

**Johnson City Board of Education Special Meeting**  
**February 7, 2022 5:00 PM**  
Central Office

**1. CALL TO ORDER AND PURPOSE OF MEETING**

1.A. Policy Review - Sections Two, Five & Six

- 1.A.1. 2.100 - Fiscal Management Goals and Objectives
- 1.A.2. 2.400 - Revenues
- 1.A.3. 5.115 - Assignment / Transfer
- 1.A.4. 5.117 - Procedure for Granting Tenure
- 1.A.5. 5.200 - Separation Practices for Tenured Teachers
- 1.A.6. 5.201 - Separation Practices for Non-Tenured Teachers
- 1.A.7. 5.305 - Family and Medical Leave
- 1.A.8. 5.502 - Complaints About School Personnel
- 1.A.9. 5.701 - Substitute Teachers
- 1.A.10. 5.702 - Interns and Student Teachers
- 1.A.11. 6.203 - School Admissions
- 1.A.12. 6.203 - School Admissions
- 1.A.13. 6.205 Student Assignment
- 1.A.14. 6.206 - Transfer Within the System
- 1.A.15. 6.300 - Student Code of Conduct
- 1.A.16. 6.304 - Student Discrimination / Harassment, Bullying, Cyber-bullying  
and Intimidation

- 1.A.17. 6.305 - Student Concerns, Compliants and Grievances
- 1.A.18. 6.3041 - Title IX & Sexual Harassment
- 1.A.19. 6.9071 - Student Alcohol and Drug Testing
- 1.A.20. 6.308 - Bus Conduct
- 1.A.21. 6.310 - Dress Code
- 1.A.22. 6.312 - Use of Personal Communication Devices in School
- 1.A.23. 6.313 - Methods of Discipline
- 1.A.24. 6.316 - Suspension / Expulsion / Remand
- 1.A.25. 6.319 - Alternative School Programs
- 1.A.26. 6.320 - Use of Internet
- 1.A.27. 6.410 - Accidents and Illness
- 1.A.28. 6.415 - Student Suicide Prevention
- 1.A.29. 6.604 - Media Access to Students
- 1.A.30. 6.702 - Student Organizations
- 1.A.31. 6.703 - Student Government / Council

## **2. ADJOURNMENT**

# Johnson City Board of Education

Monitoring:  Review Annually, in January	<b>Fiscal Management Goals and Objectives</b>	Descriptor 2.100	Issue Date 4/14/2014
		Rescinds 2.100	Issued 2/4/2002

1 The Board shall practice sound fiscal management procedures which guarantee maximum use of all  
2 resources provided.<sup>1</sup>

3  
4 In fiscal management, the Board seeks to achieve the following goals:

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

## 1 **RESERVE FUNDS**

2 The Board recognizes the need to maintain an operating reserve in the General Purpose School fund for the  
3 following purposes:

- 4 • Hold adequate working capital to meet cash flow needs during the fiscal year
- 5 • Reduce the need for short term borrowing
- 6 • Serve as a safeguard for unanticipated expenses
- 7 • Show fiscal responsibility to maintain a high credit rating which will help reduce future  
8 borrowing costs

9 The Board of Education shall place emphasis on **increasing maintaining** unrestricted fund balance in the  
0 General Purpose School Fund to an amount equal to approximately 16 percent of the General Fund Operating  
1 budget expenditures. This represents approximately two (2) months of operating expenditures.

2 At the close of each budget year any excess of revenues over expenditures that will increase the cumulative  
3 unrestricted fund balance above the established target amount will be recorded as a restricted reserve account  
4 available for appropriation by the Board of Education for one-time expenditures.

5  
6  
7  
8  
9 Legal Reference:

- 0 1. TCA 49-3-314(c)(1); *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-19

# Johnson City Board of Education

Monitoring:		Descriptor 2.400	Issue Date 4/4/2019
Review Annually, in January	<b>Revenues</b>	Rescinds 2.400	Issued 4/5/2016

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

2  
3 The schools may receive funds collected from activities and for events held at or in connection with the  
4 school, including contracts with other schools for interschool events. All monies collected from lunch  
5 rooms, athletics, entertainments, school clubs, fees, concessions and all fund raising activities are to be  
6 included in this source of funds. <sup>1</sup>

7  
8 Except for school books and school lunches, the purchase of services or items intended for resale through the  
9 schools shall be subject to sales tax based on the purchase price to the vendor providing the service or item. <sup>2</sup>

0  
1 **FEES**

2 School fees are to be kept to a minimum and may be expended only for the purposes for which they were  
3 collected. The purpose and amounts of all fees must have the approval of the Board.

4  
5 No fees shall be required of any student as a condition to attend the school or use its equipment.<sup>3</sup> School fees  
6 shall be waived for students who receive free or reduced-price lunches.<sup>4</sup> No student will be penalized for non-  
7 payment of any materials fee.

8  
9  
0 **FINES**

1 A student will be held responsible for the cost of replacing any materials or property which the student loses  
2 or damages<sup>5</sup> including textbooks, library books, equipment, technology and buildings. All money collected  
3 as fines shall be placed in the general school fund.

4  
5  
6 **TUITION INCOME**

7 Children whose parents or guardians reside outside the city of Johnson City may be enrolled in Johnson City  
8 Schools by payment of tuition. The Superintendent of Schools and the Board of Education shall determine if  
9 and under what circumstances tuition students will be allowed to enroll. Enrollment will be allowed only when  
0 space is available in the appropriate grade level. Waivers on maximum class size as established by the state  
1 will not be requested to accommodate tuition students. Principals shall have the discretion to hold enrollment  
2 below the state maximum for just cause.

3 Tuition may be paid quarterly, but must be paid in advance. Failure to pay tuition in advance of the quarter  
4 shall result in dismissal of the student from Johnson City Schools.

5 Teachers and services will not be added to the school program to accommodate tuition students.

6 Pre-school programs are not included in the tuition program.

7  
8  
9  
0  
1

# Johnson City Board of Education

Monitoring:  Review Annually, in February	<b>Assignment/Transfer</b>	Descriptor 5.115	Issue Date 4/4/2019
		Rescinds 5.115	Issued 8/5/2013

**ASSIGNMENT**

The Superintendent of Schools shall assign personnel to the appropriate school or department, while allowing each principal or immediate supervisor to assign specific responsibilities within each school or department.<sup>1</sup>

Assignment of employees will be made by the Superintendent of Schools based on the recommendation of the appropriate department supervisor and/or principal. The assignment will be determined by the applicant's training, experience and ability to perform the duties of the position and in the best interest of the students.

Extra assignments for which supplements are provided and upon which initial employment was based may not be relinquished by the employee without the approval of the person making the assignment. Other assignments for which supplemental salary is provided shall be made on an annual contract basis.

**TRANSFER (to move from one school or administrative unit to another)**

The Superintendent of Schools shall transfer employees as necessary for efficient operation of the schools.<sup>2</sup> Transfers shall be non-discriminatory and shall not be arbitrary or capricious. The Superintendent of Schools is responsible for developing and disseminating procedures for transfer.

All employees transferred shall receive notification of the transfer with reason(s) prior to the transfer.

If a transfer is performance-based, the transfer shall be preceded by a written statement of deficiencies and when feasible, a reasonable opportunity to improve.

~~Individual members of the Board shall be notified of transfers five (5) business days in advance of the transfer whenever practical or as soon as possible thereafter.~~

Transfers made in accordance with board policy and state law are final.

**REASSIGNMENT (to move to another assignment within the same school or administrative unit)**

Reassignments shall be non-discriminatory and shall not be arbitrary or capricious. Employees shall be reassigned as necessary for efficient operation of the schools. The Superintendent of Schools is responsible for developing and disseminating procedures for reassignments.

Reassignments shall be made by the employee's immediate supervisor with approval by the Superintendent of Schools.

Legal Reference:

1. TCA 49-2-301 (b)(1)(L); TCA 49-5-501
2. TCA 49-2-301(b)(1)(EE); TCA 49-5-510;  
OP Tenn. Atty. Gen. 98-165 (August 24, 1998);  
TCA 49-2-303

Cross References:

- Nepotism 1.108
- Line and Staff Relations 5.101
- Job Descriptions 5.103
- Recruitment 5.105

# Johnson City Board of Education

Monitoring: Review Annually, in February	<b>Procedure for Granting Tenure</b>	Descriptor 5.117	Issue Date 4/13/2020
		Rescinds 5.117	Issued 5/7/2018

1 The Board of Education will grant tenure only to those teachers who ~~can present~~ **have a** documentation of a  
2 record of excellence as a teacher. The Superintendent of Schools is responsible for documenting and  
3 presenting the recommendation for tenure to the Board of Education.<sup>1</sup>  
4

5 Documentation of a record of excellence in teaching must include:

6 Evaluations demonstrating an overall performance effectiveness of “above expectations” or “significantly  
7 above expectations” during the last 2 years of the teacher’s probationary period.<sup>2</sup>  
8

9 Documentation of a record of excellence in teaching may include:

- 1 1. Specific evidence of effectiveness in teaching students (if appropriate):
  - 2 (a) test scores, including the annual estimate of teacher effect on student progress<sup>2</sup>
  - 3 (b) narrative descriptions of specific examples of effectiveness with students
- 4 2. Record of attendance
- 5 3. Letters from parents
- 6 4. Documentation of strongly favorable student response
- 7 5. Other indicators of effectiveness may be included

8 The following additional guidelines will apply:

- 9 1. The decision to grant tenure is solely within the discretion of the Board of Education.<sup>3</sup>
- 0 2. Only those teachers who receive a majority vote of the membership of the Board will be  
1 granted tenure.
- 2 3. No person eligible for tenure who has been denied tenure by the Board of Education shall be  
3 employed in the school system in any position which requires a teaching license.  
4

5 A person who has attained tenure with the Johnson City School System and who resigns from the system  
6 must serve a two year probationary period upon reemployment by the system before becoming eligible  
7 for tenure, unless the probationary period is waived by the Board upon the request of the Superintendent of  
8 Schools.<sup>2</sup> Upon completion of the two year probationary period the teacher shall be eligible for tenure and  
9 shall either be recommended by the Superintendent of Schools for tenure or nonrenewed; provided no teacher  
0 who has been denied tenure by the Board of Education shall be employed in the school system in any position  
1 which requires a license.  
2

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5

---

Legal References:

1. TCA 49-2-301(f)(1)(J)
2. TCA 49-5-504
3. TCA 49-6-606(a); TCA 49-2-203 (1)

# Johnson City Board of Education

Monitoring: Review Annually, in February	<b>Separation Practices for Tenured Teacher</b>	Descriptor 5.200	Issue Date 4/5/2021
		Rescinds 5.200	Issued 12/9/2019

1  
2 Under no circumstances shall a Superintendent of Schools suspend a tenured teacher with pay. If reinstated,  
3 the tenured teacher shall be paid full salary for the period of suspension, unless suspension without pay is  
4 deemed to be an appropriate penalty.

## 5 6 7 **SUSPENSION PENDING AN INVESTIGATION<sup>1</sup>**

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

## 5 6 **SUSPENSION OF THREE DAYS OR LESS<sup>2,3</sup>**

7  
8 The Superintendent of Schools/ ~~or his/her~~ designee may suspend a teacher for incompetence, inefficiency,  
9 neglect of duty, unprofessional conduct, and insubordination. Before a teacher is suspended, they shall be: (1)  
0 provided with written notice, including the reasons for the suspension along with an explanation of the  
1 evidence; (2) given an opportunity to respond to the Superintendent at a conference, if requested within five  
2 (5) days; and (3) given a written decision of the suspension within ten (10) days. Both parties may be  
3 represented by counsel at the conference, which shall be recorded.

## 4 5 6 **DISMISSAL OR SUSPENSIONS GREATER THAN THREE DAYS<sup>4</sup>**

7  
8 The board shall maintain a list of qualified individuals who have indicated a willingness to act as impartial  
9 hearing officers as defined under Tennessee law.

0  
1 When charges are made against a tenured teacher, charging the teacher with offenses which may justify  
2 dismissal or a suspension greater than three days, the charges shall be made in writing, specifically stating the  
3 offenses which are charged, and shall be signed by the party or parties making the charges.

4  
5 If, in the opinion of the board, the charges are of such nature as to warrant the dismissal or a suspension  
6 greater than three days of the teacher, the Superintendent of Schools shall give the teacher a written notice of  
7 this decision, a copy of the charges against the teacher, and a copy of a form provided by the Commissioner of  
8 Education advising the teacher of his/her legal duties, rights, and recourse.

9  
0 A tenured teacher who has been given notice of charges against ~~him/her~~ them may within thirty (30) days  
1 after receipt of notice give written notice to the Superintendent of Schools of his/her them request for a  
hearing.

1 The Superintendent of Schools shall, within five (5) days after receipt of request, assign a hearing officer from  
2 the list maintained by the board.

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

1  
2 Either party may appeal to the board an adverse ruling by giving written notice of appeal within ten (10)  
3 working days of the hearing officer's delivery of the hearing officer's written findings and conclusions. The  
4 Superintendent of Schools shall prepare a copy of the proceedings, including all transcripts and evidence,  
5 documentary or otherwise, and transmit the same to the board within twenty (20) days of the receipt of the  
6 notice of appeal.

7  
8 The board shall hear the appeal on the record, and no new evidence may be submitted by either party. The  
9 appealing party may appear before the board to argue why the adverse ruling should be overturned. In no  
0 event should such argument last more than fifteen (15) minutes, unless the board should vote to extend  
1 additional time. At the conclusion of the hearing, any member of the board may vote to sustain the decision of  
2 the hearing officer, send the record back for additional evidence, revise the penalty, or reverse the decision.  
3 The board shall render its decision within ten (10) working days after the conclusion of the hearing. In the  
4 event that the decision of the board is appealed to the chancery court, the board shall transmit the entire record  
5 prepared by the Superintendent and reviewed by the board to the chancery court for its review.

## 7 RESIGNATION

8  
9 A teacher shall give the Superintendent of Schools notice of resignation at least thirty (30) days before the  
0 effective date of the resignation. A teacher who fails to give such notice, in the absence of justifiable  
1 extenuating circumstances, shall forfeit all tenure status. The Board may waive the thirty (30) days notice  
2 requirement and permit a teacher to resign in good standing.<sup>5</sup>

3  
4 The conditions under which it is permissible to break a contract with the Board are as follows:

- 5 1. The drafting of the teacher into military service by a selective service board;
- 6 2. The incapacity on the part of the teacher to perform the contract as evidenced by the certified  
7 statement of a physician approved by the Board;
- 8 3. The release by the Board of the teacher from the contract which the teacher has entered into with  
9 the Board.<sup>6</sup>

0  
1  
2 Any teacher on leave shall notify the Superintendent of Schools in writing at least thirty (30) days prior to the  
3 date of return if the teacher does not intend to return to the position from which he/she has taken leave.  
4 Failure to render such notice may be considered a breach of contract.<sup>7</sup>

5  
6 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the  
7 State Board of Education and request the suspension of a teacher's certificate. After the State Board of  
8 Education has provided the teacher an opportunity for defense during a hearing, the Commissioner of  
9 Education may suspend the certificate for no less than thirty (30) and no more than three hundred sixty-five  
0 (365) days.<sup>8</sup>

**RETIREMENT**

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

Teachers eligible for retirement benefits may elect to retire at any age according to the provisions of the retirement system.

Central office personnel shall assist employees in securing retirement benefits; however, it shall be the responsibility of the retiring teacher to provide verification of eligibility in writing from TCRS to the central office. It shall be the responsibility of the retiring teacher to file for benefits.

Teachers who retire under TCRS may be employed up to one-hundred (120) days per year without loss of retirement benefits. Retired teachers may substitute teach for additional days if the Superintendent of schools certifies in writing to the Board that no other qualified personnel are available to substitute teach.<sup>9</sup>

The Superintendent of Schools may employ teachers retired for at least one year for full-time employment as a kindergarten through twelfth grade teacher on a year-to-year basis. Retirement benefits will not be lost or suspended under certain conditions, which include but are not limited to the following:<sup>10</sup>

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

---

**Legal References:**

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301 (b)(1)(EE); 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(a)
7. TCA 49-5-706
8. TCA 49-5-411(b)
9. Public Acts of 2017, Chp. No 287
10. TCA 8-36-821

# Johnson City Board of Education

Monitoring: Review Annually, in February	<b>Separation Practices for Non-Tenured Teachers</b>	Descriptor 5.201	Issue Date 4/5/2021
		Rescinds 5.201	Issued 12/9/2019

Under no circumstances shall the Superintendent of Schools suspend a teacher with pay. If vindicated or reinstated, the non-tenured teacher shall be paid full salary for the period of suspension.

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

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

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

A Superintendent of Schools/~~or his/her~~ designee may suspend a teacher for incompetence, inefficiency, neglect of duty, unprofessional conduct, and insubordination. Before a teacher is suspended, they shall be: (1) provided with written notice, including the reasons for the suspension along with an explanation of the evidence; (2) given an opportunity to respond to the Superintendent at a recorded conference, if requested within five (5) days; and (3) given a written decision of the suspension within ten (10) days. Both parties may be represented by counsel at the conference, which shall be recorded.

## **DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS<sup>2</sup>**

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

The Superintendent of Schools shall give the non-tenured teacher an opportunity for a full and complete hearing before an impartial hearing officer.

The board will appoint an impartial hearing officer to conduct such hearings. The hearing officer will hear the case and the teacher shall have the right to:

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

Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the affected teacher within ten (10) working days following the close of the hearing. The teacher may appeal the

1 decision to the board within ten (10) working days of the hearing officer rendering the written decision to the  
 2 teacher. Written notice of appeal to the board shall be given to the Superintendent of Schools. Within twenty  
 3 (20) days of receipt of notice, the Superintendent of Schools shall prepare a copy of the proceedings,  
 4 transcript, documentary, and other evidence presented and provide the board a copy of the same.  
 5

6 The board shall hear the appeal. No new evidence shall be introduced. The non-tenured teacher may appear in  
 7 person or be represented by counsel and argue why the decision should be modified or reversed. The board  
 8 shall take one of the following actions:  
 9

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

3  
 4 Before any decision to dismiss is made, a majority of the membership of the board shall concur in sustaining  
 5 the charges. The board shall render a decision on the appeal within ten (10) working days after the conclusion  
 6 of the hearing.  
 7

8 The Superintendent of Schools shall also have the right to appeal any adverse ruling by the hearing officer in  
 9 same manner as the non-tenured teacher.  
 0

1 Within twenty (20) days after receipt of notice of the decision of the board, either party may appeal to the  
 2 chancery court in the county where the school system is located. The board shall provide the entire record of  
 3 the hearing to the court.  
 4

#### 5 **NONRENEWAL**

6  
 7 Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of  
 8 employment enjoyed by tenured teachers except that they have no claim upon continuing employment or  
 9 tenure protections.  
 0

1 The principal is responsible for discussing deficiencies as part of the evaluation process with the non-tenured  
 2 teacher and providing assistance for overcoming these deficiencies.  
 3

4 The Superintendent of Schools is under no obligation to re-employ non-tenured teachers at the end of their  
 5 contract period. If the Superintendent of Schools determines not to renew the contract of a non-tenured  
 6 teacher,<sup>1</sup> the following action shall be taken:  
 7

- 8 1. The Board shall be notified at the next regular board meeting; and
- 9 2. Written notice of non-renewal shall be hand delivered or sent to the teacher by registered mail  
 0 so that it will be received by the teacher within five (5) business days following the last instructional  
 1 day for the school year.<sup>3</sup>

#### 2 **RESIGNATION**

3  
 4 A teacher shall give the Superintendent of Schools notice of resignation at least thirty (30) days before the  
 5 effective date of the resignation.<sup>4</sup> The Board may waive the thirty (30) days notice requirement and permit a  
 6 teacher to resign in good standing.  
 7  
 8

9 The conditions under which it is permissible to break a contract with the Board are as follows:  
 0  
 1

- 1 1. The drafting of the teacher into military service by a selective service board;
- 2 2. The incapacity on the part of the teacher to perform the contract as evidenced by the certified
- 3 statement of a physician approved by the Board;
- 4 3. The release by the Board of the teacher from the contract which the teacher has entered into with
- 5 the Board.<sup>6</sup>

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

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

## 7 **RETIREMENT**

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

1 Teachers eligible for retirement benefits may elect to retire at any age according to the provisions of the  
2 retirement system. Central office personnel shall assist teachers in securing retirement benefits; however, it  
3 shall be the responsibility of the retiring teacher to provide verification of eligibility in writing from TCRS to  
4 the central office. It shall be the responsibility of the retiring teacher to file for benefits.

5 Teachers who retire under TCRS may be employed up to one-hundred (120) days per year without loss of  
6 retirement benefits. Retired teachers may substitute teach for additional days if the Superintendent of Schools  
7 certifies in writing to the Board that no other qualified personnel are available to substitute teach.<sup>7</sup>

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

- 1 1. The Superintendent of Schools of the employing system must certify in writing that no other
- 2 qualified individuals are available to fill the position;
- 3 2. The Commissioner of Education must certify that the employing school system serves an area that
- 4 lacks qualified teachers to serve in the position to be filled;
- 5 3. The retired teacher must hold a valid license and shall not be entitled to tenure status;
- 6 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or
- 7 receive medical insurance coverage; and
- 8 5. The salary paid to the retired member shall not be less than the rate of compensation set by the
- 9 Board for teachers with no experience filling similar positions, nor more than eighty-five percent
- 0 (85%) of the rate of compensation set by Board for teachers with comparable training and years of
- 1 experience filling similar positions.

2 *(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and does*  
3 *NOT follow the suspension/dismissal procedures outlined in this policy.)*

4 Legal References:

5 Cross Reference:

- 6 1. TCA 49-5-511(a)(3)

1  
2  
3  
4  
5  
6  
7

- 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(b)(4)
- 7. Public Acts of 2017; Chp No. 287
- 8. TCA 8-36-821

# Johnson City Board of Education

Monitoring:  Review Annually, in February	<b>Family and Medical Leave</b>	Descriptor 5.305	Issue Date 4/5/2021
		Rescinds 5.305	Issued 6/7/2010

## PURPOSE

To entitle employees to take reasonable leave for a serious health condition ~~medical reasons~~, for the birth or adoption of a child, and for the care of a child, spouse or parent who has a serious health condition.

## ELIGIBILITY

Anyone who has been employed for at least twelve (12) months by the school system or anyone who has at least 1,250 hours of service (hours used for leave, even Family Medical Leave Act ("FMLA") leave, shall not be credited for service for purposes of FMLA eligibility<sup>1</sup>) during the previous twelve month period.<sup>2</sup>

## GENERAL PRINCIPLES

1. Any employee shall be granted, upon request, up to twelve (12) weeks unpaid leave for the birth or adoption of a child or the care of a child, spouse, or parent who has a serious health condition. (Any female requesting leave due to pregnancy and childbirth shall be granted at least four (4) months leave.)<sup>3</sup>
2. Any person requesting maternity leave must, during the period of actual physical disability, use accumulated sick leave until leave is exhausted before using FMLA leave. All FMLA leave runs concurrently with paid leave. A physician's statement may be required by the Superintendent of Schools when determining the period of actual physical disability.<sup>5</sup>
3. Up to thirty (30) days of accumulated sick leave may be used during the adoption of a child. If both adoptive parents are teachers, only one parent may request leave. Written verification of the impending adoption from agency or other entity handling the adoption is required before the leave is granted.<sup>4</sup>

Request for FMLA leaves and extension of FMLA leaves shall conform to state law governing all leaves of absence.

## RESTRICTIONS

1. For foreseeable leave, the employee shall provide the Superintendent of Schools with written notice on Board approved forms at least thirty (30) days before the beginning of the anticipated leave.<sup>3</sup>
2. The Superintendent may require that a request for FMLA leave be supported by certification issued by a health care provider with the following information:
  - a. the date on which the serious health condition commenced;
  - b. the probable duration of the condition;

- c. the appropriate medical facts within the knowledge of the health care provider regarding the condition; and
- d. a statement that the eligible employee is needed to care for the son, daughter, spouse or parent and an estimate of the amount of time that such employee is needed.

3. If there is any reason to doubt the validity of the certification provided, the Superintendent may require, at the expense of the school system, an opinion of a second health care provider.

4. Once it has been established that the leave requested qualifies for FMLA, the Superintendent of Schools/designee shall notify the employee within two (2) business days (absent extenuating circumstances) that -

Any leave taken pursuant to state leave statutes or other leave policies, (personal leave, sick leave or worker's compensation) **may will** run concurrently with FMLA leave.<sup>6</sup>

The notice may be given orally or in writing. If the notice is oral, it shall be confirmed in writing, no later than the following pay day.<sup>7</sup>

5. Intermittent Leave - When a licensed employee requests foreseeable leave for planned medical treatment and the employee would be on leave for greater than 20% of the total number of working days in the period during which the leave would extend, the school may require that such employee elect either to take the leave for periods of a particular duration, not to exceed the duration of the planned medical treatment or to transfer temporarily to an available alternative position offered by the school system for which the employee is qualified, and that has equivalent pay and benefits and better accommodates recurring periods of leave.
6. Period Near the End of an Academic Term (*Certified employees*) - If leave is taken more than five (5) weeks prior to the end of the term, the Superintendent of Schools may require the employee to continue taking leave until the end of the term if the leave is at least three (3) weeks of duration and the return of employment would occur during the three (3) week period before the end of the term.

If the leave is taken five (5) weeks prior to the end of the term, the Superintendent of Schools may require the employee to continue taking leave until the end of the term if the leave is greater than two (2) weeks duration and the return to employment would occur during the two (2) week period before the end of the term.

## REQUIREMENTS OF THE BOARD

### After return from Family Medical Leave

1. The employee shall be restored to the same position of employment or an equivalent position with no loss of benefits, pay or other terms of employment.
2. The employee shall be kept under any group health plan for the twelve weeks of FMLA leave.
3. The Board may recover the premium paid under the following conditions:

- a. the employee fails to return from leave after the period of leave has expired; and

b. the employee fails to return to work for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the control of the employee.

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4

Legal References:

1. *Hinson v Tecumseh Products Co.* 234 F.3d 1268, 6th Cir. (2000)
2. Federal Family and Medical Leave Act 1993
3. TCA 49-5-702; TCA 4-21-408
4. TCA 49-5-710
5. TCA 49-5-704
6. 29 CFR § 825.208
7. OP Tenn. Atty Gen. 94-006 (Jan 13, 1994);  
*Plant v. Morton International, Inc.*, 212 F. 3d 929, 6th Cir. (2000)

Cross References:

- Sick Leave 5.302
- Long Term Leaves 5.304

# Johnson City Board of Education

Monitoring:  Review Annually, in March	<b>Complaints About School Personnel</b>	Descriptor 5.502	Issued Date 4/2/2007
		Rescinds 5.502	Issued 4/1/2002

1 Whenever a complaint about an employee is made to the Superintendent of Schools, it will be referred to the  
2 school administrator or principal for resolution unless Board policy requires other action. The employee  
3 involved will be advised if the complaint is **deemed valid likely to lead to reprimand**. The employee will be  
4 given opportunity for explanation, comment, and presentation of the facts as he sees them.  
5

6 If, after such procedure is followed there is still a question or complaint, the matter shall then be referred  
7 **in writing** to the Superintendent of Schools.  
8

9 Individuals or groups desiring to speak to the Board about school personnel shall follow the same procedures  
0 as outlined in board policy dealing with public participation at board meetings.  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6

Cross Reference:

Appeals To & Appearances Before the Board 1.404

# Johnson City Board of Education

Monitoring:  Review Annually, in March	<b>Substitute Teachers</b>	Descriptor 5.701	Issued Date 4/13/20
		Rescinds 5.701	Issued 4/4/2019

Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.<sup>1,2</sup> All substitute teachers shall be employed by the Superintendent of Schools and paid by the Board.<sup>2</sup> In order to be approved as a substitute, a candidate must hold, at a minimum, a valid high school diploma or a GED. **Unless an exception is warranted and granted by the Superintendent**, all candidates must attend a training session. **All candidates must have a current and must have a** background check.

A list of qualified, eligible substitutes will be maintained by the Human Resources Department on an active substitute list.

All substitute teachers shall be responsible for providing correct addresses and phone numbers, for having fingerprints for TBI/FBI background checks, and for notifying the Human Resources office if they wish to terminate their service as substitutes.

Applicants whose records with the State Department of Education indicate a license or certificate currently in revoked status shall not be hired.<sup>3</sup>

On a regular basis, the Superintendent of Schools, with input from the Human Resources Department and the principals, shall determine which substitute teachers performed at an acceptable level. Substitute teachers who are determined to have performed below an acceptable level shall be removed from the active substitute list.

When a teacher is unable to meet classes for any reason, the teacher shall call or log in to the online substitute finder and register his absence.

At the beginning of each day of their teaching assignment, all substitute teachers shall report to the office of the school in which they are to substitute. Each substitute is responsible for signing in and out each day and for securing a "substitute" badge. Substitute teachers will be given a copy of the individual school's guidelines and procedures on the first day they substitute in the school.

Substitute teachers shall assume the same hours as the regular teacher, including bus duty and playground supervision. Substitute teachers will have those responsibilities and authority as directed by the building principal.

When substituting for a regular teacher who has been absent for twenty (20) consecutive days for any reason, a teacher licensed in the discipline will be used. When a substitute teacher has substituted in the same position for forty (40) consecutive days, pay will be in accordance with the regular teacher salary schedule based upon the education and experience of the substitute.

Retired teachers may substitute one hundred twenty (120) days per year without loss of retirement benefits,<sup>1</sup> and may substitute for an additional ninety (90) days if the Superintendent of Schools certifies in writing to the State Board of Education that no other qualified personnel are available to substitute teach.<sup>4</sup>

In order to make the work of the substitute teacher as satisfactory as possible, the regular teacher shall

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4

make available:

1. Daily schedule (academic and supervisory);
2. Class rolls; and
3. Lesson plans and other information for the day's activities. In case of emergency when plans are not provided, the principal shall provide the substitute with directions for the day.

Legal References:

1. TRR/MS 0520-1-2-.04(5)
2. TCA 49-5-709
3. TCA 49-203(a)
4. TCA 8-36-805

Cross Reference:

Retirement 5.205

# Johnson City Board of Education

Monitoring:  Review Annually, in March	<b>Interns and Student Teachers</b>	Descriptor 5.702	Issued Date 4/13/2020
		Rescinds 5.702	Issued 5/7/2018

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9

All college students participating in the intern or student teacher program ~~will be interviewed~~ **must be available for an interview if requested** by the supervisor, ~~or~~ the principal and/or the teacher at least one (1) week prior to starting the experience in the school. Student teachers shall be accepted or refused by either the principal or the cooperating teacher.

Interns/student teachers will be expected to observe all rules and regulations established by the Board.

Interns/student teachers shall be accorded the same protection of the laws as a certificated teacher and shall comply with all rules and regulations of the Board and observe all duties of teachers as set forth in state statutes.<sup>1</sup>

In addition, interns/student teachers shall be required to fulfill all normal local responsibilities, both school and extracurricular, and shall familiarize themselves with the policies of the Board and the school.

When accepting interns and residency students attempts shall be made to ensure that a teacher have no more than one full year intern or one Residency I and one Residency II student during a school year. Any exception to this policy must have the specific approval of the principal and the Superintendent of Schools/designee.

The teacher training institution will be expected to provide liaison personnel who will discuss with school system staff the broad objectives of the student teaching/intern program and who will visit the classrooms and observes the intern/student teacher at work.

The evaluation of interns/student teachers shall be based upon a joint agreement between the cooperating teacher and the student's supervising teacher.

An intern/student teacher may be removed from service after a meeting with the principal, the cooperating teacher and the supervising teacher at any time during the term.

Legal Reference:

1. TCA 49-5-403 (a); 49-5-201

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>School Admissions</b>	Descriptor 6.203	Issued Date 1/3/2022
		Rescinds 6.203	Issued 4/5/2021

Any student entering a Johnson City school for the first time must meet the requirements of all state and federal laws applicable to school admissions.<sup>1</sup> To be enrolled a student must reside in the City of Johnson City or must meet the conditions required for a non-resident student.

Any students entering school for the first time must present:

1. A birth certificate or officially acceptable evidence of date of birth at the time of registration;
2. Evidence of a current medical examination.<sup>2</sup> There shall be a complete medical examination of every student entering school for the first time. This applies to pre-K, kindergarten, first grade and other students for whom there is no health record; and
3. Evidence of state-required immunization.<sup>3</sup>

The name used on the records of a student entering school must be the same as that shown on the birth certificate unless evidence is presented that such name has been legally changed through a court as prescribed by law. If the parent does not have or cannot obtain a birth certificate, then the name used on the records of such student will be the same as that shown on documents which are acceptable to the school principal as proof of date of birth.

A child whose care, custody and support has been assigned to a resident of the district by a properly executed and valid power of attorney or order of the court shall be enrolled in school provided appropriate documentation has been filed with the district office.<sup>4</sup>

A student may transfer into the school system at any time during the year if **his their** parent(s) makes a bona fide move and change of residence into the **city limits of Johnson City school system**.

When a student who has been judged delinquent for an offense involving murder, rape, robbery, kidnapping, aggravated assault or reckless endangerment initially enters school, or resumes attendance after suspension or expulsion, the parents, guardians, or legal custodians of such student shall notify the principal by providing the abstract of record required by law or other similar written information regarding the offense. This information shall be shared only with school employees who have responsibility for classroom instruction of the student, **the school counselor, social worker or school psychologist and the school resource officer**.. Such information is otherwise confidential and shall not be released to others except as required by law. The written notification shall not become a part of the student's record.<sup>5</sup>

Legal References:

1. McKinney-Vento Education Assistance Improvements Act of 2001 Subtitle B § 721-725; Pub L. 114-95
2. TRR/MS 0520-1-3-.08(2)(a); TCA 49-6-5004(a)
3. TCA 49-6-5001(c)
4. TCA 49-6-3001(c); TCA 37-1-131(a)(2)

Cross Reference:

- Homeless Students 6.503
- Student Records 6.600
- Attendance of Non-Resident Students 6.204

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>Student Assignment</b>	Descriptor 6.205	Issued Date 4/5/2021
		Rescinds 6.205	Issued 5/7/2018

## TO SCHOOLS

Kindergarten through grade 12 students are expected to attend the school to which they are assigned by virtue of their residence. Students will be enrolled in the appropriate grade at their assigned school.<sup>1</sup>

Subject to system rules parents may apply to enroll their children in any school in the school system as provided in Board Policy. #~~6.206~~.

All transfer applications must be submitted to the receiving school principal. Final approval shall reside with the Superintendent of Schools.

Pupil assignments shall be on a space available basis:

1st Priority	In zone students
2nd Priority	Transfer students already enrolled and in good standing
3rd Priority	Siblings of enrolled transfer students
4th Priority	New transfer students
5th Priority	Tuition students already enrolled and in good standing
6th Priority	New tuition students (Includes siblings of present students)

Parents who are dissatisfied with the assignment of their children may, within ten (10) days after the assignment, make application to the Board for a hearing requesting a transfer to another school.<sup>2</sup>

All children of school system certified personnel will be afforded the rights of in-district priority related to applications, admissions and transfers, but will be subject to the payment of tuition when applicable.<sup>3</sup>

## TO CLASSES

The principal shall be responsible for assigning all students to classes.

Students who enter the system from another school system are to be placed by the principal in the grade and/or level as indicated by records from the former school. If the student's placement is inappropriate in the grade or level assigned, ~~he/she~~ they may be reassigned by the principal to another grade level. Parents shall be advised of placement.

Legal Reference:

1. TCA 49-6-3102 through 3103
2. TCA 49-6-3201
3. TCA 49-6-3102(h)

Cross Reference:

Transfers Within the System 6.206

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>Transfers Within the System</b>	Descriptor 6.206	Issued Date 4/4/2019
		Rescinds 6.206	Issued 4/6/2015

~~Transferring to a school outside the assigned zone is a privilege extended by the Board to allow students to take advantage of specific programs offered at another school or for the convenience of families. Application for transfer must be made annually and shall be for one year at a time. Transfers will be accepted on a space available basis.~~

A student who wishes to transfer from his in-zone school to another school (out-of-zone) within the Johnson City School System may apply for a transfer provided the following conditions are met:

1. Students applying for transfer must meet the same enrollment requirements as all other students.
2. Transfers which would exceed or cause a violation of the class size requirements set forth in the Basic Education Plan (BEP) or in other class size reduction programs and/or grants or result in requiring additional staff will not be approved.
3. Application for transfer must be filed in writing no later than July 1 of each school year.
4. All transfer students who attend an out-of-zone school must provide their own transportation.

Students who are allowed to transfer to a school other than their home school (in-zone school) are expected to abide by all rules and regulations of the receiving school. Any student who is habitual in violating the rules may be dismissed by the receiving school and returned to the home school. The principal of a receiving school shall have the authority to accept or deny the application of all students requesting transfer. Final approval of transfers rests with the Superintendent of Schools.

Principals shall allow credit for work transferred from other schools within the Johnson City School System. Students must provide a copy of a transcript or report card from the last grade completed at the sending school.<sup>1</sup>

Once a student enrolls in one (1) school within the Johnson City School System, ~~he~~ they will not be permitted to transfer to another school in the system for the duration of the school year unless there is a bona fide change in residence of the student's parents into a different school zone. Any exception to this policy must be brought to the Superintendent of Schools for evaluation and decision.

Students whose families transfer their residence to another school area after the first month of school may complete the school year at their original school, however, such students must provide their own transportation and comply with all attendance rules. Students who present evidence that they will move during the school year and who desire to enroll in a new school in the new area may do so with prior written request for a change of school zone. The Superintendent of Schools may grant ~~other~~ exceptions to this policy ~~for good and sufficient reasons.~~

# Johnson City Board of Education

Monitoring:	<b>Student Code of Conduct</b>	Descriptor 6.300	Issued Date 5/7/2018
Review Annually, in April		Rescinds 6.300	Issued 4/14/2014

1 The Superintendent of Schools shall be responsible for the overall implementation and supervision of the  
2 Board's Student Code of Conduct and shall ensure that students at all schools are subject to a uniform and fair  
3 application of the Code. The Board shall annually review and approve the Student Code of Conduct.

4  
5 The principal of each school shall be responsible for implementation and administration in his school and shall  
6 apply the Code uniformly and fairly to each student at the school without partiality and discrimination.

7  
8 A copy of the Code shall be posted on the School System's website and school counselors shall be supplied  
9 copies for discussion with students. The code shall be referenced in all school handbooks. All teachers,  
0 administrative staff and parents shall be provided ~~copies of~~ access to the Code annually.<sup>1</sup>

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0

---

Legal Reference:

1. Student and Employee Safe Environment Act of 1996 ; TCA 49-6-4011, et. al.

# Johnson City Board of Education

Monitoring:

Review Annually, in April

## Student Discrimination/Harassment Bullying, Cyber-bullying and Intimidation

Descriptor  
6.304

Issued Date  
4/5/2021

Rescinds  
6.304

Issued  
5/7/2018

~~The Johnson City Board of Education has determined that~~ A safe, civil, and supportive environment in school is necessary for students to learn and achieve high academic standards. In order to maintain that environment, acts of bullying, cyber-bullying, discrimination, harassment, hazing or any other victimization of students, based on any actual or perceived traits or characteristics, are prohibited.<sup>1</sup>

This policy shall be disseminated annually to all school staff, students, and parents. This policy shall cover employees, employees' behaviors, students and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop. If the act takes place off school property or outside of a school-sponsored activity, this policy is in effect only if the conduct 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 education environment or learning process.

Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of discrimination/harassment.

### DEFINITIONS

Bullying is when someone repeatedly and on purpose says or does mean or hurtful things to another person who has a hard time defending themselves.

Bullying/Intimidation/Harassment – can take the form of an act that substantially interferes with a student's educational benefits, opportunities, or performance, and the act has the effect of:

- Physically harming a student or damaging a student's property;
- Knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student's property;
- Causing emotional distress to a student or students; or
- Creating a hostile educational environment.

Bullying, intimidation, or harassment may also be unwelcome conduct based on a protected class (race, nationality, origin, color, gender, age, disability, religion) that is severe, pervasive, or persistent and creates a hostile environment.

Cyber-bullying - A form of bullying undertaken through the use of electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, text messaging, emails, social networking sites, instant messaging, videos, web sites or fake profiles.

Hazing - An intentional or reckless act by a student or group of students that is directed against any other student(s) that endangers the mental or physical health or safety of the student(s) or that induces or coerces a

**RESPONSE AND PREVENTION**

School administrators shall consider the nature and circumstances of the incident, the age of the violator, the degree of harm, previous incidences or patterns of behavior, or any other factors, as appropriate to properly respond to each situation.

A substantiated charge against an employee shall result in disciplinary action up to and including termination. A substantiated charge against a student may result in corrective or disciplinary action up to and including suspension/expulsion.

An employee disciplined for violation of this policy may appeal the decision by contacting a System Complaint Manager. Any student disciplined for violation of this policy may appeal the decision in accordance with disciplinary policies and procedures.

**REPORTS**

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or a student's property, the principal/designee of each school shall report the findings and any disciplinary actions taken to the Superintendent of Schools and the chair of the board of education and other members of the board of education if it is determined they have a need to know.

By July 1 of each year, the Superintendent of Schools/designee shall prepare a report of all of the bullying cases brought to the attention of school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they are still pending. This report shall be presented to the board of education at either its July or August meeting, and it shall be submitted to the state department of education by August 1.

The Superintendent of Schools shall develop forms and procedures to ensure compliance with the requirements of this policy and TCA 49-6-4503.

**RETALIATION AND FALSE ACCUSATIONS**

Retaliation against any person who reports or assists in any investigation of an act alleged in this policy is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

False accusations accusing another person of having committed an act prohibited under this policy are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another may range from positive behavioral interventions up to and including suspension and expulsion.

**Legal References:**

- 1. TCA 49-6-4503
- 2. 20 USCS §§ 1681 to 1686
- 3. TCA 49-2-120
- 4. Public Acts of 2016, Chp. No. 783

**Cross References:**

- Appeals to and Appearances Before the Board 1.608 36
- Staff-Student Relations 5.610 37
- Student Complaints and Grievances 6.305 38
- Discipline Procedures 6.313 39
- 40
- 41

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>Student Concerns, Complaints and Grievances</b>	Descriptor 6.305	Issued Date 4/5/2021
		Rescinds 6.305	Issued 5/7/2018

## STUDENT CONCERNS AND COMPLAINTS

Decisions made by school personnel - such as teacher assistants, teachers, or assistant principals - which students believe are unfair or in violation of ~~pertinent~~ policies of the Board or individual school rules may be appealed orally or in writing to the school principal or a designated representative. To appeal, students or parents/guardians, must contact the principal's office in their school within two (2) days of the decision and provide their name, the issue and the reason for their appeal. The appeal will be investigated and a decision reached, preferably within five (5) school days, but no later than ten (10) school days.

If the principal does not make a decision within ten (10) school days or if the student or parent is unsatisfied with the decision of the principal, the student or parent may appeal by contacting the Superintendent of Schools or his designee. The appeal may be made in writing or orally and shall include the student's name, the school and a description of the problem and shall be filed within five (5) days of receipt of the decision of the principal.

The Superintendent of Schools shall use due diligence in the investigation, and ~~his~~ their decision shall be communicated to the school principal and student. A written copy of the decision also will be sent to the student and the principal.

---

### Cross References:

Appeals To & Appearances Before the Board 1.404  
Grievances & the Americans w/ Disabilities Act 1.802  
Discrimination/Harassment of Students 6.304  
Title IX & Sexual Harassment 6.3041

# Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: <b>Title IX &amp; Sexual Harassment</b>	Descriptor Code: <b>6.3041</b>	Issued Date: <b>04/05/21</b>
		Rescinds:	Issued:

## 1 *General*

2 In order to maintain a safe, civil, and supportive learning environment, all forms of sexual harassment  
3 and discrimination on the basis of sex are prohibited.<sup>1</sup> This policy shall cover employees, employees'  
4 behaviors, students, and students' behaviors while on school property, at any school-sponsored activity,  
5 on school-provided equipment or transportation, or at any official school bus stop in accordance with  
6 federal law. This policy shall be disseminated annually to all school staff, students, and  
7 parent(s)/guardian(s).<sup>2</sup> The Title IX Coordinator as well as any personnel chosen to facilitate the  
8 grievance process shall not have a conflict of interest against any party of the complaint.<sup>3</sup> These  
9 individuals shall receive training as to how to promptly and equitably resolve student and employee  
10 complaints.<sup>3</sup>

11 All employees shall receive training on complying with this policy and federal law.<sup>4</sup>

## 12 **TITLE IX COORDINATOR**<sup>5</sup>

13 The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of  
14 sexual harassment. He/she shall be kept informed by school-level personnel of all investigations and  
15 shall provide input on an ongoing basis as appropriate.

16 Any individual may contact the Title IX Coordinator at any time using the information below:

17 Title: Dr. Robbie Anderson

18 Mailing address: P.O. Box 1517, Johnson City, Tennessee 37605

19 Phone number: 423-434-5200

20 Email: andersonr@jcschools.org

## 21 **DEFINITIONS**<sup>4</sup>

22 “Complainant” is an individual who is alleged to be the victim of conduct that could constitute sexual  
23 harassment.

24 “Respondent” is an individual who is reported to be the perpetrator of conduct that could constitute  
25 sexual harassment.

26 “Sexual harassment” is conduct on the basis of sex that satisfies one or more of the following:<sup>3</sup>

## 1 **GRIEVANCE PROCESS**

2 Upon learning of an instance of alleged sexual harassment, even if no formal complaint is filed, the  
3 Title IX Coordinator shall:

- 4 1. Promptly contact the complainant to discuss the availability of supportive measures;
- 5
- 6 2. Consider the complainant's wishes with respect to supportive measures;
- 7
- 8 3. Inform the complainant of the availability of supportive measures; and
- 9
- 10 4. Explain the process for filing a formal complaint.<sup>10</sup>

11 While the school district will respect the confidentiality of the complainant and the respondent as much  
12 as possible, some information may need to be disclosed to appropriate individuals. All disclosures shall  
13 be consistent with the school district's legal obligations and the necessity to investigate allegations of  
14 harassment and take disciplinary action.

15 Disciplinary consequences or sanctions shall not be initiated against the respondent until the grievance  
16 process has been completed. Unless there is an immediate threat to the physical health or safety of any  
17 student arising from the allegation of sexual harassment that justifies removal, the respondent's  
18 placement shall not be changed.<sup>11</sup> If the respondent is an employee, he/she may be placed on  
19 administrative leave during the pendency of the grievance process.<sup>12</sup> The Title IX Coordinator shall  
20 keep the ~~Director~~ **Superintendent** of Schools informed of any employee respondents so that he/she  
21 can make any necessary reports to the State Board of Education in compliance with state law.<sup>13</sup>

## 22 **Complaints**

23 Any individual who has knowledge of behaviors that may constitute a violation of this policy shall  
24 immediately report such information to the Title IX Coordinator, however, nothing in this policy  
25 requires a complainant to either report or file a formal complaint within a certain timeframe. If the  
26 complaint involves the Title IX Coordinator, the complaint shall be filed with the ~~Director~~  
27 **Superintendent** of Schools.

28 If a complaint involves allegations of child abuse, including child abuse on school grounds, appropriate  
29 notification shall be made per the board policy on reporting child abuse.

30 Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:<sup>14</sup>

- 31 1. Provide written notice of the allegations, and the grievance process to all known parties to give  
32 the respondent time to prepare a response before an initial interview;
- 33
- 34 2. Inform the parties of the prohibition against making false statement or knowingly submitting  
35 false information;
- 36
- 37 3. Inform the parties that they may have an advisor present during any subsequent meetings; and
- 38

1 (10) days to submit a written response which shall be taken into consideration in  
2 creating the final report.

3 Within the parameters of the federal Family Educational Rights and Privacy Act,<sup>18</sup> the Title IX  
4 Coordinator shall keep the complainant and the respondent informed of the status of the investigation  
5 process. At the close of the investigation, a written final report on the investigation will be delivered to  
6 the parent(s)/guardian(s) of the complainant, parent(s)/guardian(s) of the respondent, and to the  
7 **Director Superintendent** of Schools.

#### 8 **Determination of Responsibility**<sup>19</sup>

9 The respondent is presumed not responsible for the alleged conduct until a determination regarding  
10 responsibility is made at the conclusion of the grievance process.<sup>20</sup> The preponderance of the evidence  
11 standard shall be used in making this determination.<sup>21</sup>

12 The Title IX Coordinator shall act as the decision-maker. ~~He/she~~ **they** shall receive the final report of  
13 the investigation and allow each party the opportunity to submit written questions that he/she wants  
14 asked of any party or witness prior to the determining responsibility.

15 The decision-maker shall make a determination regarding responsibility and provide the written  
16 determination to the parties simultaneously along with information about how to file an appeal.

17 A substantiated charge against a student may result in corrective or disciplinary action up to and  
18 including expulsion. A substantiated charge against an employee shall result in disciplinary action up  
19 to and including termination.

20 After a determination of responsibility is made, the Title IX Coordinator shall work with the  
21 complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall  
22 also determine whether any other actions are necessary to prevent reoccurrence of the harassment.

#### 23 **APPEALS**<sup>22</sup>

24 Either party may appeal from a determination of responsibility based on a procedural irregularity that  
25 affected the outcome, new evidence that was not reasonably available at the time of the determination  
26 that could affect the outcome, or an alleged conflict of interest on the part of the Title IX Coordinator  
27 or any personnel chosen to facilitate the grievance process. Appeals shall be submitted to the Title IX  
28 Coordinator within ten (10) days of a determination of responsibility.

29 Upon receipt of an appeal, the Title IX Coordinator shall:

- 30 1. Assign an impartial hearing officer within five (5) days of receipt of the appeal; and
- 31 31
- 32 2. Notify the parties in writing.

33 During the appeal process, the parties shall have a reasonable, equal opportunity to submit written  
34 statements. Within ten (10) calendar days, the hearing officer shall issue a written decision describing  
35 the result of the appeal and the rationale for the result. The written decision shall be provided  
36 simultaneously to both parties.

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>Student Alcohol and Drug Testing</b>	Descriptor 6.3071	Issued Date 4/5/2016
		Rescinds 6.3071	Issued 4/6/2015

1 Students will be notified in writing at the beginning of each school year or at the time of enrollment that they  
2 are subject to testing for drugs and alcohol during the school year.<sup>1</sup> Principals are authorized to order drug  
3 tests for individual students when there is a reasonable cause to believe that:

- 4
- 5 1. The school board policy on alcohol and drug use has been violated;
- 6
- 7 2. A search of lockers, vehicles, persons, and/or containers will produce evidence of the presence of  
8 drugs and/or alcohol;
- 9
- 0 3. Through observation or other reasonable information reported by a teacher, staff member or other  
1 student that a student is using drugs and/or alcohol on school property.
- 2

3 Upon receiving reasonable information, the principal shall take the following steps:

- 4
- 5 1. Call the student into the principal's office or another private place;
- 6
- 7 2. Summon an appropriate witness to the proceeding and to assist in furtherance of the proceeding;
- 8
- 9 3. Inform the student of the information available to ~~him~~ them which is the basis for the  
0 determination that a test is necessary;
- 1
- 2 4. Inform the student of the procedures which are followed in administering the test;
- 3
- 4 5. Give the student an opportunity to decline the test and inform the student that if the test is not taken  
5 the penalty is suspension from school;
- 6
- 7 6. Notify the parent or guardian of the student of the impending test.
- 8

9 The appropriate witness shall take the student to a designated place and collect a specimen from the student.  
0 The specimen shall be taken in a manner which will protect the privacy rights of the students and which will  
1 assure that the integrity of the specimen itself is not compromised.

2 The type of specimen taken shall depend on the substance in question and the test performed on the specimen  
3 shall be appropriate for accurate detection of the substance in question. Once taken, the specimen shall be  
4 given an identifying number which in no way will reveal the identity of the student.

5 The specimen shall be forwarded for analysis to a laboratory accredited by the Tennessee Department of  
6 Health and Environment and designated by the Board.

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>Bus Conduct</b>	Descriptor 6.308	Issued Date 4/13/2020
		Rescinds 6.308	Issued 4/6/2009

1 The City of Johnson City Transit Department provides transportation to students of Johnson City Schools in  
2 accordance with all applicable laws, rules and regulations.

3  
4 No person shall enter onto a school bus except those persons with lawful and valid business on the bus and  
5 students assigned to that bus.<sup>1</sup>

6  
7 Although the Johnson City Transit Authority owns and operates school buses, the school bus is an extension  
8 of school activity; therefore, students shall conduct themselves on the bus in a manner consistent with the  
9 established standards for safety and classroom behavior and/or bus conduct. While on a school bus students  
0 are required to follow the rules and guidelines of both the Johnson City Transit Authority and the Johnson City  
1 School System.

2  
3 Students are under the supervision and control of the bus driver while on the bus, and all reasonable directions  
4 given by the bus driver shall be followed.

5  
6 Bus drivers are not to administer corporal punishment or put students off the bus before the destination is  
7 reached. If the driver cannot continue safely, the transportation supervisor should be called for removal of the  
8 student.

9  
0 The principal of the student transported shall be informed by a school transit supervisor of any serious  
1 discipline problem and may be called upon to assist if necessary. A student may be denied the privilege of  
2 riding the bus if the principal or a transit division official determines that the student's behavior is such as to  
3 cause disruption on the bus, or if the student disobeys rules and regulations pertaining to student  
4 transportation.

5  
6 ~~The suspension of a student from riding the school bus shall follow the same procedures as for any other~~  
7 ~~school suspension.~~

8  
9 No student will be allowed to get off a bus until the destination has been reached without presenting the bus  
0 driver with a note of authorization from the parent or the principal of the school that the student attends.

1  
2 Any student wishing to ride a bus other than the student's designated bus must have written parental  
3 permission and the approval of the principal or the designee and the approval of Johnson City Transit.

4  
5 Students who transfer from bus to bus while enroute to and from school shall be expected to abide by the  
6 discipline policies adopted by the Board and rules adopted by the staff of the terminal school.

## 7 8 **USE OF VIDEO CAMERAS**

9  
0 Video cameras may be used to monitor student behavior on school vehicles transporting students to and from  
1 school or extracurricular activities.  
2

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>Dress Code</b>	Descriptor 6.310	Issued Date 4/5/2021
		Rescinds 6.310	Issued 4/6/2009

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6

Students shall ~~be well-groomed and~~ dress in a clean, neat and modest manner so as not to distract or interfere with the operation of the school.

More specific guidelines appropriate for each school may be developed and published in the student handbook.<sup>1</sup>

When a student is attired in a manner which is likely to cause disruption or interference with the operation of the school, the principal shall take appropriate action, which may include suspension.

Legal Reference:  
1. TCA 49-6-4215

Cross References:  
Methods of Discipline 6.313

# Johnson City Board of Education

Monitoring: Review Annually, in April	<b>Use of Personal Communication Devices in School</b>	Descriptor 6.312	Issued Date 4/14/2014
		Rescinds 6.312	Issued 8/5/2013

## **Cellular Phones:**

Elementary and Middle Schools, Indian Trail Intermediate School and Liberty Bell Middle School:

Students at ~~each~~ elementary **and middle** schools, ~~Indian Trail Intermediate School and Liberty Bell Middle School~~ are not permitted to use personal communication devices ~~cellular phones~~ on school property during school hours **without the permission of a teacher or administrator**. The use of personal communication devices ~~cellular phones~~ is permitted by students at these schools at extracurricular school activities on or off school property. The use of personal communication devices ~~cellular phones~~ is strictly prohibited in any restroom or locker room whether on school grounds or while attending any school related event or activity. ~~Cellular phones~~ **Personal communication** used in violation of this policy will be subject to confiscation at any time. Disciplinary action will be taken against students who violate this rule.

Science Hill High School

Use of ~~cell phones~~ personal communication devices, including text messaging, is generally prohibited during classes and at other times as announced. However, students are allowed to use their personal communication devices ~~cell phones~~ at school during non-instructional times and **during** those instructional times designated by teachers. Students who have ~~phones~~ personal communication devices in class are responsible for having ~~their phones~~ **them** turned off or otherwise silenced so that incoming calls will not interfere with instruction. The use of ~~cellular phones~~ personal communication devices is strictly prohibited in any restroom or locker room whether on school grounds or while attending any school related event or activity.

The use of ~~cell phones~~ personal communication devices for the purpose of cheating is strictly prohibited. As a means of protecting instructional time and/or providing test security, teachers may elect to collect students' ~~cell phones~~ personal communication devices during any class and return them at the end of the period. ~~Cellular phones~~ **Personal communication devices** used in violation of this policy will be subject to confiscation at any time. Disciplinary action will be taken against students who violate this rule.

The administration of Science Hill High School, or any Science Hill campus, can impose stricter guidelines for ~~cell phone~~ personal communication devices use at any time.

## **Employee Use of Cellular Phones Personal Communication Devices**

Employees are prohibited from using personal communication devices **for personal reasons** during regular instructional periods except **in an emergency**. Employee ~~cell phones~~ personal communication devices must be off or in mute mode during class times. Employees are prohibited from using a ~~cellular phone~~ personal communication devices while operating heavy equipment or while on a work site that requires close

1 attention. Employees are discouraged from using ~~cellular phones~~ personal communication devices while  
2 operating school owned vehicles.  
3  
4

5 **Pagers:**  
6

7 Students may not possess pagers on school property or during school activities off school property<sup>1</sup> unless the  
8 student has permission of the principal or principal's designee and a permit signed by the student's parents (if  
9 under the age of 18).  
0

1 Except as set forth herein, students who are in possession of a personal pager ~~or using a cellular phone~~  
2 during the regular school day are in violation of this policy and school rules and are, therefore, subject  
3 to the related disciplinary action.  
4  
5  
6  
7

---

8 **Legal Reference:**

- 9 1. TCA 49-6-4214  
0  
1

# Johnson City Board of Education

Monitoring: Review Annually, in April	<b>Methods of Discipline</b>	Descriptor 6.313	Issued Date 4/3/2017
		Rescinds 6.313	Issued 7/2/2012

## DISCIPLINARY ACTIONS

The following methods of discipline are recognized and approved for use with students who choose to disrupt the academic processes<sup>1</sup>:

- \* verbally correcting the student
- \* contacting a parent
- \* conference between student and teacher or administrator
- \* writing a contract
- \* restricting activities
- \* assigning work details
- \* requiring special assignments
- \* ~~removing from class in a time-out or isolation room~~
- \* issuing demerits
- \* assigning behavior modification activities
- \* denying class privileges
- \* assigning detention after school
- \* changing the student's instructor
- \* suspending from school-sponsored activities
- \* placing in an alternative assignment
- \* suspending from the school bus
- \* suspending in-school
- \* suspending out-of-school
- \* prohibiting participation in field trips and extracurricular activities
- \* demanding restitution for lost, damaged or stolen property
- \* restricting the honors the student is otherwise due
- \* withholding report cards
- \* prohibiting the student's attendance at graduation exercises or other school functions
- \* withholding transcripts
- \* expulsion

Corporal punishment **shall not** be used as a disciplinary measure in any school.

The Superintendent of Schools shall be responsible for developing and implementing in-service training programs for teachers and staff in the use of alternative, positive measures of discipline.

## DISCIPLINARY RECORDS

A disciplinary record which contains the name of the student, the type of misconduct, the type of punishment administered, the name of the person administering the punishment, the name of the witness present, and the date and time of punishment shall be maintained when any of the following disciplinary actions are administered: suspending from the school bus; suspending in-school; suspending out-of-school; prohibiting

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5

participation in field trips and extracurricular activities; demanding restitution for lost, damaged or stolen property; ~~restricting the honors the student is otherwise due~~, withholding report cards; ~~prohibiting the student's attendance at graduation exercises or other~~ school functions; and withholding transcripts.

Disciplinary records shall be filed in the school office and made available to parents or students, whichever is appropriate.<sup>2</sup>

Legal References:

- 1. TCA 49-6-3401; TCA 49-6-4216
- 2. TCA 10-7-504(b)

Cross References:

- Procedural Due Process 6.302
- Interference/Disruption of School Activities 6.306
- Bus Conduct 6.308
- Weapons and Dangerous Instruments 6.309
- Dress Codes 6.310

# Johnson City Board of Education

Monitoring: Review Annually, in April	<b>Suspension/Expulsion/Remand</b>	Descriptor 6.316	Issued Date 4/13/2020
		Rescinds 6.316	Issued 4/1/2013

## DEFINITIONS:<sup>1</sup>

**Suspension:** dismissal from attendance at school for any reason for not more than ten (10) consecutive days. Multiple suspensions shall not run consecutively, nor shall multiple suspensions be applied to avoid expulsion from school.

**Expulsion:** removal from attendance for more than ten (10) consecutive days or more than fifteen (15) days in a month of school attendance. Multiple suspensions that occur consecutively shall constitute expulsion.

**Remand:** assignment to an alternative school.

## REASONS FOR SUSPENSION/EXPULSION:

For any infraction occurring at school or at a school related event, any principal or **his their** designee, or assistant principal (herein called principal) may suspend/expel any student from attendance at school or any school-related activity on or off campus (out-of-school suspension) or from attendance at a specific class or classes, or from riding a school bus, without suspending such student from attendance at school (in-school suspension), for good and sufficient reasons including, but not limited to:<sup>2</sup>

1. Willful and persistent violation of the rules of the school or truancy;
2. Immoral or disreputable conduct, including vulgar or profane language;
3. Violence or threatened violence against any person attending or assigned to any school;
4. Willful or malicious damage to real or personal property of the school, or the property of any person attending or assigned to the school;
5. Inciting, advising or counseling of others to engage in any of the acts herein enumerated;
6. Marking, defacing, or destroying school property;
7. Possession of a pistol, gun or firearm or facsimile on school property or school event on or off school property;<sup>3</sup>
8. Possession of a knife or blade, etc., as defined in TCA 39-6-1701, on school property or school event on or off school property;
9. Assaulting any person attending or assigned to any school with vulgar, obscene or threatening language;
10. Unlawful use or possession of barbitol or legend drugs, as defined in TCA 53-10-101;<sup>3</sup>

11. Illegal use or possession of drugs, alcohol, ~~or~~ marijuana, drug analogs, tobacco products, e-cigarettes or vaporizers;
12. Engaging in behavior which disrupts a class or school-sponsored activity;
13. 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 or activity;
14. Two (2) or more students initiating a physical attack on an individual student on school property or at a school event or activity, including travel to and from school;
15. Off-campus criminal behavior resulting in felony charges when continued presence in school poses a danger to persons or property or disrupts the educational process; and
16. Any other conduct prejudicial to good order or discipline in any school.<sup>3</sup>

#### IN-SCHOOL SUSPENSION:<sup>4</sup>

1. Students given an in-school suspension in excess of one (1) day from classes shall attend either special classes attended only by students guilty of misconduct or be placed in an isolated area appropriate for study; and
2. Personnel responsible for in-school suspension will see that each student is supervised at all times and has textbooks and classwork assignments from his regular teachers. Students given in-school suspension shall be required to complete academic assignments and shall receive credit for work completed.

#### SUMMARY SUSPENSION:

If the principal witnesses or has knowledge of any serious student misconduct and they ~~he~~ thinks that immediate removal of the student is necessary to restore order or to protect the persons on the school grounds, ~~he~~ they may suspend the student immediately for not more than two (2) school days. In such cases, the principal is not required to conduct the investigation before he suspends, but ~~he~~ they shall carry out such an investigation and decide on further disciplinary action, if any, at least by the end of the school day following the summary suspension.

#### PROCEDURES FOR SUSPENSION AND EXPULSION:<sup>5</sup>

1. Unless the student's continued presence in the school, class or school-related activity presents an immediate danger to the student or other persons or property, no principal shall suspend/expel any student until that student has been advised of the nature of ~~his~~ their misconduct, questioned about it, and allowed to give an explanation.
2. Upon suspension/expulsion of any student including in-school suspension in excess of one (1) day, the principal shall make an immediate attempt to contact the parent to inform ~~him~~ them of the suspension/expulsion. The student shall not be sent home before the end of the school day unless the parent has been contacted.

In a situation where the principal is not able to reach a parent and because of violations of school

rules the principal is not able to keep a student on school grounds and restore order or protect others, the principal will call local law enforcement to assist in removing the student from school premises.

3. The principal shall notify the parent and the Superintendent of Schools or designee in writing:
  - a. Of the suspension/expulsion and the cause for it; and
  - b. Of a request for a meeting with the parent, student and principal, to be held as soon as possible, but no later than five (5) **school** days following the suspension/expulsion.
4. Immediately following the scheduled meeting, whether or not attended by the parent or student, the principal shall determine the length of the suspension/expulsion and set conditions for readmission. If the principal determines the length of the suspension to be between six (6) and the maximum of ten (10) days, the principal shall develop and implement a plan for correcting the behavior when the student returns to school.
5. If at the time of the suspension the principal determines that an offense has been committed which, in the judgment of the principal would justify a suspension/expulsion for more than ten (10) days, **he they** may suspend/expel/remand the student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.
6. The principal shall immediately give written or actual notice to the parent and the student of the right to appeal the decision to suspend/expel/remand for more than ten (10) days. All appeals must be filed with the principal, orally or in writing, within five (5) **school** days after receipt of the notice. Appeals may be filed by the parent, the student or any person holding a teaching license who is employed by the school system if requested by the student.
7. The appeal from this decision shall be to the Disciplinary Hearing Authority appointed by the Board.
8. If a suspension/expulsion occurs during the last ten (10) days of any term or semester, the student shall be permitted to take such final examinations or submit such required work as necessary to complete the course of instruction for that semester, subject to conditions prescribed by the principal.
9. Students under suspension from one (1) school in the school system cannot enter another school in the system for the duration of the suspension. This does not include assignment to an alternative school.

Legal References:

1. TCA 49-6-3007(h)
2. TCA 49-2-203(a)(8); TCA 49-6-3401(a)
3. TCA 49-6-4216; TCA 39-17-1309; TCA 39-17-417
4. TCA 49-6-3401(b)(1)
5. TCA 49-6-3401(b); *Goss v. Lopez*, 419 U.S. 565 (Ohio, 1975); Individuals with Disabilities Act Amendments of 1997 § 615

Cross References:

- Procedural Due Process 6.302  
 Interference/Disruption of School Activities 6.306  
 Bus Conduct 6.308  
 Zero Tolerance Offenses 6.309  
 Dress Code 6.310  
 Discipline Procedures 6.313

1  
2

Disciplinary Hearing Authority 6.317

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>Alternative School Programs</b>	Descriptor 6.319	Issued Date 5/7/2018
		Rescinds 6.319	Issued 4/6/2015

The Board shall operate an alternative school program for students in grades ~~7-6~~-12 who have been suspended or expelled from regular school programs.<sup>1</sup> Attendance in alternative school programs shall be mandatory and students attending an alternative school located other than at their home school shall provide their own transportation.

Teachers in alternative schools shall be certified by the state.

Student-teacher ratios shall be small enough to allow for adequate instruction but shall be determined by the age, behavior and academic achievement of students in the program.

Sufficient textbooks, equipment and supplies shall be provided by the home school.

Alternative school programs 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. No student may graduate based solely on attendance in alternative schools.<sup>1</sup>

Except students who are eligible for special education, such change in a student's program shall be determined by the school principal in accordance with the suspension policy of the Board and based upon recommendations from a team composed of the principal, the school counselor and the student, with or without the parents being present.

The student shall be subject to all rules of the school and violations of such rules may result in the student's removal from the school for the duration of the original intended suspension or expulsion. The final decision on such removal shall be made by the chief administrator of the alternative school.

Students found to be eligible for special education in related circumstances shall be placed and served in accordance with the law and rules relating to special education.

**Legal Reference:**

1. TCA 49-6-3402; OP Tenn. Atty. Gen. 93-43 (May 12, 1993)

**Cross References:**

Special Education 4.202  
Disciplinary Hearing Authority 6.317  
Special Education Students 6.500

# Johnson City Board of Education

Monitoring:	<b>Use of the Internet</b>	Descriptor 6.320	Issued Date 4/13/2020
Review Annually, in May		Rescinds 6.320	Issued 4/14/2014

The Board supports the reasonable access to various information formats and believes it incumbent upon students to use this privilege in an appropriate and reasonable manner.

Before any student is allowed use of the school system's Internet or intranet access, a written parental consent shall be signed by the parent for students in grades prek-2 and both parent and student in grades 3-12. The required permission/agreement form shall specify acceptable uses, rules of on-line behavior, access privileges and penalties for policy/procedural violations. The permission/agreement form shall be signed annually and shall be valid for the entire year unless written parental notice that consent is withdrawn is provided. Any student who accesses the district's computer system for any purpose agrees to be bound by the terms of that agreement, even if no signed written agreement is on file.

Prohibited and illegal activities include but are not limited to the following. <sup>1</sup>

1. Sending or displaying offensive or obscene messages or pictures
2. Using obscene language
3. Harassing, insulting, defaming, bullying or attacking others
4. Damaging computers, computer systems, or computer networks
5. Hacking or attempting unauthorized access to any computer or server
6. Violation of copyright laws
7. Trespassing in another's folders, work, or files
8. Using another's password or other identity (impersonation)
9. Use of the network for commercial purposes
10. Buying or selling on the Internet
- ~~11. Using school or system computers for personal business~~

Additionally, students shall not use school system technology for purposes prohibited by law or for accessing sexually explicit materials. The Board retains the right to regularly monitor the on-line activities conducted on school system technology.

## E-MAIL

Users with network access shall not utilize school system resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system. All data including e-mail communications stored or transmitted on school system computers shall be monitored. Users have no expectation of privacy with regard to such data. E-mail correspondence may be a public record under the public record's law and may be subject to public inspection.<sup>2</sup>

### Legal Reference:

1. TCA 39-14-602
2. TCA 10-7-512

### Cross Reference:

- Use of Electronic Mail (e-mail) 1.805  
Use of the Internet 4.406  
Web Pages 4.407

# Johnson City Board of Education

Monitoring:  Review Annually, in May	<b>Accidents and Illnesses</b>	Descriptor 6.410	Issued Date 4/13/2020
		Rescinds 6.410	Issued 4/14/2014

Parents/Guardians of all students shall provide the schools with medical authorization which shall contain the following information:

1. Parents'/Guardians' location and phone number during the school day;
2. An alternative contact name and phone to be used in the absence of parent;
3. The name, address and phone number of the student's physician(s);
4. Instructions in the event that medical treatment is needed;
5. Information concerning a student's particular physical disability or medical condition.

The authorization will be required annually and will be kept on file in the school's office.

If a student suffers a minor injury or becomes ill, the staff member in charge shall ensure that first aid is rendered. Parents/guardians will be notified of the injury in a timely manner.

In the event of serious injury or illness to a student, immediate aid will be rendered and when necessary the student will be transported to a hospital emergency room. Attempts will be made to notify the parents/guardians of the situation as soon as. If the parents/guardians cannot be reached, the student will be transported to the hospital emergency room and the physician identified by the parents/guardians on the emergency medical authorization form will be notified of the accident. Efforts to notify the parents/guardians will continue until they are informed.

Principals will inform the Superintendent of Schools immediately of any serious injuries suffered by students while under jurisdiction of the school. A report of each accident taking place in a school will be filed in the offices of both the principal and the Superintendent of Schools. Forms for reporting accidents will be made available from the office of the Superintendent of Schools. In all accidents serious enough to require medical attention or requiring the student to be taken home, or in all cases that the staff member in charge deems desirable, reports will be made and filed as stated above.

No ill or injured student will be taken and left at home or sent home unless a parent/guardian, or someone designated by the parents/guardians, is at home to accept the responsibility of the student.

Parents/guardians who object to the procedures contained in this policy shall submit to the principal an alternative written emergency plan. Written approval of the principal, **in coordination with the nursing staff**, is required before any such alternative plan is put in to place for a student.

# Johnson City Board of Education

Monitoring:  Review Annually, in April	<b>Student Suicide Prevention</b>	Descriptor 6.415	Issued Date 4/13/2020
		Rescinds 6.415	Issued Date 4/3/2017

1 The board is committed to protecting the health and well-being of all students and understands that physical,  
2 behavioral, and emotional health are integral components of student achievement. Students are strongly  
3 encouraged to report if they, or a friend, are feeling suicidal or in need of help. Students will be provided  
4 information regarding The National Suicide Prevention Lifeline – 1-800-273-8255 (TALK).

## 5 **PREVENTION<sup>1</sup>**

6 All district employees shall attend either the annual in-service training in suicide prevention or participate in  
7 other equivalent training approved by the Superintendent of Schools. The training shall include, but not be  
8 limited to, identification of risk factors, warning signs, intervention and response procedures, referrals, and  
9 postvention.

0 The Superintendent of Schools shall identify a district suicide prevention coordinator responsible for planning  
1 and coordinating the implementation of this policy. Each school principal shall designate a school suicide  
2 prevention coordinator to act as a point of contact in each school for issues relating to suicide prevention and  
3 policy implementation.

## 4 **INTERVENTION<sup>1</sup>**

5 Any employee who has reason to believe that a student is at imminent risk of suicide shall report such belief to  
6 the principal or designee. Belief that a student is at imminent risk of suicide shall include, but not be limited  
7 to, the student verbalizing the desire to commit suicide, evidence of self-harm, or a student self-refers.

8 Upon notification, the principal or designee shall ensure the student is placed under adult supervision.  
9 Emergency medical services shall be contacted immediately if an in-school suicide attempt occurs. The  
0 principal or designee shall contact the Superintendent of Schools or designee as soon as practicable.

1 Prior to contacting the student's parent/guardian, the Superintendent of Schools or designee shall determine if  
2 there could be further risk of harm resulting from parent/guardian notification. If parent/guardian notification  
3 could result in further risk of harm or endanger the health or well-being of the student, then local law  
4 enforcement and the Department of Children's Services shall be contacted.<sup>2</sup>

5 If appropriate, the Superintendent of Schools or designee shall contact the student's parent/guardian and  
6 provide the following information:  
7

- 8 1. Inform the parent/guardian that there is reason to believe the student is at imminent risk of suicide;
- 9 2. Assure the parent/guardian that the student is currently safe or inform the parent/guardian that  
0 emergency medical services were contacted;
- 1 3. Ask the parent/guardian whether ~~he/she~~ **they are** aware of the student's mental state;
- 2 4. Ask the parent/guardian whether ~~he/she~~ **they** wishes to obtain or has obtained mental health  
3 counseling for the student;

- 5. Provide the names of community mental health counseling resources.
- 6. ~~Provide information regarding~~ Offer on campus counseling services ~~on campus~~.

The Superintendent of Schools or designee will seek parental permission to communicate with outside mental health care providers regarding a student. If the student is under the age of 18 and the parent/guardian refuses to seek appropriate assistance, the Superintendent of Schools or designee shall contact the Department of Children's Services.<sup>2</sup>

The Superintendent of Schools or designee shall document the contact with the parent/guardian by recording:

- 1. The time and date of the contact;
- 2. The individual contacted;
- 3. The parent/guardian's response; and
- 4. Anticipated follow-up.

The Superintendent of Schools or designee shall ensure the student is under adult supervision until a parent/guardian or other authorized individual accepts responsibility for the student's safety.

Prior to a student returning to school, the Superintendent of Schools or designee and/or principal shall meet with the student's parent/guardian, and student if appropriate. The parent/guardian shall provide documentation from a mental health care provider stating that the student has received care. The principal will identify an employee to periodically check in with the student to ensure the student's safety and address any problems with re-entry.

**POSTVENTION<sup>1</sup>**

Immediately following a student suicide death, the Crisis Team shall meet and implement the Crisis Management plan. At a minimum, the Crisis Management plan shall address the following:

- 1. Verification of death;
- 2. Preparation of postvention response to include support services;
- 3. Informing faculty and staff of a student death;
- 4. Informing students that a death has occurred;
- 5. Providing information on the resources available to students;

The Crisis Team shall work with teachers to identify the students most likely to be impacted by the death in order to provide additional assistance and counseling if needed. Additionally, staff and faculty will immediately review suicide warning signs and reporting requirements. The Superintendent of Schools or designee shall be responsible for all media inquiries

---

Legal Reference:

- 1. Public Acts of 2016, Chapter No. 623
- 2. T.C.A. 37-1-403

---

Cross References

- News Releases, News Conferences and Interview 1.503
- Crisis Management 3.203
- Student Discrimination, Harassment, Bullying, Cyberbullying and Intimidation 6.304
- Promoting Student Welfare 6.400
- Student Wellness 6.411

1

# Johnson City Board of Education

Monitoring:  Review Annually, in May	<b>Media Access to Students</b>	Descriptor 6.604	Issued Date 4/5/2021
		Rescinds 6.604	Issued 5/7/2018

School administrators shall be authorized to grant permission and set parameters for media access to students in their respective schools. Media representatives shall be required to report to the administration for prior approval before accessing students involved in instructional programs and activities not attended by the general public. With parental approval, the media may interview and photograph students involved in instructional programs and school activities including athletic events. Such media access shall not be unduly disruptive and shall comply with Board policies.

Each year parents will be given the option to withhold permission for public news media interviews or photographs of their child at school.

Specific parental permission must be obtained if the story or photograph covers topics of a sensitive nature.

If any student is to be filmed or videotaped and will be identified or be a primary subject of the filming or videotaping which will be used outside of the school, prior written consent/release/waiver will be obtained from the student's parent.

District employees may release student information to the media only in accordance with applicable provisions of the education records law and Board policies governing directory information and personally identifiable information.<sup>1</sup>

Parents will be advised of the Board's media access to students policy at the time of the student's registration and the beginning of each school year in the student/parent handbook.

**Media outlets can be denied access to a school when such denial is in the best interest of students.**

**Legal Reference:**

1. USCA 20-1232g; TRR/MS 0520-1-9.14(7)(h)

**Cross Reference:**

News Releases, News Conferences & Interviews 1.503  
 Student Records 6.601  
 Student Surveys 6.4001

# Johnson City Board of Education

Monitoring:  Review Annually, in May	<b>Student Organizations</b>	Descriptor 6.702	Issued Date 3/1/2010
		Rescinds 6.702	Issued 6/3/2002

1 Student organizations are an extension of the academic curriculum and are intended to complement the  
2 basic instructional program.

3  
4 The principal, in cooperation with the faculty and student body representatives, shall approve all  
5 organizations within the school.

6  
7 ~~Organizations jointly sponsored by the school and community civic clubs must also be approved by the~~  
8 ~~Board.~~

9  
0 One or more staff members will serve as sponsors of each organization and will attend all meetings and  
1 events. A volunteer may be utilized during the organization's activities in lieu of one or more staff members  
2 provided such volunteer has undergone a background search satisfactory to the Board and has been  
3 subsequently approved by the Superintendent/Designee. Each sponsor will evaluate his organization annually  
4 and make recommendations concerning changes, continuance, or deletion from the school's activity program.

5  
6 An approved copy of the aims, objectives, and constitution or bylaws for each organization will be kept on file  
7 in the principal's office.

8  
9 The Superintendent of Schools shall approve all requirements imposed by organizations which have restricted  
0 membership.

1 The nature of any initiation shall be outlined and presented in writing to the organization sponsor and the  
2 principal of the school for approval prior to the actual initiation. Hazing by students acting alone or with  
3 others is strictly prohibited. Any organization which permits an initiation to go beyond the scope of activities  
4 planned and previously approved will be suspended until reinstated by the principal.<sup>1</sup>

5  
6 Sororities, fraternities, and all secret organizations are prohibited.

7  
8 School groups, either continuing or ad hoc, are not permitted to use the school name in participating in public  
9 demonstrations or other activities outside the school unless prior written permission has been granted by the  
0 principal or his designated representative. In case of violation, appropriate action will be taken when in the  
1 judgment of the Superintendent of Schools circumstances warrant.

2  
3  
4  
5  
6  
7  
8 Legal Reference:

9  
0 1. TCA 49-2-120; TCA 49-6-3401

1  
2  
3  
4  
5  
6  
7  
8 Cross Reference:

9  
0 Extracurricular Activities 4.300

