helpful information may be obtained from the State Department of Education by calling 888-212-3162 or visiting www.tn.gov/education/speced.

Legal Aid of East Tennessee:

Johnson City

Phone: 423.928.8311

Phone: 800.821.1312

Knoxville

Phone: 865.637.0484

Chattanooga

Phone: 423.756.4013

Phone: 800.572.7457

West Tennessee Legal Services <http://www.wtls.org/>

Phone: 731.423.0616

Phone: 800.372.8346

Legal Aid Society of Middle Tennessee <http://www.las.org/>

Phone: 615.244.6610

Disability Law & Advocacy Center of Tennessee <http://www.dlactn.org/>

Phone: 800.342.1660

Vanderbilt University Legal Clinic

Phone: 615.322.4964

University of Tennessee Legal Clinic

Phone: 865.974.2331

Child Advocacy Group Contact Information

In addition to state and local resources available to parents and children, there are many agencies and organizations that offer support, information, training, and help in advocating for persons with disabilities in Tennessee. A few of these organizations are listed below:

The ARC of Tennessee <http://www.thearctn.org/>
Phone: 615.248.5878
800.835.7077

Support and Training for Exceptional Parents (STEP) <http://www.tnstep.org/>
West Tennessee: 901.726.4334 **Middle Tennessee:** 615.463.2310 **East Tennessee:** 423.639.2464

Disability Law & Advocacy Center of Tennessee <http://www.dlactn.org/>
615.298.1080
800.287.9636
(TTY) 615.298.2471

Tennessee Voices for Children <http://www.tnvoices.org/>
West Tennessee: (Jackson Area) 731.660.6365 **Middle Tennessee:** (Nashville Area) 615.269.7751 / 800.670.9882 **East Tennessee:** (Knoxville Area) 865.609.2490

These are a few of the organizations available to help with information, training, and advocacy. For a more extensive list visit the Disability Pathfinder Database: <http://kc.vanderbilt.edu/pathfinder/>. On the web page, select your “county” and the “service” you desire from the drop-down lists and click “Submit.” This information is provided as a service to individuals seeking additional avenues for help and information. The Department of Education does not intend this as an endorsement or recommendation for any individual, organization, or service represented on this page.

SCHOOL CLOSING PROCEDURES

Emergency Closing (Policy #3002)

In making the decision to close schools, the superintendent or his or her designee shall consider many factors, including the following principle ones relative to the fundamental concern for the safety and health of students:

1. Weather conditions, both existing and predicted;
2. Driving, traffic and parking conditions, affecting public and private transportation facilities;
3. Actual occurrence or imminent possibility of any emergency condition which would make the operation of schools difficult or dangerous;
4. Inability of teaching personnel to report for duty which might result in inadequate supervision of students.

In the event schools are closed due to inclement weather or other calamity, all extracurricular activities scheduled for those days will be canceled or postponed.

**Shelby County Schools has implemented School Messenger to alert parents regarding school closures, emergencies, etc... Please be sure that all contact information is correct and up-to-date.

HEALTH SERVICES (Policy #6043)

Immunization

No students entering school, including those entering pre-kindergarten, kindergarten, first grade, those from out-of-state and those from nonpublic schools, will be permitted to enroll (or attend) without proof of immunization. It is the responsibility of the parents or guardians to have their children immunized and to provide such proof to the principal of the school, which the student is to attend.

Exceptions, in the absence of epidemic or immediate threat, parents or guardian shall file with school authorities a signed, written statement that such measures conflict with his/her religious tenets or practices; or due to medical reasons if such student has a written statement from his/her doctor excusing him from such immunizations.

Waiver of Immunization Requirements

State law (T.C.A. §49-6-5001) provides waiver of immunization requirements under the following conditions.

1. Absent epidemic or threat of epidemic, parents may object in writing, when immunization conflicts with the teachings and practice of a well-recognized religious denomination to which the parents adhere. However, if an epidemic or threat of epidemic occurs, objections on the behalf of religious teaching are invalid.
2. Certificate in writing from a physician stating that such immunization would be harmful to the student involved is provided to the school for the student's permanent file.

***Please contact the Department of Coordinated School Health at 901.416.6700 for questions related to exemption documentation requirements.** For additional information regarding any health related concerns; please see Policy #6043 "Healthcare Management" located on the SCS website at www.scsk12.org/uf/policy.

Hospitalization

If your child has experienced hospitalization related to accident/injury, or chronic illness, please notify the Department Of Coordinated School Health at **(901.416.6700 or 901.416.2424)** if your child requires accommodations. This will allow for smooth transition and seamless re-entry to school.

Acute and Chronic Health Issues

- Acute Health Issue may be defined as:
An illness, disease, condition or issue that occurs suddenly, is of short duration and will require accommodation for school attendance.
- Chronic Health Issue may be defined as:
An illness, disease, condition or issue considered stable or unstable that lasts over a long period and will require accommodation for school attendance.

Parents/guardians of students attending SCS need to complete a Confidential Student Health Information form annually.

Parents/guardians of students with a disease, illness, condition or issue of an acute or chronic nature need to contact the Department of Coordinated School Health at **(901.416.6700 or 901.473.2424)** if your child requires assistance.

If requested, based on individual student health information, the school nurse will develop an Individualized Health Care Plan, Specific Action Plan or Fact Sheet and communicate with school personnel to implement an appropriate plan.

"Students with Life threatening Food Allergies" and Diabetes are managed in the school setting in accordance with the T.C.A. §49-5-415 and the State Department of Education and Health "Guidelines for the "Use of Health Care Professionals and Health Care Procedures in the School Setting" and SCS Policy # 6043 "Health Care Management".

Administering Medicines to Students

It is the policy of the Shelby County Schools that all student's medication be administered by a parent at home. Under exceptional circumstances medication may be administered by school personnel under the appropriate administrative regulations or accordant state law.

Medication in Schools

If, under exceptional circumstances, a student is required to receive medication during school hours and the parents cannot be at school to administer the medication, only the school nurse or the principal's designee will administer the medication in compliance with the regulations that follow:

1. **The Medication (only if absolutely necessary)** – Only medicines which absolutely **MUST** be given during the school hours should be brought by parent or guardian to school for dispensing at school. Please make arrangements for all other medicines to be given at home, either before or after school time. Most medications which need to be given one, two, or three times a day, can be given during the hours outside of school hours. Your child's health care provider can give you guidance about whether or not a dosage schedule can be changed. All medication will be brought to school by the parent or guardian, unless other arrangements have been approved by the school principal, but under no circumstance shall a student bring the medication to school by himself/herself. All medication must be brought in its original container whether it be a prescription or non-prescription medication.
2. **Bring only enough medication to school for a TWO WEEK period.** This is particularly important for medications that might be stolen or that have a street value, such as Ritalin.

3. **Over-the-counter medicines** – usually **MAY NOT** be given at school. There may be some exceptions, but arrangements need to be made with the principal and/or school nurse.
4. **Original Containers** – All medicines must be in their original containers and correctly labeled. Prescription medicines must have a pharmacy label or a label from the doctor’s office or health care facility which includes the student’s name, name of the medicine, strength of each unit of medicine, dosage amount, and time as well as the doctor’s name. Over-the-counter medicines must be labeled with the student’s name in a manner which does not cover up the original container label.
5. **Parent Authorization** – All medicines must have a Parent Authorization form completed, and the medicine container information must match the Parent Authorization. (**A copy of this form is available in the school office.**)

Written Parent Permission Required

1. Written instruction signed by the parent or legal guardian will be required and will include: (Authorization for Administering Medicine at School)
 - a. student’s name;
 - b. name of medication;
 - c. purpose of medication;
 - d. time to be administered;
 - e. dosage;
 - f. possible side effects;
 - g. termination date for administering the medication;
 - h. name and phone number of prescribing physician.
2. The signed Parent Authorization form will be kept on file at the school.
3. All medication will be brought to the school by the parent or guardian, unless other arrangements have been approved by the school principal, but under no circumstances shall a student bring the medication to school by himself/herself. All medication must be brought in its original container whether it be a prescription or non-prescription medication.
4. The principal or the principal's designee will:
 - a. Inform appropriate school personnel of the medication being taken;
 - b. Keep a record of the administration of medication on designated form and will keep this record on file at school;
 - c. Keep medication in a locked area (Exception: Students with Asthma who have inhalers at school may keep inhalers in their possession or with teacher in the classroom “provided the parent has completed an Asthma Action Plan, obtained the prescribing physician signature and completed a Parent Authorization Form. The forms are available from the school nurse;
 - d. Return unused medication to the parent only or discard appropriately. If discarded at school the following procedure will be followed:
 - i. Medication will be disposed of in a manner so that no student will be able to get the medication.
 - ii. The method used, the date the medication is discarded, and the person or people involved will be documented.
5. The parents of the student must assume responsibility for informing the school principal of any change in the student's health or change in medication.

“If the dosage of your child’s medication is variable, please call the Department of Coordinated School Health at **901.416.6700** for referral to a school nurse or the school principal, who will work with you to get the appropriate Physician Orders, Parent Authorization Forms and container labeling. The dosage of a medication or the time of administration **CANNOT** be changed by a phone call from a parent/guardian.”
6. Should medication of an invasive nature (i.e., intramuscular, intravenous, suppository) be required to be given by school personnel for emergency response or action, call the Department of Coordinated School Health at **901.416.2424** to work with a school nurse to obtain proper physician orders, instructions and provide the required proper training for appropriate personnel.
7. The school system retains the discretion to reject request for administration of medicine.
8. A copy of this procedure will be provided to parents upon their requests for administration of medication in the schools.

Communicable Diseases

The board recognizes its responsibility to protect the health of its students as well as to uphold their individual rights.

Communicable Diseases Requiring Exclusion from School

Students may be excluded from school to prevent the spread of contagious disease. The principal or designee may exclude a student, but no child shall be sent home from school without first informing the parents. The student must be isolated until he/she goes home. A student suspected of having, or being able to transmit, a contagious disease shall be excluded from school, and a report made to the State Department of Public Health for those diseases requiring mandatory reporting. The board will follow guidelines and recommendations from Memphis-Shelby County Health Department regarding communicable disease handling.

Contagious diseases include, but are not limited to: red measles, German measles, chicken pox, mumps, whooping cough, scarlet fever, diphtheria, Vincent's angina, conjunctivitis, ringworm, impetigo, scabies, pediculosis (head lice), or other disease diagnosed as contagious.

Readmission

If the suspected condition is found not to exist, the principal or designee may readmit the student.

In the case of communicable disease, the student may be readmitted on presentation of a written statement from the family physician, and/or completion of the period of exclusion required by the State Department of Public Health.

In the case of ringworm, impetigo, or scabies the student may be readmitted once treatment has begun and proof of treatment is presented to the principal or designee.

In the case of pediculosis (head lice) a student may be readmitted for inspection following treatment. If proof of treatment is presented to the principal or designee and no live lice are present, the student may return to class.

Acquired Immune Deficiency System

Mandatory screening for communicable diseases not spread by casual, everyday contact, such as HIV infection, will not be a condition for school entry or attendance. For detailed information regarding this Policy #6043 please visit the SCS Policy Manual located on the SCS website at www.scsk12.org/uf.

Children's Health Insurance

Please contact Shelby County Schools Department of Coordinated School Health at 416 - 6432 or the links listed below for information regarding programs that might be able to provide assistance obtaining health insurance for your child.

Sources:

<http://kff.org/health-reform/faq/health-reform-frequently-asked-questions/#question-whats-the-penalty-if-i-dont-have-coverage>

<http://kff.org/health-reform/faq/health-reform-frequently-asked-questions/>

<http://www.hhs.gov/healthcare/rights/index.html>

STUDENT DRESS CODE (Policy #6021)

The standards for Shelby County Schools dress reflect “common sense” and a concern for each student's comfort, safety, cleanliness, and sense of modesty. There is a strong relationship between neat, appropriate attire and a positive learning environment. Apparel or appearance which tends to draw attention to an individual rather than to a learning situation must be avoided. To that end, Shelby County Schools establishes a basic dress code to ensure appropriate and modest dress.

Schools wishing to change their method of dress by adopting or discontinuing standardized dress/uniforms may do so in accordance with the process outlined in the administrative rules and regulations accompanying this policy.

To change its method of dress a school must request and receive approval from the superintendent (or designee) in accordance with the process outlined in the administrative rules and regulations accompanying this policy. Any approved changes to a school's method of dress become effective for the following school year and shall remain in effect for a minimum of four (4) school years. At its discretion, the district may at any time implement standardized dress/uniforms at a school based on safety concerns (e.g., gang activity) or other justifiable reasons.

Exemption from standardized dress/uniforms may be requested by a parent for his/her child for medical or religious reasons.

To read this policy in its entirety, please visit <http://www.scsk12.org/uf>.

TRANSPORTATION SERVICES (Policy #6050)

In order to maintain conditions suitable for learning, no person shall enter onto a school bus except students assigned to that bus and authorized school/District personnel, unless otherwise provided by law, Board policy, and/or contract.

Parents of students are responsible for their child's supervision until the child boards the bus in the morning and after the child leaves the bus at the end of the school day. Once a student boards the bus - and only at that time - does he or she become the responsibility of the school system. Such responsibility shall end when the student is delivered to the regular bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the Board shall require students to conduct themselves on the bus in a manner consistent with established standards for classroom behavior.

Students are under the supervision of the bus driver while on his/her bus, and all reasonable directions given by the bus driver shall be followed.

The principal of the student transported shall be informed by the bus driver of any serious discipline problem and may be called upon to assist if necessary. Except as provided by law, a student may be denied the privilege of riding the bus if the principal/department responsible for student transportation determines that the student's behavior is such as to cause disruption on the bus, or if a student disobeys local rules and regulations pertaining to student transportation. Required suspension of ridership privileges are in addition to appropriate disciplinary measures that may be taken by the principal according to the Student Code of Conduct. Suspension of ridership privileges may be the only disciplinary action taken when deemed appropriate for the level of the offense. In the event a suspension from school is issued for a bus conduct offense, the ridership privilege suspension is to begin the student's first day back to school.

The suspension of a student from riding the school bus shall follow the same procedures as for any other school suspension, except when state and/or federal provisions apply for students receiving special education services. In such cases, the District shall comply with applicable state and/or federal laws/regulations.

By law, employees who interact with students in the course of their assigned duties, may relocate a student from the student's present location to another location in emergency situations. Such employees may also intervene in a physical altercation between two (2) or more students, or between a student and a District employee. Reasonable force may be used to physically relocate or intervene in such conflicts if a student is unwilling to cooperate (see [6057 Physical Relocation of Students](#)).

Students must ride their designated bus determined by the student's address of record. Additionally, students are not permitted to exit at a point other than the student's regular bus stop, unless they have been granted a waiver pursuant to [Student Transportation Services policy \(#3004\)](#).

Use of Video Cameras

Video cameras may be used to monitor student behavior on school vehicles transporting students to and from school or extracurricular activities.

The District shall keep all video recording of students confidential and shall comply with all applicable state and federal laws related to video recordings when such recordings are considered as part of the student's education and behavioral record as determined by the District and in accordance with the law. Video recordings may only be accessed by the parent of the student involved, employees of the school involved who have a legitimate educational interest in the recording, and SCS Security. The recording may be shared with the appropriate law enforcement agency if the principal has requested assistance. Video surveillance shall be used only to promote the order, safety and security of students, staff, and property.

The Superintendent is directed to develop procedures governing the use of video cameras in accordance with the provisions of the law and established Board policies. Students in violation of bus conduct rules shall be subject to disciplinary action in accordance with established Board policy and regulations governing student conduct and discipline.

IV. RESPONSIBILITY

- A. Students are responsible for abiding by the rules for riding the school bus.
- B. School bus drivers are responsible for fostering a safe school bus environment, maintaining appropriate behavior while driving, and meeting the requirements for school bus drivers as outlined in state law and/or by contract.
- C. Principals and teachers are responsible for providing school bus rules to parents and students.

- D. Principals and/or the department responsible for student transportation are responsible for responding to complaints about student behavior by bus drivers or other students.
- E. The department responsible for student transportation is responsible for implementing this policy.
- F. The department responsible for attendance and discipline is responsible for monitoring and reviewing behavioral consequences issued to students, including bus suspensions, and for counseling with school administrators when consequences issued to students are not in compliance with SCS policy and/or state or federal law/regulations.
- G. The department responsible for district-wide special education services is charged with making information available about bus suspension of students receiving special education services.
- H. The Superintendent is responsible for ensuring that this policy is followed.

STUDENT CONDUCT (Policy #6022)

Prevention and Intervention Strategies

The district shall develop and communicate a comprehensive prevention and intervention program. The program shall include a parental engagement component outlining strategies for parents to support the prevention of inappropriate and/or disruptive behavior in their children and participate in intervention efforts if such behavior occurs. Additionally, prevention and intervention strategies may include classroom, school-wide, or district-wide assessment and supports for students who exhibit and/or are victims of behaviors involving threats; poor attendance/truancy; violence/weapons/gangs; drugs/alcohol; or harassment/intimidation/bullying/cyber-bullying.

The department responsible for coordinated school health promotes the safety of Shelby County Schools by conducting safety assessments with students whose behaviors are indicative of *substantive threats* of violence.

The purpose of this assessment is to evaluate the circumstances surrounding a student's infraction to determine whether there is evidence of a continued threat and to identify general violence risk factors. Recommendations will be offered to the school(s), the students, and the student's parent/guardian intended to promote safety and academic success.

When a student makes a threat to harm others or self or is in possession of a dangerous weapon, the *SCS Threat Screening Guidelines* and accompanying *Quick-Reference* are to be used by the principal/assistant principal or designee, security/SRO, and support staff in completing the inquiry. When, based on the school's investigation, a student's threat is identified as *substantive* and other safety measures have been implemented, schools should contact the Safety Assessment Team to make a referral (Also see Section E under Disciplinary Measures below).

School-Wide Intervention Behavior Plans

Each school shall strive to promote and support appropriate behavior in students at the school by implementing behavior programs that integrate school and district-wide behavior intervention strategies with all aspects of a school's support services. To this end, each school shall develop a School-wide Behavior Plan that is consistent with district policies and applicable laws. At a minimum, the School-wide Behavior Plan shall outline the school's operating procedures for utilizing various prevention and intervention strategies and utilizing progressive discipline within the school.

Disciplinary Measures

Several disciplinary measures may be employed to support acceptable student behavior. Disciplinary measures include parent/administrator conference, confiscation of items, loss of privileges, before/after school detention/Saturday school, suspension from the bus, in-school suspension, out-of-school suspension, expulsion, and remand/alternative placement.

With the exception of privileges restricted by the principal, suspension from the bus and confiscation of items, schools shall not impose multiple disciplinary measures on a student for a single offense or violation of the Code of Conduct. The principal may restrict activities for students who accumulate a certain number of suspensions. Activities that may be restricted by the principal and the actions that may place students on restriction shall be communicated to students and parents by the principal.

Confiscation of Items and/or Loss of Privileges

1. *Confiscation of Items*

“Confiscated items” include beepers, telephone pagers, laser pointers, and cellular phones, prohibited electronic devices, and any other item prohibited by the district. Unless the district extends the return time of confiscated items because the item or its contents may be evidence of violation of law or policy, the parent may pick up the item at the time and location designated by the principal at the close of the next school day following the day that the parent received notification of confiscation or earlier at the principal’s discretion. Thereafter, the parent may pick up the device by appointment. The district does not take responsibility for confiscated items and will not compensate the owner for any lost, stolen, or damaged confiscated items while in the custody of the district.

2. *Loss of Privileges*

Students may lose privileges including, but not limited to, the following:

- Loss of classroom privileges
- Loss of parking privileges
- Loss of extracurricular/athletic or other school-wide privileges
- Privileges restricted by the principal

Before/After School Detention/Saturday School

Students may be detained before or after the school day or required to attend Saturday school as a means of disciplinary action. The following guidelines shall be followed:

1. The student will be given at least one (1) full day of notice before detention/Saturday school.
2. Parents/guardians will be informed before detention/Saturday school takes place.
3. Students will be under supervision of certified staff members.
4. Detention will not exceed 45 minutes after the official closing of the school day but may be administered several days in succession.
5. Teachers must have the approval of the principal before issuing detention or requiring a student to attend Saturday school.
6. Students riding school buses will be provided an alternative to detention, or, in collaboration with the parents, assigned a later detention date.
7. Students with religious exemptions to Saturday school shall be provided with an alternative disciplinary option.

In-School Suspension

The in-school suspension program includes a behavior management component that teaches students skills to improve their behavior and make good choices while allowing students the opportunity to complete their regular classroom assignments in an isolated environment. The principal, including vice/assistant principal, has sole discretion to issue in-school suspensions.

Out-of-School Suspension

Out-of-school suspensions vary in length from one (1) to ten (10) days. It is not the intent of the system to remove students from the school society for minor violations. Therefore, suspension from school should be used with caution and only in appropriate cases. The principal, including vice/assistant principal, has sole discretion to issue out-of-school suspensions from one (1) to ten (10) days.

1. A behavioral intervention plan shall be developed for students who accumulate more than five days of suspensions during the school year.
2. Multiple suspensions shall not run consecutively; nor shall multiple suspensions be applied to avoid expulsion from school.

Reasonable effort shall be made to contact the parent/guardian immediately regarding any suspension. If contact with the parent/guardian cannot be made, the student will remain at school until dismissal time except in cases of police arrest or an emergency, such as when the student's continued presence poses a danger to persons or property in the school or an ongoing threat of disrupting the academic process. Students on suspension must not be permitted to enter school property, attend class, or participate in school-sponsored activities while under suspension, unless otherwise allowed by law and/or Board policy (see TCA 49-6-3401(d) and the policy [6055 Alternative Schools](#)) or when scheduled with the school administration to take exams.

Expulsion

Expulsions vary in length from eleven (11) days to the remainder of the school year or one (1) calendar year for state-mandated expulsions. [Any single suspension in excess of ten (10) consecutive days or multiple suspensions totaling 15 days in one month is an expulsion.] The principal may issue expulsions subject to student legal due process rights regarding appeals of expulsions [suspension of more than ten (10) days] and in accordance with the district-wide Student Code of Conduct. The superintendent may modify a state-mandated one-year expulsion on a case-by-case basis.

Safety Assessment Associated with Expulsion

When the student's infraction involves:

- a credible/substantive threat of harm;
- possession of a dangerous weapon (firearm, knife, taser, explosive, etc.);
- assault resulting in serious bodily injury to staff/student(s); or
- off-campus felony with a firearm,

The principal/assistant principal or designee shall: 1) consult with appropriate district staff responsible for IDEA (i.e., SPED and 504) to determine whether a student has an *identified or suspected* need for services under IDEA and hold a manifestation determination meeting if necessary; and 2) immediately refer the student for safety assessment. The department responsible for safety assessment shall provide the names of students referred for safety assessment to the department responsible for attendance and discipline.

Expelled students who either chose to appeal or chose not to appeal their expulsions may, at the discretion of the parent and upon assignment by the district, participate in alternative school or may attend other appropriate educational settings during the remainder of the expulsion.

The office responsible for alternative schools will inform the parents that the placement decision is being taken under advisement pending outcome of the safety assessment. Safety assessment findings and recommendations will be utilized in making the placement decision and in the implementation of the safety plan of the student. Students with a confirmed *identified or suspected* need for services under IDEA shall be exempted from this advisement period and may receive immediate alternative school placement or other appropriate accommodations.

The safety assessment advisement period must be completed within ten (10) days of the original incident. If extenuating circumstance exist preventing the completion of the safety assessment within ten (10) days of the incident (e.g., failure of parental/family participation in the safety assessment), then the department responsible for alternative schools shall convene a district administrative committee to discuss and make a recommendation regarding the appropriate placement of the student and the educational services (e.g., safety plan) available for the student. The district administrative committee shall include representatives of the departments responsible for alternative schools, attendance and discipline, and coordinated school health safety assessment, 504 implementation, special education services, and, when applicable, legal services. Upon consideration of the discussion and recommendations of the administrative committee, the department responsible for alternative schools shall make the placement determination and provide a justification if alternative placement is not made.

Suspension from the School/MATA Bus

Except where prohibited by law, students who engage in bus-related misconduct may be suspended from riding the school or MATA bus to and from school. Decisions involving temporary/permanent removal from school bus or MATA bus ridership will be made by the principal. In such cases, the student would typically continue his/her school assignment, but he/she would have to find another means of transportation. Truancy laws would still be in effect. Additional disciplinary actions may also apply when bus-related misconduct involves a violation of the Student Code of Conduct.

The district shall comply with applicable state and/or federal laws/regulations regarding the suspension of a student receiving special education services from school/Mata bus transportation.

Motor Vehicle or Permit License Revocation

In accordance with state law, any student fifteen (15) years of age or older who becomes academically deficient or deficient in attendance shall be reported to the Department of Safety for motor vehicle or permit license revocation.

A student shall be deemed academically deficient if he/she has not received passing grades in at least three (3) full unit subjects or their equivalency at the end of semester grading.

A student shall be deemed deficient in attendance when he/she drops out of school or has ten (10) consecutive or fifteen (15) days total unexcused absences during a single semester, unless the absences are due to transfer or are beyond the student's control. The superintendent (designee), with the assistance of the attendance teacher and any other staff or school personnel, shall be the sole judge of whether unexcused absences are due to circumstances beyond the student's control. Suspensions shall be considered unexcused absences. Suspension, expulsion or confinement in a correctional institution shall not constitute a circumstance beyond the control of a student.

A copy of the notice sent to the Department of Safety by school personnel shall also be mailed to the student's parent or guardian.

Reporting Procedures

Mandatory reportable criminal offenses shall be reported in accordance with state law and Board policy (see 7005 Mandatory Police Reporting). The principal shall consult with department responsible for security when determining whether local law enforcement should be contacted regarding any violation of the Code of Conduct that does not require mandatory reporting to law enforcement or other agency. For reporting discrimination and sexual harassment, any student or parent/legal guardian who believes s/he is experiencing student-to-student discrimination or sexual harassment shall report such circumstances to a teacher, counselor, or principal immediately. If the report is made to a teacher or counselor, s/he must notify the principal immediately.

Special Education Considerations

Students who also qualify for special education services determined to have violated this policy may be suspended, expelled, or remanded or otherwise disciplined only in accordance with special education laws and policies. For zero tolerance offenses, remand of a student who qualifies for special education services must be based on recommendation of the IEP team and the student must have a manifestation meeting prior to remand or exclusion from school for over ten (10) days.

Unless a disciplinary infraction is the direct result of a student's disability, the student will be disciplined in the same manner as a nondisabled student. The district, parent/guardian, and relevant members of the IEP team shall review all relevant information to determine:

- a. if the conduct was a direct result of the district's failure to implement the IEP; and/or
- b. if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability.

Serious safety issues involving weapons, drugs, or inflicting serious bodily injury upon another person while at school, on school premises, or at a school function will result in removal for up to forty-five school days. In cases of expulsions [suspensions longer than ten (10) days], the student must continue to receive educational services.

Regular education students may invoke rights under special education laws under certain conditions, including if the parent has expressed concern in writing to supervisory or administrative personnel of the district, or the student's teacher, that the student is in need of special education and related services.

The school district must also contact the education specialist at the Department of Children's Services if a foster child (with or without an identified disability) has allegedly committed an offense that may result in a suspension of ten (10) or more days or has had a petition filed against him/her by the school or school system.

STUDENT CODE OF CONDUCT (Offenses and Penalties by Category)

The infractions of school discipline in the Shelby County Schools listed below are grouped into categories according to the seriousness of the offense. This list is not intended to be exclusive or all inclusive. For infractions not specifically listed below, school principals shall assign discipline in accordance with the category that appears to be comparable to the offenses specifically listed in the category. (For assistance determining the appropriate category for an offense, schools should contact the district office responsible for student discipline.)

Category A – State Zero Tolerance Offenses

1. Aggravated assault resulting in serious bodily injury upon any teacher, principal, administrator, school resource officer, or any other school employee;
2. Unlawful possession, sale, or evidence of use of drugs/narcotics at school or at a school-sponsored activity;
3. Unauthorized possession of a firearm on school property or at a school-sponsored activity.

Penalty for Category A Offenses:

- Expulsion/Suspension for 180 days

Notification will be made to law enforcement authorities. Any modification of this penalty can only be made by the superintendent.

Category B

1. Possession of a knife or any potentially lethal weapon, Taser, or explosive on school property or at a school-sponsored activity;

2. Being under the influence of and/or evidence of drinking or possession of alcoholic beverages in school or at a school-sponsored activity;
3. Off campus criminal behavior that results in the student being legally charged with an offense that would be classified as a felony and the student's continued presence in school poses a danger to person or property or disrupts the educational process (see full Policy 6022);
4. Issuance of a criminal complaint charging a student with a violent felony or issuance of a violent felony delinquency complaint against a student if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. (**Out of school suspension is not permitted for this offense. Remand or expulsion is required - See full Policy 6022*);
5. Gang activities - Activity that is threatening and/or intimidating, harassing in nature or recruiting; gang notebooks with gang pledges, codes and symbols that are used in communication such as threats and warnings and recruiting; gang related fights, and all types of violent acts; gang graffiti especially drawn on school property (bathrooms, lockers and hall walls); electronic devices such as cell phones with recognized gang text, with gang symbols, signs and language that is threatening and or intimidating;
6. Being under the influence of and/or evidence of use or possession of drug paraphernalia, substances for huffing, any substance under guise of it being a controlled substance or prescription drug, and/or medical preparations without proper medical authorization;
7. Possession, use or distribution of counterfeit money on school property or at any school-sponsored activity;
8. Assault upon any teacher, principal, administrator, school resource officer, or any other school employee;
9. Continuous and/or severe Category C Offenses.

Penalty for Category B Offenses:

- *Out-of School Suspension or
- Expulsion (11-180 day)

When appropriate, notification will be made to law enforcement authorities. Modification of this penalty can be made by the superintendent or the Disciplinary Hearing Authority.

Category C

1. Threatening bodily harm to school personnel, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention;
2. False accusations against school personnel;
3. Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or destructive device, including chemical weapons, on school property or at a school-sponsored event;
4. Smoking and/or the possession of tobacco products by students while in or on school, properties or under school's jurisdiction during school hours or while participating in a school-sponsored event;
5. Gang activities - any gang related activity not specified in Category B;
6. One (1) or more students initiating a physical attack on an individual student on school property or at a school-sponsored activity;
7. Malicious destruction of or damage to school property, including electronic media, or the property of any person attending or assigned to the school;
8. Stealing or misappropriation of school or personal property (regardless of intent to return);
9. Immoral or disreputable conduct;
10. Continuous and/or severe Category D Offenses.

Penalty for Category C Offenses:

- In-School Suspension or
- Out-of School Suspension

When appropriate, notification will be made to law enforcement authorities.

Category D

1. Open or continued defiant attitude or willful disobedience toward a member of school staff;
2. Vulgar, profane, immoral/disreputable or rude remarks or non-verbal action to staff member or fellow student;
3. Physical or verbal intimidation or threats to other students, including hazing;
4. Threatening bodily harm to another student, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a student and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention;

5. Fighting in or on school property unless, in accordance with state law, the principal recommends no disciplinary action for a student who is deemed to have acted in self-defense or defense of another;
6. Possession of mace or disabling sprays;
7. Inappropriate use of electronic media, including, but not limited to, all calls (land line, cellular or computer generated), instant messaging, text messaging, audio recording devices, iPods, MP3s or any type of electronic music or entertainment device, and cameras and camera phones;
8. Sexual, racial, ethnic, or religious harassment/discrimination;
9. Bullying, intimidation, and harassment;
10. Refusal to produce an object identified by metal detectors;
11. Inciting, advising or counseling of others to engage in any acts in Categories A, B or C;
12. Continuous and/or severe Category E Offenses.

Penalty for Category D Offenses:

- Parent-Principal Conference; or
- Before/After School Detention/Saturday School; or
- In-School Suspension; or
- Out-of-School Suspension

Category E

1. Habitual and/or excessive tardiness;
2. Class cutting;
3. Intentional disturbance of class, cafeteria or school activities;
4. Leaving school grounds without permission;
5. Being in an unauthorized area without permission;
6. Tampering with grades or report cards;
7. Possession of lighters or matches;
8. Possession of and access to beepers, cellular phones or other electronic communication devices during school hours without written permission of the principal;
9. Inciting, advising or counseling others to engage in any acts in Category D;
10. Dress code violation, including wearing, while on school grounds during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment.

Penalty for Category E Offenses:

- Parent-Principal Conference; or
- Before/After School Detention/Saturday School; or
- In-School Suspension

CELL PHONES/PERSONAL COMMUNICATION DEVICES (POLICY #6024)

The increase in use of cell phones and personal communication devices by students during the school day has become far more than a distraction in the school environment. These devices are being used by students as a means of cheating on tests, taking inappropriate pictures and video of students and staff for sharing and posting across the internet, threatening and/or bullying other students, and engaging in an excessive amount of social interaction during instructional time.

Therefore, **all students are banned from possessing any type of phone or personal communication device that is turned on or in visible/audible use at any time during the regular school day.** For the purpose of this policy, possession means being found in any article of clothing, purse, book bag, carry bag, or in any location on school property other than the approved storage location as written and approved by school officials. Students who wish to carry a cell phone with them to and from school must keep the device turned off and stored (e.g., kept in the student's assigned locker, automobile, or other school approved location at all times during the entire school day), unless otherwise determined by the principal.

District security officials may, if they have reasonable suspicion to do so, search any cell phone brought onto any SCBE property, which includes but is not limited to parking areas. For the purposes of this policy the school day includes the entire day from the school start time or bell that indicates the start of the school day until the final dismissal time of the school day. However, police officers must obtain a warrant before searching the cellphones of students and students being placed under arrest.

A student found in unauthorized possession of any type of cell phone or communication device during the school day shall have the device taken from him or her and kept by the school principal or designee until the parent is notified. The parent may pick up the

device at the time and location designated by the principal at the close of the next school day following the day that the parent received notification or earlier at the principal's discretion. Thereafter, the parent may pick up the device by appointment. Any subsequent violation shall result in the device being taken from the student and retained until the close of the next school day following the day that the parent received notification or earlier at the principal's discretion. Thereafter, the parent may pick up the device by appointment. Moreover, for such subsequent violation of this policy, the student shall receive additional consequences in accordance with the district-wide discipline policy.

The district does not take responsibility for confiscated items and will not compensate the owner for any lost, stolen, or damaged confiscated items while in the custody of the district.

APPEALS RELATED TO STUDENT DISCIPLINE (Policy #6026)

Authority of the Principal to Suspend Students

Any principal, vice principal, or assistant principal, is authorized to suspend a pupil from attendance at their respective school, including its sponsored activities, or from riding a school bus, for good and sufficient reasons as outlined in law.

In-School Suspension

Any principal, vice principal or assistant principal may suspend any pupil from attendance at a specific class, classes or school-sponsored activity without suspending the pupil from attendance at school pursuant to an in-school suspension policy adopted by the local board of education. Good and sufficient reasons for in-school suspension include, but are not limited to, behavior:

1. That adversely affects the safety and well-being of other pupils;
2. That disrupts a class or school-sponsored activity; or
3. Prejudicial to good order and discipline occurring in class, during school-sponsored activities or on the school campus.

Students receiving an in-school suspension exceeding one (1) day from classes shall attend either special classes attended only by students guilty of misconduct or be placed in an isolated area appropriate for study. Students given in-school suspension shall be required to complete academic requirements.

Due Process Regarding Suspensions

Except in an emergency, no principal, vice principal or assistant principal shall suspend any student until that student has been advised of the nature of the student's misconduct, questioned about it and allowed to give an explanation. Upon suspension of any student other than for in-school suspension of one (1) day or less, the principal shall, within twenty-four (24) hours, notify the parent or guardian and the department responsible for district-wide student discipline of:

1. The suspension, which shall be for a period of no more than ten (10) days;
2. The cause for the suspension; and
3. The conditions for readmission, which may include, at the request of either party, a meeting of the parent or guardian, student and principal.

If the suspension is for more than five (5) days, the principal shall develop and implement a plan for improving the behavior, which shall be made available for review by the superintendent (or designee) upon request.

The following provisions apply to expulsions [suspensions of more than ten (10) school days]:

1. If, at the time of the suspension, the principal, vice principal or assistant principal determines that an offense has been committed that would justify a suspension for more than ten (10) days, the person may suspend a student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.
2. The principal, vice principal or assistant principal shall immediately give written or actual notice to the parent or guardian and the student of the right to appeal the decision to suspend for more than ten (10) days. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student or any person holding a teaching license who is employed by the school system if requested by the student.
3. The appeal from this decision shall be to the Disciplinary Hearing Authority appointed by the board. The Disciplinary Hearing Authority shall consist of at least one (1) licensed employee of SCS, but no more than seven (7) members.
4. The hearing shall be held no later than ten (10) days after the beginning of the suspension. The Disciplinary Hearing Authority shall give written notice of the time and place of the hearing to the parent or guardian, the student and the school

official designated in subdivision (C)(4)(a) who ordered the suspension. Notice shall also be given to the SCS employee referred to in subdivision (C)(4)(b) who requests a hearing on behalf of the suspended student.

After the hearing, the Disciplinary Hearing Authority may affirm the decision of the principal, order removal of the suspension unconditionally or upon such terms and conditions as it deems reasonable, assign the student to an alternative program or night school or suspend the student for a specified period of time.

A written record of the proceedings, including a summary of the facts and the reasons supporting the decision, shall be made by the Disciplinary Hearing Authority. The student, principal, vice principal or assistant principal may, within five (5) days of the decision, appeal the decision of the Disciplinary Hearing Authority to the superintendent. The superintendent's designee shall review the written record of the Disciplinary Hearing Authority and shall make a recommendation to the superintendent as soon as practicable. After receiving a recommendation from the superintendent's designee, the superintendent shall render a decision based on the designee's recommendation. Absent a timely appeal, the decision shall be final. Within five (5) days of the superintendent's decision, the student, principal, vice principal or assistant principal may request review by the board of education. The board of education based upon a review of the record, may grant or deny a request for a board hearing and may affirm or overturn the decision of the hearing authority with or without a hearing before the board; provided, that the board may not impose a more severe penalty than that imposed by the hearing authority without first providing an opportunity for a hearing before the board. If the board conducts a hearing as a result of a request for review by a student, principal, vice principal or assistant principal, then, in accordance with state law and/or regulations the hearing shall be closed to the public, unless the student or student's parent or guardian requests in writing within five (5) days after receipt of written notice of the hearing that the hearing be conducted as an open meeting. If the board conducts a hearing as a result of a request for review by a student, principal, vice principal or assistant principal that is closed to the public, then the board shall not conduct any business, discuss any subject, or take a vote on any matter other than the appeal to be heard. Nothing in this subdivision (C)(6) shall act to exclude the Tennessee Department of Children's Services from the disciplinary hearings when the department is exercising its obligations under T.C.A. § 37-1-140. The action of the board of education shall be final.

Academic and Examination Provisions for Students Suspended during the Last Ten Days of a Term or Semester

In the event the suspension occurs during the last ten (10) days of any term or semester, the pupil may be permitted to take final examinations or submit required work that is necessary to complete the course of instruction for that semester, subject to the action of the principal, or the final action of the board of education upon any appeal from an order of a principal continuing a suspension.

Recording Attendance for Students under In-School Suspension

Students under in-school suspension shall be recorded as constituting a part of the public school attendance in the same manner as students who attend regular classes.

Enrollment of Students under Suspension or Expelled from another School System in Tennessee or another State

SCS shall not be required to enroll a student who is under suspension or expelled in an LEA either in Tennessee or another state. The superintendent shall make a recommendation to the board of education to approve or deny the request. The recommendation shall occur only after investigation of the facts surrounding the suspension from the former school system. If the recommendation is to deny admission, and if the board approves the superintendent's recommendation, the superintendent shall, on behalf of the board, notify the commissioner of education of the decision this shall not affect students in state custody or their enrollment in SCS. If SCS accepts enrollment of a student from another LEA, SCS may dismiss the student if it is determined subsequent to enrollment that the student had been suspended or expelled by the other LEA.

STUDENTS WITH DISABILITIES/DISCIPLINING STUDENTS WITH DISABILITIES

20 U.S.C. 1415(k), 24 C.F.R. §300.530-537

Students with disabilities are included in all Shelby County Schools. Schools are expected to initiate actions that enable students with disabilities to become an accepted part of the student body and are treated with the same respect as non-disabled students. Consequences for offenses directed toward students with disabilities should reflect the severity or repetition of the offense.

Students with disabilities have special protections provided through law against unilateral suspension. It is imperative that school personnel be aware of which students are classified as disabled under either IDEA or Section 504. A student with a disability shall not be unilaterally removed from school for more than ten (10) days before a Manifestation Determination is convened to determine whether the student's offense was caused by his/her disability.

At the initial IEP team meeting or annual review, plans are established which address behavior management as well as academic and vocational skills. The student's IEP reflects expected behaviors, objectives to modify behavior, and pre-established consequences when appropriate. A written record is kept of all discussions and disciplinary actions taken. Whenever possible,

suspension or expulsion is the last action used. It is recommended that lesser consequences such as time out, detention, supervised study, on-site intervention, etc. be used before resorting to suspensions. It is important that the team includes an instructional component designed to teach the student skills such as anger management, conflict resolution, showing respect to others, and effective communication designed to prevent future misbehavior. When there is no relationship between a student's behavior and his/her disability, the student can be suspended or expelled according to normal school board policy; however, educational services are continued to the extent required.

Due Process

Students with disabilities must be given the same due process protections as students without disabilities including but not limited to oral or written notice of the charges, presentation and explanation of existing evidence, the opportunity to present his or her case, notice, and a hearing.

Short-Term Removals and Suspensions

1. Short-Term Removal - Short term removals include sending a student to the principal's office, brief time outs, after school detentions, etc. These removals are not considered days of suspension.
2. Suspensions of Ten (10) Days or Less - Schools are free to suspend students with disabilities from school for up to ten (10) cumulative days in a school year, so long as the removals do not constitute a change of placement [suspension over ten (10) cumulative days or a series of shorter suspensions that total over ten (10) days]. During the course of these short term suspensions, there is no duty to provide services, hold prior or follow up IEP meetings, or conduct manifestation reviews.
3. In-School Suspensions - Days that students are placed in in-school suspension do not count towards the 10 cumulative day total so long as students have the opportunity to progress in the general curriculum, continue to receive IEP services, and continue to participate with non-disabled students to the same extent they would have in their current placement. Partial days are counted in calculating the 10 cumulative days.
4. Bus Suspensions - Bus suspensions are counted towards the ten (10) cumulative days of suspension if transportation is included on the student's IEP, unless the district provides alternative transportation. If the student receives general education transportation services and the service is not included on the student's IEP, days of bus suspensions are not counted towards the ten (10) cumulative days.

Long-Term Removals and Changes of Placement

1. Removals for more than ten (10) Days - When suspensions exceed ten (10) cumulative school days, schools are required to hold a manifestation determination meeting and provide the student with educational services. Manifestation determination review meetings can be held after 24-hour notice to parents pursuant to Tennessee Rules of State Board of Education 0520-01-09-.15: Parent Participation)
2. On and After 11th Day - Services provided must enable the student to continue participating in the general education curriculum and possibly in alternative settings to progress toward meeting IEP goals and objectives. The IEP team has the duty of providing and reviewing functional behavioral assessments and behavioral intervention plans and develop IEP goals, objectives, and modifications designed to prevent the behavior from recurring.

Manifestation Determinations

1. Standard of Review - The IEP Team must review all relevant information including evaluation results, observations of the student, the student's IEP and placement, medical information, report cards, and other relevant information supplied by the parents of the student, and determine the following:
 - a. If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
 - b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP and/or BIP.

IEP Teams must use the district's Manifestation Determination Worksheet and Instructional Guidance found on the main page of EasyIEP when determining whether a behavior is manifestation of the student's disability.

2. Manifestation Review Team - Members include a school administrator, the parent, and other relevant members of the IEP

Team (as determined by the parent and school).

3. *Conduct is Not a Manifestation of the Student's Disability* - If the team determines that the student's conduct is not a manifestation of the disability, the student can be disciplined the same as students who do not have disabilities; **however**, the student **MUST** continue to receive special education and related services and the ability to progress in the general education curriculum during the period of removal.
4. *Conduct is a Manifestation of the Student's Disability* - If the team determines that the behavior is a manifestation of the student's disability, the student may not be suspended beyond the ten (10) allowable days. The student must be returned to the placement from which he or she was removed unless the IEP team agree to a change of placement. The school must address the student's behavior through a functional behavior assessment and a behavior intervention plan. This provision does not apply to the special exceptions listed below.

Special Exceptions

School personnel may remove students to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

1. carries or possesses a weapon at school, on school premises, or at a school function;
2. knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or a school function; or
3. inflicts serious bodily injury on another person while at school or at a school function.

(The decision to remove a student in these situations must be made after a manifestation determination review has been completed.)

Discipline of Unidentified Students

Schools are deemed to have knowledge that a student has a disability and is entitled to discipline protections when:

1. Parents of the student expressed concern in writing to school officials or to a teacher that the student needs special education;
2. Parents requested an evaluation; or
3. Teacher or other school personnel expressed concerns about a pattern of behavior to a school official.

Schools are not deemed to have had knowledge if:

1. The student was evaluated and determined ineligible; or
2. A referral was made and parents refused evaluation or services.

When a student is unidentified but entitled to discipline protections, manifestation determination reviews are required.

Please refer questions to the Department of Exceptional Children: 416-5600.

TOBACCO USE OR POSSESSION (POLICY #6028)

The Shelby County Schools system prohibits student smoking or possession of tobacco products, lighters or matches, on school campuses, at school-sponsored activities or on school buses. Additionally, smoking and/or the use of all tobacco products, including smokeless tobacco, are prohibited in all board of education buildings (schools and other facilities); in any public areas, including but not limited to, bleachers used for sporting events, or public restrooms; and in all vehicles, owned, leased or operated by the district at all times. Signs will be posted throughout the district's facilities to notify students, employees and all other persons visiting the school that the use of tobacco and tobacco products is forbidden. A "Smoking is Prohibited by Law in Seating Areas and in Restrooms" sign shall be prominently posted for elementary or secondary school sporting events (including at each ticket booth). Any student who possesses tobacco products shall be issued a citation by the school principal. Parents and students shall be notified of this citation requirement at the beginning of each school year.

ALCOHOL AND DRUG USE (POLICY #6056)

Shelby County Schools Alcohol & Drug Program

Shelby County Schools' Alcohol & Drug Program, a component of the SCS Mental Health Center, has been providing assessment, early intervention and outpatient treatment services at no charge to Shelby County Schools' students for more than 30 years. The Alcohol & Drug Program has been licensed since 2010 to provide *Seven Challenges*®, an evidence-based intervention program for drug-using teens. This program empowers youth by helping them be mindful of their behaviors, understand why they are doing them, and then teaching them the decision-making process that will bring them to the best possible decisions about their drug use.

Students may be referred to the SCS Alcohol & Drug Program by an administrator, school counselor, SCS Mental Health Center clinician, parent, juvenile court or community agency or as the result of a substance-related school offense. All referred students receive substance-use screenings from a licensed mental health clinician and are referred to the appropriate level of intervention based upon their identified needs. Early intervention services are provided for students who are using substances and are at high-risk for developing an alcohol or drug use disorder. Treatment services are provided for students who have developed a substance use disorder and are able to be managed on an outpatient basis. If a student requires a level of intervention that is more intensive than the services offered by the SCS Alcohol & Drug Program, the student and parent are provided with assistance in accessing those resources. Interventions for students under the age of 13 are provided on a case-by-case basis. All assessment and intervention services provided by the SCS Alcohol and Drug Program are confidential and require parental consent. Students who have received an alcohol or drug-related school charge and are participating in Shelby County Schools' S.H.A.P.E. program must complete the *Seven Challenges*® Program to satisfy the requirements of S.H.A.P.E.

For more information, go to the SCS website at www.scsk12.org under the Department of Coordinated School Health.

For information or to make a referral contact:

Melrose Morrell, Prevention Specialist, 416-7275, morrellmr@scsk12.org

Dr. Lisa Clark, Supervising Psychologist, 416-7876, clarkl1@scsk12.org

School House Adjustment Program Enterprise (S.H.A.P.E.)

S.H.A.P.E. aims to divert youth from progressing into the juvenile justice system by decreasing the number of SCS students sent to juvenile court for minor infractions. Students who qualify for S.H.A.P.E. and complete the program avoid having a complaint filed with the court. S.H.A.P.E. operates in many of the SCS middle and high schools and in all of the alternative schools. If a student is referred to the S.H.A.P.E. program as the result of a substance-related school offense, participation in alcohol and drug counseling will be one of the program requirements. Alcohol and drug counseling services will be provided to S.H.A.P.E. by the SCS Alcohol & Drug Clinical Program.

For more information go to www.scsk12.org > Departments > SHAPE.

Contact: John Hall, Special Project Specialist

416-6259, halljt@scsk12.org

Relationships with Community and State Agencies

The SCS Alcohol & Drug Clinical Program maintains a collaborative and working relationship with numerous community and state agencies providing mental health and substance abuse services to youth, as well as the Department of Children's Services and the Assessment and Referral Department of Juvenile Court. The goal is to assist families in identifying resources and accessing services for students and to provide a continuum of support and care for students transitioning in or out of higher levels of care. The Alcohol & Drug Clinical Program can provide support and relapse prevention for a student re-entering his or her school following inpatient or residential treatment for problems with alcohol or other substances.

ALTERNATIVE SCHOOL (POLICY #6055)

The board authorizes the operation of alternative schools in accordance with state law¹ for students who have been suspended or expelled from the regular school program. Additionally, the district may offer alternative services to address educational, behavioral and social needs of students upon approval of the superintendent (or designee). Shelby County Schools may provide such students with the opportunity to attend alternative schools, as space permits. Students attending alternative schools shall be responsible for their own transportation.

Students attending an alternative school shall abide by the rules of their school and shall be subject to disciplinary action for violations of school rules. However, violation of school rules shall not constitute grounds for extension of time spent in an alternative school. The final decision on removal from an alternative school shall be made by the Director of the Alternative Schools. More information regarding Alternative Services can be found at <http://www.scsk12.org/uf/alternative/?Letter=A> or by calling the Alternative Schools Department at 901.416.2200.

GANGS AND NON-SCHOOL RELATED SOCIAL CLUBS (POLICY #6030)

Enforcement

The board prohibits the activities of criminal gangs on school property and at school-sponsored events. In order to discourage and prohibit students from participating in gang activities the board prohibits students from:

1. Wearing, while on school property or at school-sponsored/sanctioned activities, any type of clothing, apparel or accessory that denotes the students' membership in or affiliation with any criminal gang;
2. Any activity that encourages participation in a criminal gang or facilitates illegal acts of a criminal gang; and
3. Any gang-related conduct that is seriously disruptive to the educational process or endangers persons or property;

A violation of any portion of this policy is grounds for disciplinary action in accordance with the district-wide discipline policy.

Prevention and Intervention

In addition to enforcing disciplinary consequences for gang activity, the Shelby County Schools seeks to support students, schools, and the community by providing gang prevention and intervention services. The district has implemented a comprehensive district-wide gang prevention and intervention programs to address the needs of students involved in gangs, students at-risk for gang involvement, and schools and neighborhoods with high gang activity.

The district shall partner with law enforcement agencies to continuously monitor school and neighborhood gang activity and provide ongoing prevention, intervention, and gang awareness training to school staff, parents, and community members. The superintendent shall arrange for all school principals to be trained to recognize local gang signs and symbols. This training will be coordinated with local law enforcement agencies. For more information, please contact the Safety and Security Office at **901.416.6295**.

HARASSMENT, INTIMIDATION, BULLYING, CYBERBULLYING (POLICY #6046)

Student harassment, intimidation, bullying or cyberbullying will not be tolerated. Additionally, the following conduct will not be tolerated:

- Conduct aimed at defining a student in a sexual manner;
- Conduct impugning the character of a student based on allegations of sexual promiscuity;
- Conduct motivated by any actual or perceived characteristic, including but not limited to, race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a men a mental, physical or sensory disability, socio-economic or familial status.

A. Definition

Tennessee law defines “harassment, intimidation, bullying or cyberbullying” as acts that substantially interfere with a student's educational benefits, educational opportunities, or educational performance, and:

1. If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop, the act has the effect of:
 - a. Physically harming a student or damaging a student's property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
 - c. Causing emotional distress to a student or students;
 - d. Creating a hostile educational environment, **or**
2. If the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the educational environment or learning process.

B. Reporting

Alleged victims of harassment, intimidation, bullying, or their parents or guardians shall report these incidents immediately to the principal or building level administrator. Any reports made to staff should be forwarded to the principal or building level administrator immediately but no later than 24-hours of the expressed concern. Anonymous reports may be made, however, disciplinary action may not be based solely on an anonymous report.

The Shelby County Board of Education has adopted the “Safe School Tips” program which allows any parent, student, teacher, or employee to report information about illegal or inappropriate activities, including but not limited to bullying, theft, distribution or sale of drugs, possession of weapons, etc.

“Safe-School Web-Tips” should be sent to <http://www.tipsubmit.com> or text to 274637, you will then be asked to type in a “code”, the code is SCS, then start typing the text message.

Any complaints of harassment, intimidation or bullying should include the following information:

- Identity of the alleged victim and the person accused;
- Location, date, time and circumstances surrounding alleged incident;
- Description of what happened;
- Identity of witnesses; and
- Any other evidence available.

C. Investigation

1. If the complainant is not the parent or guardian, the parents/guardians of alleged victim shall be notified of the reported conduct by phone or in person prior to the end of the school day upon which the conduct was reported. The principal or his/her designee shall promptly and fully investigate allegations of harassment, intimidation, bullying cyberbullying. The principal or building level administrator will revisit substantiated incidents and all follow-up efforts conducted will be appropriately documented.
2. After a complete investigation, if the allegations are substantiated, immediate and appropriate corrective or disciplinary action shall be initiated pursuant to the Shelby County Board of Education's Discipline Policy if the offender is a student. A substantiated charge against an employee may subject such employee to disciplinary action up to and including termination.

The principal or his/her designee will meet with and advise the complainant and their parent/guardian regarding the findings, and whether corrective measures, and/or disciplinary actions were taken. The investigation and response to the complainant will be completed within twenty (20) school days.

A substantiated charge against a student may result in corrective or disciplinary action up to and including expulsion. Additionally, under state law, behavior constituting cyber-bullying may be prosecuted as a delinquent act.

D. Right of Appeal – Students/Parents

1. If the complainant is not in agreement with the principal's or his/her designee's findings. The complainant may, within five (5) school days, contact the Shelby County Schools' Federal Rights Coordinator (FRC) at 2800 Grays Creek, Arlington, TN 38002; Telephone: **901.416.6007**. Any student disciplined pursuant to this policy may appeal the decision in accordance with Shelby County Board of Education’s disciplinary policies and procedures. Within five (5) school days the FRC or his/her designee will review the investigation of the alleged charges. Upon completion of the review, the FRC will meet with and advise the complainant regarding the findings, and whether corrective measures, and/or disciplinary actions were taken.
2. If the complainant is not in agreement with the findings of the FRC, an appeal may be made, within five (5) school days, to the superintendent. Within five (5) school days, the superintendent will review the investigation and provide a written advisory to the complainant whether corrective measures and/or disciplinary actions were taken.

E. Right of Appeal – Employees

An employee disciplined pursuant to this policy may appeal the decision by contacting the Federal Rights Coordinator at 160 South Hollywood Street, Memphis, TN 38112; Telephone: 901.416.5300.

F. Procedures for Other Prohibited Conduct

The procedure outlined above shall also be followed in cases in which a student is the subject of:

- Conduct aimed at defining a student in a sexual manner;

- Conduct impugning the character of a student based on allegations of sexual promiscuity;
- Conduct motivated by any actual or perceived characteristic, including but not limited to, race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical or sensory disability, socio-economic or familial status.

G. Retaliation Prohibited

There will be no retaliation against any person who reports harassment, intimidation bullying or cyberbullying or participates in an investigation. However, any employee who gives false information during the course of any investigation or who retaliates against someone for: (a) truthfully reporting harassment, intimidation bullying or cyberbullying or (b) participating in an investigation of allegations of harassment, intimidation bullying or cyberbullying may be subject to disciplinary action up to and including termination if the offender is an employee and pursuant to the Shelby County Board of Education's Disciplinary Policy if the offender is a student.

SECTION 504 DUE PROCESS HEARING PROCEDURES (POLICY #6054)

The Rehabilitation Act of 1973 (Act), commonly referred to as Section 504, is a nondiscrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to nondisabled students. Notice of Parents and Student Rights under the Act, as required by law, shall be provided in the Student Handbook located on the district's website at www.scsk12.org or at a school. Parents shall have a right to challenge the actions of the Section 504 Committee with regard to their student's identification, evaluation, or educational placement through any one (1) or all of the following in accordance with this policy:

1. Informal Grievance Procedures;
2. Formal Grievance Procedures; and/or
3. Impartial Due Process Hearing

A. Grievance Procedures

Parents' decision to participate in the informal and/or formal grievance process does not prevent them from requesting an impartial due process hearing at any time. Parents/guardians may register a formal grievance or request an impartial due process hearing either orally or in writing. If the request is initially made orally, it shall be put in writing. The parent/guardian may be provided a form for this purpose.

1. Informal Grievance

If parents have a grievance, they may request an informal conference with a school level administrator. A conference will be scheduled after notice of the grievance is received by the principal. If the grievance is not resolved following the informal conference or if parents elect not to participate in an informal conference with school level administrators, a formal grievance and/or a request for a due process hearing may be filed.

2. Formal Grievance

Parents may lodge a formal grievance by filing a written Notice of Appeal with the district's Section 504 Coordinator within five (5) work days from the time they receive written notice of the Section 504 Committee's action(s).

The Section 504 Coordinator may be reached at:

Shelby County Schools
2800 Grays Creek
Arlington, TN 38002
Phone: 901.416.6007
Fax: 901.416.8476

Attention: Rosalind Davis **or** Lisa Miller, 504 Coordinator

The superintendent (or designee) shall conduct an investigation and a written decision shall be rendered within a reasonable time.

If the grievance is not resolved after the superintendent's (or designee's) written decision, the parents may appeal to the Shelby County Board of Education. The board shall meet and review the formal grievance and decide (1) that no hearing before the board is warranted or (2) notify the grievant of the scheduled hearing. If the grievance is not resolved following the formal grievance or the parents elect not to participate in a formal grievance process, an informal grievance and/or a

request for a due process hearing may be filed.

3. *Impartial Due Process Hearing*

Section 504 requires that the district maintain a procedure for conducting impartial hearings with an opportunity for participation by the student's parents/guardian and representation by counsel. The following provides the due process hearing procedures:

Parents requesting a hearing should submit a written request to the Section 504 Coordinator at:

Shelby County Schools
2800 Grays Creek
Arlington, TN 38002
Phone: 901.416.6007
Fax: 901.416.8476
Attention: Rosalind Davis or Lisa Miller, 504 Coordinator

The written request shall include the following information:

1. The reason for the request:
 - a. Denied identification, evaluation or educational placement of persons who, because of disability need or are believed to need special instruction or related services;
 - b. Placed in a setting which is not the least restrictive environment;
 - c. Denied appropriate services due to inaccessibility of programs;
 - d. Denied accommodations and/or modification to regular education program because of identified disability;
 - e. Denied participation in extracurricular or nonacademic activities because of a disability.
2. A suitable time for the hearing: morning, afternoon, evening
3. Two (2) possible dates for the hearing
4. A statement as to whether you prefer the hearing to be closed or open

Upon receipt of the Due Process Request, the Section 504 Coordinator will forward it to one of the impartial district officials on the approved district official list. The impartial district official will then advise both parties of the date, time and location of the hearing.

The hearing must be held no less than fifteen (15) days and no more than thirty (30) days from the time the request for the hearing is submitted, unless the parent/guardian agrees otherwise, or the district official grants a continuance at the request of one of the parties.

School System's Responsibilities:

- The school will provide a location for the hearing.
- The cost of the impartial district official and court reporter will be paid by the school system. The school system will provide the parents with a copy of the hearing transcript at no cost to the parent.
- The school system will allow the student to remain in his/her present placement until after the hearing; unless the parents agree that a change in placement would be best for the student.
- The school system must inform the parent of any free or low cost legal services or other relevant services available in the area.
- If a parent/guardian is represented by a licensed attorney at the due process hearing, she/he must inform the district's Section 504 Coordinator and the appointed district official of that fact, in writing, at least seven (7) days prior to the hearing date.

Before the Hearing:

- All exhibits to be presented at the hearing shall be exchanged between the school system and the parents at least five (5) days prior to the hearing.
- The school system must allow the parent to examine the student's records and make copies if requested.

During the Hearing:

- The parent(s) and the school system may be represented by legal counsel.

- The parent(s) may present and cross-examine witnesses who know who know about the student's disability.
- The student may be present at the hearing.
- After the impartial district official has heard the case, he/she will give a written decision.
- The impartial district official understands what the law requires for students with special needs.

After the Hearing:

- The parents will receive a written record or tape recording of all that was said at the hearing.
- A copy of the impartial district official's decision will be given to both the school systems and parents. The district official must render a decision within 45 days after the 504 Coordinator's receipt of the request for a hearing, unless the parents agree otherwise or the district official has granted a continuance at the request of one of the parties.
- The decision made by the district official is final unless parents or the school system appeals the decision to the appropriate state or federal court.
- A parent/guardian may file a complaint with the Office for Civil Rights (OCR) if she/he believes that the district has violated any provision or regulation of Section 504. OCR addresses Section 504 complaints separately and independently of the local hearing process, in accordance with the guidelines set forth in OCR's Case Processing Manual. A parent/guardian should contact OCR concerning timeframes for filing OCR complaints.

**SCS TITLE I PARENTAL INVOLVEMENT
(Policy #5010)**

To comply with all pertinent mandates of state and federal regulatory standards which require that all parents have access to various levels and types of parental involvement activities with no person excluded based on race, religion, creed, gender, socio-economic status, physical impairment or age.

The school district will put into operation programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with section 1118 (see link below) of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children. For more information, please see full *Policy 5010*.

**PARENT TEACHER ASSOCIATION (PTA)/PARENT TEACHER STUDENT ASSOCIATION (PTSA)
(POLICY #7006)**

Studies have consistently shown that parental involvement in education of their children provides numerous benefits. The Shelby County Board of Education supports parent involvement in each school. To facilitate parental and community involvement each school shall have a Parent Teacher Association (PTA) or Parent Teacher Student Association (PTSA) that is chartered by the National PTA Congress and the Tennessee PTA Congress. The Tennessee Congress of Parents and Teachers, a branch of the National Congress of Parents and Teachers, is a non-profit organization which seeks to unite the forces of home, school, and community on behalf of children. The board encourages school staff to join their local PTA/PTSA chapter. School administration, faculty, and staff should encourage and foster a mutually productive relationship with the local PTA organization with each respecting the appropriate roles of the other in the joint mission of student achievement and student welfare.

The National PTA Congress stated mission:

- *To support and speak on behalf of children and youth in the schools, in the community and before governmental bodies and other organizations that make decisions affecting children;*
- *To assist parents in developing the skills they need to raise and protect their children;*
- *To encourage parent and public involvement in the public schools.*

The Purpose of the PTA

- *To promote the welfare of the children and youth in home, school, community, and place of worship;*
- *To raise the standards of home life;*
- *To secure adequate laws for the care and protection of children and youth;*
- *To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth;*
- *To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social, and spiritual education.*

Notes