



**2019-2020  
STUDENT-PARENT  
HANDBOOK**

*David Stephens, Ed. D*

*Superintendent*  
5705 Stage Rd  
Bartlett, TN 38134

Phone: 901.202.0855

Visit us on the web at [www.bartlettschools.org](http://www.bartlettschools.org)

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

**BARTLETT CITY SCHOOLS RESPECTFULLY REQUESTS PARENTS  
ALSO REVIEW THE INFORMATION CONTAINED IN THIS  
HANDBOOK WITH THEIR CHILDREN.**

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To view the policy manual for Bartlett City Schools, please visit our web page at  
[www.bartlettschools.org](http://www.bartlettschools.org)

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Also, visit the BCS website to view a summary of our **FY20 Local Consolidated  
Application for Federal Funding**. To find this on our website go to Departments,  
Federal Programs, and then to ESSA for this document.

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**Bartlett City Schools**  
(Offices Indicated Are Those Held At Time Of Publication)

**Erin Berry    David Cook    Shirley Jackson**  
**Jeff Norris    Bryan Woodruff**

**BARTLETT CITY BOARD OF EDUCATION**  
**MEETING SCHEDULE**  
**2019-2020**

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**JULY 2019**

18 – Work Session (If Needed)  
25 – Business Meeting

**AUGUST 2019**

15 – Work Session (If Needed)  
22 – Business Meeting

**SEPTEMBER 2019**

19 – Work Session (If Needed)  
26 – Business Meeting

**OCTOBER 2019**

17 – Work Session (If Needed)  
24 – Business Meeting

**NOVEMBER 2019**

14 – Work Session (If Needed)  
21 – Business Meeting\*

**DECEMBER 2019**

19 – Business Meeting\*\*

**JANUARY 2020**

16 – Work Session (If Needed)  
23 – Business Meeting

**FEBRUARY 2020**

20 – Work Session (If Needed)  
27 – Business Meeting

**MARCH 2020**

19 – Work Session (If Needed)  
26 – Business Meeting

**APRIL 2020**

16 – Work Session (If Needed)  
23 – Business Meeting

**MAY 2020**

21 – Work Session (If Needed)  
28 – Business Meeting

**JUNE 2020**

18 – Work Session (If Needed)  
25 – Business Meeting

Unless otherwise noted, business meetings will be held the fourth Thursday of the month at 7:00 p.m. in Bartlett. Work sessions (if needed) will be held one week prior to the business meetings at 7:00 p.m. in Bartlett.

\*Moved to accommodate Thanksgiving Holiday

\*\*Moved to accommodate Christmas Holiday

**Approved February 22, 2018**

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### **First Semester**

First Day of School.....	August 12
Labor Day .....	September 2
Parent Conferences.....	September 12
End of 1st Quarter.....	October 11
Fall Break.....	October 14-18
Veteran's Day.....	November 11
Thanksgiving Break.....	November 25-29
Semester Exams .....	December 18-20
End of 2nd Quarter (1/2 day) .....	December 20
Winter Break.....	December 23- January 3

### **Second Semester**

First Day Second Semester.....	January 6
Dr. M.L. King's Birthday .....	January 20
1/2 Day for Students.....	February 14
Parent Conferences.....	February 14
Professional Development Day.....	February 15
Presidents' Day.....	February 17
End of 3rd Quarter.....	March 13
Spring Break .....	March 16-20
Good Friday.....	April 10
Semester Exams .....	May 20-22
<b>Last Day of School (1/2 day).....</b>	<b>May 22</b>

Approved February 28, 2019

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## NON-DISCRIMINATION (Policy #4025)

Be advised that all classroom instructional and extracurricular activities and opportunities in the Bartlett City Schools are offered without regard to race, color, creed, national origin, religion, sex, age, or disability, or for any other reason not related to a student's individual capabilities. Students and/or their parents/guardians as well as employees may present complaints regarding discrimination as set forth in the following statutes to the designated Federal Rights Coordinator:

Title VI of the Civil Rights Act of 1964;  
 Title IX of the Education Amendments of 1972;  
 Section 504 of the Rehabilitation Act of 1973;  
 Age Discrimination Act of 1975;  
 Title II of the Americans With Disabilities Act of 1990.

Director of Student Services: Korrie White, Ed. D  
 5650 Woodlawn Street, Bartlett, TN 38134  
 901.202.0855 or [kwhite@bartlettschools.org](mailto:kwhite@bartlettschools.org)

Director of Human Resources: James Aldinger  
 5650 Woodlawn Street, Bartlett, TN 38134  
 901.202.0855 or [jaldinger@bartlettschools.org](mailto:jaldinger@bartlettschools.org)

## VISITORS TO SCHOOLS

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

The Principal or his/her designee may not grant permission to enter the school building or school grounds, other than the school office, unless the person seeking to enter the school premises have first reported to the school office, signed a log book designated for visitors, presented photo identification verifying the identity of the visitor, and scanned into the BCS visitor management system. This system requires that all visitors provide a valid Tennessee drivers license or other state authorized identification which will be scanned and cross referenced with a nationwide sex offender data base.

## PARENTAL AND FAMILY INVOLVEMENT (Policy #4004)

Collaboration between schools and families is essential to supporting student learning. The following Family-School Partnership guidelines will be practiced in Bartlett City Schools:

**Standard 1** – Welcome all families into the school community.

**Standard 2** – Communicate regularly and effectively with all families.

**Standard 3** – Support student success by collaborating with families to support students' learning and healthy development both at home and at school.

**Standard 4** – Encourage families to be advocates for their own children and other children in order to ensure that students are treated fairly and have access to learning opportunities that will support their success.

**Standard 5** – Share power by ensuring that families are full partners in the decisions that affect children and families.

**Standard 6** - Ensure that families and schools collaborate with community members to connect students, families and staff to expanded learning opportunities, community services and civil participation.

**School Level Policy** – Each Title I school shall submit a Title I School-Parent Involvement Plan, which must meet state and federal requirements, including a school-parent compact. The aforementioned plan must be distributed to parents.

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**Support for Program** – Parents of students participating in Title I programs should be consulted on use of funds.

T.C.A. §49-2-305 (Tennessee State Board of Education Policy No. 4.207)

### SCHOOL VOLUNTEERS (Policy #4034)

While Bartlett City Schools encourages the use of school volunteers to enhance programs and promote community involvement, **our first duty is the safety of our students and the protection of their learning environment.** The information below reviews the guidelines of our school volunteers and more information is available upon request.

- The Board encourages the use of school volunteers to enhance educational programs and promote community involvement in the District.
- All volunteers shall comply with guidelines and standards implemented by the Superintendent, principals, and supervising BCS personnel. Volunteers must be approved by the principal and shall serve under the immediate supervision and direction of the BCS employee to whom they are assigned.
- In all cases, a responsible employee shall retain final authority over students, school programs, and services.
- While serving as a volunteer, no individual shall have access to any student confidential medical or educational records. They may not teach, but volunteers may reinforce skills taught by BCS employees. Volunteers shall adhere to the standards of conduct applicable to BCS employees at all times.
- Individuals providing volunteer services may be subject to a background check depending upon their specific volunteer activities and the type and frequency of their contact with students. Refusal or failure to submit to a required background check will render the individual ineligible to serve as a volunteer. Additionally, falsification or omission of relevant information on required volunteer documents will result in ineligibility to serve as a volunteer.

Individuals providing volunteer services may be subject to an application process and/or a criminal background and fingerprint check depending on the category of volunteer level that is assigned to them. The identifying categories for volunteers are as follows:

Category 1 – Occasional volunteer activity in a highly public setting and under supervision by a BCS employee with little or no contact with students.

Category 2 – Regular volunteer activity with supervised student contact. School administrators will ensure that regular volunteers are never left with students outside the presence of a school employee.

Category 3 - Volunteer activity that involves extended or unsupervised contact with students on or off campus. The level does require the completion of a volunteer application, raptor screening and a criminal background/fingerprint check.

Check with the school principal to discuss potentially becoming a school volunteer and the steps needed to complete the process.

### ADMISSION AND ENROLLMENT (Policy #6016)

#### Students Eligible to Attend Bartlett City Schools

**Residence:** Pupils are required to attend school between the ages of six (6) and seventeen (17), both inclusive, unless withdrawn in accordance with legal requirements. (T.C.A. §49-6-3001). Educational services will be provided for homeless students in accordance with local, state and federal guidelines.

NOTE: A homeless child (defined in McKinney-Vento Homeless Assistance Act) lacks fixed, regular and adequate residence or has a primary residence in a supervised publicly or privately operated shelter for temporary accommodations, a public or private place not designated for use as regular sleeping accommodations for humans (Policy #6044). For further information please contact Dr. Amy Fielder at 202-0855.

Bartlett City Schools' policy prohibits the enrollment of any child in Bartlett City Schools unless they are living with a parent/legal guardian who resides in the area served by the Bartlett City School System. Proof of official residence will be required at registration and will be checked randomly as well as when there is a reasonable question regarding the location of the current residence.

Parents interested in enrolling a child at a school other than that which is zoned for their home address may review the Bartlett City Schools Student Transfer Policy (#6015 & 6019) at [www.bartlettschools.org](http://www.bartlettschools.org).

**Proof of Residence:** The parent/guardian of every student will be required to provide two (2) of the following items showing the parent/guardian's name and address, to prove residency: Real Estate Tax receipt, Mortgage Statement or Deed, most recent Memphis Light Gas and Water bill, Lease or Rental Contract, and Public Assistance/Benefits documents.

**Shared Residency:** 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 Bartlett City Schools District. Please follow guidelines outlined in Policy #6016.

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**Custody Issues:** Only the residence of the parent with legal custody may be used for registration. (T.C.A. §49-6-3103) In cases where parents have joint custody, only the address of the parent named as the primary residential parent may be used for registration. The parent whose residence qualifies the child to be registered is the parent the school personnel will consider as the *custodial parent*. The noncustodial parent may receive school records when a written request is given to the school principal in compliance with T.C.A. §49-6-902 or T.C.A. §36-6-104. Guidelines outlined in BCS Policy 6013 will be followed.

**Enrollment by Power of Attorney (T.C.A. §34-6-302)**

A child whose care, custody and support has been assigned to a resident of the 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 and one or more of the following circumstances exist: a) The serious illness or incarceration of a parent or legal guardian; b) The physical or mental condition of the parent or legal guardian of the child is such that care and supervision of the child cannot be provided; c) The loss of the child's home or the home being rendered uninhabitable as the result of a natural disaster; d) The military deployment of a parent or legal guardian. The Superintendent or designee may consider additional hardships on a case-by-cases basis.

**Migrant Students (Policy #6045)**

Migrant Students shall be identified through use of the Occupational Survey. In developing a program to address the needs of migratory students, Bartlett City Schools will implement the following process:

1. Identify migratory students and assess the educational and related health and social needs of each student.
2. Provide services including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and other programs available to all children attending Bartlett City Schools.
3. Provide migratory children with the opportunity to meet the same statewide assessment standards that all students are expected to meet.
4. To the extent feasible, provide advocacy and outreach programs to migratory students and their families as well as professional development for district staff.
5. Provide parents an opportunity for meaningful participation in the program.

**Homeless Students (Policy #6044)**

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

1. Sharing the housing of other persons due to the loss of housing, economic hardship, or a similar reason; or
2. Living in motels, hotels, trailer parks, camp grounds, cars, public spaces, abandoned buildings, sub-standard housing, bus or train stations, or similar settings due to lack of adequate accommodations; or
3. Abandoned in hospitals; or
4. Migratory children who qualify as homeless because they are living in circumstances described above; or
5. Unaccompanied youth, including youth not in the physical custody of a parent or guardian, such as runaways and youth denied by their families.

The rights of homeless students as defined above shall be posted in all schools.

## **STUDENT ENROLLMENT (Policy# 6016 and 6020)**

**Entrance Age**

A child must be five (5) years of age on or before August 15 of the current school year to be admitted to kindergarten.

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, making application for admission, shall be eligible for enrollment in the Bartlett City 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 Bartlett City Schools.

Children with disabilities may be enrolled in the Bartlett City 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.

#### ***Students enrolling in kindergarten who have not previously enrolled in any school will furnish the following:***

1. ***Birth certificate:*** Other evidence of age is acceptable only if the certificate is not available, such as a foreign-born student, and only if approved by the Department of Student Services.
2. ***Proof of Immunization:*** Please see the preceding section entitled “Immunization (New State Immunization Rules and Certificate)”.
3. ***Physicals:*** Physical examinations are a requirement for entry into Kindergarten or new students entering a TN school for the first time within 12 months prior to enrollment. Out-of-State physicals for entering students in Kindergarten or a Tennessee School for the first time are acceptable; however, documentation on the Tennessee Immunization Certificate is necessary for submission to the school along with all immunizations transferred to the TN Dept. of Health Immunization Certificate. Proof of physical exam is required.
4. ***Social Security Card:*** Students who cannot provide a social security number will be assigned a personal identification number. Attendance operators are provided instruction as to procedure to assign PIN numbers at their in-service. Students cannot be denied admission to public schools because they did not provide a social security number at registration.

Principals will contact the Department of Student Services if assistance is needed.

A *Temporary Tennessee Certificate of Immunization* may be submitted if the physical examination has been completed and immunizations have been started. The student may attend school as long as the immunizations are completed according to schedule. The temporary certificate expires after the next dosage due date. Compliance with completion will be monitored. Parents will receive notification of actions to be taken if vaccination schedule is not followed.

## **IMMUNIZATION (Policy# 6009) New State Immunization Rules and Certificate**

No students entering school, including those entering pre-kindergarten, kindergarten, first grade, those from out-of-state and those from nonpublic schools, will be permitted to enroll (or attend) without proof of immunization. It is the responsibility of the parents or guardians to have their children immunized and to provide such proof to the principal of the school, which the student is to attend.<sup>2</sup>

Exceptions, in the absence of epidemic or immediate threat, parents or guardian shall file with school authorities a signed, written statement that such measures conflict with his/her religious tenets or practices; or due to medical reasons if such child has a written statement from his/her doctor excusing him from such immunizations.<sup>2</sup>

### **Waiver of Immunization Requirements**

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

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

\*Please contact Department of Student Services at 901.202.0855 Ext. 2271 for questions related to exemption documentation requirements.

## **ATTENDANCE, ABSENCES, TRUANCY, AND WITHDRAWAL**

### **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.

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### **Enrollment of Students Beyond Compulsory Attendance Age (Policy #6021)**

During the first (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 for the students, including overage for grade students; and outline the academic and behavioral expectations of the student within the school.

During the first twenty (20) days of each semester, those students who fall in the following categories will be admitted only by special permission of the principal of the school where they seek admission.

### **Absences and Excuses (Policy #6047)**

The Bartlett City Schools Board of Education believes that regular attendance is a necessary requirement of all students. All students are expected to attend school on each day that school is officially in session. Only the following reasons will be considered for excused absences:

1. Personal illness. 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. Illness of immediate family member
3. Death in the family
4. Extreme weather conditions
5. Religious observances
6. Circumstances which in the judgment of the principal create emergencies over which the student has no control

A statement (handwritten or e-mail) 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; otherwise, the absence will be considered unexcused.

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

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

### **Compulsory Attendance (Policy #6020)**

Children between the ages of six (6) and seventeen (17), both inclusive, must attend a public or non-public school. The principal shall be responsible for the initial placement of students entering school for the first time. A parent/guardian or legal custodian who believes that their child is not ready to attend school at the designated age of mandatory attendance may make application to the superintendent (or designee) for a one (1) semester or one year deferral in required attendance. Any such deferral shall be communicated to the principal of the school that the 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.

### **Attendance Provisions for Students of Military Parents**

Kindergarten and first grade students of military parents shall be allowed to continue their enrollment commensurate with their grade level from the sending state at the time of transition, regardless of age. If a student has satisfactorily completed the prerequisite grade level in the sending school district, the student shall be eligible for enrollment in the next highest grade level, regardless of age. Students who transfer after the start of the school year shall enter school on the student's validated level from the sending state.

### **Truancy (Policy #6047)**

If a student receives five (5) or more absences during the school year without adequate excuse, the Superintendent or his/her designee shall notify the parents that the student is required to attend school. Also, five (5) unexcused check-ins will equal one (1) unexcused absence. An unexcused check-in will result when a student checks in twenty (20) minutes or more after the beginning of the school day without an adequate excuse.

At five (5) or more unexcused absences, the district will begin its tiered truancy intervention plan pursuant to TN House Bill 2376. This will include mandatory a conference with the student and the parent/guardian to assess the absences and develop an attendance contract.

Except as otherwise provided by law, 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.

For additional information regarding enrollment and compulsory attendance, please contact Student Services at 901.202.0855 Ext. 2238.

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

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

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

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The Certificate of Compulsory Attendance is provided by the high school attendance office to students who meet the legal requirements of compulsory attendance, in addition to currently passing three (3) full unit subjects or the equivalency. To maintain the driver's permit or certificate, the student must continue to meet the legal requirement of compulsory attendance and the academic requirement of currently passing three (3) full unit subjects or the equivalency. (T.C.A. §49-6-3017(c))

### **Motor Vehicle or Permit License Revocation**

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

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

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

by school personnel shall also be mailed to the student's parent or guardian.

T.C.A. §49-6-3017

T.C.A. §55-50-502

T.C.A. §55-50-511, et seq.

## **INTERSCHOLASTIC ATHLETICS (Policy #4027)**

All middle schools (6-8) and high schools (9-12) in Bartlett City Schools are members of the Tennessee Secondary Schools Athletic Association (TSSAA) and as members follow its rules and regulations. Academic 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 reference Policy# 4027 located on the district web page at [www.bartlettschools.org](http://www.bartlettschools.org).

## **STUDENT ASSIGNMENTS (Policy #6018)**

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 regardless of schedule.

## **REPORT CARDS AND GRADING SYSTEM (Policy #4014)**

The Bartlett City Schools grading system will follow all applicable statutes, rules, and regulations of the State Board of Education. The grading system shall be uniform district-wide<sup>1</sup>, except to the extent that BCS operates ungraded and/or unstructured classes in grades K-3 in accordance with state rules and regulations.<sup>2</sup> Conduct grades are based on behavior and shall not be deducted from scholastic grades. Student conduct grades shall reflect "E" for excellent, "G" for good, "S" for satisfactory, "N" for needs improvement, or "U" for unsatisfactory and shall be reported at each grading period.

### **REPORT CARDS**

The report card form, content, and procedure shall be approved by the Board prior to implementation. Report cards shall include the information necessary to communicate student progress to parents, and they shall provide academic progress and attendance information on a regular basis. Report cards are distributed at the end of each nine-week grading period. At the midpoint of the nine weeks, parents will be notified of students' progress through an interim report. When a student's behavior or academic performance falls below acceptable levels, the teacher must notify the parent through interim reports or student report cards. All elementary report cards shall contain sufficient space for teacher and parent comments.

#### Kindergarten Report Cards

Kindergarten grade level standards shall be as prescribed by the State of Tennessee. Students are evaluated based on their progress toward meeting benchmarks for each standard. Progress shall be indicated by "M" for "Mastery" and "X" for "Non-Mastery" for each skill. Letter grades are used to express basic grading for non-core content areas like art, music, and physical education. Letter grades include "E" for excellent, "G" for good, "S" for satisfactory, "N" for needs improvement or "U" for unsatisfactory.

### **GRADING SCALE GRADES ONE (1) THROUGH TWELVE (12)**

The grading system for core content areas is expressed by the letters "A", "B", "C", "D", and "F" according to the numerical values listed on the grading scale  
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below. First (1st) and second (2nd) grade science and social studies will be expressed by the letter grades “S” or “N”.

A .....	90-100
B .....	80-89
C .....	70-79
D .....	65-69
F .....	Below 65

State Standardized Assessments

For students in grades 3-12, scores on state standardized assessments shall comprise the minimum percentage of the students’ final grades as permitted by law.<sup>3</sup>

All state standardized raw assessment data shall be calculated by using the target grade methodology as prescribed by the State Department of Education.

High School Grading

Students who meet only the minimum requirements should be given minimum passing grades. No student may fail for the semester or year if the only failing grade is that of the semester examination. Each semester exam shall account for twenty percent (20%) of the students’ semester grade.

Students who successfully complete a high school course will earn high school credit. Credits will be awarded in .5 increments upon successful completion of a semester. A student will receive one full credit in the course if he/she receives a passing yearly grade in the course.

Semester grades are comprised of two quarterly grades (eighty percent (80%)) and the semester exam (twenty percent (20%)). For courses which have no state mandated end of course (“EOC”) exam, each semester grade is fifty percent (50%) of the final grade. For courses which include a state EOC exam, each semester grade is forty-five percent (45%) of the final grade, and the EOC exam accounts for ten percent (10%). For the 2017-2018 school year and beyond, each semester grade is forty-two point five percent (42.5%) of the final grade, and the EOC exam accounts for fifteen percent (15%).

Students enrolled in a high school course having an eighty-seven (87) or higher course average with (3) or fewer excused absences in a course may be exempted from the district spring semester exam. Any unexcused absence disqualifies the student from all exam exemptions. Students in the twelfth (12<sup>th</sup>) grade may be exempted for both fall and spring semester exams.

Weighted Grades

For Advanced Placement (A.P.) courses, teachers will add five (5) points to each quarter and semester exam grade. For dual enrollment, dual credit, and national industry certification courses, teachers will add four (4) points to each quarter and semester exam grade. For Honors courses, including middle school courses taught at the Honors level, teachers will add three (3) points to each quarter and semester exam grade. Points shall not be added to the final grade

Calculation for High School Course GPA

<b>Grade</b>	<b>Value</b>	<b>Regular</b>	<b>Honors</b>	<b>Dual Credit</b>	<b>A.P./Dual Enrollment</b>
A	90-100	4	4.5	4.75	5
B	80-89	3	3.5	3.75	4
C	70-79	2	2.5	2.75	3
D	65-69	1	1.5	1.75	2
F	Below 65	0	0	0	0

This weighted grading scale shall be used for all official purposes including report cards, GPA, class rank, honor roll, etc. except the Lottery / Hope Scholarship as described below.

Tennessee Uniform Grading Scale for Lottery/HOPE Scholarship

Students applying for lottery scholarships and other Tennessee Student Assistance Corporation funds must be evaluated using the Tennessee State Uniform

Grading Scale. The scale is as follows:

A.....	93-100
B.....	85-92
C.....	75-84
D.....	70-74

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F.....Below 70

Each school year, prior to scheduling courses for the next school year, all middle schools, and Bartlett High School shall conduct a lottery scholarship day for students and their parents.<sup>4</sup> Each school counselor will provide incoming freshmen with information on college core courses required for lottery scholarships as well as necessary criteria (grade point average, ACT, and SAT score, etc.) that must be met in order to receive a scholarship.

<sup>1</sup> T.C.A. §49-1-302 (a)(17)

<sup>2</sup> T.C.A. §49-1-302 (g)

<sup>3</sup> T.C.A. §49-1-617

<sup>4</sup> T.C.A. §49-4-932(f)

## STUDENT RECORDS (Policy #6033)

### 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, 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, APEX, 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) In these circumstances, records will not be released to another school district without notifying the parent/guardian.

### Access and Content / FERPA

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

### Military Recruiters

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

## DEPARTMENT OF EXCEPTIONAL CHILDREN

Bartlett City Schools offers a wide range of services to meet the needs of students with disabilities. Eligible students from ages three through twenty-one are served in all schools. A full continuum of services, including related services of Speech/Language Therapy, Occupational Therapy, and Physical Therapy are available in every school. Specialists are available to work with visually impaired, hearing impaired, and students with behavior problems. Detailed information regarding special education programs may be obtained by calling 901.202.0855.

### Student Referral

If parents are concerned about their child's learning or behavior in school they may call or write their child's teacher or school administrator expressing these concerns. The school administrator may explain the student intervention and referral process if parents are requesting an evaluation for special education services. Parents may also contact the Department of Exceptional Children regarding the referral process at 901.202.0855.

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

Per Tennessee Public Chapter 585 (T.C.A. §49-2-203 (b)), the following information is provided for parent and student use. Answers to many questions and much helpful information may be obtained from the State Department of Education by calling 1-888-212-3162 or visiting <http://www.state.tn.us/education/speced>.

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**Tennessee Department of Education Center of Regional Excellence**  
**Patrice Richardson-Martin, Southwest Core Director**  
**100 Berry Hill Drive**  
**Jackson, TN 38301**  
**(731) 265-0409**

## **PARTICIPATION IN EXCEPTIONAL PROGRAMMING (Gifted)**

Bartlett City Schools offer special education programs for students who meet the criteria established by the State of Tennessee for the identification of intellectually gifted students. The gifted program emphasizes the development and application of higher level thinking skills in critical thinking, creative thinking, research, communication, leadership, group skills, technology, and problem solving. It is through the application of these processes that a deep understanding and appreciation within varied fields of inquiry result.

State of Tennessee Criteria for Participation in programs for the Intellectually Gifted

- a. A child is assessed through a multi-modal identification process, wherein no singular mechanism, criteria or cut-off score is used for determination of eligibility. Areas assessed and evaluated for eligibility determination include:
  1. Educational Performance
  2. Creativity/ Characteristics of Gifted
  3. Cognition
- b. Eligibility for an individual child is based on analysis of this information. The screening and comprehensive assessment data results must meet specific eligibility standards based on criteria and assessment measures.

## **HIGH SCHOOL EDUCATIONAL REQUIREMENTS**

### **Grade Classification for High School Students**

Students in Bartlett high schools are to be classified as follows:

Less than five (5) credits	9th grade
Earned five (5) credits and passed English 9	10th grade
Earned eleven (11) credits and passed English 10	11th grade
Earned sixteen (16) credits* and passed English 11	12th grade

\*A student who has earned fewer than fourteen (14) credits but is enrolled in enough credits to meet graduation requirements by the date of graduation shall be classified as 12<sup>th</sup> grade if the student has also passed English 9, 10, and 11.

\*In accordance to the Tennessee State Department of Education requirement, a student classified as a 12<sup>th</sup> grader must be enrolled in a full schedule of credit bearing courses his/her senior year.

### **Course Recovery (Policy #4012)**

Course Recovery is designed to provide students an opportunity to recoup credit needed for graduation. Bartlett City Schools provides Course Recovery as self-paced online courses that meet the Tennessee Standards for course credit. Students may apply a maximum of four (4) credits through Course Recovery toward graduation. For additional information and details regarding Course Recovery, please refer to the policy at [www.bartlettschools.org](http://www.bartlettschools.org).

### **Home School Grades**

For information regarding enrollment in Bartlett City Schools following homeschool attendance, please contact the Director of Student Services at 901.202.0855 Ext. 2238.

### **Transfer Grades**

In order to receive credit when a student transfers to Bartlett City Schools from another district, official transcripts must be requested to determine grade level, credits, and GPA. Numeric grades will be accepted as posted on the transcripts. Alpha (letter) grades will be converted to numeric grades based upon the midpoint grade. Credits will be received as indicated on the official transcript.

### **Dual Enrollment**

High School students have the opportunity to earn high school credit and college credit simultaneously in certain courses. Students should see the school counselor for more information concerning dual enrollment courses.

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### On-line Courses (Policy #4032)

Students enrolled in a Bartlett City high school may earn high school credit from courses taken online provided each of the following conditions are met:

1. Only on-line courses that have been approved by the Tennessee State Department of Education may be taken by students for credit.
2. Students will be permitted to take online courses ONLY in unusual circumstances; homebound, expulsion, schedule conflict during the school day, or if the course is not offered at the student's home school.
3. Online courses may be taken ONLY through SACS (or equivalent) accredited institutions and ONLY WITH prior written approval of the student's principal. Any and all exceptions should be directed to the Superintendent or the Director of Teaching and Learning for approval of the course and the supplying institution.
4. Official transcripts from the on-line school or university must be submitted to the high school prior to the beginning of the next semester. It is the responsibility of the student/parent to have the institution provide the transcript to the student's home school.
5. For the purpose of meeting minimum graduation requirements, students may receive no more than one online course credit each school year. Students who are expelled or homebound may exceed this limit with approval from the Superintendent or his designee.
6. All fees and other costs are the responsibility of the student/parent, unless prior written approval has been granted by the Superintendent or his designee.
7. Numerical grades provided by the online institution will be recorded on the student's permanent record exactly as provided, regardless of status (passing, failing, withdrawal). If the institution only provides letter grades, Bartlett City Schools will convert to a numerical grade that is the median of the Bartlett City Schools grading scale for the letter grade given.
8. All online grades earned according to this policy shall be included as part of the student's official overall grade point average and recorded on the transcript to accurately track the student's enrollment in coursework.

T.C.A. §49-16-101, et seq.

Tennessee State Board of Education Policy No. 3.208

### Guideline for Graduation (Policy # 4029)

Any student who graduates with a regular diploma from a public school in Tennessee must earn the number of credits as indicated below.

Diplomas will not be issued to Bartlett City Schools' students who have not met these requirements. Special Education students may earn a regular diploma based on the IEP team's recommendation and by fulfilling the requirements of the IEP. Special Education diplomas may or may not be acceptable at some post-secondary schools.

### High School Graduation Requirements:

<u>English</u>	<u>4 Credits</u>
<u>Math</u> ( Students must take a math class each year.)	<u>4 Credits</u>
<u>Science</u>	<u>3 Credits</u>
<u>Social Studies</u>	<u>3 Credits</u>
<u>PE and Wellness</u>	<u>1.5 Credits</u>
*The physical education requirement may be met by substituting an equivalent time of physical activity ( <b>Policy #4013</b> ).	
<u>Personal Finance</u>	<u>0.5 Credit</u>
<u>Fine Arts</u>	<u>1 Credit</u>
<u>Foreign Language</u>	<u>2 Credits</u>
<u>Elective Focus</u>	<u>3 Credits</u>

The High School Program of Study provides additional information about course selections and can be found [here](#).

### Transition Plan-End of Course Assessments

Students enrolled in high school are required to graduate using the "new" plan as established by the High School Transition Policy, Rule (2008), High School Policy 2.103 (2008), and Rule 0520-1-3-.06 GRADUATION, REQUIREMENT E. (2008). This plan requires students to be assessed in the following end of course assessments: English I, English II, English III, Algebra I, Geometry, Algebra II, U.S. History, Biology I, Chemistry, and Physics. The results of these examinations will be factored into the student's grades as **15% of the 2<sup>nd</sup> semester grade** as determined by the state board of education in accordance with T.C.A. §49-1-302(2).

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The student would not be required to pass any one examination, but instead the student would need to achieve a passing score for the course and semester average in accordance with the State Board of Education's uniform grading policy.

Minimum requirement for admission to universities funded by the State of Tennessee:

- \* English 4 credits
- \* Algebra I and Algebra II, 1 unit of each
- \* Geometry or other advanced mathematics course with Geometry component, 1 unit
- \* Natural/Physical Sciences, 2 units; 1 unit must be in a laboratory course in biology, chemistry, or physics
- \* United States History, 1 unit
- \* Social Studies, 1 unit (Modern European History, World History, World Geography, History, Modern History)
- \* Foreign Language, 2 units in same language
- \* Fine Arts, 1 unit (any art or music course)

#### Participation in Commencement Exercises

Only students who have met all state requirements and mandates for a high school regular diploma or special education diploma by graduation date will be allowed to participate in commencement exercises. A student's behavior must be acceptable to the school principal in order for the student to participate in the school graduation ceremonies. Students who are under suspension at the time of commencement will not be eligible to participate in commencement exercises.

## **SCHOOL CLOSING PROCEDURES (Policy #3002)**

### **Emergency Closing**

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

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.

\*\*Bartlett City Schools has implemented a ParentLink System to alert parents regarding school closures, emergencies, etc. Please be sure that all contact information is correct and up-to-date.

## **HEALTH SERVICES**

### **Student Health Guidelines**

If a child presents with any of the following issues, then a parent/guardian will be notified, and the child must be picked up by a parent/guardian or an authorized person.

Appearance/Behavior - Lethargy (unusually tired, pale, and difficult to wake), confused or irritable. These symptoms can be sufficient reason to stay at home, if severe or unusual.

Fever - Temperature of 100.0 F or higher, then child must go home and be fever free without medication for 24 hours before returning to school. While at home, caregivers are encouraged to ensure that the child receives adequate fluids.

Diarrhea - Two (2) or more watery stools in a 24-hour period, especially if the child feels sick.

Vomiting - Two (2) or more times within the past 24 hours, child should be kept home. If vomiting occurs at school, child must be sent home and free of vomiting episodes for at least 24 hours.

Rash - Children with a skin rash of unknown origin especially with fever will be sent home and should see a doctor, as this could be one of several infectious diseases. Heat rash and allergic reactions are not contagious, and the student may come to school if symptoms are tolerable.

Sore Throat - A minor sore throat is usually not a problem, but a severe sore throat could be more serious, even if no fever exists. Special tests are needed to diagnosis strep throat. If other symptoms are part of the complaint, it is advised that the child's parent be called to pick them up because they may be contagious.

Eyes - With pink eye (conjunctivitis), you may see a white/yellow discharge, matted eyelids after sleep, or eye pain and redness. Child should go home if suspected pink eye and treatment has not begun. Child may return to school after 24-hour treatment of an antibiotic eye medication.

Communicable Disease - Refer to Bartlett City Schools Board Policy #6008 and Shelby County Health Department guidance.

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Ringworm - is not a type of parasite but rather a fungal skin infection — the condition gets its name from the characteristic ring-shaped rash that it causes. Ringworm is contagious, and to stop the spread of infection, timely treatment is extremely important. Avoiding skin contact with the infected person is the best way to stop it from spreading. Ringworm can be treated simply with some over-the-counter antifungal cream, though more severe cases may require the use of an oral antifungal medication. Area must be covered and treated for student to remain in school.

**Allowing your child to be in school with any of the above symptoms puts other children and staff at risk. The intent of these guidelines is in the best interest of all and can translate into fewer missed days due to illness. We will be proactive in maintaining a healthy environment in our schools for all of our community.**

**For questions contact your child’s school nurse or the Coordinated School Health Department at 901-202-0855 Ext. 2271.**

#### **Hospitalization**

If your child has experienced hospitalization related to accident/injury, or chronic illness, please notify the Department of Student Services at 202.0855 Ext. 2272 to assist with health accommodations. This will allow for smoother transition and seamless re-entry to school.

Parents/guardians of students attending BCS need to review and update their health information during the on-line registration process.

Parents/guardians of students with a disease, illness, condition, or issue of an acute or chronic nature need to contact the Department of Student Services at 202.0855 Ext. 2272 for assistance and referral to a school nurse.

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

Students with life threatening food allergies and diabetes are managed in the school setting in accordance with the T.C.A.§49-5-415 and the State Department of Education and Health “Guidelines for the “Use of Health Care Professionals and Health Care Procedures in the School Setting”.

#### **Administering Medicines to Students (Policy #6011)**

It is the policy of the Bartlett City Schools that all children’s medication be administered by a parent at home. Under exceptional circumstances, medication may be administered by school personnel under the appropriate administrative regulations.

#### **Medication in Schools (Policy #6011)**

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

1. **Medication** (only if absolutely necessary) - Only medicines which absolutely **MUST** be given during the school hours should be brought by parent or guardian to school for dispensing at school. Please make arrangements for all other medicines to be given at home, either before or after school time. Medications, which need to be given one, two, or three times a day, can be given during the hours outside of school hours. Your child’s health care provider can give you guidance about whether or not a dosage schedule can be changed. All medication will be brought to school by the parent or guardian, unless other arrangements have been approved by the school principal, but under no circumstance shall a student bring the medication to school by himself/herself. All medication must be brought in its original container whether it be a prescription or non-prescription medication.
2. **Bring only enough medication to school for a TWO WEEK period.** This is particularly important for medications that might be stolen or that have a street value, such as Ritalin.
3. **Over-the-counter medicines** usually **MAY NOT** be given at school. There may be some exceptions, but arrangements need to be made with the principal and/or school nurse.
4. **Original Containers-** All medicines must be in their original containers and correctly labeled. Prescription medicines must have a pharmacy label or a label from the doctor’s office or health care facility which includes the child’s name, name of the medicine, strength of each unit of medicine, dosage amount, and time as well as the doctor’s name. Over-the-counter medicines must be labeled with the child’s name in a manner which does not cover up the original container label.
5. **Parent Authorization-** All medicines must have a Parent Authorization form completed, and the medicine container information must match the Parent Authorization.

#### **Student Communicable Diseases (Policy #6008)**

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

#### Communicable Diseases Requiring Exclusion From School

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

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

**Student Acquired Immune Deficiency System (Students) (Policy #6010)**

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.

**Influenza**

The flu is a contagious respiratory illness caused by influenza viruses. More information is available on the district website by clicking [here](#).

**Meningococcal**

Meningococcal disease is a serious illness caused by a type of bacteria called *Neisseria meningitidis*. More information is available on the district website by clicking [here](#).

**Wellness (Policy #6052)**

Bartlett City Schools is committed to providing a school environment that enhances learning and the development of lifelong wellness practices for all students. The entire Wellness policy may be accessed on the District's website.

**STUDENT DRESS CODE (POLICY #6040)**

The standards for Bartlett City Schools dress reflect "common sense" and a concern for each child'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, Bartlett City Schools establishes a basic dress code to ensure appropriate and modest dress.

**STUDENT MEAL CHARGE****General**

Bartlett City Schools provides the opportunity for parents to apply for meal benefits through the National School Lunch Program. Lunch applications are made available at the beginning of school year. Bartlett City Schools also provides online services for meal applications and checking balances on lunch accounts. Should children not qualify for meal benefits Bartlett City Schools provides an online payment system, and we also accept checks and cash during meal service. Even with these services made available there may be situations when a student does not have funds to cover the meal cost. If that should occur students will be allowed to charge a breakfast and/or lunch. They will receive a full meal and their account will be charged. When payments are made to the student's account, all meal charges are paid first and any additional funds will be available for purchases.

Checks should be written to Bartlett City Schools and include a telephone number. Online payments can be made at [www.mypaymentsplus.com](http://www.mypaymentsplus.com).

**Charge limits**

Students in all grades are allowed to charge up to \$15.00. Once the allowable charge limit has been reached, an *alternate meal* will be given to the student. No ala carte items will be charged.

Charges may be discontinued at a designated date in May to allow for the collection of the unpaid debts. This date will be announced on Bartlett City Schools' website at [www.bartlettschools.org](http://www.bartlettschools.org)

**Alternate meals**

Alternate meals will be provided after the child's negative balance reaches the allowable charges. Alternate meals will be provided for breakfast and/or lunch.

The alternate meal will include the following:

Breakfast: Entree item and beverage

Lunch: Entree item and a beverage

**Household Notification**

Low balance notification letters will be sent weekly at the elementary level. Low balance notification can be set within the online payment system also. Elementary and middle students will be handed a low funds document at time of sale. High school students will be notified verbally at point of sale.

Negative balance notification: Letters will be sent home weekly with elementary and middle students. High school students will receive verbal notification and a call to the parents. Parents can also check balances through our online payment system.

**Additional Resources**

Families may find assistance with applying for free or reduced price schools meals by contacting Ms. Marsha Landstreet, School Nutrition Shared Services Supervisor, [mlandstreet@colliervilleschools.org](mailto:mlandstreet@colliervilleschools.org), 901-286-6373.

*"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.*

*Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.*

*To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:*

- 1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- 2) fax: (202) 690-7442; or  
email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

## STUDENT TRANSPORTATION SERVICES

### Transportation Services for Students (Policies #3018 and 6039)

BCS is authorized to provide transportation services to and from school at no cost for eligible students. The provision of such services, although not required for students other than those receiving special education services as determined by a child's individualized education program (IEP), is provided as a service to the general population in accordance with applicable laws. Criteria for bus ridership eligibility for the general population are determined by the District. Student use of transportation provided by the District is a privilege and continued eligibility to use District transportation services may be suspended and/or revoked for violation of applicable policies and rules.

Bus routes that ensure the most efficient and economical student transportation service shall be planned and established annually by the transportation department and shall be implemented in accordance with Bartlett City Schools' policies and procedures.

### A. ELIGIBILITY

BCS students enrolled in elementary schools who reside one and one-half (1 1/2) miles or more and students enrolled in middle or high schools who reside two (2) miles or more from their assigned schools shall be eligible for transportation services. Students attending a school on a general transfer request are not eligible for transportation services (Policies # 6015 and 6019).

Exceptions may be granted for students residing less than the required designated miles from their assigned schools. Such exceptions may be granted to:

1. Students receiving special education services who have a current IEP (Individual Education Program) indicating a need for special transportation services.
2. Students with a 504 plan that indicates a need for student transportation as verified by a physician. A completed Student Information Form must be on file at the school and the Transportation Office.
3. Students who reside in an area where traffic or other conditions make walking to and from school hazardous. Hazardous areas, as determined by an analysis conducted by the Operations Department, shall be based on the following conditions:
  - age of student
  - traffic volume and/or speed
  - roadway design/walkway conditions (i.e., curvy roads, sidewalks, ditches)
  - other conditions as deemed appropriate

### B. WAIVER to BOARD OR EXIT the BUS at an ALTERNATE LOCATION

The District shall allow waivers permitting a student to board or exit his/her assigned bus at an alternate location other than his/her regular bus stop in accordance with established administrative rules and regulations. Additionally, waivers that result in an increase in associated student transportation cost for the District shall be prohibited. A waiver permitting a student to board or exit his/her assigned bus at an alternate location other than his/her regular bus stop may be made under the following conditions:

1. The request for a waiver must be made in writing by the parent/guardian at the school.
2. A legitimate need, as determined in the sole discretion of the Principal, must exist and there must be reasonable assurance that provisions are made for the safety of the student.
3. Granted waivers shall not exceed one (1) per year nor be subject to revocation by the parent for the school year in which it is granted.
4. The Principal is the designated authority to evaluate and approve or deny a request for a waiver based on the stated hardship; and for consulting with the office responsible for student transportation services as appropriate.
5. The Principal or his/her designee must document approved requests.

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A waiver to board or exit the bus at an alternate location shall be effective for the same location every school day. Under no circumstances will a waiver be granted that changes or adds additional stops to the student's assigned bus route.

### **STUDENT CONDUCT ON BUS (Policy #6039)**

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 and/or Board policy.

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.

#### **Bus Rules**

1. Students will observe the same conduct as in the classroom.
2. Students may only ride the bus which serves their home address and may only board or get off the bus at their assigned stop.
3. Students will be at their assigned bus stop five (5) minutes before the scheduled pickup time.
4. Students will cooperate, board, depart, and cross the roadway as per instructions from the bus driver.
5. Students must remain in their seats to keep the aisle clear and keep their heads, hands, and feet inside the bus.
6. The bus driver is authorized to assign seats.
7. Students will be courteous and not use profane language.
8. Students will keep the bus clean and not eat or drink on the bus.
9. Students will not be destructive and will not throw any item in or out of the bus.
10. The backpack size is limited to one that students can pick up and hold in their laps.
11. Live animals are not allowed on the school bus.
12. Smoking and the use of any tobacco product on a school bus is prohibited.

#### **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 and employees of the school involved who have a legitimate educational interest in the recording. 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.

### **STUDENT RESPONSIBLE USE OF NETWORK AND ELECTRONIC MEDIA AGREEMENT (Policy # 1021 and 1022)**

#### **Parent/Guardian Permissions**

Parent/guardian permission is required for students under the age of eighteen to participate in some school related activities. If no parent signature is provided, the choice will be recorded as a NO on the student's form.

#### **A. Student Responsible Use and Independent Internet Access**

**In accordance with BCS Policy# 1021 and to gain independent access to the Internet, all students under the age of 18 must obtain parental/guardian permission and must sign and return the *Student Responsible Use of Network and Electronic Media Agreement/Parent/Guardian Permissions Form* to the Principal or designee. Students over 18 may sign their own forms.**

#### Student Responsibilities

Electronic resources are provided for students to enhance the learning experience. Access to services is given to students who agree to act in a responsible manner. Student use must be consistent with the educational objectives of Bartlett City Schools.

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Students are responsible for good behavior on school computer networks just as they are in a classroom or school hallway. Communications on the network are often public in nature. General school rules for behavior and communications apply to all such communications.

If a student observes any illegal activities or misuse of the network, he/she shall report these activities to their supervising teacher.

Computer, network, and cloud storage areas will be treated like school lockers. Network and/or school administrators and teachers may review files, bookmarks, and communications under the same standards set for school lockers to insure integrity of electronic media. Privacy is not guaranteed for files stored on District computers, servers, or in the cloud, nor will they be maintained indefinitely.

#### School Responsibility

Within reason, freedom of speech and access to information will be honored. During school, teachers will guide students toward appropriate materials. Schools will insure that procedures for access and standards of conduct regarding Internet use are communicated to students through appropriate instruction on Internet Safety. It is presumed that students given access will comply with District standards and will honor the agreements they have signed. The District cannot be responsible for ideas and concepts that a student may gain by his or her inappropriate use of the Internet.

#### District Electronic Access and Internet Rules

The following are not permitted and will result in disciplinary action:

- Violating existing Board policy including, but not limited to, Policy# 1021 or municipal, state, or federal statute
- Violating copyright laws
- Selling or purchasing illegal items or substances
- Using electronic resources for non-instructional purposes
- Using obscene language
- Sending or displaying offensive messages or pictures
- Harassing, insulting, threatening, or attacking others
- Making damaging or false statements about others
- Intentionally spreading viruses or malicious software
- Sharing personal login information or using another person's login
- Publishing personal information (name, address, photograph) without teacher/parent consent or approval
- Using an email account at school other than one provided by the District
- Using District-provided email for non-instructional purposes, including but not limited to impersonating others or for sending anonymous email
- Using personal electronic devices at school without appropriate permission
- Attempting to bypass network security to gain unauthorized access to information, pursue "hacking," or attempting to access information protected by privacy laws
- Using the network for commercial purposes or promoting a personal business, non-government related fund raising, or solicitation for religious purposes or lobbying
- Intentionally wasting limited resources

#### Sanctions

The use of BCS electronic resources is a privilege, not a right, and inappropriate use will result in cancellation of privileges and may lead to disciplinary action including suspension or expulsion. Access entails responsibility. System administrators will deem what is inappropriate use, and their decision is final.

Additional disciplinary action may be determined at the local school level in keeping with existing procedures and practices regarding inappropriate language or behavior. When applicable, law enforcement agencies or legal action may be involved.

## **B. Web Publishing**

Bartlett City Schools' web site has been established as a dynamic forum to educate and inform the public. It serves as a communication vehicle to publicize goals, accomplishments, activities, and services of the District and of each school. Intended audiences include: students, parents, prospective parents, employees, prospective employees, and the community at large. All content contained on the web site is consistent with the educational aims of the District. **In accordance with BCS Policy# 1022, student work will not be published on any Bartlett City Schools web site without the express consent of the parent or guardian of a minor student (those under 18 years of age). This permission is indicated on the *Student Responsible Use of Network and Electronic Media Agreement/Parent/Guardian Permissions Form*.**

In order to safeguard students, the following procedures have been established:

1. The name of a student will not be published in conjunction with a picture or video of that student on any Bartlett City Schools' web site unless there is a special reason for doing so, such as recognition for receiving an award. Likewise, personal information about students will not be published. (Bartlett City Schools Policy# 1022)
2. Student work may be published on a Bartlett City Schools' web site under the following guidelines;
  - Grades K-8 – Authors of electronically published work may be identified only by first name. Schools may choose to let students adopt "net names."
  - Grades 9-12 – Authors of electronically published work may be identified by first and last name.
  - All student work published must pertain to a class project, course, or other school-related activity.

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### C. Public Media

Bartlett City Schools periodically issues information or permits media coverage to highlight student accomplishments. This may include, but not limited to, a student making the honor roll, taking part in a school activity, receiving an award, or participating in sports. In addition, BCS may want to use your child's photograph, likeness, voice, or student work for promotional and educational reasons, such as in publications, posters, brochures, and newsletters, on the District or school website, radio station or Cable TV channel, or at community fairs or district special events. **In accordance with BCS Policies# 1021 and 1022, Bartlett City Schools' student pictures, video, likeness, voice, names, or student work will not be released to the public media without the express consent of the parent of guardian of a minor student (those under 18 years of age). This permission is indicated on the *Student Responsible Use of Network and Electronic Media Agreement/Parent/Guardian Permissions Form.***

## TEXTBOOKS AND INSTRUCTIONAL MATERIALS (Policy #4015 and 4031)

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 textbooks/instructional materials at the replacement cost less reasonable depreciation.

## STUDENT CONDUCT (Policy #6022)

The Bartlett City Schools Board of Education accepts the responsibility for establishing and maintaining proper standards of discipline and behavior in the public schools. In order to maintain good order and insure an environment conducive to learning, the Board considers behavior or conduct occurring on school property or at any school sponsored activity occurring off school property, which interferes with the above to be offenses. The District establishes the Student Code of Conduct to provide a sample of unacceptable student behaviors and a related sample of disciplinary actions. The Code of Conduct and any revisions shall be approved and adopted by the BCS Board of Commissioners as the student discipline policy of the District.

### Prevention and Intervention Strategies

The District shall develop and communicate a comprehensive prevention and intervention program. The program shall include a parental engagement component outlining strategies for parents to support the prevention of inappropriate and/or disruptive behavior in their children and participate in intervention efforts if such behavior occurs.

### Disciplinary Measures

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

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

#### A. Confiscation of Items

"Confiscated items" include beepers, telephone pagers, laser pointers, cellular phones, prohibited electronic devices, and any other item prohibited by the District. Unauthorized use or improper storage may result in confiscation until such time as the device may be released to the student's parent or guardian. 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.

#### B. Loss of Privileges

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

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

#### C. Before/After School Detention and 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:

- The student will be given at least one (1) full day notice before detention or Saturday school.
- Parents/guardians will be informed before detention or Saturday school takes place.
- Students will be under supervision of certified staff members.
- Detention will not exceed 45 minutes after the official closing of the school day but may be administered several days in succession.
- Teachers must have the approval of the principal before issuing detention or requiring a student to attend Saturday school.

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- Students riding school buses will be provided an alternative to detention or with agreement of the parents, go to detention at a later date.
- Students with religious exemptions to Saturday school shall be provided with an alternative disciplinary option.

#### **D. In-School Suspension**

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

#### **E. Out-of-School Suspension**

Out-of-school suspensions vary in length from zero (0) to ten (10) days. It is not the intent of the system to remove students from the school society for first-time or for minor violations. Therefore, suspension from school should be used with caution and only in appropriate cases. The principal, including vice/assistant principal, has sole discretion to issue out-of-school suspensions from zero (0) to ten (10) days.

1. A behavioral incentive plan shall be developed for students who accumulate more than five (5) days of suspensions during the school year.
2. Multiple suspensions shall not run consecutively; nor shall multiple suspensions be applied to avoid expulsion from school.

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

#### **F. Expulsion**

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

When the student's infraction involves a substantive threat of harm or possession of a weapon, the student shall be referred for threat assessment, and the parents will be informed that the case is being held under advisement pending outcome of the threat assessment. Threat assessment findings will be utilized by the department responsible for student services in adjudicating these cases and in making appropriate placement recommendations to ensure the safety of the student and others.

#### **G. Suspension From the School Bus**

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

A student receiving special education services shall not be suspended from school bus transportation if transportation services are required under the student's Individual Education Plan (IEP).

#### **H. Motor Vehicle or Permit License Revocation**

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

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

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

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

### **Reporting Procedures**

Mandatory reportable criminal offenses shall be reported in accordance with state law and Board policy (**Policy #6026**). The principal shall consult with Student Services when determining whether local law enforcement should be contacted regarding any violation of the Code of Conduct that does not require mandatory reporting to law enforcement or other agency. For reporting discrimination and sexual harassment, any student or parent/legal guardian who believes s/he is experiencing student-to-student discrimination or sexual harassment shall report such circumstances to a teacher, counselor, or principal immediately. If the report is made to a teacher or counselor, s/he must notify the principal immediately.



### Special Education Considerations

Students who also qualify for special education services determined to have violated this policy may be suspended, expelled, or remanded or otherwise disciplined only in accordance with special education laws and policies. For zero tolerance offenses, remand of students who qualify for special education services must be based on recommendation of the IEP team. 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:

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

Regular education students may invoke rights under special education laws under certain conditions, including if the parent has expressed concern in writing to supervisory or administrative personnel of the district, or the 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 10 or more days or has had a petition filed against him/her by the school or school system.

### CORPORAL PUNISHMENT (Policy #6032)

Corporal punishment shall NOT be used as a disciplinary measure in any Bartlett City School. Schools are encouraged to use alternative, positive discipline measures.

### STUDENT CODE OF CONDUCT (Policy # 6038) (Offenses and Penalty by Category)

The infractions of school discipline in the Bartlett City 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.

#### Category A – State Zero Tolerance Offenses

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

#### Penalty for Category A Offenses:

- Expulsion/Suspension for 180 days

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

#### Category B

1. Possession of a knife or any potentially lethal weapon, Taser, or explosive on school property or at a school-sponsored activity;
2. Evidence of drinking or possession of alcoholic beverages in school or at a school sponsored activity;
3. Off-campus criminal behavior resulting in a felony charge, when the behavior poses a danger to persons 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. Evidence of use or possession of drug paraphernalia, substances for huffing, any substance under guise of it being a controlled;

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- 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 student, teacher, principal, administrator, school resource officer, or any other school employee;
- 8. Continuous and/or severe Category C Offenses.

**Penalty for *Category B* Offenses:**

- 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. 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;
3. Smoking and or the possession of tobacco products by students while in or on school, properties or under school's jurisdiction during school hours or while participating in a school-sponsored event;
4. Gang activities - any gang related activity not specified in Category B;
5. One (1) or more students initiating a physical attack on an individual student on school property or at a school-sponsored activity;
6. Malicious destruction of or damage to school property, including electronic media, or the property of any person attending or assigned to the school;
7. Stealing or misappropriation of school or personal property (regardless of intent to return);
8. Immoral or disreputable conduct;
9. Continuous and/or severe Category D Offenses.

**Penalty for *Category C* Offenses:**

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

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

***Category D***

1. Open or continued defiant attitude or willful disobedience toward a member of school staff;
2. Vulgar, profane, immoral/disreputable or rude remarks or non-verbal action to staff member or fellow student;
3. Physical or verbal intimidation or threats to other students, including hazing;
4. Threatening bodily harm to another student, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a student and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention;
5. Fighting in or on school property unless, in accordance with state law, the principal recommends no disciplinary action for a student who is deemed to have acted in self-defense or defense of another;
6. Possession of mace or disabling sprays;
7. Inappropriate use of electronic media, including, but not limited to, all calls (land line, cellular or computer generated), instant messaging, text messaging, audio recording devices, iPods, MP3s or any type of electronic music or entertainment device, and cameras and camera phones;
8. Sexual, racial, ethnic, or religious harassment/discrimination;
9. Bullying, intimidation, and harassment;
10. Refusal to produce an object identified by metal detectors;
11. Inciting, advising or counseling of others to engage in any acts in Categories A, B or C;
12. Continuous and/or severe Category E Offenses.

**Penalty for *Category D* Offenses:**

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

***Category E***

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

**Penalty for *Category E* Offenses:**

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

**INTERROGATIONS AND SEARCHES (Policy # 6027)****Searches**

When individual circumstances in a school dictate it, a principal may order that vehicles parked on school property by students or visitors, containers, packages, lockers, or other enclosures used for storage by students or visitors, and other areas accessible to students or visitors be searched in the Principal's presence or in the presence of other members of the Principal's staff.

Individual circumstances requiring a search may include incidents on school property, including school buses, involving, but not limited to, the use of dangerous weapons, drugs or drug paraphernalia by students, which are known to the Principal or other staff members, information received from law enforcement, juvenile or other authorities indicating a pattern of drug dealing or drug use by students of that school, any assault or attempted assault on school property with dangerous weapons, or any other actions or incidents known by the Principal which give rise to reasonable suspicion that dangerous weapons, drugs or drug paraphernalia are held on school property by one or more students.

A notice shall be posted in the school that lockers and other storage areas, containers, and packages brought into the school by students or visitors are subject to search for drugs, drug paraphernalia, dangerous weapons or any property which is not properly in the possession of the student.

A notice shall be posted where it is visible from the school parking lot that vehicles parked on school property by students or visitors are subject to search for drugs, drug paraphernalia, or dangerous weapons.

A student may be subject to physical search because of the results of a locker search, or because of information received from a teacher, staff member, student, or other person if such action is reasonable to the Principal.

All of the following standards of reasonableness shall be met prior to conducting a physical search on a student:

1. A particular student has violated school policy;
2. The search will yield evidence of the violation of school policy or will lead to disclosure of a dangerous weapon, drug paraphernalia or drugs;
3. The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision and education of students;

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4. The search is not conducted for the sole purpose of discovering evidence to be used in a criminal prosecution; and
5. The search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student, as well as the nature of the infraction alleged to have been committed.

## **Interrogations**

Students may be questioned about any matter pertaining to the operation of a school and/or the enforcement of its rules or for other reasons deemed appropriate in accordance with the administrative rules and regulations accompanying this policy.

## **CELL PHONES/PERSONAL COMMUNICATION DEVICES (Policy # 6023)**

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, unless authorized by a teacher for instructional purposes, 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 officials may, if they have reasonable suspicion to do so, search any cell phone brought onto any BCS 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, theft, or damage of the device while on school property.

Unauthorized use or improper storage may result in confiscation until such time as the device may be released to the student's parent or guardian. Any subsequent violation shall result in the student receiving additional consequences in accordance with the district-wide discipline policy.

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

## **APPEALS RELATED TO STUDENT DISCIPLINE (Policy #6036 and 6030)**

### **Authority of the Principal to Suspend Students**

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

### **In-School Suspension**

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

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

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

### **Due Process Regarding Suspensions**

Except in an emergency, no principal, vice principal or assistant principal shall suspend any student until that student has been advised of the nature of the student's misconduct, questioned about it, and allowed to give an explanation.

Upon suspension of any student other than for in-school suspension of one day or less, the principal shall, within twenty-four (24) hours, notify the parent or guardian and the department responsible for district-wide student discipline of:

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

If the suspension is for more than five (5) days, the principal shall develop and implement a plan for improving the behavior, which shall be made available for review by the Superintendent (or designee) upon request. Additionally, any appeal for a suspension of 10 days or less will be reviewed and determined by the school's principal.

The following provisions apply to expulsions (suspensions of more than the (10) days):

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

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

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

#### **Academic and Examination Provisions for Students Suspended During the Last Ten Days of Term**

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

#### **Recording Attendance for Students Under In-School Suspension**

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

#### **Enrollment of Students Under Suspension or Expelled from Another School System in Tennessee or Another State**

BCS shall not be required to enroll a student who is under suspension or expelled in an LEA either in Tennessee or another state. The Superintendent shall make a recommendation to the Board of education to approve or deny the request. The recommendation shall occur only after investigation of the facts surrounding the suspension from the former school system. If the recommendation is to deny admission and if the Board

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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 BCS. If BCS accepts enrollment of a student from another LEA, BCS may dismiss the student if it is determined subsequent to enrollment that the student had been suspended or expelled by the other LEA.

### 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.

## STUDENTS WITH DISABILITIES

Students with disabilities are included in all Bartlett City 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 regular 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. While certain levels of behavior are expected of special education students, disabling conditions may impact the student's amnesty. It is imperative that school personnel be aware of which students are classified as disabled under either IDEA or Section 504. A student with a disability shall not be unilaterally removed from school for more than ten days before a Manifestation Determination is convened to determine whether the student's offense was caused by his/her disability.

At the initial IEP team meeting or annual review, plans are established which address behavior management as well as academic and vocational skills. The student's IEP reflects expected behaviors, objectives to modify behavior, and pre-established consequences when appropriate. A written record is kept of all discussions and disciplinary actions taken. Whenever possible, suspension or expulsion is the last action used. It is recommended that lesser consequences such as time out, detention, supervised study, on-site intervention, etc. be used before resorting to suspensions. It is important that the team includes an instructional component designed to teach the student skills such as anger management, conflict resolution, showing respect to others, and effective communication designed to prevent future misbehavior. When there is no relationship between a child'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.

## SUSPENDING STUDENTS WITH DISABILITIES PROTOCOL

- I. Student has demonstrated some type of rule infraction.
- II. Procedural safeguards in regard to due process are followed (*Goss v. Lopez*)
  1. Student must be given oral or written notice of the charges against him/her.
  2. If charges are denied, an explanation of evidence the authorities have must be presented.
  3. Student must be given the opportunity to present his/her side of the story.
  4. Allow no delay between the time "notice" is given and the time of the hearing.
  5. Provide notice and hold a hearing prior to the removal of the student from school in most cases.
- III. IEP Team meets and determines if the behavior is a manifestation of the student's disability:
  1. The IEP Team must review all relevant information including evaluation results, observations of the child, and other relevant information supplied by the parents of the child, the child's IEP and placement and determine:
    - a. if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
    - b. if the conduct in question was the direct result of the local educational agency's failure to implement the IEP.
  2. Is the student a danger to himself and/or others? If "Yes", reach an agreement with parents through IEP Team meeting or seek an injunction from the federal district court.
  3. School personnel may remove a student 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 child's disability in cases where a child:
    - a. carries or possesses a weapon to or at school, on school premises, or to or at a school function
    - b. knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or a school function;
    - c. has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. The Department of Exceptional Children provides a form for use by the IEP Team when convening to determine if a behavior is manifestation of the student's disability.

IF A DISAGREEMENT ARISES AND A DUE PROCESS HEARING IS REQUESTED, THE "STAY PUT" PROVISION DOES NOT APPLY. THE STUDENT SHALL REMAIN IN THE INTERIM ALTERNATIVE SETTING PENDING THE DECISION OF THE HEARING OFFICER OR UNTIL THE EXPIRATION OF THE SUSPENSION, WHICHEVER COMES FIRST UNLESS THE PARENT AND SCHOOL AGREE OTHERWISE.

- IV. If the IEP Team determines that the offense is a manifestation of the student's disability, the student may not be suspended.
  1. The student could be placed in a setting, which more appropriately accommodates his/her needs.
  2. The behavior problems should be addressed through the goals and objectives of the IEP and/or behavior plan.
- V. If the IEP Team determines that the offense is not a manifestation of the student's disability, the student may be suspended. The school may suspend, but educational services must continue (Keael in 4th and Turlington in 5th Circuit).
  1. If not a change of placement (i.e. longer than 10 consecutive days), the school authority in conjunction with the special education teacher may decide what services are needed. If a change of placement (longer than 10 days or significant change in IEP placement), the IEP Team must determine what services must be provided.
  2. If continued educational services are based on IEP goals/objectives, they are to be provided by the teacher endorsed in special education.
    - a. Alternative methods of providing services may include home tutoring, alternative school placement, in-school suspension, on-site intervention, or transfer to another school.

### **TOBACCO USE OR POSSESSION (Policy #1019)**

The Bartlett City Schools system prohibits student smoking or possession of tobacco products, lighters, or matches on school campuses, at school-sponsored activities, or on school buses. Additionally, smoking and/or the use of all tobacco products, including smokeless tobacco, e-cigarettes, and vaporizers, are prohibited in all Board of Education buildings (schools and other facilities); in any public seating 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.

### **ALTERNATIVE SCHOOL (Policy #6031)**

The Board authorizes the operation of an alternative school in accordance with state law for students who have been suspended or expelled from the regular school program. Additionally, the District may offer alternative services to address educational, behavioral, and social needs of students upon approval of the Superintendent (or designee). Bartlett City Schools may provide such students with the opportunity to attend alternative

school, as space permits. Students attending alternative school shall be responsible for their own transportation. Students attending an alternative school shall abide by the rules of their school and shall be subject to disciplinary action for violations of school rules. However, violation of school rules shall not constitute grounds for extension of time spent in an alternative school. The final decision on removal from the school shall be made by Bartlett City Schools. Bartlett City 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 schools.

#### **Operation**

Alternative schools shall be operated in accordance with the rules of the State Board of Education and instruction shall proceed as nearly as practicable in accordance with the instructional programs at the student's home school. All course work completed and credits earned in the alternative school shall be transferred to and recorded in the student's home school. Credit earned and progress made shall be granted as if the work were performed in the home school. Additionally, grades earned from alternative school, shall not be lowered upon the student's return to his/her home school. No student may graduate based solely on attendance in an alternative school. In order to preserve the educational benefits associated with individualized instruction and the small class size structure of the alternative school, student-teacher ratios shall be small enough to allow for adequate instruction but shall be determined by the age, behavior, and academic achievement of the students. To support effective instruction to students attending alternative school, within system constraints, the District seeks to provide an alternative school with comparable classroom space, resources, and personnel. Teachers in the alternative school shall be certified by the state, meet federal "highly qualified" standards, and shall be selected on the basis of interest and ability to work in alternative situations.

### **GANGS AND NON-SCHOOL RELATED SOCIAL CLUBS**

#### **Enforcement**

Gang-related activities are prohibited at schools, school activities, and school sponsored events and shall be subject to disciplinary action in accordance with the district-wide discipline policy including expulsion. Gang-related activities may affect students and their ability to be successful in the learning environment.

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A “criminal gang” means: A formal or informal ongoing organization, association or group consisting of three (3) or more persons that has:

1. As one (1) of its activities the commission of criminal acts; and
2. Two (2) or more members who, individually or collectively, engage in or have engaged in a pattern of criminal gang activity.

In order to discourage and prohibit students from participating in gang activities the Board prohibits students in grades 6-12 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.
4. The local law enforcement agency shall advise the local board, upon request, of criminal gangs and associated criminal gang activity.

A violation of any portion of this policy is grounds for suspension up to 180 days and/or expulsion from school.

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.

## **STUDENT DISCRIMINATION, HARASSMENT, BULLYING, AND CYBER-BULLYING AND INTIMIDATION (Policy #6002)**

Student harassment, intimidation, bullying or cyber-bullying 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

### **A. Definition**

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

1. If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop, the act has the effect of:
  - a) Physically harming a student or damaging a student's property;
  - b) Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
  - c) Causing emotional distress to a student or students; or
  - d) Creating a hostile educational environment.

or
2. If the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the educational environment or learning process.

### **B. Reporting**

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

The Bartlett City Schools Board of Education has adopted the “Safe School Tips” program which allows any parent, student, teacher, or employee to report information about illegal or inappropriate activities, including but not limited to bullying, distribution or sale of drugs, possession of weapons, etc. First, download the Bartlett City Schools app on your Android or iOS device. Then, click “**Tip Line**” to report your concern.

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

- Identity of the alleged victim and the person accused;
- Location, date, time, and circumstances surrounding alleged incident;
- Description of what happened;

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- Identity of witnesses; and
- Any other evidence available.

### C. Investigation

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

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

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

### D. Right of Appeal – Student/Parents

- 1) If the complainant is not in agreement with the Principal's or his/her designee, the complainant may, within five (5) school days, contact the Bartlett City Schools' Federal Rights Coordinator (FRC) at 5650 Woodlawn, Bartlett, TN 38134; Telephone (901) 202.0855. Within five (5) school days, the FRC or his/her designee will review the investigation of the alleged charges. Upon completion of the review, the "FRC" will meet with and advise the complainant regarding the findings and whether corrective measures and/or disciplinary actions were taken.
- 2) If the complainant is not in agreement with the findings of the FRC, an appeal may be made, within five (5) school days, to the Superintendent. Within five (5) school days, the Superintendent will review the investigation and provide a written advisory to the complainant whether corrective measures and/or disciplinary actions were taken.

### E. Right of Appeal - Employees

An employee disciplined pursuant to this policy may appeal the decision by contacting the Federal Rights Coordinator at 5650 Woodlawn, Bartlett, TN 38134; Telephone (901) 202.0855.

### F. Procedures for Other Prohibited Conduct

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

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

### G. Retaliation Prohibited

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

### H. Report to Superintendent and Board of Education Chairman

Following any investigation of harassment, bullying, intimidation, or cyber-bullying, the principal (or designee) shall report the findings, along with any disciplinary action taken, to the Superintendent and the Chairman of the Board of Education.

### I. Report to the State Department of Education

Beginning August 1, 2015, and annually thereafter, the school district shall prepare and provide to the State Department of Education a report concerning the number of bullying cases brought to the attention of school officials during the preceding year and the manner in which they were resolved or the reason they are still pending.

### Victims of Violent Crimes

A student has the right to transfer to another school within the district if he/she is the victim of a violent crime at school.

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## **F.E.R.P.A. Rights**

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

Parents (custodial and noncustodial) and legal guardians have the right to inspect and review the accumulative and special education records of their child by making a written request to the official having custody of the records. The official shall have a reasonable time, not to exceed 45 days, to produce the records.

If the parent or guardian objects to the inclusion of any item or document in the record, a written statement identifying the specific item or document objected to and the basis of the objection must be filed with the custodian of the records. The custodian of records in the school is the principal. A conference with the custodian or his designated representative may then be scheduled in an attempt to resolve the matter informally. If not satisfied with results of this informal resolution, the parent or guardian may make a written appeal to the Superintendent or his designated representative. A hearing shall be scheduled within 30 days of the receipt of the written appeal. A full and fair opportunity to present relevant evidence will be granted.

### **SECTION 504 GRIEVANCE AND ADA GRIEVANCE PROCEDURES (POLICY #1029)**

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

#### **Definition**

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

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

#### **Coordinator**

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

#### **Notice**

The Board shall make available the name, office address and telephone number of the ADA/Section 504 coordinator. Methods of initial and continuing notification may include the posting of notices, publication in newspapers and student and employee handbooks, and distribution of memoranda or other written communications.

#### **Complaint Procedure**

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

#### **Due Process Hearing Procedures**

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

#### **Request for Hearing**

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

#### **Impartial Hearing Officer**

The Superintendent or his/her designee shall appoint an impartial hearing officer to preside over the hearing and issue a decision. Such appointment will be made within fifteen (15) days of the date of receipt of a request for a due process hearing. The hearing officer will be hired as an independent contractor at no expense to the parent. The hearing officer that is appointed shall not be a current employee of the District and shall not be related to any member of the Board of Education. The hearing officer need not be an attorney but shall be familiar with the requirements of Section 504 and the hearing procedures under Section 504. The choice of an impartial hearing officer is final and may not be presented as an issue at the due process hearing since such an issue would not relate to

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the identification, evaluation, or placement of a disabled child under Section 504. If a parent/guardian disputes the impartiality of the appointed hearing officer, he/she may raise such issue in a review of the hearing officer's opinion by a court of competent jurisdiction or in a complaint to the Office for Civil Rights.

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

### **Scheduling of Hearing**

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

### **Continuances**

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

### **Legal Representation at Hearing**

If a parent/guardian is represented by a licensed attorney at the due process hearing, he/she must inform the Section 504 coordinator and the appointed hearing officer of that fact, in writing, at least seven (7) calendar days prior to the hearing date, or the hearing can be continued upon the coordinator's request.

### **Pre-Hearing Conference**

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

### **Dismissals**

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

### **Hearing**

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

### **Recording**

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

### **Witnesses**

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

### **Format of Presentation**

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

### **Submission of Exhibits**

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

### **Closing Arguments**

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

### **Decision**

The hearing officer may make an oral ruling at the conclusion of the hearing or take the case under advisement and issue a written opinion. Such decision shall address all of the issues raised by the parent/guardian as well as any corrective actions, if any, the District must take. Any issue or claim raised by the parent/guardian that is left unaddressed by the hearing officer in his/her decision will be deemed to have been denied. The decision must be issued within

forty-five (45) days after the date the Request for a Due Process Hearing is received by the district. The hearing officer may not award attorneys' fees as a part of the relief granted to a parent/guardian or the district.

**Review Procedure/Appeal**

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

34 C.F.R. §104.4(a)

42 U.S.C. §12112(a)

28 C.F.R. §35.107

28 C.F.R. §35.106; 34 C.F.R. §104.8

28 C.F.R. §35.170; 172

34 C.F.R. §104.36