

**2023-2024
STUDENT-PARENT
HANDBOOK**

Tutional Williams
Interim Superintendent & CFO
160 S. Hollywood Street
Memphis, TN 38112

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

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

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

Policies referenced in this handbook are subject to change throughout the school year.
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**Memphis Shelby County Board of Education
(Offices Held at Time of Publication)**

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Stephanie Love

District IV
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Frank Johnson

District VIII
Amber Garcia

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MEMPHIS-SHELBY COUNTY SCHOOLS 2023-2024 BOARD MEETING SCHEDULE

August 2023

22 Work Session
29 Business Meeting

February 2024

20 Work Session
27 Business Meeting

September 2023

19 Work Session
26 Business Meeting

March 2024

19 Work Session
26 Business Meeting

October 2023

17 Work Session
24 Business Meeting

April 2024

23 Work Session
30 Business Meeting

November 2023

14 Work Session
28 Business Meeting

May 2024

14 Work Session
28 Business Meeting

December 2023

No meetings

June 2024

18 Work Session
25 Business Meeting

January 2024

23 Work Session
30 Business Meeting

July 2024

23 Work Session
30 Business Meeting

UNLESS OTHERWISE NOTED, BUSINESS MEETINGS WILL BE HELD THE LAST TUESDAY OF THE MONTH AT 5:30 P.M. WORK SESSIONS WILL BE HELD AT LEAST ONE WEEK PRIOR TO THE BUSINESS MEETING AT 5:30 P.M. BOTH MEETINGS WILL OCCUR IN THE FRANCES E. COE ADMINISTRATION BUILDING AUDITORIUM, 160 S. HOLLYWOOD STREET, MEMPHIS. DURING A PROLONGED CLOSURE OR PANDEMIC, WORK SESSIONS AND BUSINESS MEETINGS WILL BE HELD ON A VIRTUAL PLATFORM AND LIVESTREAMED TO THE PUBLIC. IF CONFLICTS ARISE THAT RESULT IN CHANGES TO MEETING DATES, NOTIFICATION WILL BE GIVEN TO THE LOCAL MEDIA AND CHANGES WILL BE POSTED ON THE MSCS WEBSITE.

Revised 5.23.2023

Mission Statement

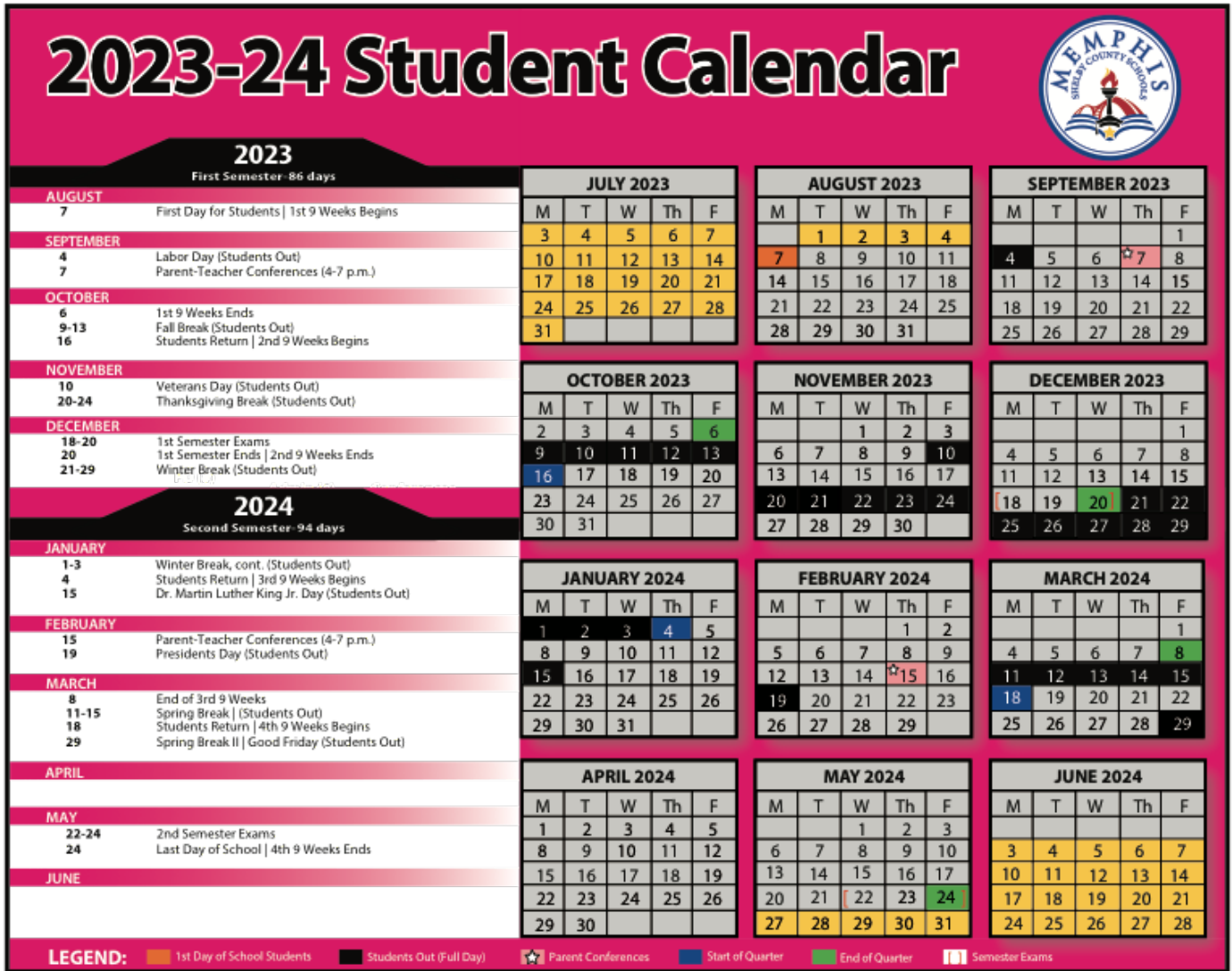
Preparing all students for success in learning, leadership, and life.

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.

2023-2024 STUDENT CALENDAR

Important Dates to Remember.....Instructional Calendar



2023-24 Student Calendar

2023
First Semester- 86 days

2024
Second Semester- 94 days

LEGEND: ■ 1st Day of School Students ■ Students Out (Full Day) ★ Parent Conferences ■ Start of Quarter ■ End of Quarter ■ Semester Exams

Month	Day	Event
AUGUST	7	First Day for Students 1st 9 Weeks Begins
SEPTEMBER	4	Labor Day (Students Out)
SEPTEMBER	7	Parent-Teacher Conferences (4-7 p.m.)
OCTOBER	6	1st 9 Weeks Ends
OCTOBER	9-13	Fall Break (Students Out)
OCTOBER	16	Students Return 2nd 9 Weeks Begins
NOVEMBER	10	Veterans Day (Students Out)
NOVEMBER	20-24	Thanksgiving Break (Students Out)
DECEMBER	18-20	1st Semester Exams
DECEMBER	20	1st Semester Ends 2nd 9 Weeks Ends
DECEMBER	21-29	Winter Break (Students Out)
JANUARY	1-3	Winter Break, cont. (Students Out)
JANUARY	4	Students Return 3rd 9 Weeks Begins
JANUARY	15	Dr. Martin Luther King Jr. Day (Students Out)
FEBRUARY	15	Parent-Teacher Conferences (4-7 p.m.)
FEBRUARY	19	Presidents Day (Students Out)
MARCH	8	End of 3rd 9 Weeks
MARCH	11-15	Spring Break (Students Out)
MARCH	18	Students Return 4th 9 Weeks Begins
MARCH	29	Spring Break II Good Friday (Students Out)
APRIL		
MAY	22-24	2nd Semester Exams
MAY	24	Last Day of School 4th 9 Weeks Ends
JUNE		

JULY 2023					
M	T	W	Th	F	S
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31					

AUGUST 2023					
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SEPTEMBER 2023					
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OCTOBER 2023					
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NOVEMBER 2023					
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JUNE 2024					
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Policies are subject to change throughout the year

NON-DISCRIMINATION (POLICY 1009)

The Shelby County Board of Education prohibits discrimination on the basis of race, color and national origin in the educational programs or activities which are operated by Shelby County Schools.

The following individual has been designated to handle inquiries regarding the non-discrimination policies:

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: Theron Stallworth
160 S. Hollywood, Memphis, TN 38112
901.416.5811 or stallwortht@scsk12.org

For Title IX Concerns: Title IX Coordinator:

160 S. Hollywood
Memphis, TN 38112
901-416-5417

TitleIX@scsk12.org

To read Policy 1009 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BR5M6Q59BF14/\\$file/1009 Non-Discrimination Statements.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BR5M6Q59BF14/$file/1009%20Non-Discrimination%20Statements.pdf)

VISITORS TO SCHOOLS AND DISTRICT LOCATIONS (POLICY 7011)

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 schools 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 read Policy 7011 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BJ9VBT7FFE48/\\$file/7011%20Visitors%20to%20Schools%20and%20District%20Locations.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BJ9VBT7FFE48/$file/7011%20Visitors%20to%20Schools%20and%20District%20Locations.pdf)

DIGITAL LEARNING POLICY (POLICY 5007)

The Shelby County Board of Education recognizes the benefits of digital learning and supports its use as an educational opportunity for students. Therefore, the use of multiple instructional methods and technologies, both in the traditional classroom and non-traditional environment, may be provided to students in accordance with applicable State statute and Board policy and guidance. Digital learning opportunities may be provided by the District, a district-approved college or university, or a state-approved course access program provider. The Superintendent or his/her designee is authorized to develop administrative rules and regulations and/or other such guidance as he/she deems necessary to implement this policy.

To read Policy 5007 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CPNSXU6DDF95/\\$file/5007 Digital Learning.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CPNSXU6DDF95/$file/5007%20Digital%20Learning.pdf)

SCHOOL FEES AND DEBTS (POLICY 6047)

- MSCS is able to offer many programs due to the generous financial commitments of our parents and guardians. Without those financial commitments, MSCS would not be able to offer many programs. School fees, as authorized by the Board, shall be categorized as 1) requested fees; and 2) required fees/fines/debts.
- 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 regular 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.
 - The parent/legal guardian of a student shall be given the opportunity to pay all or any portion of the authorized fee if they desire. However, if the parent chooses not to pay a fee, the child may not be prevented from participating in the activity or course for which the fee is requested.
- Required Fees/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.

To see Policy 6047 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/C2RQSC6A3054/\\$file/6047%20School%20Fees%20and%20Debts%206-5-20.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/C2RQSC6A3054/$file/6047%20School%20Fees%20and%20Debts%206-5-20.pdf)

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 (see policy on School Admissions – 6002). When the child is scheduled to reside an equal amount of time with both parents, the address of either parent may be used to determine school zoning. 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 child.

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.

To see Policy 6058 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BR5MBJ5A73AA/\\$file/6058%20Child%20Custody-Parental%20Access.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BR5MBJ5A73AA/$file/6058%20Child%20Custody-Parental%20Access.pdf)

PROMOTION AND RETENTION (POLICY 5013)

A. Assessment

Regular assessment is important to guide the provision of academic services, enhance District and classroom instructional strategies, and measure student progress toward meeting academic achievement standards. Therefore, the District shall employ a comprehensive student assessment system to help ensure that students meet academic achievement and grade level standards.

B. Promotion and Retention Decisions

1. Promotion

The academic program implemented in each school shall be designed to help students achieve the expectations of the grade-level state academic standards and meet the requirements for promotion to the next grade. Promotion to the next grade level shall be based on successful completion of required academic work or demonstration of satisfactory progress in each of the relevant academic areas.

2. Retention

Retention shall be considered only when it is in the best interest of the student, and in accordance with applicable laws, rules, and policies.

Retention decisions shall consider the following: 1. ability to perform at the expectations of the current grade-level standards; 2. the student's age; 3. overall academic achievement level/potential; 4. previous performance; 5. evaluative data; 6. chances for success with more difficult material if promoted to the next grade or when current skills are inadequate; 7. number of absences/attendance record; 8. previous retention; 9. social and emotional maturity level; 10. results of local assessments, screening, or monitoring tools and, if applicable, state assessments and standardized tests; and 11. benefits accomplished by retention.

Third-Grade Retention (T.C.A. § 49-6-3115)^{1,2,4,8,9}

A student in the third grade shall not be promoted to the next grade level unless the student demonstrates proficiency by scoring “on track” or “mastered” on the English Language Arts (ELA) portion of the most recent TCAP test.

A student who does not demonstrate proficiency on the ELA portion of the most recent TCAP test (i.e., scoring “approaching” or “below”) may be promoted if the student meets certain provisions set forth in state law and rules.

Retention decisions for students with disabilities shall comply with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and state guidance. A student with a disability or a suspected disability that impacts their ability to read shall not be retained in accordance with state rule.

3. Academic Interventions

Academic interventions, as deemed appropriate, should be provided to students on an ongoing basis. Instructional strategies, classroom grades, and intervention opportunities shall be monitored and reviewed by the Superintendent (designee) on a regular basis.

C. English Learners

(EL) English Learners 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. A student’s Individualized Learning Plan (ILP) shall be considered in determining promotion/retention decisions for English Learners. Intervention strategies shall include, where appropriate, assistance in the development of English language proficiency

D. Students with Disabilities

To the maximum extent appropriate, students with disabilities shall be governed by standards established for students without disabilities and shall earn a regular diploma upon meeting state requirements. All enrichment, interventions/remediations, opportunities, benefits, and resources made available to students without disabilities shall be made available to students with disabilities. Students with disabilities who have an Individualized Education Plan (IEP) may be exempt from promotion/retention standards if an 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 assessment.

E. Parent Appeals

Parents who disagree with the decision of the teacher(s) and/or final decision of the principal regarding the promotion or retention of a student may appeal the decision to the Superintendent (or designee). The decision of the Superintendent (or designee) shall be final except as otherwise provided by State Board rule (specific to third grade retention).

To see Policy 5013 in its entirety, please visit: [https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CHTNKK604F53/\\$file/5013PromotionandRetention.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CHTNKK604F53/$file/5013PromotionandRetention.pdf)

TEXTBOOKS AND INSTRUCTIONAL MATERIALS (POLICY 6029)

- Distribution and Access Students
 - 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. Parental Review and Access of Instructional Textbooks and Instructional Materials. In accordance with state law, parents/legal guardians shall be entitled to: (1) Review all teaching materials, instructional materials, and other teaching aids used in the classroom of the parent or legal guardian's child; and (2) Review tests that are developed by and graded by a teacher of the parent or legal guardian's child. Additionally, the district shall make all teaching materials, including handouts readily available for review upon request by the parents/legal guardians.

To read Policy 6029 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ7T67F82B/\\$file/6029%20Textbooks%20and%20Instructional%20Materials.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ7T67F82B/$file/6029%20Textbooks%20and%20Instructional%20Materials.pdf)

ADMISSION AND ENROLLMENT (POLICY 6002)

STUDENT TRANSFERS AND ASSIGNMENTS

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. When the child is scheduled to reside an equal amount of time with both parents, the address of either parent may be used to determine school zoning. Additional provisions may apply in instances when enrollment decisions are not agreed upon between parents pursuant to a court order or when such order awards shared parental responsibility without specifying a particular parent as making educational decisions. Under no circumstance shall the District serve as mediator to the parents.

A child whose care, custody, and support has been assigned to a resident of the County of Shelby in the Shelby County Schools 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 Schools 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.

The Board believes in developing and maintaining superior curricular and programmatic offerings in all schools. The Board's expectation is that all schools demonstrate commitment to academic excellence within a stimulating and safe teaching/learning environment. The Board recognizes that parents/legal guardians/custodians make educational decisions to fit the varying needs, interests, and academic goals of each of their children and that they may wish to have their children attend a school located in an area other than that of their assigned school. Therefore, the District shall offer student transfers that provide options for parents/legal guardians/custodians and enhance the educational environment and overall school community at individual schools.

ENTRANCE AGE AND CUT-OFF DATE FOR ENTERING KINDERGARTEN

Entrance Age

A child must be five (5) years of age on or before August 15 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.

Children with disabilities may be enrolled in the Shelby County Schools provided the eligibility requirements as 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.

Children who participate in an LEA-administered prekindergarten program, a prekindergarten program administered by a private school as defined by State law or a Head Start program in a Head Start classroom as defined by Federal law during the 2012-2013 or 2013-2014 school years may enter kindergarten in the 2013-2014, 2014-2015, or 2015-2016 school years; provided that they shall be five (5) years of age on or before August 31, 2015.

ENROLLMENT

General Requirement

Proof of legal residence and legal custody shall be required for enrollment in school unless otherwise prohibited by law and/or Board policy. (For assistance with questions or concerns regarding proof of legal residence and legal custody, schools and/or parent/legal guardian/custodian should contact the district office responsible for student enrollment.) The address of either parent may be used to determine school zoning when the child is scheduled to reside an equal amount of time with both parents.

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 child in Shelby County Schools. When the child is scheduled to reside an equal amount of time with both parents, the address of either parent may be used to determine school zoning.

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 child in the Shelby County Schools 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 child 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 child 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.

- A. 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 appropriate school.
- B. 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 Counsel as deemed appropriate. After conferring with all offices involved in the investigative process, Shelby County Schools' General Counsel 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 child 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 Counsel, 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 Schools 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 child 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;
 - 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:
 - a. 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);
 - b. The right to attend 1) his/her school of origin including feeder pattern schools (see below), 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 child;
 - c. 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;
 - d. The right to services comparable to those received by housed schoolmates, including transportation and supplemental education services;
 - e. 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.

To read Policy 6002 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/C6FTZQ79D347/\\$file/6002%20School%20Admissions.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/C6FTZQ79D347/$file/6002%20School%20Admissions.pdf)

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 coverage 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.

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

To read Policy 6010 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUPWM669F21/\\$file/6010%20Enrollment%20of%20Students%20Beyond%20Compulsory%20Education%20Age.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUPWM669F21/$file/6010%20Enrollment%20of%20Students%20Beyond%20Compulsory%20Education%20Age.pdf)

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).

To read Policy 6011 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUPXK66C2F9/\\$file/6011%20Attendance%20of%20Students%20Beyond%20Compulsory%20Education%20Age.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUPXK66C2F9/$file/6011%20Attendance%20of%20Students%20Beyond%20Compulsory%20Education%20Age.pdf)

Compulsory Attendance (Policy 6012)

Children between the ages of six (6) and seventeen (17), both inclusive, must attend a public or non-public school.¹ 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 child 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.²

To read Policy 6012 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUPYE66E221/\\$file/6012%20Compulsory%20Attendance.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUPYE66E221/$file/6012%20Compulsory%20Attendance.pdf)

Attendance and Excuses (Policy 6014) Revised

The Shelby County Board of Education believes that regular attendance is a necessary requirement of all students and that an accurate record of their attendance must be properly documented in accordance with applicable state laws/guidance and District requirements. To that end, the District's student information management system shall be used to maintain and report student attendance.

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:

a. The student provides documentation to the school as proof of the student's participation in the non-school-sponsored extracurricular activity; and 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:

i. The student's full name and personal identification number;

ii. The student's grade;

iii. The dates of the student's absence;

iv. The reason for the student's absence; and

v. 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, the principal shall excuse no more than ten (10) absences each school year for students participating in non-school-sponsored extracurricular activities.

9. To attend a released-time course in religious moral instruction for one (1) hour per school day; provided, that:

a. The student's parent or legal guardian signs a written consent form prior to the student's participation in the released time course;

b. The released time course shall be conducted off public school property;

c. The independent entity maintains attendance records and makes the records available to the LEA and the local board of education;

d. Any transportation to and from the place of instruction, including transportation for students with disabilities, is the responsibility of the independent entity, parent, legal guardian, or student; e. The independent entity assumes liability for the student attending the released time course from the time that the student leaves the school until the student returns to the school;

f. No public funds are expended and no public-school personnel are involved in providing the instruction for released time courses;

g. The student assumes responsibility for any missed schoolwork;

h. The principal of the school, or the principal's designee, shall determine the classes from which the student may be excused to participate in the released time course; provided, that the student may not be excused to participate in a released time course during any class in which subject matter is taught for which the state requires an examination for state or federal accountability purposes; and

i. The released time courses shall coincide with school class schedules. Transportation to and from the place of instruction, including transportation for students with disabilities, is the responsibility of the independent entity, parent, legal guardian.

Transportation to and from the place of instruction, including transportation for students with disabilities, is the responsibility of the independent entity, parent, legal guardian.

NOTE: A child who (1) participates in an activity or program sponsored by 4-H1 ; or (2) serves as a page of the general assembly during the school year, either at regular or special sessions, shall be credited as present by the school in which the child is enrolled in the same manner as an educational field trip. The child's participation in an activity or program sponsored by 4-H or as a page shall not be counted as an absence, either excused or unexcused.

Students receiving an excused absence under this section shall have the opportunity to make up schoolwork 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; 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

Students should make every effort and be afforded the opportunity to make up work missed due to excused and unexcused absences. In the event of an excused absence, students are expected to make up work missed within a reasonable time (e.g., at least one or more days of makeup for each day of excused absence). In the event of an unexcused absence ² (including short-term suspensions), one day of makeup time shall be allowed for each day of unexcused absence, unless otherwise extended by the school or extended based on law or policy. Students and/or their parents should work with the teacher for assistance in making up work (e.g., obtaining make-up work/assignments, participating in available tutoring/requesting tutoring, etc.).

To read Policy 6014 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CQJR6J688848/\\$file/6014%20Attendance%20and%20Excuses.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CQJR6J688848/$file/6014%20Attendance%20and%20Excuses.pdf)

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.

Truancy Prevention/Intervention

To prevent truancy, when unexcused absences occur, Shelby County Schools will seek assistance and support from school based and community-wide programs or agencies to restore the student's attendance. SCS will also use effective interventions with students and parents/ guardians to restore and maintain a student's regular attendance. Referral to Juvenile Court or to the District Attorney General will be the final option. ²

Truancy

In accordance with T.C.A. § 49-6-3007 the Superintendent shall inform the parent, guardian, or other person having control of a student that any student with five (5) days of unexcused absences during the school year is subject to the district's progressive truancy interventions and that continued unexcused absences may result in a referral to juvenile court. The five (5) days of unexcused absences need not be five (5) consecutive days of unexcused absences.

Except as otherwise provided by law, ¹ a child may be truant under the law who is less than six (6) years of age, provided that a child may be withdrawn six (6) weeks of initial enrollment without penalty.

To read Policy 6016 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BUUU5V7A6FDA/\\$file/6016%20Truancy%20.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BUUU5V7A6FDA/$file/6016%20Truancy%20.pdf)

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 MSCS Policy Manual located on the MSCS web page at www.scsk12.org.

To read Policy 6051 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CNUQUQ6A438F/\\$file/6051%20Interscholastic%20Athletics.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CNUQUQ6A438F/$file/6051%20Interscholastic%20Athletics.pdf)

STUDENT ASSIGNMENT AND EVALUATION OF PUPIL PROGRESS (POLICY 6049)

Assignment of Students to Classes

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.

To read Policy 6049 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BR5MAU5A5A38/\\$file/6049%20Assignment%20of%20Students%20to%20Classes.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BR5MAU5A5A38/$file/6049%20Assignment%20of%20Students%20to%20Classes.pdf)

STUDENT RECORDS AND CONFIDENTIAL INFORMATION (POLICY 6003)

The Family Educational Rights and Privacy Act (commonly known as “FERPA”) (20 U.S.C. § 1232g; 34 CFR Part 99) affords parents (which includes legal guardians) and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. **The right to inspect and review the student's education records within 45 days after the day the school receives a request for access.**

Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal (or appropriate school official) a request form that identifies the records they wish to inspect. The parent or eligible student must provide two types of identification prior to reviewing the student's record, with one piece of identification containing a photo of the requester. The school official will make arrangements for access and notify the parent or eligible student of the date, time and place where the records may be inspected. If the parent or eligible student is unable to inspect and review the educational record, the District will arrange other ways to make the record available or copy the record. A fee for copying records for a custodial or noncustodial parent may be charged, depending upon the amount of information requested. The District may also charge a fee when third parties request copies of records.

2. **The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.**

Parents or eligible students who wish to ask the school to amend their child's or their education record should complete and submit to the District department responsible for student information a form stating explicitly why it is believed that the information is inaccurate, misleading or an invasion of privacy and how the record should be amended. If MSCS decides not to amend the record as requested, it shall inform the parent or eligible student of its decision and of his/her right to a hearing. The request for a hearing must be submitted to the District department responsible for student information. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. **Circumstances where FERPA authorized disclosure of student education records without consent.**

FERPA permits disclosure of student education records, without consent to school officials with legitimate educational interests in accessing such information. MSCS defines a "school official" as a person employed by the District as an administrator, supervisor, instructor, counselor, researcher, or support staff person; a person serving on the school board who needs the information for an officially designated purpose; a person or company with whom the District has contracted to perform a specific task; and a contractor, consultant, volunteer, or other outside party to whom the District has outsourced institutional services or functions that it otherwise would use employees to perform, provided that the entity is under the direct control of the District with respect to the use and maintenance of education records and is subject to the same conditions governing the use and re-disclosure of education records as the District. MSCS considers a school official to have a "legitimate educational interest" if the official needs to review an education record in order to fulfill his/her duties as identified by the District. MSCS does not release educational records to school officials if the school official is requesting the record with the expressed or implied intent of recruiting students to the school or sharing information about the school to students and parents.

Upon request, the District may also disclose education records without consent to officials of another school, school district or institution of higher education in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA.

A parent or eligible student may file a complaint with the Family Policy Compliance Office if he/she believes that FERPA has been violated. The complaint must be filed within 180 days of the date of the alleged violation or of the date the complainant reasonably knew or should have known of the alleged violation. A parent or eligible student may also file a complaint with the Family Policy Compliance Office if he/she believes that the Protection of Pupil Rights Amendment has been violated. Such complaints may be sent to the following:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

A NOTE TO PARENTS AND ELIGIBLE STUDENTS ABOUT DIRECTORY INFORMATION

FERPA permits MSCS to disclose appropriately designated "directory information" without the prior written consent of parents and eligible students, unless MSCS has been advised to the contrary in accordance with District procedures. "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, such as the student's name, address, telephone listing, and e-mail address. MSCS has designated the following information as directory information:

- Name;
- Physical and electronic mail address;
- Telephone listing;
- Date and place of birth;
- Major field of study;
- Participation in officially recognized activities and sports;
- Weight and height of members of athletic teams;
- Date of attendance;
- Degrees and awards received; and
- The most recent previous school district or institution attended by the student.

Directory information can be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require school districts receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA), to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the District that they do not want their student's information disclosed without their prior written consent.

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 Board of Education's Student Records Department at 160 S. Hollywood St., Memphis, TN 38112** or the **Memphis Shelby County**

Schools Student Equity and Enrollment Department at 2800 Grays Creek, Arlington, TN 38002. Upon receipt, the request will be noted in the District’s student information management system.

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).

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.

HEALTHCARE MANAGEMENT (POLICY 6043)

The Shelby County Schools’ Board believes that academic success is impacted by the overall well-being of the student; and that a fundamental mission of the school system is to help students remain healthy. It is therefore the policy of Shelby County Schools to provide an effective system of programs to support student health and learning.

FIRST AID AND EMERGENCY MEDICAL CARE

The faculty and staff of each school shall be prepared to provide basic first aid in response to general medical emergencies. Further, it is the objective of the Shelby County Board of Education to have an adequate number of staff at each site who are trained and certified in CPR and other first aid emergency techniques in compliance with all governing state laws and regulations. In accordance with state law, any person who in good faith provides emergency care or assistance at the place of the emergency or accident will not be liable for any civil damages as a result of any act or omission.

STUDENT ACCIDENT REPORTS

Any accident involving students that occur on the property of the Shelby County Schools and/or while under the approved supervision of District employees shall be reported in writing to the office responsible for student services within twenty-four (24) hours after the accident occurs. The report will include the person's name, date of the accident, an explanation of the accident, and care used in treating the individual. These reports will be kept in a file in the Principal's office for one year.

STUDENT PHYSICAL EXAMINATIONS IMMUNIZATIONS

A. Physical Examinations

The District is concerned about the health and wellness of the entire student community. To this end, physical examinations, except as exempt by statute, shall be required of students^{1,2}

1. Entering school for the first time (applies to any student entering a District school, including Pre-K, for whom there is no health record); or

2. Participating in interscholastic athletics (including any strenuous physical activity program covered by TSSAA)

The Principal shall ensure that there is a complete physical examination of each student prior to enrollment.

Cost of the examination shall be borne by the parent or guardian of the student and a copy retained on file in the Principal’s office.

B. Immunizations^{2,3}

Any child entering Pre-K, Kindergarten, 7th grade (including currently enrolled students), or the District for the first time in any grade other than Kindergarten or 7th must provide proof of State required immunizations to enroll (attend) in school.

- Parents or guardians shall be responsible for having their children immunized against diseases as designated by the Tennessee Commissioner of Health and for providing such proof to the principal of the school which the student is to attend.

- Proof of immunization shall be established by a certificate of immunization listing all immunizations which a student has received. All certificates of immunization shall be on forms furnished by the TN Department of Health.
- A dependent child of an active-duty member of the military or TN National Guard shall not be required to receive a medical evaluation in this state in order to obtain a certificate of immunization if the parent of such child provides out of-state immunization records evidencing the child's immunization against the diseases designated by the Tennessee Commissioner of Health.

Exemptions from Immunization Requirements

Except as otherwise provided by law, no child shall be permitted to attend school without proof of immunization.

- Religious tenets and practices: Require the parent or guardian to file with school authorities a signed, written statement that the immunization and other preventive measures conflict with the parent's or guardian's religious tenets and practices, affirmed under the penalties of perjury.
- Medical: Requires a written statement from the child's doctor (healthcare provider) excusing the child from the immunization due to medical reasons (because of risk of harm). Other vaccines remain required.
- Homelessness: Requires the school to (1) admit the child or youth determined to be homeless even if the child or youth has not yet been immunized or is unable to produce immunization records due to being homeless; and (2) comply with applicable federal and state laws pertaining to the educational rights of homeless children and youth, including the McKinney-Vento Homeless Assistance Act.

Health Referral Services

The results of vision and hearing; BMI and blood pressure; and EPSDT (including medical, dental, and mental/behavioral health) screenings shall be provided by the healthcare provider to parents. A referral to a follow-up evaluation with a healthcare provider shall be provided to parents whose child's test results indicate a possible condition that may interfere or tend to interfere with the student's academic progress.

B Confidentiality

An employee of Shelby County Schools shall safeguard student medical information from unauthorized disclosure except as permissible by law or as a required function to perform his/her job responsibilities; and/or in cases where the student poses an imminent threat of harm to him/herself or others. An employee who misuses, alters, removes, or improperly uses confidential student medical information shall be subject to disciplinary action up to and including termination.

Volunteers whose volunteer activity may place them in a position where they may gain knowledge of a student's healthcare information as well as other entities contracted by and/or working in collaboration with the District to provide health care services shall be held to the same professional standards as an employee of Shelby County Schools. Sanctions for breach of confidentiality may apply.

C. Accurate Medical Information

1. Parents/guardians are responsible for informing school personnel of significant medical conditions which may lead to emergency situations or which may require some modification in the curriculum or school activities.
2. Medical information will be requested by Shelby County Schools and completed by the parent/guardian each school year.
3. The Principal shall assure that any/all information concerning the medical conditions of students is identified by:
 - a) Directing a systematic review of all registration forms and medical documentation
 - b) Mandating that information (suspected or confirmed) received by a staff/faculty member be reported to the Principal; and
 - c) Encouraging parents/guardians to alert the Principal of any medical condition.

D. Validation of Medical Conditions

1. The Principal shall recommend that the parent/guardian of each student identified as having a medical condition (or possible medical condition) be contacted for the purpose of clarifying the extent of the medical condition, especially in cases needing further clarification.
2. A statement from a healthcare provider should be provided by the parent in those cases in which the medical condition appears to warrant: a) A modification in the standard curriculum or school related activities; b) The need to supervise and/or administer medication during the school day; or c) A special alert for school personnel regarding a possible requirement for emergency first aid.

COMMUNICABLE DISEASES

The Board recognizes its responsibility to protect the health of its students as well as to uphold their individual rights. Students with a communicable disease may be allowed to attend school provided their presence does not create a substantial risk of illness or transmission to other students and/or employees.

A. 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. 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 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.

B. Re-Admission

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

In the case of a 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.

The District may require students to submit supporting medical documentation from a competent healthcare provider whenever there is reason to believe that a student has tuberculosis or any other communicable disease. Upon certification from the healthcare provider that the student has tuberculosis or any communicable disease, the student shall be excluded from school until he/she provides proper documentation from the healthcare provider showing that he/she is free from the communicable disease.

XIII. ACQUIRED IMMUNE DEFICIENCY SYNDROME

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.

A. Administrative Responsibilities If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to that student will be under the direct supervision of the Superintendent or his designee. Upon disclosure, the Superintendent or his designee shall:

1. Request medical records from the parent or legal guardian and the student's physician; 2. Gather information regarding the student's cumulative school record; and
3. Meet with the evaluation team designated by the State Department of Education.

The Superintendent or his designee, with the cooperation of the State Department of Health and Environment, shall convene an evaluation team following notification to evaluate the student's health status relative to attending school. The evaluation team will consist of the Superintendent or his designee, the student's physician, a physician or nurse from the Department of Health as designated by the Regional Health Officer, a representative of the LEA (local education agency) as designated by the Superintendent, and the student's parent/guardian. A student with AIDS or a HIV related illness shall be allowed to attend school and participate in activities available to other students, unless the evaluation team determines that the student's medical condition warrants an alternative educational plan.

To read Policy 6049 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/C6FU3K7A192D/\\$file/6043%20Healthcare%20Management.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/C6FU3K7A192D/$file/6043%20Healthcare%20Management.pdf)

STUDENT DRESS CODE (POLICY 6021)

The standards for Memphis 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, Memphis 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

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BSEVCT802322/\\$file/6021%20Student%20Dress%20Code-Administrative%20Rules%20and%20Reg%20Rev%2008-12-2020.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BSEVCT802322/$file/6021%20Student%20Dress%20Code-Administrative%20Rules%20and%20Reg%20Rev%2008-12-2020.pdf)

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.

To read Policy 6050 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQP269BEFE/\\$file/6050%20Student%20Conduct%20on%20School%20Buses.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQP269BEFE/$file/6050%20Student%20Conduct%20on%20School%20Buses.pdf)

STUDENT CONDUCT (POLICY 6022)

This policy applies to student conduct and shall be in force for all school facilities, school property, school buses, and District/school-sponsored activities.

DEFINITIONS

Adverse Childhood Experiences (ACEs) – chronic childhood trauma; stressful or traumatic events experienced by a minor child, including aspects of the child’s environment that can undermine their sense of safety, stability, and bonding

Discipline - the practice of teaching students to self-manage, become socially and self-aware, build positive relationships, and exhibit responsible decision-making

Expelled/Expulsion - removal from attendance at the student's regular school program for more than ten (10) consecutive days or more than fifteen (15) days in a month of school attendance, or removal from school attendance altogether. Multiple suspensions that occur consecutively shall constitute expulsion.

Multi-tiered System of Support – alignment of all available practices, programs, and interventions that work together to meet students’ needs both within an individual classroom and across the school building/District

Positive Behavioral Supports - a systematic approach using evidence-based practices to improve school environments, and to prevent and respond to problem behavior that:

- (a) is proactive and instructional, rather than reactive and punitive;
- (b) operates on an individual, group or classroom, and whole school level;
- (c) includes a system of continual data collection;
- (d) utilizes data-based decision-making;
- (e) applies research-validated positive behavioral interventions; and
- (f) improves academic and social outcomes for all students, including those with the most complex and intensive behavioral needs.

Progressive Discipline - gradual, sequential, and strategic responses (i.e., interventions, restorative practices) implemented to deter negative student behavior and reduce exclusionary consequences

Remand – placement in an alternative school as a result of a student receiving a long term suspension for more than ten (10) consecutive days

Social and Emotional Learning - processes through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions

State-Mandated Zero Tolerance Offense - an offense committed by a student requiring the student by law to be expelled from school for at least one (1) calendar year (180 days); and can only be modified on a case-by-case basis by the Superintendent and/or his/her designee in accordance with §T.C.A. 49-6-3402

Substantive/Credible Threat - represents a sustained intent to harm someone beyond the immediate incident and/or poses a continuing risk or danger to others. Characteristics that suggest a threat is substantive include one or more of the following with no clear evidence to the contrary:

- (a) plausible details, such as a specific victim, time, place, and method of assault;
- (b) a repeated threat over time or communicated to multiple persons;
- (c) a threat reported as a plan, or planning has taken place;
- (d) the student has accomplices, or has attempted to recruit accomplices;
- (e) the student has invited an audience of peers to watch the threatened event; and
- (f) physical evidence of intent to carry out the threat, such as a weapon or bomb materials.

Suspension - For the purpose of this policy suspension shall include:

- (a) In-School Suspension – removal from attendance in the regular classroom setting while providing the opportunity for a student to complete regular classroom assignments in an isolated environment;
- (b) Short-Term Suspension/Out-of-School Suspension – dismissal from attendance at school for not more than ten (10) consecutive days; and
- (c) Long-Term Suspension - a suspension for more than ten (10) consecutive days (11 to 180 days) in which the student is remanded to an alternative school.

NOTE: Multiple suspensions shall not run consecutively, nor shall multiple suspensions be applied to avoid expulsion from school.

Trauma Informed Discipline - interventions that use proactive and preventive approaches to address the underlying cause (i.e., trauma) or purpose of behavior and reinforce positive behaviors

- A. The District shall adhere to T.C.A §49-6-41 et seq., T.C.A. §49-6-28 et seq., and other applicable federal and state laws and guidance in order to (1) establish clear behavior expectations for students and staff and (2) provide guidance to positively

respond and strengthen capacity to establish and maintain safe, healthy, and supportive school climates that reduce and prevent inappropriate and disruptive student behavior.

It is the expectation of the Board that administrators and teachers enforce this policy and the Student Code of Conduct to hold students accountable for their behavior.

The Superintendent (or designee) is authorized to develop processes and procedures related to student discipline, inclusive of the Student Code of Conduct.

- B. It is the intent of the Shelby County Board of Education to become a trauma-informed district by providing a multi-tiered system of support that nurtures the social, emotional, and behavioral needs of all students. As a strategy to address adverse childhood experiences (ACEs), the District shall adopt a trauma-informed discipline policy in accordance with T.C.A. §49-6-4109 and associated state guidance to implement disciplinary measures that:
 - 1. Balance accountability with an understanding of traumatic behavior;
 - 2. Teach school and classroom rules while reinforcing that violent or abusive behavior is not allowed at school;
 - 3. Minimize disruptions to education with an emphasis on positive behavioral supports and behavioral intervention plans;
 - 4. Create consistent rules and consequences; and
 - 5. Model respectful, nonviolent relationships.
- C. It is the expectation of the Board that the use of any disciplinary measure will be administered with equity, dignity, freedom from bias, and respect for all parties and in a manner to keep students within their regular academic program to the greatest extent practicable.

Alternative Education Placement

In accordance with State Board policy 2.302, placement in an alternative education setting should be reserved for infractions that significantly disrupt the educational process. Additionally, students in Pre-Kindergarten or Kindergarten shall not be assigned to an alternative education program. Any disciplinary action taken against a student resulting in an expulsion and remand to an alternative school placement shall be in accordance with state law.

- D. When it is determined that a student has violated this policy, the Superintendent (designee) shall notify the student's parent(s)/guardian(s) and the criminal justice or juvenile delinquency system when required by law.
- E. Corporal punishment is not an approved disciplinary measure for Memphis-Shelby County Schools and is prohibited.

STUDENT CONDUCT

The goal of student discipline is to support students to behave in ways that contribute to academic achievement and school success, and to support a school environment where students and staff feel safe. In all instances, school discipline should be reasonable, timely, fair, age and developmentally appropriate, logically connected to the particular behavior, relationally based, and should match the severity of the student's misbehavior.

The District expects that the implementation of positive support measures will successfully manage and/or correct most behavior; however, there may be times that inappropriate behaviors occur that require a more serious consequence. To hold students accountable for their conduct, administrators and teachers will follow District-established guidance (e.g., Code of Conduct) and provisions set forth in state law^{1,2} when incidents arise that disrupt the learning environment and/or threaten the safety of students and staff. The District will respond in a manner that will minimize the impact of the incident, repair harm, and address the underlying need behind the behavior. Discipline will be administered with equity, dignity, freedom from bias, and respect for all parties. As practicable, the use of consequences that remove the student from class or school should be minimized. Out-of-school suspensions should only be used as a last resort.

Threat Assessments

The department responsible for mental health promotes the safety of Memphis-Shelby County Schools by conducting threat assessments with students whose behaviors are indicative of substantive/credible 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 intended to promote safety and academic success will be offered to the school(s), the student(s), and the student's parent/guardian(s).

When a student makes a threat to harm others or is in possession of a dangerous weapon, the MSCS Threat Screening Guidelines and accompanying Quick-Reference provided by the department responsible for mental health are to be used by the principal/vice or assistant principal or designee, security/SRO, and support staff (as appropriate) in completing the school-based investigation. When, based on the school's investigation, a student's threat is identified as substantive/credible and other safety measures have been implemented, schools should contact the department responsible for threat assessment to make a referral (Also see Section C under

Exclusionary Measures below). Any student who brings a firearm or weapon to a school shall be referred to the criminal justice or juvenile delinquency system (e.g., Juvenile Court) as required by federal law (20 U.S. Code §7961).

SCHOOL-WIDE BEHAVIOR PLANS

Each school shall strive to promote and support appropriate student behavior by implementing 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 applicable laws, and District policies and guidance. 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.

POSITIVE DISCIPLINE MEASURES

Trauma-informed disciplinary and intervention action should:

1. be proactive and preventive to address the underlying cause or purpose of a student's behavior (e.g., trauma, social, emotional, or behavioral health needs);
2. reinforce positive behaviors;
3. promote a student's social and personal competencies while holding them accountable without compromising school safety, respect, and dignity;
4. employ multi-tiered supports prior to taking exclusionary measures that remove or exclude a student from his or her traditional educational setting (e.g., in/out of school suspension); and
5. avoid re-traumatizing students by eliminating the use of potentially traumatic or shaming disciplinary practices.

Several social-emotional and trauma-informed strategies may be employed to support acceptable student behavior such as positive behavior supports, restorative practices, mental health supports, progressive discipline strategies, and behavior intervention plans. Strategies may also include teacher/parent or guardian/administrator conference, confiscation of items, loss of privileges, before/after school detention/Saturday school, or suspension from the bus.

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 Student 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 the student and parent/guardian by the principal.

A. Confiscation of Items and/or Loss of Privileges

Confiscation of Items

"Confiscated items" include any personal communication device including but not limited to 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/guardian may pick up the item at a time and location designated by the principal at the close of the next school day following the day that the parent/guardian received notification of confiscation or earlier at the principal's discretion. Thereafter, the parent/guardian 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.

Loss of Privileges

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

1. Loss of classroom privileges
2. Loss of parking privileges
3. Loss of extracurricular/athletic or other school-wide privileges
4. Privileges Restricted by the Principal

B. 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/guardians, assigned a later detention date.
7. Students with religious exemptions to Saturday school shall be provided with an alternative disciplinary option.

C. 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 and as deemed necessary, in collaboration with MATA. In such cases, the student would typically continue his/her school assignment but 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.

EXCLUSIONARY DISCIPLINE MEASURES

The Board recognizes the impact exclusionary discipline practices have on student success. As practicable, exclusionary measures should be used minimally: (1) to sustain a safe and orderly educational environment, and (2) after positive support and intervention measures have been implemented without a change in the behavior. The department responsible for attendance and discipline shall communicate expectations for implementation and documentation of support measures. In cases of severe, continuous, and/or extreme behaviors, in-school suspension, out-of-school suspension, expulsion, and remand may be warranted.

Motor Vehicle or Permit License Revocation (T.C.A.§49-6-3017)

In accordance with state law, any student fifteen (15) years of age or older who withdraws from school shall be reported to the Department of Safety by the Superintendent (designee) or the attendance teacher. When the withdrawal from school is due to circumstances beyond the control of the student, no notice should be sent to the Department of Safety. The Principal (or designee), with the assistance of the attendance teacher and any other staff or school personnel, shall be the sole judge of whether withdrawal is due to circumstances beyond the control of the student. Suspension, expulsion, or confinement in a correctional institution shall not constitute a circumstance beyond the control of a student.

REPORTING PROCEDURES

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

Title IX Coordinator
160 S. Hollywood
Memphis, TN 38112
(901) 416-5417
TitleIX@scsk12.org

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 applicable federal and state 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 consistent with IDEA; 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 child's disability, the child will be disciplined in the same manner as a nondisabled child. The District, parent/guardian, and relevant members of the IEP team shall review all relevant information to determine:

1. if the conduct was a direct result of the District's failure to implement the IEP; and/or
2. if the conduct in question was caused by, or had a direct and substantial relationship to, the child'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 45 school days. In cases of expulsions (suspensions longer than ten (10) days), the child must continue to receive educational services.

Regular education students may invoke rights under applicable federal and state laws under certain conditions, including if the parent/guardian has expressed concern in writing to supervisory or administrative personnel of the District, or the child's teacher, that the child 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 CONDUCT – Student Code of Conduct (Offenses and Penalties by Category)

It is expected that all students behave in a manner that supports a safe and orderly learning environment. If behavior is disruptive to or threatens the safety of the school community, consequences shall be issued using the Memphis-Shelby County Schools Code of Conduct. Except for Category A – State Zero Tolerance Offenses, trauma informed practices shall be implemented as practicable before issuing exclusionary consequences.

The infractions of school discipline in the Memphis-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 or an assault resulting in serious bodily injury upon any teacher, principal, administrator, school resource officer, or any other school employee
2. Unlawful possession (including distribution), 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
4. Threats of Mass Shootings

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 if the student was charged as an adult or if adjudicated delinquent for an offense that would be classified as a felony if the student was an adult, or if the students was convicted of a felony, and the student's continued presence in school poses a danger to person or property or disrupts the educational process
4. 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
5. Being under the influence of illegal substance (without possession) or legend drugs, intentional misuse or excessive consumption/distribution of over-the counter drugs with the intent to intoxicate 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
6. Possession, use or distribution of counterfeit money on school property or at any school sponsored activity
7. Assault upon any teacher, principal, administrator, school resource officer, or any other school employee
8. Continuous and/or severe Category C Offenses

Penalty for Category B Offenses:

After implementation of restorative practices:

- *Out-of-School Suspension
- 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/use and/or the possession of tobacco or smoking hemp products, or electronic/vapor type products (e.g., e-cigarettes), or unauthorized consumption/distribution of non-prescription drugs by students while (1) in school or on school properties, (2) under school's jurisdiction during school hours, or (3) 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
- Out-of School Suspension (after implementation of restorative practices)

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, video/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/cyberbullying, 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 using any means to send or receive spoken or written messages, including, but not limited to, notes, letters, texts, online or in-person group chats or conferencing, electronic messaging, audio messaging, video messaging, social media posts/streams, or other similar forms of communication
12. Continuous and/or severe Category E Offenses*

Penalty for Category D Offenses

- Parent/Guardian-Principal Conference
- Before/After School Detention/Saturday School
- In-School Suspension
- Out-of-School Suspension (after implementation of restorative practices)

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; Cheating; Plagiarism
7. Possession of lighters or matches
8. Possession of and access to beepers, cellular phones, or other electronic communication devices during school hours without permission of the principal or in violation to District/school policy
9. Inciting, advising or counseling others to engage in any acts in Category D using any means to send or receive spoken or written messages, including, but not limited to, notes, letters, texts, online or in-person group chats or conferencing, electronic messaging, audio messaging, video messaging, social media posts/streams, or other similar forms of communication
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:

- Implementation of Restorative Practices
- Parent/Guardian-Principal Conference
- Before/After School Detention/Saturday School

- In-School Suspension

* In-school or out-of-school suspension must not be used for unexcused absences from class or school. Additionally, out-of-school suspension should not be used to address tardies/early dismissals or other violations when related to class or school attendance.

Note: A teacher, principal, school employee, or school bus driver may use reasonable force in compliance with state law (T.C.A. §49-6-4107; T.C.A. §49-6-2802).

To read Policy 6022 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CABRHJ6DDE17/\\$file/6022%20Student%20Conduct.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/CABRHJ6DDE17/$file/6022%20Student%20Conduct.pdf)

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. The school is not responsible for any loss or theft of the device while on school property.

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 a 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.

To view Policy 6024 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ5N67A723/\\$file/6024%20Cell%20Phones%20and%20Personal%20Communication%20Devices.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ5N67A723/$file/6024%20Cell%20Phones%20and%20Personal%20Communication%20Devices.pdf)

APPEALS RELATED TO STUDENT DISCIPLINE (POLICY #6026)

A. Authority of the Principal to Suspend Students

A. 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.

B. In-School Suspension

1. 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:

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

2. 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.

C. Due Process Regarding Suspensions

1. 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.
2. 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 districtwide student discipline of:
 - a. The suspension, which shall be for a period of no more than ten (10) days;
 - b. The cause for the suspension; and
 - c. The conditions for readmission, which may include, at the request of either party, a meeting of the parent or guardian, student and principal.
3. 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.
4. The following provisions apply to expulsions (removal from attendance for more than ten (10) consecutive days or more than fifteen (15) days in a month of school attendance and to expulsions and remands of a student to an alternative school in cases regarding a violent felony as defined in T.C.A. 40-35-321(e)):
 - a. 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.
 - b. 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 or to expel or remand the student to an alternative school in cases regarding a violent felony. 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.
 - c. 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.
 - d. The hearing shall be held no later than ten (10) days after the beginning of the suspension or expulsion or remand in cases regarding a violent felony. 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 or expulsion or remand in cases regarding a violent felony. 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 or the student who is expelled or remanded in cases regarding a violent felony.
5. After the hearing, the disciplinary hearing authority may affirm the decision of the principal, order removal of the suspension or expulsion or remand in cases regarding a violent felony 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.
6. 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 disciplinary 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 disciplinary 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.

D. Academic and Examination Provisions for Students during the Last Ten Days of a Term or Semester In the event the suspension or the expulsion or remand in cases of a violent felony 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 or an expulsion or remand in cases involving a violent felony.

E. 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.

F. Enrollment of Students Under Suspension, Expulsion or Remand from a School System in Tennessee or another State
SCS shall not be required to enroll a student who is under suspension or expelled or, in cases of a violent felony, remanded 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, expulsion, or remand 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. Nothing in this subsection

(F) shall affect children 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 or, in cases of a violent felony, remanded by the other LEA.

G. Required Expulsions for Selected Offenses

A pupil determined to have brought to school or to be in unauthorized possession on school property of a firearm, as defined in 18 U.S.C. § 921, shall be expelled for a period of not less than one (1) calendar year, except that the Superintendent may modify this expulsion on a case-by-case basis. A student committing aggravated assault upon any teacher, principal, administrator, any other employee of an LEA or school resource officer, or unlawfully possessing any drug including any controlled substance, as defined in T.C.A. § 39-17-403, through T.C.A. § 39-17-415, or legend drug, as defined by T.C.A. § 53-10-101, shall be expelled for a period of not less than one (1) calendar year, except that the Superintendent may modify this expulsion on a case-by-case basis. For purposes of this subsection (G), "expelled" means removed from the pupil's regular school program at the location where the violation occurred or removed from school attendance altogether, as determined by the Superintendent. Nothing in this section shall be construed to prohibit the assignment of such students to an alternative school.

H. Exemptions

Nothing contained herein regarding expulsion or remand of a student to an alternative school in cases involving a violent felony shall interfere with requirements or consultations between the juvenile, the court, and an LEA pursuant to TCA Title 37 if the court finds a juvenile to be delinquent as a result of an act pursuant to TCA § 37-1-131.

To read Policy 6026 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ6767BB80/\\$file/6026%20Appeals%20Related%20to%20Student%20Discipline.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ6767BB80/$file/6026%20Appeals%20Related%20to%20Student%20Discipline.pdf)

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 Memphis 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 or removal from services or placements for disciplinary reasons. It is imperative that school personnel be aware of which students are classified as students with disabilities under either the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973.

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 Regarding Discipline Decision

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 generally considered days of suspension.
2. Suspensions of Ten (10) Days or Less - Schools may suspend students with disabilities from school, so long as the individual or cumulative removals do not constitute a change of placement [suspension over ten (10) cumulative days or a pattern of shorter suspensions that total over ten (10) days]. Partial days are counted in calculating the 10 cumulative days. During the course of these short-term suspensions, there is no duty to provide services or conduct a manifestation determination review.
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.
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 generally 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) but should be scheduled to enable the parent to attend.
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 developing 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 agrees 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 at 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 and should only be done following a review of the relevant definitions of “weapon” and “serious bodily injury.”)

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 Memphis Shelby County Schools system prohibits student smoking or possession of tobacco products, lighters or matches, vaping devices (e.g., electronic cigarettes, vaporizers, vape pens, etc.) 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.

To view Policy 6028 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ7B67E33D/\\$file/6028%20Tobacco%20Use%20or%20Possession.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ7B67E33D/$file/6028%20Tobacco%20Use%20or%20Possession.pdf)

ALCOHOL AND DRUG USE *updated* (POLICY 6056)

In order to protect the rights of students, to safeguard the learning environment, and to contribute to a “Drug-Free” community, Memphis Shelby County Schools advocates prevention, treatment, and intervention regarding student drug and alcohol use. Therefore, the Superintendent shall develop a plan and programs to address the needs of students surrounding drugs and alcohol. The plan shall include the following:

1. Appropriate ways for handling alcohol/drug-related medical emergencies;
2. Guidelines for reporting alcohol/drug incidents and illegal activities;
3. Guidelines for referral of student who may have an alcohol/drug problem and/or are considered “high risk” to agencies and other sources of appropriate help;
4. Effective working relationship with appropriate community agencies, such as alcohol/drug service providers, law enforcement agencies and judicial officials.

Students shall not consume, possess, use, purchase, sell, distribute, or be under the influence of tobacco products, illegal drugs (including prescription drugs for which the student does not have a prescription), or alcoholic beverages in school buildings or on school grounds at any time, in school vehicles or buses, or at any school-sponsored activity, function or event whether on or off school grounds. Possession of lighters, matches, or drug paraphernalia is similarly prohibited. Page 2 of 2 Additionally, students are

prohibited from giving any drug, prescription or nonprescription, to another student. Disciplinary sanctions will be imposed on students who violate standards of conduct required by this policy. Such sanctions will be consistent with local, state and federal laws and the Shelby County Schools Student Code of Conduct, up to and including suspension/expulsion as well as referral for prosecution. Completion of an appropriate rehabilitation program may also be recommended. Information about drug and alcohol counseling and rehabilitation programs will be made available through the school office.

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 MSCS 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 MSCS 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 MSCS 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 MSCS 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.

To read Policy 6056 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BHPSEY726227/\\$file/6056%20ALCOHOL%20AND%20DRUG%20USE.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BHPSEY726227/$file/6056%20ALCOHOL%20AND%20DRUG%20USE.pdf)

ALTERNATIVE SCHOOL (POLICY 6055)

The Board authorizes the operation of alternative/non-traditional academic schools or programs for students who, (1) were suspended for more than 10 days or expelled from the regular school program, (2) are transitioning from incarceration to the District, and/or (3) would otherwise benefit from a nontraditional setting. District adherence to applicable federal and state laws and/or guidance, and Shelby County Schools' policies 6022 Student Conduct and 6026 Appeals Related to Student Discipline shall be required.

It shall be the policy of the Board to require students in grades 1-12 who have been suspended for more than 10 days or expelled from the regular school program to attend an alternative school or program when staff and space are available. Students in Pre-Kindergarten or Kindergarten shall not be assigned to an alternative education school or program.

Assignment of students to an alternative school or program who have been suspended for zero-tolerance offenses may be considered on a case-by-case basis in accordance with state law.

Assignment of students to a non-traditional academic school or program shall be based upon the approval of the Superintendent or his/her designee as space permits. For the purpose of this policy, district-offered non-traditional academic schools or programs may include, but may not be limited to, success schools, transition schools, and prep academies.

A. Transportation

Transportation for students attending an alternative/non-traditional academic school or program shall be the responsibility of the parent/legal guardian unless otherwise required by a student's individualized education program (IEP). However, the District, at its discretion, may provide school transportation as a service.

B. Student Conduct

Students attending an alternative/non-traditional academic school or program shall abide by the rules of their school and shall be subject to disciplinary action for violations of school rules. The final decision on removal from an alternative/non-traditional academic school or program shall be made by the Superintendent or his/her designee.

For students attending an alternative school or program, violation of school rules shall not constitute grounds for extension of the original suspension or expulsion.

C. Transition

Shelby County Schools shall track the operation and performance of alternative school programs in accordance with state law and shall develop and implement formal transition plans for the integration of students between regular schools and alternative school programs.

To read Policy 6055 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BYRS33691BA5/\\$file/6055%20Alternative%20Non-Traditional%20Academic%20Schools%20Or%20Programs.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BYRS33691BA5/$file/6055%20Alternative%20Non-Traditional%20Academic%20Schools%20Or%20Programs.pdf)

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

Please click the link to access the Virtual G.R.A.S.S.Y- CSSI Programs for parents

<https://scsk12.sharepoint.com/:b:/s/SEED/EToBLpQuokBDmpe53fYNKWABzcX5cECbq6Zgb0dPbkMTow?e=wcea44>

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 Memphis 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**.

To read Policy 6030 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ8968081F/\\$file/6030%20Gangs%20and%20Non-School%20Related%20Social%20Clubs.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUQ8968081F/$file/6030%20Gangs%20and%20Non-School%20Related%20Social%20Clubs.pdf)

HARASSMENT, SEXUAL HARASSMENT, DISCRIMINATION, INTIMIDATION, BULLYING, CYBERBULLYING (POLICY 6046)

Student harassment, sexual harassment, discrimination, 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 mental, physical or sensory disability, socio-economic or familial status.

Memphis Shelby County Schools is committed to taking immediate action to investigate and address reports or claims of harassment, prevent any recurrence, and mitigate its effects on our students and employees, as outlined in Shelby County Board of Education Policy #6046, Harassment, Sexual Harassment, Discrimination, Intimidation, Bullying, and Cyberbullying. Memphis Shelby County Schools encourages students, parents, and staff to work together to prevent and address harassment, including but not limited to harassment on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical, or sensory disability, socio-economic or familial status. Any

student who believes he or she has been subject to harassment on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical, or sensory disability, socio-economic or familial status is encouraged to report the harassment to the Federal Rights Coordinator for students, **Dr. Angela Hargrave, at 901-416-6007**. All inquiries, complaints and investigations of harassment are treated in a confidential manner. However, the identity of the complainant is usually revealed to the respondent and witnesses in order to complete an investigation. Memphis Shelby County Schools takes adequate steps to ensure that the complainant is protected from retaliation at all times. Any students or employees found to have engaged in harassment on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical, or sensory disability, socio-economic or familial status may be subject to appropriate progressive discipline pursuant to the terms of Memphis Shelby County Schools' student and employee conduct and discipline policies and procedures, which may include, if circumstances warrant, or disciplinary action up to and including expulsion of students and up to and including termination of employees.

Title IX of the Education Amendments Act of 1972 requires the District not to discriminate based on sex. The District will respond promptly to any report or formal complaint of sexual harassment or sex-based discrimination. Reports and formal complaints of sexual harassment or sex-based discrimination can be filed with the Title IX Coordinator in person, via mail, or electronic mail at the contact information listed below:

- MSCS Title IX Coordinator
- titleix@scsk12.org
- www.scsk12.org/titleix
- 901-416-5417
- 160 S. Hollywood Street, Memphis, TN 38112

This policy shall be distributed or made available to each student at the beginning of each school year. During the first month of each new school year, time shall be set aside to specifically discuss this policy and the penalties that may be imposed by the district.

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 MSCS Policy 6046 states:

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 (any one of these events):
 - 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.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- I. An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- II. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- III. Activity that meets the following definitions of sexual assault, dating violence, domestic violence, or stalking:
 - A. "Sexual assault" which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Specifically, these are offenses that meet the definition of rape, fondling, incest, or statutory rape. Sexual assault includes:
 1. Rape, defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 2. Fondling, defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
 3. Incest, defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 4. Statutory rape, defined as sexual intercourse with a person who is under the statutory age of consent.
 - B. "Dating violence" which means violence committed by a person
 1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a) The length of the relationship.
 - b) The type of relationship.

- c) The frequency of interaction between the persons involved in the relationship.
- C. “Domestic violence” which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. or
- D. “Stalking” which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to--
 - 1. fear for his or her safety or the safety of others; or
 - 2. suffer substantial emotional distress.

If a sexual harassment or assault incident has been verified, then school officials must implement a safety plan. Schools should consult with Mr. Cory Dickerson dickersoncl@scsk12.org or Dr. Alvin Harris harrisae1@scsk12.org in the SEED office 901.416.6007.

B. “Students’ Reporting Protocol for any Alleged Bullying, Cyber-bullying, Harassment, and/or Intimidation Incident”

1. If any Memphis Shelby County Schools student is the victim of bullying, cyber-bullying, harassment, and/or intimidation, they should immediately report this allegation to any school official.
2. Students can report any bullying, cyber-bullying, harassment, and/or intimidation allegation, to a staff member or any adult they feel most comfortable with at the school. Per T.C.A. 49-6-4503 and MSCS Policy 6046, once staff members have been informed about an allegation, they are mandated to report this allegation to an administrator within 24 hours.
3. Students can write their statement about an alleged bullying, cyber-bullying, harassment, and/or intimidation situation and give it to a staff member at the school. The staff member must submit this information to an administrator within 24 hours.

The Shelby County Board of Education utilizes the “Safe School Tips” program which allows any parent, student, teacher, employee or community stakeholder, to report information about illegal or inappropriate activities, including but not limited to bullying, cyber-bullying, harassment, and/or intimidation, theft, distribution or sale of drugs, possession of weapons, etc.

4. Students can report an allegation anonymously at <http://www.tipsubmit.com/>. Anonymous reports may be submitted; however, disciplinary action may not be based solely on anonymous reports.

Any complaints of bullying, cyber-bullying, harassment, and/or intimidation 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 a 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 immediately. The principal or his/her designee shall promptly initiate an investigation within 48 hours of receiving a complaint of harassment, intimidation, bullying, or cyberbullying. The Principal or his/her designee shall complete the investigation and initiate an appropriate intervention as soon as possible, but no later than within 20 calendar days from receipt of the report, unless the need for more time is 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.
3. 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.
4. 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 Memphis 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.

1. 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. 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.

F. Retaliation Prohibited

There will be no retaliation against any person who reports harassment, intimidation bullying or cyberbullying or participates in an investigation. However, any student 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 expulsion pursuant to the Shelby County Board of Education's Disciplinary Policy if the offender is a student.

For formal complaints of sexual harassment under Title IX, the grievance procedure can be found in the Administrative Rules and Regulations in MSCS Board Policy 6046.

ANTI-HAZING (POLICY 6071)

I. PURPOSE

To prohibit hazing by or directed at any Memphis Shelby County Schools student or associated with any Memphis Shelby County Schools student organization.

II. SCOPE

This policy applies to all schools, organizations, students, volunteers, third parties, and employees within the Memphis Shelby County Schools.

III. DEFINITIONS

Hazing means any intentional or reckless act in this state, on or off LEA [Memphis Shelby County Schools] property, by one (1) student acting alone or with others, that is directed against any other student, that endangers the mental or physical health or safety of that student or that induces or coerces a student to endanger that student's mental or physical health or safety. "Hazing" does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.¹

IV. POLICY STATEMENT

Memphis Shelby County Schools seeks to foster a safe and supportive environment for students to learn and excel in both curricular/co-curricular and extracurricular activities. Therefore, hazing and similar acts are strictly prohibited by any student or organization operating under the sanction of the District. Further, students, employees, and volunteers of the District and other individuals associated with the District are prohibited from engaging in, planning, promoting, allowing, or failing to properly report hazing activities.

Knowledge of hazing activities should be reported in accordance with the policy on Harassment, Bullying, Intimidation, and Cyberbullying (#6046) and shall be made known to the department responsible for student discipline.

The Superintendent or designee shall make available information regarding hazing. The information should include examples of activities that are not considered hazing such as regular/customary practices/conditioning and examples of activities that are considered hazing including, but are not limited to:

- Paddling
- Branding
- Clean-up duty for new members only
- All forms of physical activity deemed dangerous or harmful. i.e. application of foreign substances to the body
- Forcing, coercing, or requiring students to ingest alcohol, illegal or controlled substance, or any foreign or unusual substances
- Forcing or coercing students to dress in embarrassing or degrading attire or undress inappropriately
- Any act which is likely to compromise dignity, cause shame or cause a person to be the object of ridicule
- Any act undertaken in connection with an initiation of an individual or group for membership to any athletic team, club sport, or student organization

This policy shall be distributed or made available to each student at the beginning of each school year. During the first month of each new school year, time shall be set aside to specifically discuss the policy and its ramifications as a criminal offense and the penalties that may be imposed by the district.

This policy is not intended to address corporal punishment, which is prohibited and is not an approved disciplinary measure for Memphis Shelby County Schools or to address allowable progressive disciplinary measures used in lieu of suspension such as campus beautification, cafeteria duty, etc. (See policy 6022 Student Conduct).

Failure of any individual to comply with the provisions of this policy may result in disciplinary action.

IV. RESPONSIBILITY

- A. The department charged with student discipline is responsible for implementing this policy.
- B. The Superintendent is responsible for ensuring that this policy is followed.

To read Policy 6071 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BLJUQT7D2C30/\\$file/6071%20Anti-Hazing.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BLJUQT7D2C30/$file/6071%20Anti-Hazing.pdf)

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 or any others (students, parents, district employees or other third parties) as it relates to interactions with regard to their child's identification, evaluation, educational placement or the provision of FAPE 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 verbally or in writing. If the request is initially made verbally, 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 verbally or in writing (or via the District provided form) an informal conference with a school level administrator within seven (7) days after receipt of the written decision. A conference will be scheduled within three (3) school days 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 Notice of Appeal verbally or in writing (or via the District provided form) with the District's Section 504 Coordinator¹ 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:

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

Attention: Rosalind Davis **or** Chanda Jones-Donald, 504 Coordinator

The Superintendent (or designee) shall conduct an investigation and a written decision shall be rendered within two (2) weeks.

If the grievance is not resolved after the Superintendent's (or designee's) written decision, the parents may appeal, verbally or in writing (or via the District provided form), to the Shelby County Board of Education within 10 days from receipt of the decision. The Board shall meet and review the formal grievance at the first scheduled regular Board meeting after receipt of the appeal and decide (1) that no hearing before the Board is warranted or (2) notify the grievant of the scheduled hearing. Any hearing granted by the Board shall be held within 15 days from the date of such notice.

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 Due Process Hearing may be requested verbally¹ or in writing (or via the District provided form) for denial of a student's identification, evaluation, educational placement or the provision of FAPE. The following provides the due process hearing procedures:

Parents requesting a hearing should submit a verbal or written (or via the District provided form) request to the Section 504 Coordinator at:

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

Attention: Rosalind Davis **or** Chanda Jones-Donald, 504 Coordinator

The Section 504 Coordinator shall convert any verbal request received to a written format using the District provided form. The request shall include the following information:

- The reason for the request
 - Denied identification, evaluation or educational placement of persons who, because of disability need or are believed to need special instruction or related services and/or the provision of FAPE
 - Placed in a setting which is not the least restrictive environment
 - Denied appropriate services due to inaccessibility of programs
 - Denied accommodations and/or modification to regular education program because of identified disability
 - Denied participation in extracurricular or nonacademic activities because of a disability
- A suitable time for the hearing: morning, afternoon, evening
- Two (2) possible dates for the hearing
- 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 Hearing Officers on the approved Hearing Officer List. The impartial Hearing Officer 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 Hearing Officer 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 Hearing Officer 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 child 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 child.
- 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 Hearing Officer of that fact, in writing, at least (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 child'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 about the child's disability.
- The child may be present at the hearing.
- After the impartial Hearing Officer has heard the case, he/she will give a written decision.
- The impartial Hearing Officer understands what the law requires for children 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 Hearing Officer's decision will be given to both the school systems and parents. The Hearing Officer must render a decision within forty-five (45) days after the 504 Coordinator's receipt of the request for a hearing, unless the parents agree otherwise, or the Hearing Officer has granted a continuance at the request of one of the parties.
- The decision made by the Hearing Officer 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.

The OCR office for Tennessee is:

Atlanta Office
 Office for Civil Rights
 U.S. Department of Education
 61 Forsyth St. S.W., suite 19T10
 Atlanta, GA 30303-8927
 Telephone: (404) 974-9406
 FAX: (404) 974-9471;
 TDD: 877-521-2172
 Email: OCR.Atlanta@ed.gov

The OCR National Headquarters is:

U.S. Department of Education Office of Civil Rights
 Lyndon Baines Johnson Department of Education Bldg.
 400 Maryland Avenue, SW
 Washington, DC 20202-1100
 Telephone: 800-421-3481
 FAX: (202) 453-6012
 TDD: 877-51-2172
 Email: OCR@ed.gov

To read Policy 6054 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BWDQND6A1A56/\\$file/6054%20Section%20504%20Grievance%20and%20Due%20Process%20Procedures-%20ADA%20checked.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/BWDQND6A1A56/$file/6054%20Section%20504%20Grievance%20and%20Due%20Process%20Procedures-%20ADA%20checked.pdf)

**MSCS 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. SCS will put into operation programs, activities and procedures for the involvement of parents in all its schools.

In Title I schools, the school district shall specifically put into operation Title I, Part A programs, consistent with section 1118 (<https://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1118>) 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*.

To read Policy 5010 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUP79633386/\\$file/5010%20Title%20I%20Parental%20Involvement.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUP79633386/$file/5010%20Title%20I%20Parental%20Involvement.pdf)

SCHOOL SUPPORT ORGANIZATIONS

Family Partnerships and School Support

(POLICY 7007)

The Division of Family Partnerships and School Support (FP&SS) has been charged with the development of programs and strategies to support the meaningful district-wide engagement of families in our district. The core of our work is expanding the capacity of schools to partner with families in support of student achievement and school improvement. FP&SS provides services and programs that strengthen the home to school connection; while, supporting schools and building the capacity of our families to actively participate in their child's education as partners.

FP&SS provides services and programs that strengthen the home to school connection; while, supporting schools and building the capacity of our families to actively participate in their child's education as partners. Additionally, the FP&SS will provide assistance by providing tiered support for schools, coordinating parent groups, developing professional development opportunities for families and staff.

The Division of Family Partnerships and School Support is responsible for managing the school support organization application approval process. Our office location and contact information is below:

Division of Family Partnerships and School Support 160. S. Hollywood Memphis, TN 38112

Office: 901-416-7600 Fax: 901-416-0051

To read Policy 7007 In Its Entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUPM464D77D/\\$file/7007%20School%20Support%20Organizations.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/AYUPM464D77D/$file/7007%20School%20Support%20Organizations.pdf)

SCHOOL CLOSING PROCEDURES

(POLICY 3002)

Emergency Closing

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.

**Memphis 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.

To read Policy 3002 in its entirety, please visit:

[https://go.boarddocs.com/tn/scsk12/Board.nsf/files/C6PSQA6FA302/\\$file/3002%20Emergency%20Closing.pdf](https://go.boarddocs.com/tn/scsk12/Board.nsf/files/C6PSQA6FA302/$file/3002%20Emergency%20Closing.pdf)

PowerSchool Registration and Enrollment

Whether your child is a returning student from the previous school year or brand new to Memphis Shelby County Schools, his/her enrollment begins by registering online. Parents can register online for their child's zoned school or an approved transfer location.

PowerSchool Mobile App



Did you know there is a PowerSchool app? From your iPhone, go to the app store and download the free PowerSchool mobile app. From your android, go to the Play Store and download the free PowerSchool mobile app. Once it is downloaded, you can set up email alerts and keep track of your child's grades and missing assignments. This is a great way to monitor your child's progress.

Are you a current MSCS student?

Go to: <https://scstn.powerschool.com/public/home.html><https://scstn.powerschool.com/?PID=1197> to register now!

Don't have your PowerSchool access code? Contact your child's school, email studentservices@scsk12.org, or call (901) 416-6007.

Are you new to MSCS?

Get your PowerSchool access code by contacting your zoned school or approved school transfer location or email studentservices@scsk12.org or call 416-6007.

WHAT YOU NEED TO REGISTER

- All returning students require a PowerSchool access code. Don't have one? Contact your child's school or call 416-6007.
- All new MSCS students must visit their zoned school or approved transfer site to begin the registration process. You can find your assigned school and get transfer information at <http://www.scsk12.org/choice/>.
- An active email address is required to register online. Don't have one? Try a free site like Gmail, Yahoo or Hotmail.
- You must have two (2) approved proofs of residence. Additional information is required if you share a residence. Specific requirements can be found at <http://www.scsk12.org/registration/proof?PID=792>.
- Students must be up to date on required immunizations and physicals or have an approved exemption on file to attend school <http://www.scsk12.org/registration/immunizations?PID=794>.
- Verify if your child will ride the bus at school before day 1. This will ensure your child has a bus assignment <http://www.scsk12.org/transportation/?PID=841>.

NEED HELP?

Visit any of these locations M-F during business hours for Internet access, English language support or additional help with your registration.

- Parent Welcome Center (2687 Avery Ave.) *English Language Support available
- Northeast Regional Office (920 N. Highland St.) *English Language Support available
- S.E.E.D. (2800 Grays Creek, Arlington)



**OFFICE OF STUDENT EQUITY ENROLLMENT & DISCIPLINE
TRUANCY INTERVENTION AND PREVENTION**

MSCS ATTENDANCE FLOWCHART POLICY #6016 (TRUANCY)

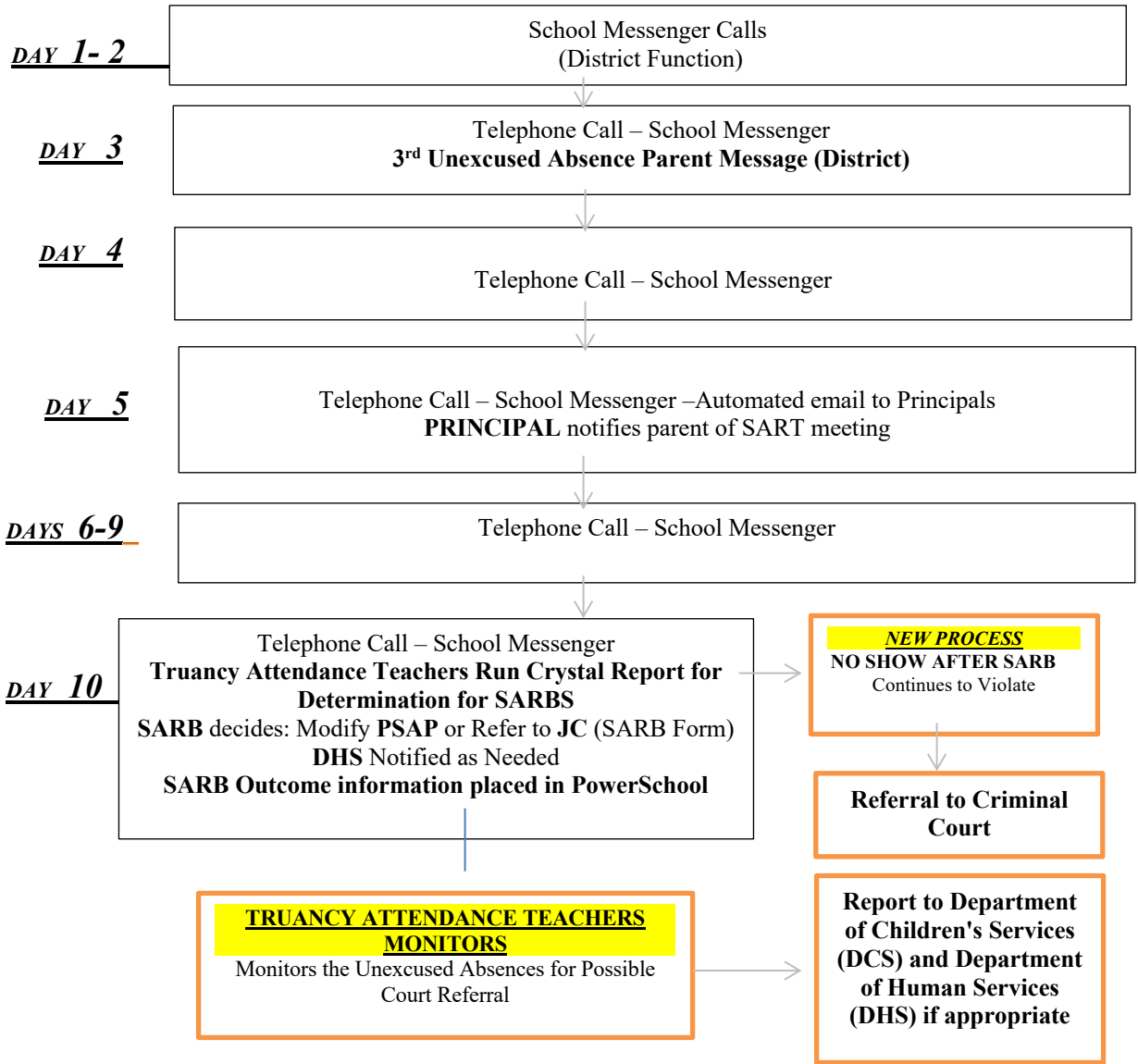


CHART LEGEND

SART- Student Attendance Review Team

PSAP - Parent Student Attendance Plan

JC-Juvenile Court

SARB –Student Attendance Review Board



THE OFFICE OF STUDENT EQUITY ENROLLMENT & DISCIPLINE *(Elementary)*

2800 Grays Creek Road • Arlington, TN • (901) 416-6007 • Fax (901)416-8476 www.scsk12.org

_____ School Year

By signing this Anti-Bullying Contract (in reference to Policy #6046) I agree to:

- Treat all others with dignity and respect;
- "If I am a victim of bullying or if I witness a bullying incident, I will report it to an adult immediately."
- Keep my hands to myself
- I will ask before I touch anything that belongs to another person.
- I will only engage in positive behavior
- I will only call other students by their name
- I will treat my teachers and other students the way I want to be treated
- I WILL NOT BE A BULLY
- I understand that Memphis Shelby County Schools will not accept these bullying behaviors. I pledge that I will not be a bully and I will treat students at my school with respect.
- Refrain from any behavior that constitutes bullying, including, but not limited to: Cyber bullying, harassment (sexual, verbal, etc.), name calling, hitting, threatening, or intimidating, maliciously teasing and taunting, making sexual remarks, stealing, or damaging other belongings, spreading rumors about others, or encouraging others to reject or exclude someone.

I understand that these behaviors are bullying behaviors and will not be accepted or tolerated by Memphis Shelby County Schools. I pledge that I will not bully my peers and will treat all others and their belongings with respect.

Student Name (Printed)

Student Signature

Student Signature Date

Principal Name (Printed)

Principal Signature

Principal Signature Date



THE OFFICE OF STUDENT EQUITY ENROLLMENT & DISCIPLINE *(Secondary)*

2800 Grays Creek Road • Arlington, TN • (901) 416-6007 • Fax (901)416-8476 www.scsk12.org

_____ School Year

By signing this Anti-Bullying Contract (in reference to Policy #6046) I agree to:

- Treat all others with dignity and respect;
- "If I am a victim of bullying or if I witness a bullying incident, I will report it to an adult immediately."
- Refrain from any behavior that constitutes bullying, including, but not limited to: Cyber bullying, harassment (sexual, verbal, etc.), name calling, hitting, threatening, or intimidating, maliciously teasing and taunting, making sexual remarks, stealing, or damaging other belongings, spreading rumors about others, or encouraging others to reject or exclude someone.

I understand that these behaviors are bullying behaviors and will not be accepted or tolerated by Memphis Shelby County Schools. I pledge that I will not bully my peers and will treat all others and their belongings with respect.

Student Name (Printed)

Student Signature

Student Signature Date

Principal Name (Printed)

Principal Signature

Principal Signature Date

Every Student Succeeds Act (ESSA)

Parents' Right-To-Know

All parents have the right to request the following:

- A teacher's professional qualifications, which includes: state qualifications, licensure, licensure, grade/s certification, waivers
- A teacher's baccalaureate and/or graduate degree, fields of endorsement, previous teaching experience
- A paraprofessional qualification
- An assurance that their child's name, address, and telephone listing not be released to military recruiters

All parents will receive information on the following:

- Their child's level of achievement in each of the state academic assessments
- Their option to request a transfer to another school within the district if their child is the victim of a violent crime at school
- Their right to timely notification that their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly effective

NINGUN NINO SE QUEDA ATRA

Derecho De los Padres de Familia a saber

Todos los padres tienen derecho a solicitar lo siguiente:

- Cualificaciones profesionales de un maestro, que incluye: calificaciones estatales, licencia, licencia, certificación de grado/s, exenciones
- Bachillerato y/o posgrado de un profesor, endoso de los campos pf, experiencia docente previa
- Una cualificación paraprofesional
- Una garantía de que el nombre, la dirección y la lista telefónica de su hijo no sean liberados a los reclutadores militares

Todos los padres recibirán información sobre lo siguiente:

- El nivel de logro de su hijo en cada una de las evaluaciones académicas estatales
- Su opción de solicitar una transferencia a otra escuela dentro del distrito si su hijo es víctima de un crimen violento en la escuela
- Su derecho a la notificación oportuna de que su hijo ha sido asignado, o ha sido enseñado durante cuatro o más semanas consecutivas por, un maestro que no es altamente eficaz

Notes