

## Collierville Schools Board of Education

Monitoring: <b>Review: Annually, in September</b>	Descriptor Term: <h3 style="text-align: center;">Tobacco-Free Schools</h3>	Descriptor Code: <b>1.803</b>	Issued Date: <b>01/14/14</b>
		Rescinds:	Issued:

- 1 All uses of tobacco and tobacco products, including smokeless tobacco, electronic cigarettes and
- 2 associated paraphernalia are prohibited in all of the school district's buildings and in all vehicles that
- 3 are owned, leased or operated by the district.<sup>1,2</sup> Smoking shall be prohibited in any public seating
- 4 areas including, but not limited to, bleachers used for sporting events or public restrooms.<sup>3</sup>
  
- 5 District employees and students enrolled in the district's schools will not be permitted to use tobacco or
- 6 tobacco products, including smokeless tobacco, electronic cigarettes and associated paraphernalia
- 7 while they are participants in any class or activity in which they represent the school district.
  
- 8 Any student who possesses tobacco products shall be issued a citation by the school principal/resource
- 9 officer.<sup>4</sup> The director of schools, in cooperation with the juvenile court and the local (police/sheriff's
- 10 department), is responsible for developing procedures for issuance of the citations which shall include
- 11 the form and content of citations and methods of handling completed citations.
  
- 12 Parents and students shall be notified of this citation requirement at the beginning of each school year.
  
- 13 Signs will be posted throughout the district's facilities to notify students, employees and all other
- 14 persons visiting the school that the use of tobacco and tobacco products is forbidden. The following
- 15 notice shall be prominently posted (including at each ticket booth) for elementary or secondary school
- 16 sporting events: *Smoking is prohibited by law in seating areas and in restrooms.*<sup>5</sup>

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#### Legal References

1. Section 1042 of the Environmental Tobacco  
Smoke/Pro-Children Act of 1994
2. TCA 39-17-1604(6)
3. TCA 39-17-1604(10)
4. TCA 39-17-1505
5. TCA 39-17-1605

# Collierville Schools Board of Education

Monitoring: Review: <b>Annually,</b> in September	Descriptor Term: <b>Registered Sex Offenders</b>	Descriptor Code: <b>1.808</b>	Issued Date:
		Rescinds:	Issued:

1 Individuals registered as sex offenders in Tennessee or any other state are prohibited from the premises of any  
2 school in this district, except for the limited circumstances stated in this policy.<sup>1</sup>

## 3 **EMPLOYMENT**

4 An individual listed by the state of Tennessee or any other state as a registered sex offender is ineligible for  
5 employment within the school district.

## 6 **PRESENCE ON SCHOOL PROPERTY**

7 No registered sex offender, other than a student enrolled in the school in question, shall come on, about, or  
8 within 1,000 feet of a local school's property line, except as provided below.<sup>2</sup> If any employee of the school  
9 district becomes aware of any registered sex offender's presence on school property, he/she shall immediately  
10 inform the principal, who shall direct the individual to leave the premises immediately. The principal shall  
11 request assistance from local law enforcement authorities if offender resists the principal's directives. If the  
12 registered sex offender repeats this restriction of coming on to school property, the principal may confer with  
13 legal counsel to take appropriate legal action.

14 Neither this policy nor state law impose any duty upon a principal or any other employee of the local school  
15 district to review the sex offender registry for individuals who may come upon the property.

## 16 **PARENTS WHO ARE REGISTERED SEX OFFENDERS**

17 A parent or legal guardian of a child who is enrolled in the school may attend a conference with school officials  
18 with the written permission of the school's principal.

19 An offender may come within the 1,000 feet limit provided that the individual is dropping off or picking up a  
20 child or children enrolled in the school.

21 Principals shall speak with the parent upon learning of their status as a sex offender to communicate the  
22 restrictions of this policy and to establish open dialogue with the parent, as much as is possible or reasonable.  
23 The principal shall take all appropriate measures to protect the privacy of the sex offender's child.

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### Legal References

1. TCA 40-39-201, et seq.
2. TCA 40-39-211 (a)

# Collierville Schools Board of Education

Monitoring: <b>Review: Annually, in October</b>	Descriptor Term: <b>Equipment and Supplies Management</b>	Descriptor Code: <b>3.300</b>	Issued Date: <b>05/13/14</b>
		Rescinds:	Issued:

1 The Director of Schools shall develop procedures ensuring the useful life of equipment and supplies.  
2 Equipment management shall be in accordance with federal and state laws, regulations and guidelines.

3 Employees of the system are responsible for the materials, equipment and supplies assigned to them. In  
4 addition, employees are responsible for the reasonable preservation and protection of materials,  
5 equipment and supplies not under their direct control.

## 6 **Automated External Defibrillator (AED) Devices**

7 The Board authorizes the placement of AEDs at District-owned locations, specifically school sites.  
8 The District shall develop a program for the use of AEDs that includes a written plan adhering to  
9 provisions set forth in State statute and rules adopted by the Department of Health. This plan shall  
10 include, but may not be limited to:

- 11 a) AED placement;
- 12 b) Training of individuals who are authorized to operate the AED;
- 13 c) Coordination with local emergency medical services providers;
- 14 d) Maintenance and testing of the AED;
- 15 e) Records;
- 16 f) Reports of AED use;
- 17 g) A plan of action for proper usage of the AED; and
- 18 h) Other matters as specified by the department.

## 20 **Indemnity**

21  
22 The District and its employees who act in good faith and in substantial compliance with applicable  
23 statutes and the rules adopted by the department shall not be criminally or civilly liable for rendering  
24 emergency care, including the use of an AED.  
25  
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Cross References

Inventories 2.702

## Collierville Schools Board of Education

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

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

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

### 9 **GROUP HEALTH**

10 The Board shall provide group health insurance for all full-time employees.<sup>1</sup>

11 Board approval of group insurance for which the Board makes partial payment shall be given on  
12 recommendation of a committee comprised of at least one representative of each participating entity in  
13 the Health insurance pool.

### 14 **PHI (Protected Health Information)**

15 The Municipal School District shall comply with the Health Insurance Portability and Accountability  
16 Act (HIPPA),<sup>3</sup> and Health Information Technology for Economic and Clinical Health Act (HITECH)<sup>4</sup>  
17 in the securing Protected Health Information.

### 18 **GROUP LIFE**

19 The Board shall provide group life insurance for all full-time employees.<sup>1</sup>

### 20 **RETIREES<sup>2</sup>**

21 **For Collierville Schools employees hired directly from Shelby County Schools prior to August 4,**  
22 **2014 and employees hired by Collierville Schools between January 1, 2014 and June 30, 2014:**

23 Payment of individual hospitalization insurance coverage shall be available for any retiring employee  
24 at the same cost as for other employees until the employee reaches age sixty-five (65) provided that:

- 25 1. The employee is eligible for retirement under the eligibility standards as set by Tennessee  
26 Consolidated Retirement System; and
- 27 2. The employee has been enrolled in the *Collierville Schools*-sponsored insurance plan for one  
28 (1) full year immediately prior to retirement; and
- 29

- 1       3. The employee has completed fifteen (15) years' service with *Collierville Schools*
- 2           a. For employees in this category hired directly from Shelby County Schools, prior
- 3           services credited by Shelby County Schools will be applied to the 15-year service
- 4           requirement.

5 Life insurance shall be continued at 1 time annual earning to cap at \$50,000 meeting the above  
6 requirements. This benefit is paid 100% by the board.)

7 For *Collierville Schools* employees whose effective hire date is July 1<sup>st</sup>, 2014 or after who do not fall  
8 into the category above:

9 A defined contribution shall be available for any retiring employees to go toward the purchase of a  
10 health policy on the open market for five years following effective date of retirement or until the  
11 employee reaches age sixty-five(65), whichever comes first, provided that:

- 12           1. The employee is eligible for retirement under the eligibility standards as set by
- 13           Tennessee Consolidated Retirement System; and
- 14           2. The employee has been enrolled in the Collierville Schools-sponsored insurance plan
- 15           for one (1) full year immediately prior to retirement; and
- 16           3. The employee has completed fifteen (15) years' consecutive service with *Collierville*
- 17           *Schools*.

18 Life insurance shall be continued at \$10,000 under the same terms for employees meeting the above  
19 requirements. This benefit is paid 100% by the board.

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Legal References

- 1. TCA 49-2-209
- 2. TCA 49-2-208
- 3. HIPPA, 42 U.S.C. & 1320d-1
- 4. HITECH

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Cross References

Retirement 5021

# Collierville Schools Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term: <h2 style="text-align: center;">Interscholastic Athletics</h2>	Descriptor Code: <h3 style="text-align: center;">4.301</h3>	Issued Date:
		Rescinds:	Issued:

1 No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated  
 2 differently from another person or otherwise be discriminated against in any athletic program of the school. Equal  
 3 athletic opportunities shall be provided for members of both sexes.<sup>1</sup>

4 Interscholastic athletics shall be administered as a part of the regular school program and shall be the principal's  
 5 responsibility. Principals shall ensure that school regulations regarding participation in a sport are reasonable.  
 6 Athletic schedules shall be filed in each school principal's office. The principal or his/ her designee must  
 7 accompany an athletic team on trips.

8 Bylaws of the Tennessee Secondary School Athletic Association shall regulate the operation and control of  
 9 athletics.<sup>2</sup>

10 A list of all coaches and their stipends and other compensation approved by the school will be provided to the  
 11 board annually. All booster organizations associated with TSSAA sponsored sports will provide a certified  
 12 statement on a form provided by the school that no compensation was paid that was not approved and paid in  
 13 accordance with Section 9G of the TSSAA handbook. The form must be signed by the President and Treasurer  
 14 of the booster organization.

15 In the event that the school's insurance provider does not extend coverage to an athlete, that athlete must provide  
 16 proof of independently secured catastrophic coverage and liability coverage, with the school system as a named  
 17 insured, of not less than the limits set forth in TCA § 29-20-403.

18 Prior to participation in interscholastic athletics, every student must complete an annual physical examination.<sup>3</sup>  
 19 The parents/guardians of each student shall be responsible for covering the cost of the examination, and these  
 20 records shall be on file in school office. It shall be the responsibility of the parent(s) or guardian to provide health  
 21 and hospitalization insurance for all students participating in interscholastic athletics.

22 No principal or teacher of any school under the control of the Board shall dismiss his/her school or any group of  
 23 students for the purpose of attending the practice of any interscholastic sport during the school day without written  
 24 permission from the Director of Schools. This does not prevent the inclusion of regular physical training lessons  
 25 in the daily school program.<sup>4</sup>

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

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Legal References

1. Title IX, Education Amendment of 1972,  
20 U.S.C. § 1681, et seq. ; 34 CFR § 106.41
2. TRR/MS 0520-01-02-.08(1)
3. TRR/MS 0520-01-03-.08(2)(b)
4. TCA 49-6-1002
5. TCA 49-2-120

# Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <b>Separation Practices for Tenured Teachers</b>	Descriptor Code: 5.200	Issued Date:
		Rescinds:	Issued:

## 1 **SUSPENSION PENDING AN INVESTIGATION** <sup>1</sup>

2 The director of schools may suspend a teacher at any time that may seem necessary, pending investigation or final  
3 disposition of a case before the board or an appeal. If the matter under investigation is not the subject of an  
4 ongoing criminal investigation or a department of children's services investigation, and if no charges for dismissal  
5 have been made, a suspension pending investigation shall not exceed ninety (90) days in duration. Under no  
6 circumstances shall the director of schools suspend a teacher with pay. If vindicated or reinstated, the teacher  
7 shall be paid full salary for the period of suspension.

## 8 **SUSPENSION OF THREE DAYS OR LESS** <sup>2,3,4</sup>

9 A director of schools/designee may suspend a teacher for incompetence, inefficiency, neglect of duty,  
10 unprofessional conduct and insubordination. Before an employee is suspended he/she shall be: (1) provided with  
11 written notice, including the reasons for the suspension along with an explanation of the evidence; (2) given an  
12 opportunity to respond to the director at a conference, if requested within five (5) days; and (3) given a written  
13 decision of the suspension within ten (10) days. Both parties may be represented by counsel at the conference,  
14 which shall be recorded.

15 Under no circumstances shall a director of schools suspend a tenured teacher with pay. If reinstated, the tenured  
16 teacher shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an  
17 appropriate penalty.

## 18 **DISMISSAL OR SUSPENSIONS GREATER THAN THREE DAYS** <sup>5</sup>

19 The Board shall maintain a list of qualified individuals who have indicated a willingness to act as impartial hearing  
20 officers, as defined under Tennessee law.

21 When charges are made against a tenured teacher, charging the teacher with offenses which may justify dismissal  
22 or a suspension greater than three days, the charges shall be made in writing, specifically stating the offenses  
23 which are charged and shall be signed by the party or parties making the charges.

24 If, in the opinion of the Board, the charges are of such nature as to warrant the release or a suspension greater than  
25 three days of the teacher, the director of schools shall give the teacher a written notice of this decision, a copy of  
26 the charges against the teacher, and a copy of a form provided by the Commissioner of Education advising the  
27 teacher of his/her legal duties, rights and recourse.

28 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days after receipt  
29 of notice give written notice to the director of schools of his/her request for a hearing.

30 The director of schools shall, within five (5) days after receipt of request, assign a hearing officer from the list  
31 maintained by the Board.



1 The hearing officer shall notify the parties, or their attorney, of the officer's assignment and direct the parties or  
2 the attorneys for the parties, or both, to appear before the hearing officer for simplification of issues and the  
3 scheduling of the hearing. That hearing shall be set no later than thirty (30) days following receipt of the initial  
4 request for a hearing. In the discretion of the hearing officer, all or part of any prehearing conference may be  
5 conducted by telephone if each participant has an opportunity to participate, be heard, and to address proof and  
6 evidentiary concerns. The hearing officer is empowered to issue appropriate orders and to regulate the conduct of  
7 the proceedings.

8 Either party may appeal to the Board of Education an adverse ruling by giving written notice of appeal within ten  
9 (10) working days of the hearing officer's delivery of the hearing officer's written findings and conclusions. The  
10 director of schools shall prepare a copy of the proceedings, including all transcripts and evidence, documentary  
11 or otherwise, and transmit the same to the Board within twenty (20) days of the receipt of the notice of appeal.

12 The Board shall hear the appeal on the record, and no new evidence may be submitted by either party. The  
13 appealing party may appear before the Board to argue why the adverse ruling should be over- turned. In no event  
14 should such argument last more than fifteen (15) minutes, unless the Board should vote to extend additional time.  
15 At the conclusion of the hearing, any member of the Board may vote to sustain the decision of the Hearing officer,  
16 send the record back for additional evidence, revise the penalty or reverse the decision. The Board shall render  
17 its decision within ten (10) working days after the conclusion of the hearing. In the event that the decision of the  
18 Board is appealed to the Chancery court, the Board shall transmit the entire record prepared by the director and  
19 reviewed by the Board to the Chancery court for its review.

## 20 RESIGNATION

21 A teacher shall give the director of schools notice of resignation at least thirty (30) days before the effective date  
22 of the resignation. A teacher who fails to give such notice, in the absence of justifiable extenuating circumstances,  
23 shall forfeit all tenure status. The Board may waive the thirty (30) days' notice requirement and permit a teacher  
24 to resign in good standing.

25 The conditions under which it is permissible to break a contract with the Board are as follows:

- 26 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement  
27 of a physician approved by the Board;
- 28 2. The release by the Board of the teacher from the contract which the teacher has entered into with the  
29 Board.<sup>6</sup>

30 Any teacher on leave shall notify the director of schools in writing at least thirty (30) days prior to the date of  
31 return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to render  
32 such notice may be considered a breach of contract.<sup>7</sup>

33 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the  
34 Commissioner and request the suspension of a teacher's certificate. After the Commissioner has provided the  
35 teacher an opportunity for defense during a hearing, the Commissioner may suspend the certificate for no less than  
36 thirty (30) and no more than three hundred sixty-five (365) days.<sup>8</sup>

## 37 RETIREMENT

38 Retirement shall mean a termination of services under conditions which will allow the employee to draw benefits  
39 from retirement plans and/or social security benefits. Employees eligible for retirement benefits may elect to retire  
40 at any age according to the provisions of the retirement system.

- 1 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the  
2 responsibility of the retiring employee to provide verification of eligibility in writing from TCRS to the central  
3 office. It shall be the responsibility of the retiring employee to file for benefits.
- 4 Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year without loss  
5 of retirement benefits. Retired teachers may substitute teach for an additional ninety (90) days if the director of  
6 schools certifies in writing to the Board that no other qualified personnel are available to substitute teach.<sup>9</sup>
- 7 The director of schools may employ teachers retired for at least one year for full-time employment as a  
8 kindergarten through twelfth grade teacher on a year-to-year basis. Retirement benefits will not be lost or  
9 suspended under certain conditions, which include but are not limited to the following:<sup>10</sup>
- 10 1. The director of schools of the employing system must certify in writing that no other qualified individuals  
11 are available to fill the position;
  - 12 2. The Commissioner of Education must certify that the employing school system serves an area that lacks  
13 qualified teachers to serve in the position to be filled;
  - 14 3. The retired teacher must hold a valid license and shall not be entitled to tenure status;
  - 15 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or receive  
16 medical insurance coverage; and
  - 17 5. The salary paid to the retired member shall not be less than the rate of compensation set by the Board  
18 for teachers with no experience filling similar positions, nor more than eighty-five percent (85%) of the  
19 rate of compensation set by Board for teachers with comparable training and years of experience filling  
20 similar positions.

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#### Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301 (b)(1)(EE), TCA 49-5-512(d)
3. TCA 49-5-511(a)(2)
4. TCA 49-5-511 through 513
5. TCA 49-5-512, 513
6. TCA 49-5-508
7. TCA 49-5-706
8. TCA 49-5-411
9. TCA 8-36-805
10. TCA 8-36-821

# Collierville Schools Board of Education

Monitoring: Review: <b>Annually,</b> in February	Descriptor Term: <b>Separation Practices for Non-Tenured Teachers</b>	Descriptor Code: 5.201	Issued Date:
		Rescinds:	Issued:

## 1 **SUSPENSION PENDING AN INVESTIGATION** <sup>1</sup>

2 The director of schools may suspend a teacher at any time that may seem necessary, pending  
3 investigation or final disposition of a case before the board or an appeal. If the matter under investigation  
4 is not the subject of an ongoing criminal investigation or a department of children's services  
5 investigation, and if no charges for dismissal have been made, a suspension pending investigation shall  
6 not exceed ninety (90) days in duration. Under no circumstances shall the director of schools suspend a  
7 non-tenured teacher with pay. If vindicated or reinstated, the non-tenured teacher shall be paid full salary  
8 for the period of suspension.

## 9 **SUSPENSION OF THREE DAYS OR LESS** <sup>2</sup>

10 A director of schools/designee may suspend a teacher for incompetence, inefficiency, neglect of duty,  
11 unprofessional conduct and insubordination. Before an employee is suspended he/she shall be: (1)  
12 provided with written notice, including the reasons for the suspension along with an explanation of the  
13 evidence; (2) given an opportunity to respond to the director at a recorded conference, if requested within  
14 five (5) days; and (3) given a written decision of the suspension within ten (10) days. Both parties may  
15 be represented by counsel at the conference, which shall be recorded.

## 16 **DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS**

17 The director of schools may dismiss or suspend for more than three days any non-tenured teacher **during**  
18 **the contract year** for incompetence, inefficiency, insubordination, improper conduct or neglect of duty  
19 after giving the non-tenured teacher, in writing, due notice of the charges.

20 The director of schools shall give the non-tenured teacher an opportunity for a full and complete hearing  
21 before an impartial hearing officer. <sup>2</sup>

22 The Board will appoint an impartial hearing officer to conduct such hearings. The hearing officer will  
23 hear the case and the employee shall have the right to:

- 24 1. be represented by counsel;
- 25 2. call and subpoena witnesses;
- 26 3. examine all witnesses; and
- 27 4. require that all testimony be given under oath.

28 Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the  
29 affected employee within ten (10) working days following the close of the hearing. The employee may  
30 appeal the decision to the Board within ten (10) working days of the hearing officer rendering the written  
31 decision to the employee. Written notice of appeal to the Board shall be given to the director of schools.

1 Within twenty (20) days' of receipt of notice, the director shall prepare a copy of the proceedings,  
2 transcript, documentary and other evidence presented and provide the Board a copy of the same.

3 The Board shall hear the appeal. No new evidence shall be introduced. The non-tenured teacher may  
4 appear in person or be represented by counsel and argue why the decision should be modified or reversed.  
5 The Board shall take one of the following actions:

- 6 1. sustain the decision;
- 7 2. send the record back if additional evidence is necessary; or
- 8 3. revise the penalty or reverse the decision.

9 Before any decision to dismiss is made, a majority of the membership of the Board shall concur in  
10 sustaining the charges. The Board shall render a decision on the appeal within ten (10) working days  
11 after the conclusion of the hearing.

12 The director of schools shall also have the right to appeal any adverse ruling by the Hearing Officer in  
13 same manner as the non-tenured teacher.

14 Within twenty (20) days after receipt of notice of the decision of the Board, either party may appeal to  
15 the chancery court in the county where the school system is located. The Board shall provide the entire  
16 record of the hearing to the court.

## 17 **NONRENEWAL**

18 Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of  
19 employment enjoyed by tenured teachers except that they have no claim upon continuing employment  
20 or tenure protections.

21 The principal is responsible for discussing deficiencies as part of the evaluation process with the non-  
22 tenured teacher and providing assistance for overcoming these deficiencies.

23 The director of schools is under no obligation to re-employ non-tenured teachers at the end of their con-  
24 tract period. If the director of schools determines not to renew the contract of a non-tenured teacher,<sup>1</sup>  
25 the following action shall be taken:

- 26 1. The Board shall be notified at the next regular board meeting; and
- 27 2. Written notice of non-renewal shall be hand delivered or sent to the employee by registered mail  
28 so that it will be received by the employee prior to June 15.<sup>3</sup>

## 29 **RESIGNATION**

30 A teacher shall give the director of schools notice of resignation at least thirty (30) days before the  
31 effective date of the resignation.<sup>4</sup> The Board may waive the thirty (30) days-notice requirement and  
32 permit a teacher to resign in good standing.

33 The conditions under which it is permissible to break a contract with the Board are as follows:

- 1 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified  
2 statement of a physician approved by the Board;
- 3 2. The release by the Board of the teacher from the contract which the teacher has entered into with  
4 the Board.

5 Any teacher on leave shall notify the director of schools in writing at least thirty (30) days' prior to the  
6 date of return if the teacher does not intend to return to the position from which he/she has taken leave.  
7 Failure to render such notice may be considered a breach of contract.<sup>5</sup>

8 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with  
9 the Commissioner and request the suspension of a teacher's certificate. After the Commissioner has  
10 provided the teacher an opportunity for defense during a hearing, the Commissioner may suspend the  
11 certificate for no less than thirty (30) and no more than three hundred sixty-five (365) days.<sup>6</sup>

## 12 **RETIREMENT**

13 Retirement shall mean a termination of services under conditions which will allow the employee to draw  
14 benefits from retirement plans and/or social security benefits.

15 Employees eligible for retirement benefits may elect to retire at any age according to the provisions of  
16 the retirement system. Central office personnel shall assist employees in securing retirement benefits;  
17 however, it shall be the responsibility of the retiring employee to provide verification of eligibility in  
18 writing from TCRS to the central office. It shall be the responsibility of the retiring employee to file for  
19 benefits.

20 Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year  
21 without loss of retirement benefits. Retired teachers may substitute teach for an additional ninety (90)  
22 days if the director of schools certifies in writing to the Board that no other qualified personnel are  
23 available to substitute teach.<sup>7</sup>

24 The director of schools may employ teachers retired for at least one year for full-time employment as a  
25 kindergarten through twelfth grade teacher on a year-to-year basis. Retirement benefits will not be lost  
26 or suspended under certain conditions, which include but are not limited to the following:<sup>8</sup>

- 27 1. The director of schools of the employing system must certify in writing that no other qualified  
28 individuals are available to fill the position;
- 29 2. The Commissioner of Education must certify that the employing school system serves an area  
30 that lacks qualified teachers to serve in the position to be filled;
- 31 3. The retired teacher must hold a valid license and shall not be entitled to tenure status;
- 32 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or  
33 receive medical insurance coverage; and
- 34 5. The salary paid to the retired member shall not be less than the rate of compensation set by the  
35 Board for teachers with no experience filling similar positions, nor more than eighty-five percent  
36 (85%) of the rate of compensation set by Board for teachers with comparable training and years  
37 of experience filling similar positions.

38 *(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and*  
39 *does NOT follow the suspension/dismissal procedures outlined in this policy. Rather, nonrenewal of*

1. *non-tenured teachers after the contract year follows the nonrenewal procedures outlined in this policy.)*
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Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301 (b)(1)(GG), TCA 49-5-512(d)
3. TCA 49-5-409
4. TCA 49-5-508
5. TCA 49-5-706
6. TCA 49-5-411
7. TCA 8-36-805
8. TCA 8-36-821

# Collierville Schools Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <b>Attendance</b>	Descriptor Code: <b>6.200</b>	Issued Date: <b>05/13/14</b>
		Rescinds:	Issued:

1 Attendance is a key factor in student achievement and therefore, students are expected to be present each  
2 day school is in session.

3 The attendance supervisor shall oversee the entire attendance program which shall include:<sup>1</sup>

- 4 1. All accounting and reporting procedures and their dissemination;
- 5 2. Alternative program options for students who severely fail to meet minimum attendance  
6 requirements;
- 7 3. Ensuring that all school age children attend school;
- 8 4. Providing documentation of enrollment status upon request for students applying for new or  
9 reinstatement of driver's permit or license; and
- 10 5. Notifying the Department of Safety whenever a student with a driver's permit or license  
11 withdraws from school.<sup>2</sup>

12 Student attendance records shall be given the same level of confidentiality as other student records. Only  
13 authorized school officials with legitimate educational purposes may have access to student information  
14 without the consent of the student or parent/guardian.<sup>3</sup>

15 Absences shall be classified as either excused or unexcused as determined by the principal or his/her  
16 designee. Excused absences shall include:

- 17 1. Personal illness;
- 18 2. Illness of immediate family member;
- 19 3. Death in the family;
- 20 4. Extreme weather conditions;
- 21 5. Religious observances;<sup>4</sup> or
- 22 6. College visits;
- 23 7. Pregnancy;
- 24 8. School sponsored or school endorsed activities<sup>7</sup>
- 25 9. Summons, subpoena, or court order
- 26 10. Circumstances which in the judgment of the principal create emergencies over which the student  
27 has no control.

29 The principal shall be responsible for ensuring that: <sup>5</sup>

- 30 1. Attendance is checked and reported daily for each class;
- 31 2. Daily absentee sheets contain sign in/sign out sheets and indicate students present or absent for  
32 the majority of the day;

3. All student absences are verified;
4. Written excuses are submitted for absences and tardiness;
5. System-wide procedures for accounting and reporting are followed.

## TRUANCY

Truancy is defined as an absence for an entire school day, a major portion of the school day or the major portion of any class, study hall or activity during the school day for which the student is scheduled.

Students who are absent five (5) days without adequate excuse shall be reported to the director of schools who will, in turn, provide written notice to the parents/guardians of the student's absence.<sup>5</sup> The director of schools shall also comply with state law regarding the reporting of truant students to the proper authorities.<sup>5</sup> If a student is required to participate in a remedial instruction program outside of the regular school day where there is no cost to the parent(s) and the school system provides transportation, unexcused absences from these programs shall be reported in the same manner.<sup>6</sup>

Students participating in school-sponsored activities whether on- or off-campus shall not be counted absent. In order to qualify as "school-sponsored," the activity must be school-planned, school-directed, and teacher-supervised.<sup>7</sup>

## MILITARY SERVICE OF PARENT/GUARDIAN

School principals shall provide students with a one-day excused absence prior to the deployment of and a one-day excused absence upon the return of a parent or custodian serving active military service. Principals shall also allow up to ten (10) excused cumulative absences per year for students to visit a parent or guardian during a deployment cycle. The student shall provide documentation to the school as proof of his/her parent's/guardian's deployment. Students shall be permitted to make up schoolwork missed during the these absences.<sup>8</sup>

## CREDIT/PROMOTION DENIAL

Credit/promotion denial determinations may include student attendance, however, student attendance may not be the sole criterion.<sup>10</sup> However, if attendance is a factor, prior to credit/promotion denial, the following shall occur:

1. Parents and students shall be advised if a student is in danger of credit/promotion denial due to excessive absenteeism.
2. Procedures in due process are available to the student when credit or promotion is denied.

## DRIVER'S LICENSE REVOCATION <sup>2</sup>

More than ten (10) consecutive or fifteen (15) reported unexcused absences by a student during any semester renders a student ineligible to retain a driver's permit or license, or to obtain such if of age.



- 1 In order to qualify for reclaiming a driver's permit or license, the student must make a passing grade in
- 2 at least three (3) full unit subjects or their equivalency at the conclusion of a subsequent grading period.

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Legal References

1. TRR/MS 0520-1-3-.08(1)(a); TCA 49-6-3006
2. TCA 49-6-3017
3. TCA 10-7-504; 20 U.S.C. § 1232g
4. TRR/MS 0520-1-3-.03(16); TCA 49-6-2904
5. TCA 49-6-3007
6. TCA 49-6-3021(c)
7. Attendance Accounting Procedural Manual, '11-'12 (0104), Minimum Standards and Guidelines, State Department of Education
8. TCA 49-6-3019
9. TRR/MS 0520-1-3-.06(1)(d)(2)
10. TCA 49-2-203(b)(7)

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Cross References

- Extracurricular Activities 4.300  
Reporting Student Progress 4.601  
Promotion and Retention 4.603  
Recognition of Religious Beliefs 4.803  
Student Records 6.600

## Collierville Schools Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Use of Personal Communication Devices and Electronic Devices</b>	Descriptor Code: <b>6.312</b>	Issued Date: <b>05/13/14</b>
		Rescinds:	Issued:

- 1 Students may possess personal communication devices and personal electronic devices so long as such  
 2 devices are turned off and stored in backpacks, purses or personal carry-alls. Such devices include, but  
 3 are not limited to, wearable technology such as eye glasses, rings, or watches that have the capability to  
 4 record, live stream, or interact with wireless technology; cell phones; laptops; tablets; and mp3 players.  
 5 However, a teacher may grant permission for the use of these devices to assist with instruction in his/her  
 6 classroom, and teachers are encouraged to integrate the devices into their course work. The principal or  
 7 his/her designee may also grant a student permission to use such a device at his/her discretion.
- 8 Unauthorized use or improper storage of a device will result in confiscation until such time as it may  
 9 be released to the student's parents or guardian. A student in violation of this policy is subject to dis-  
 10 ciplinary action.

# Collierville Schools Board of Education

Monitoring: <b>Review: Annually, in May</b>	Descriptor Term: <b>Surveys of Students</b>	Descriptor Code: <b>6.4001</b>	Issued Date: <b>05/13/14</b>
		Rescinds:	Issued:

1 Surveys, analyses, and evaluations for research purposes shall be allowed by the Board when the project  
2 is viewed as contributory to a greater understanding of the teaching-learning process, the project does  
3 not violate the goals of the Board, and the disruption of the regular school program is minimal. The  
4 director of schools shall develop administrative procedures for approving requests for conducting  
5 surveys, analyses, or evaluations by agencies, organizations or individuals. The requests shall outline  
6 what is to be done, who is to be involved and how the results will be used and distributed.<sup>1</sup>

7 Prior to the dissemination of a survey, analysis, or evaluation to students, parents/guardians shall be  
8 notified of their ability to review the materials. Such notification shall include information indicating  
9 the purpose of the survey, analysis, or evaluation as well as who will have access to the results.  
10 Following such notification and prior to the administration of the survey, analysis, or evaluation,  
11 parents/guardians may opt their child out of participation. The director of schools shall develop  
12 procedures for granting such parental requests and to implement the other provisions of this policy.<sup>5</sup>

13 No student shall be required, as part of any program, to submit to a survey, analysis or evaluation that  
14 reveals information concerning:<sup>2,5</sup>

- 15 1. political affiliations or beliefs of the student or the student's parent;
- 16 2. mental or psychological problems of the student or the student's family;
- 17 3. sexual behavior or attitudes;
- 18 4. illegal, anti-social, self-incriminating, or demeaning behavior;
- 19 5. critical appraisals of other individuals with whom respondents have close family relationships;
- 20 6. legally privileged relationships;
- 21 7. religious practices, affiliations or beliefs of the student or the student's parent; or
- 22 8. income

23 without the prior consent of the student (if the student is an adult or emancipated minor), or in the case  
24 of an unemancipated minor, without the prior consent of the parent.<sup>5</sup>

## 25 **COLLECTING, DISCLOSING OR USING INFORMATION FOR MARKETING**<sup>3</sup>

26 In general, the district will not collect, disclose or use personal student information for the purpose of  
27 marketing or selling that information or otherwise providing that information to others for that purpose.

1 If any collected information is to be marketed or sold, parents will be directly notified at least annually  
2 at the beginning of the school year of the specific or approximate dates when such information will be  
3 collected. Parents, upon request, may inspect any instrument used to collect personal information for the  
4 purpose of marketing or selling that information before the instrument is administered or distributed to  
5 the student. All parents and students of appropriate age may decline to provide the information requested.

6 This portion of the policy does not apply to the collection, disclosure or use of personal information  
7 collected from students for the exclusive purpose of developing, evaluating or providing educational  
8 products or services for or to students or educational institutions to the extent allowed by law, such as  
9 the following: <sup>4</sup>

- 10 1. College or other postsecondary education recruitment or military recruitment.
- 11 2. Book clubs, magazines and programs providing access to low-cost literary products.
- 12 3. Tests and assessments used by elementary schools and secondary schools to provide  
13 cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students (or  
14 to generate other statistically useful data for the purpose of securing such tests and assessments)  
15 and the subsequent analysis and public release of the aggregate data from such tests and  
16 assessments.
- 17 4. The sale by students of products or services to raise funds for school-related or education  
18 related activities.
- 19 5. Student recognition programs.

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**Legal References**

1. TCA 49-2-211
2. 20 USCA § 1232h
3. No Child Left Behind, Part F § 1061 (1)(E) & (F) & (2)
4. No Child Left Behind, Part F § 1061 (4)(A)
5. TCA 49-2-211

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**Cross References**

Testing Programs 4.700

# Collierville Schools Board of Education

Monitoring: Review: <b>Annually, in May</b>	Descriptor Term:  <b>Student Records</b>	Descriptor Code: <b>6.600</b>	Issued Date: <b>05/13/14</b>
		Rescinds:	Issued:

1 A cumulative record shall be kept for each student enrolled in school. The folder shall contain a health  
2 record, attendance record, and scholarship record; shall be kept current; and shall accompany the  
3 student through his/her school career.<sup>1</sup>

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

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

11 When a student transfers to another school within the system, the school shall send the original records  
12 to the transfer school.

13 When a student transfers to a school outside the system and his/her records are requested, the school  
14 shall keep the original records and send copies to the transfer school.

15 All records shall be remitted in accordance with the Family Education Rights and Privacy Act  
16 (FERPA).

## 17 ACCESS TO STUDENT RECORDS

18 Student records shall be confidential. Authorized school officials shall have access to and permit  
19 access to student education records for legitimate educational purposes.<sup>2</sup> A "legitimate educational  
20 interest" is the official's need to know information in order to:

- 21 1. Perform required administrative tasks;
- 22 2. Perform a supervisory or instructional task directly related to the student's education;
- 23 3. Perform a service or benefit for the student or the student's family such as health care,  
24 counseling, student job placement, or student financial aid.

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

27 To comply with a judicial order or lawfully issued subpoena. The school system will make a  
28 reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure;

- 1 1. If the disclosure is an item of directory information;
- 2 2. To comply with the requirements of child abuse reports to the extent known by the school  
3 officials including the name, address, and age of the child; the name and address of the person  
4 responsible for the care of the child, and the facts requiring the report;<sup>3</sup>
- 5 3. When certain federal and state officials need information in order to audit or enforce legal con-  
6 ditions related to federally-supported education programs in the school system;
- 7 4. When the school system has entered into a contract or written agreement for an organization to  
8 conduct scientific research on the system's behalf to develop tests or improve instruction,  
9 provided that the studies are conducted in a manner which will not permit the personal  
10 identification of students and their parents by individuals other than representatives of the  
11 organization and the information will be destroyed when no longer needed for the purpose for  
12 which the study was conducted;
- 13 5. To appropriate officials if the parent(s) claim the student as a dependent as defined by the  
14 Internal Revenue Code;
- 15 6. To accrediting organizations to carry out their accrediting functions;
- 16 7. When a student seeks or intends to enroll in another school district or a post-secondary school.  
17 Parent(s) of students or eligible students have a right to obtain copies of records transferred  
18 under this provision;<sup>4</sup>
- 19 8. To financial institutions or government agencies that provide or may provide financial aid to a  
20 student in order to establish eligibility, to determine the amount of financial aid, to establish  
21 conditions for the receipt of financial aid, and to enforce financial aid agreements.
- 22 9. To make the needed disclosure in a health or safety emergency when warranted by the serious-  
23 ness of the threat to the student or other persons, when the information is necessary and needed  
24 to meet the emergency, when time is an important and limiting factor, and when the persons to  
25 whom the information is to be disclosed are qualified and in a position to deal with the  
26 emergency.
- 27 10. To the Attorney General or his designee for official purposes related to the investigation or  
28 prosecution of an act of domestic or international terrorism. An educational agency that, in  
29 good faith, produces education records in accordance with an order issued under this Act shall  
30 not be liable to any person for that production.<sup>5</sup>
- 31 11. To any agency caseworker or other representative of a state or local child welfare agency or  
32 tribal organization authorized to access the student's educational records when such agencies or  
33 organizations are legally responsible for the care and protection of the student.<sup>6</sup>

34 Authorized school officials may release information from a student's education record if the student's  
35 parent(s) or the eligible student gives written consent for the disclosure. The written consent must  
36 include:

- 1 1. A specification of the records to be released;
- 2 2. The reasons for the disclosure;
- 3 3. The person, organization, or class of persons or organizations to whom the disclosure is to be
- 4 made;
- 5 4. The signature of the parent(s) or eligible student;
- 6 5. The date of the consent and, if appropriate, a date when the consent is to be terminated. The
- 7 student's parent(s) or the eligible student\* may obtain a copy of any records disclosed under
- 8 this provision.

9 The school system will maintain an accurate record of all requests to disclose information from or to  
 10 permit access to a student's education records. The system will maintain an accurate record of infor-  
 11 mation it discloses and access it permits. The system will maintain this record as long as it maintains  
 12 the student's education record.

13 The record will include at least:

- 14 1. The name of the person or agency that makes the request;
- 15 2. The interest the person or agency has in the information;
- 16 3. The date the person or agency makes the request; and
- 17 4. Whether the request is granted and, if it is, the date access is permitted or the disclosure is
- 18 made.

19 \* *The student becomes an "eligible student" when he/she reaches age 18 or enrolls in a post secondary*  
 20 *school, at which time all of the above rights become the student's right.*

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#### Legal References

1. USCA 20-1232g; TCA 10-7-503; TCA 10-7-504
2. TCA 10-7-504(a)(4); 20 USC 1232g
3. TCA 37-1-403
4. TRR/MS 0520-1-3-.03(11)(e)
5. USA Patriot Act of 2001 § 507
6. Uninterrupted Scholars Act of 2013

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#### Cross References

School Board Records 1.407  
 Promotion and Retention 4.603  
 Attendance 6.200  
 Child Custody/Parental Access 6.209  
 Disciplinary Hearing Authority 6.317  
 AIDS 6.404