Hickman County Board of Education

	Descriptor Term: **Home Schools**	Descriptor Code: **6.202**	Issued Date: **08/07/23**
		Rescinds: **6.202**	Issued: **03/06/23**

A "home school" is a school conducted or directed by parent or parents or legal guardian or guardians for their own children. Home schools which teach K-12 where the parents are associated with an organization that conducts church-related schools *(as defined by §49-50-801)* which are supervised by such organization and which administer standardized achievement tests at the same time tests are given in their regular day schools are exempt from the following provisions, but must follow procedures issued by the State Department of Education.[1]

A parent wishing to conduct a home school shall meet the following requirements:[2]

1. Provide annual notice to the director of schools before the commencement of each school year of the intent to conduct a home school;

2. Submit to the director of schools the name, number, age, grade level of children involved, location of the school, curriculum to be offered, proposed hours of instruction, qualifications of the parent/teacher, whether a college preparatory or general course of education will be taught in grades 9-12, and a description of the courses to be taught each year;

3. Maintain attendance records, subject to inspection of the local director of schools;

4. Submit attendance records to the director of schools at the end of each school year;

5. Provide instruction for at least four (4) hours per day for the same number of instructional days as are required by state law for public schools;[3]

6. Possess a high school diploma or a high school equivalency credential approved by the State Board of Education;[4]

7. Cooperate in the administration to home school students of appropriate tests by the Commissioner of Education, his/her designee or by a professional testing service;

8. Take action according to state law if home school student falls behind appropriate grade level;

9. Submit proof to the director of schools that other health services and examinations as required by law have been received by the home school student; and

10. In the event of illness or inadequacy of the home school parent-teacher to teach a specific subject, employ a tutor having the same qualifications as required of parent/teacher.

If one or more of these requirements are not met, the Board authorizes the director of schools to take formal action to bring the child into compliance with the Compulsory Attendance Law (until the child has reached age 17), either in the home school or in a public, private or church-related school.

It shall be the policy of this Board that public school facilities shall be available for home school instruction only when *all* of the following conditions exist:

1. Special needs courses are being taught which require services unavailable to the home school student;

2. These services cannot be provided through any means other than the public schools;

3. Requests for services are made known by the home school parent when notice is given to the director of schools of the intent to conduct a home school;

4. The director of schools investigates request and make recommendations to the Board;

5. No overcrowding, additional expenses, including providing transportation, or other special situations which interfere with the normal operation of the school system shall be incurred; and

6. Approval by the Board on a case-by-case basis.

The director of schools, through the attendance supervisor, shall have the attendance records of the home school inspected at least two (2) times each school year in order to provide assistance in implementing the Compulsory Attendance Law.

Student Performance[5]

If a home school student falls more than one (1) year behind his appropriate grade level in his/her comprehensive test score for two (2) consecutive tests, and if a certified teacher who would have taught the child at his/her grade level determines through appropriate means that the student is not learning disabled, the director of schools shall require the parents to enroll the child in a public, private or church-related school.

Legal References

1. TCA 49-50-801(a)
2. TCA 49-6-3050(b)
3. TCA 49-6-3004(a); TCA 49-6-3050(b)(3)
4. TCA 49-6-3050(b)(4); Public Acts of 2023, Chapter No. 114
5. TCA 49-6-3050(b)(6)

Cross References

Compulsory Attendance Ages 6.201

Hickman County Board of Education

	Descriptor Term: **School Admissions**	Descriptor Code: **6.203**	Issued Date: **08/05/24**
		Rescinds: **6.203**	Issued: **03/06/23**

Any student 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;[1]

2. Evidence of a current medical examination.[2] There shall be a complete medical examination of every student entering school for the first time. This applies to kindergarten, first grade and other students for whom there is no health record; and

3. Evidence of state-required immunization.[3]

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.

The name used on the records of a student entering the Hickman County School System from another school must be the same as shown on records from the school previously attended unless evidence is presented that such name has been legally changed through a court as prescribed by law.[4]

No student shall be granted entrance under disciplinary action from another system.

A child whose care, custody and support has been assigned to a resident of the district by a power of attorney or order of the court shall be enrolled in school provided appropriate documentation has been filed with the district office.[5]

A student may transfer into the school system at any time during the year if his/her parent(s) or legal guardian moves his/her residence into the school system.

ADJUDICATED DELINQUENT STUDENT[6]

A principal or principal's designee may ask a parent/guardian in writing if their student has been adjudicated delinquent for an offense listed in TCA 49-6-3051 within thirty (30) days of the student first enrolling in the school and when any such student:

1. Resumes school attendance after suspension, expulsion, or adjudication of delinquency; or

2. Changes schools within this state.

This information shall be shared only with school employees who have responsibility for classroom instruction of the student, the school counselor, social worker, or psychologist who is developing a plan for the student while in the school, and the school resource officer. Such information is otherwise confidential and shall not be released to others, and the written notification shall not become a part of the student's record.[7]

Legal References

1. TCA 49-6-3008(b)
2. TRR/MS 0520-01-13-.01(1)(a); 20 USCA § 1232h(c)
3. TCA 49-6-5001(c)
4. TCA 49-6-5106
5. TCA 49-6-3001(c)(6)
6. TCA 37-1-153(e), 154; TCA 49-6-3051; Public Acts of 2024, Chapter No. 721
7. TCA 49-6-3051(d)

Cross References

Admission of Suspended/Expelled Students 6.318
Homeless Students 6.503
Migrant Students 6.504
Students in Foster Care 6.505
Students from Military Families 6.506

Hickman County Board of Education

	Descriptor Term: **Attendance of Non-Resident Students**	Descriptor Code: **6.204**	Issued Date: **06/03/24**
		Rescinds: **6.204**	Issued: **03/06/23**

Students residing outside the boundaries of the school system may attend schools within the school system under the following conditions:

1. They must be approved by the director of schools.[1]
2. Tuition for out-of-state non-resident students shall be charged at the same rate as the average cost per student (state and local funds) in the system attended.[2]
3. Non-resident students must make application at least two weeks prior to the first day of school.[3]
4. Requests from students from adjoining states to attend school shall be considered on a case-by-case basis.[4]
5. If a teacher of this school system has a residence outside the school system, his/her children may be allowed to attend provided that there is available room and teaching capacity and other determinations made by the board according to applicable law.[5]
6. The children residing in the same household of employees that are employed full-time by the Hickman County Board of Education may attend school in Hickman County.
7. The children of business owners that pay taxes in Hickman County may attend school in Hickman County if there is available room and teaching capacity.

Legal References

1. TCA 49-6-3104
2. TCA 49-6-3003; TCA 49-6-403(f)
3. TCA 49-6-3105
4. TCA 49-6-3108; TCA 49-6-403(f)
5. TCA 49-6-3113; TCA 49-6-3103

Cross References

Revenues 2.400
Students from Military Families 6.506

Hickman County School System

Attendance of Non-Resident Students	6.204AP

Out of County Students

At times, students living out of Hickman County may request to attend Hickman County Schools. Such requests will require completion of an Out of County Tuition Form. Students outside the county will not be allowed to displace any student residing in Hickman County. If after the requesting student has supplied the out of county form, current copies of attendance, grades, and discipline records, the school system will determine if the student is accepted to attend school in Hickman County.

Application can be found at this link

Hickman County Board of Education

	Descriptor Term: **Student Assignments**	Descriptor Code: **6.205**	Issued Date: **03/06/23**
		Rescinds: **6.205**	Issued: **01/04/21**

TO SCHOOLS

Students, including those in kindergarten, shall attend the school to which they are assigned.[1]

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.[2]

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 may be reassigned by the principal to another grade level. Parents shall be kept advised.

The principal shall separate an alleged victim of child sexual abuse from an alleged perpetrator if the abuse allegedly occurred while the child was under the supervision or care of the school. If available and appropriate, a child shall be reassigned if a request is made by the child's parent or custodian and the perpetrator has been: (1) substantiated by the department of children's services; (2) adjudicated by a juvenile court to have committed the child sexual abuse; or (3) criminally charged.[3]

Legal References

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

Cross References

Transfers Within the System 6.206
Homeless Students 6.503
Students in Foster Care 6.505

Hickman County Board of Education

	Descriptor Term: **Transfers Within the System**	Descriptor Code: **6.206**	Issued Date: **10/02/23**
		Rescinds: **6.206**	Issued: **03/06/23**

General[1]

Each year, the Director of Schools/designee shall review the number of spaces available in each school by grade, class, and program levels. This information shall be posted on the district's website along with the dates of the district's open enrollment period. The open enrollment period shall last for thirty (30) days and information about the number of seats available shall be posted for at least fourteen (14) days prior. The Director of Schools/designee shall reserve a reasonable number of enrollment spaces at each school to account for the enrollment of zoned students, siblings of students, and students who have a parent/guardian employed at the school.[2]

During the district's open enrollment period each year, a parent/guardian may request that his/her child attend a school within the district other than the one to which the child is zoned. The Director of Schools/designee shall review such requests, and if adequate space is available, grant such transfers. If the number of requests exceeds the number of available spaces, the Director of Schools/designee shall implement a lottery to fill the available spaces.

The open enrollment process shall be completed before other nonresident transfers are approved.

POST ENROLLMENT[1]

The student must maintain satisfactory attendance, behavior, and effort to remain in the new school.

CHANGE IN RESIDENCE[1]

Students whose families transfer their residence to another school area after the first month of school may complete the school year at their former school. 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 area.

[NOTE: Not effective in the event of a federally mandated desegregation order.[3]]

Legal References

1. TCA 49-2-128
2. TCA 49-6-3113
3. 34 C.F.R. § 100.4

Cross References

Student Assignments 6.205
Homeless Students 6.503
Students in Foster Care 6.505

Hickman County School System

Transfers Within the System	6.206AP

In County Transfers/Out of Zone Requests

During the month of June each year, a parent/guardian may request that his/her child attend a school within the system other than the one to which the child is zoned. The director of school or his/her designee shall review such requests, and if adequate space is available, grant such transfers unless a transfer would be adverse to the best interests of the child or the school system. If granted, the student must provide his/her own transportation to and from the school. The zoning request may be revoked based on attendance or discipline issues.

A parent/guardian may appeal the assignment of a student to the Board within the first ten days of being enrolled at the assigned school. After the first ten days of being enrolled, he/she shall not be permitted to transfer to another school (out of zone) unless there is a change in residence of the student's parents or guardians outside the zone in which the student enrolled. Any exception to this policy must be brought before the director of schools for evaluation and decision.

Students who families transfer their residence to another school zone in the system after the first month of school may complete the year at their former school. Students who present evidence that they will move during the school year and who desire to enroll in a new school in the new zone may do so with prior written request for a change of school zone. The director of schools or his/her designee may grant other exceptions to this policy for good and sufficient reasons. Again, zoning exceptions may be revoked for attendance or discipline issues.

Principals shall allow credit for work transferred from other schools only when substantiated by official transcripts or successful completion of comprehensive written examinations approved, administered and graded by the principal or his/her designated representative.

Hickman County Board of Education

	Descriptor Term: **Withdrawals**	Descriptor Code: **6.207**	Issued Date: **03/06/23**
		Rescinds: **6.207**	Issued: **01/04/21**

Students shall notify their teacher(s) and/or principal when it is known that they will be withdrawing from school.

Dues and/or other money collected for workbooks, materials and supplies will be returned if the student withdraws within the first thirty (30) days, provided the school system does not take a loss because of the refund. After the first thirty (30) days, no money will be refunded.

If a student drops a class or withdraws from school during a grading period, each teacher will record on the withdrawal form, grade sheet, and permanent record the grade attained as of the date of withdrawal.

The principal will ensure that all information is completed on a student's records before a transcript is sent to another school.

Cross References

Student Records 6.600

Hickman County Board of Education

	Descriptor Term: **Release During School Hours**	Descriptor Code: **6.208**	Issued Date: **03/06/23**
		Rescinds: **6.208**	Issued: **01/04/21**

The following procedure will be observed with regard to dismissal of students:

1. No student will leave school prior to regular dismissal hours, except with the approval of the principal and parent. Elementary students will be permitted to leave school prior to regular dismissal time only in the company of a parent, legal guardian, school employee, police officer, court officer, or a person designated in writing by the parent(s).

2. No student will be sent from the school during school hours to perform an errand or act as a messenger.

3. When dental and medical appointments cannot be scheduled outside school hours, parent(s) must send a written request for dismissal or call for the student in person.

4. Children will be released only upon the request of the parent whom the court holds directly responsible for the child, or who is the parent or guardian registered on the school record.

5. No principal or teacher shall permit a change in the physical custody of a child at school unless:[1]

   (a) The person seeking custody of the child presents the school official with a certified copy of a valid court order from a Tennessee court designating the person who has custody of the child; and

   (b) The person seeking custody gives the school official reasonable advance notice of his/her intent to take custody of the child at school.

6. No student will be allowed to leave campus during lunch.

7. High school students may be released for jobs and approved training at centers outside their home schools under regulations approved by the Board.[2]

Legal References

1. TCA 36-6-105
2. TRR/MS 0520-01-03-.03(10); State Board of Education Policy 2.103(V)

Hickman County Board of Education

	Descriptor Term: **Child Custody/Parental Access**	Descriptor Code: **6.209**	Issued Date: **03/06/23**
		Rescinds: **6.209**	Issued: **01/04/20**

The Board presumes that the person who enrolls a student in school is the student's custodial parent. Unless a Tennessee court specifies otherwise, the custodial parent shall be the one whom the school district holds responsible for the education and welfare of that child.

Parents or guardians shall have the right to receive information contained in school records concerning their minor child. [1] The Board, unless informed otherwise, assumes there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's progress and activities. If restrictions are made relative to the rights of the non-custodial parent, the custodial parent shall be requested to submit a certified copy of the court order which curtails these specific rights.

Unless there are specific court-imposed restrictions, the non-custodial parent, upon request, shall be given access to all of the student's educational records including but not limited to the student's cumulative file and the student's special education file, if applicable.[2]

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

1. The person seeking custody of the child presents the school official with a certified copy of a valid court order from a Tennessee court designating the person who has custody of the child; and

2. The person seeking custody shall give the school official reasonable advance notice of his/her intent to take custody of the child at school.[3]

Legal References

1. 20 USCA § 1232g(a)(1)(A)
2. TCA 49-6-902
3. TCA 36-6-105

Cross References

Student Records 6.600 -6.603

Hickman County Board of Education

	Descriptor Term: **Rights and Responsibilities of Students**	Descriptor Code: **6.301**	Issued Date: **04/03/23**
		Rescinds: **6.301**	Issued: **02/01/21**

The Board expects all school staff, students and parents to assume the responsibility for appropriate behaviors in the school.

Each student has the right to:

1. Have the opportunity for a free education in the most appropriate learning environment;
2. Be secure in his/her person, papers and effects against unreasonable searches and seizure;
3. Expect that the school will be a safe place;
4. Have an appropriate environment conducive to learning;
5. Not be discriminated against on the basis of sex, race, color, creed, religion, national origin or disabilities[1]; and
6. Be fully informed of school rules and regulations.

Each student has the responsibility to:

1. Know and adhere to reasonable rules and regulations established by the Board;
2. Respect the human dignity and worth of every other individual;
3. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression;
4. Study and maintain the best possible level of academic achievement;
5. Be punctual and present in the regular school program;
6. Dress and groom in a manner that meets reasonable standards of health, cleanliness, modesty and safety;
7. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities;
8. Refrain from behavior which would lead to physical or emotional harm or disrupts the educational process;
9. Respect the authority of school administrators, teachers and other authorized personnel in maintaining discipline in the school and at school-sponsored activities;

10. Obey the law and school rules as to the possession or the use of alcohol, illegal drugs and other unauthorized substances or materials; and

11. Possess on school grounds only those materials which are acceptable under the law and accept the consequences for articles stored in one's locker.

Legal References

1. 20 USCA § 1703

Hickman County Board of Education

	Descriptor Term: **Procedural Due Process**	Descriptor Code: **6.302**	Issued Date: **04/03/23**
		Rescinds: **6.302**	Issued: **02/01/21**

Before school authorities administer disciplinary measures, reasonable inquiry shall be made to determine the truth of what happened.[1] The nature of this inquiry will vary in degree with the seriousness of the offense and the consequence attached thereto.

For minor offenses where corrective measures are taken by the classroom teacher, no formal procedure is required. An inquiry into the incident to ensure that the offender is accurately identified, that he understands the nature of the offense, and that he/she knew the consequences of the offense for which he is accused.

In case of severe offenses where there is a possibility of suspension, the student shall be advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.[2]

If the principal determines that the offense is of such nature that the student's continued presence would be detrimental to the school or persons within the school, he/she shall refer the case to the disciplinary hearing authority.[3]

Legal References

1. *Ingraham v. Wright*, 430 U.S. 651 (1977)
2. *Goss v. Lopez*, 419 U.S. 565 (1975)
3. TCA 49-6-3401(c)(4)(A)—(B)

Cross References

Interrogations and Searches 6.303
Discipline Procedures 6.313
Suspension/Expulsion/Remand 6.316
Disciplinary Hearing Authority 6.317

Hickman County Board of Education

	Descriptor Term: **Interrogations and Searches**	Descriptor Code: **6.303**	Issued Date: **04/03/23**
		Rescinds: **6.303**	Issued: **02/01/21**

INTERROGATIONS BY SCHOOL PERSONNEL

School personnel have a duty to report any reasonable suspicion that a student is carrying, or has carried, a weapon or is violating, or has violated, a provision of the Tennessee Drug Control Act to the principal, the principal's designee or, if the principal and the principal's designee are unavailable and the offense was committed on school property, to the appropriate authorities.[1]

Students may be questioned by teachers or principals about any matter pertaining to the operation of a school and/or the enforcement of its rules. Questioning must be conducted discreetly and under circumstances which will avoid unnecessary embarrassment to the student being questioned. Any student answering falsely, evasively or refusing to answer a proper question may be subject to disciplinary action, including suspension.

If a student is suspected or accused of misconduct or infraction of the student code of conduct, the principal may interrogate the student, without the presence of parent(s)/guardian(s) or legal custodians and without giving the student constitutional warnings.

INTERROGATIONS BY POLICE (AT ADMINISTRATOR'S REQUEST)

If the principal has requested assistance by the police department to investigate a crime involving his/her school, the police shall have permission to interrogate a student suspect in school during school hours. The principal shall first attempt to notify the parent(s)/guardian(s) or legal custodians of the student of the intended interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

The use of police women or female staff members is desirable in the interrogation of female students.

POLICE-INITIATED INTERROGATIONS

If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated crimes committed outside of school hours, the police department shall first contact the principal regarding the planned interrogation, inform him/her of the probable cause to investigate within the school. The principal shall make reasonable effort to notify the parent(s)/guardian(s) or legal custodians of the interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

SEARCHES BY SCHOOL PERSONNEL

In order to ensure a safe and secure learning environment, the Director of Schools shall develop procedures regarding the searching of students' lockers, vehicles, and containers which are consistent with state law. The Director of Schools shall develop additional procedures to ensure compliance with all of the provisions of the School Security Act of 1981.[1,2]

Any principal, or his/her designee, having reasonable suspicion may search any student, place or thing on school property or in the actual or constructive possession of any student during any organized school activity off campus, including buses, vehicles of students or visitors *(Notice shall be posted in the school parking lot that vehicles parked on school property by students or visitors are subject to search for drugs, drug paraphernalia or dangerous weapons)*, and containers or packages if he/she receives information which would cause a reasonable belief that the search will lead to the discovery of:

1. Evidence of any violation of the law;

2. Evidence of any violation of school rules or regulations or proper standards of student or faculty conduct;

3. Any object or substance which, because of its presence, presents an immediate danger of harm or illness to any person.

A student using a locker that is the property of the school system does not have the right of privacy in that locker or its contents. All lockers or other storage areas provided for student use on school premises remain the property of the school system and are provided for the use of students subject to inspection, access for maintenance and search. *Notice shall be posted in each school that lockers and other storage areas are school property and are subject to search.*

A student may be subject to physical search or a student's pocket, purse or other container may be required to be emptied because of the results of a locker search, or because of information received from a teacher, staff member or other student if such action is reasonable to the principal. All of the following standards of reasonableness shall be met:

1. A particular student has violated policy;

2. The search could be expected to yield evidence of the violation of school policy or disclosure of a dangerous weapon or drug;

3. The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision and education of students;

4. The primary purpose of the search is not to collect evidence for a criminal prosecution; and

5. The search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age of the student, as well as the nature of the infraction alleged to have been committed.

School officials may conduct hand-held or walk-through metal detector checks of a student's person or personal effects.

USE OF ANIMALS

When necessary, dogs or other animals trained to detect drugs or dangerous weapons may be used in conducting searches, but the animals shall be used only to pinpoint areas which need to be searched and shall not be used to search the persons of students or visitors.

SEARCHES BY POLICE

If public health or safety is involved, upon request of the principal who shall be present, police officers may make a general search of students' lockers and desks, or students' or nonstudents' automobiles for drugs, weapons or items of an illegal or prohibited nature.

If the principal has received reliable information which he/she believes to be true that evidence of a crime or of stolen goods, not involving school property of members of the school staff or student body, is located on school property and that any search for such evidence or goods would be unrelated to school discipline or to the health and safety of a student or the student body, he/she shall request police assistance; and procedures to obtain and execute a search warrant shall thereafter be followed.

Anything found in the course of the search conducted in accordance with this policy which is evidence of a violation of the law or a violation of student conduct standards may be:

1. Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It should be tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing. At the discretion of the principal, the items seized may be returned to the parent or guardian of a student or, if it has no significant value, the item may be destroyed, but only with the express written permission of the director of schools.

2. Any seized item may be turned over to any law enforcement officer. Any dangerous weapon or drug as defined in TCA 49-6-4202 shall be turned over to an appropriate law enforcement official after completion of an administrative proceeding at which its presence is reasonably required.

Whenever the possibility of uncovering evidence of a criminal nature exists, the principal or his/her designee may request the assistance of a law enforcement officer to:

1. Search any area of the school premises, any student or any motor vehicle on the school premises; or

2. Identify or dispose of anything found in the course of a search conducted in accordance with this policy.

The involvement of law enforcement officials is encouraged when there is reasonable cause to suspect that criminal evidence is about to be uncovered.

Legal References

1. TCA 49-6-4201 to 4219
2. Tenn. Op. Att'y Gen. No. 14-21 (February 24, 2014)

Cross References

Traffic and Parking Controls 3.403
Procedural Due Process 6.302
Child Abuse and Neglect 6.409

Hickman County School System

Interrogations and Searches	6.303AP

Use of Metal Detectors

Hickman County Schools authorizes the use of hand-held or walk-through metal detectors to check a student's person or personal effects as follows:

1. School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner. Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

2. If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, s/he may conduct a metal detector check of the student's person and personal effects.

A student's failure to permit a metal detector check as provided in this police will be considered grounds for disciplinary action.

The Hickman County Alternative Schools use hand-held detectors for each student that enters the classrooms. This is a precautionary measure to ensure the safety of students and staff.

Hickman County Board of Education

	Descriptor Term: **Discrimination / Harassment of Employees (Sexual, Racial, Ethnic, Religious)**	Descriptor Code: **5.500**	Issued Date: **03/06/23**
		Rescinds: **5.500**	Issued: **11/02/20**

Employees shall be provided a work environment free from sexual, racial, ethnic and religious discrimination/ harassment. It shall be a violation of this policy for any employee or any student to discriminate against or harass an employee through disparaging conduct or communication that is sexual, racial, ethnic or religious in nature. The following guidelines are set forth to protect employees from discrimination/ harassment.

Employee discrimination/harassment will not be tolerated.[1] Discrimination/harassment is defined as conduct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or religious nature which:

1. Unreasonably interfere with the individual's work or performance; or
2. Create an intimidating, hostile or offensive work environment; or
3. Imply that submission to such conduct is made an explicit or implicit term of employment;
4. Imply that submission to or rejection of such conduct will be used as a basis for an employment decision affecting the harassed employee.

Alleged victims of sexual, racial, ethnic and religious discrimination/harassment shall report these incidents immediately.[2] This report should be made to the immediate supervisor except when the immediate supervisor is the offending party. If the immediate supervisor is the offending party, the report may be made to the Federal Rights Coordinator or the director of schools. Allegations of discrimination/harassment shall be fully investigated (as set forth in Complaints and Grievances 5.500). An oral complaint may be submitted; however, such complaint must be reduced to writing to ensure a more complete investigation. The complaint should include the following information:

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

The privacy and anonymity of all parties and witnesses to complaints will be respected. However, because an individual's need for confidentiality must be balanced with obligations to cooperate with police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough investigation or to take necessary action to resolve a complaint, the identity of parties and witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

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.

There will be no retaliation against any person who reports discrimination/harassment or participates in an investigation. However, any employee who refuses to cooperate or gives false information during the course of any investigation may be subject to disciplinary action. The willful filing of a false report will itself be considered harassment and will be treated as such.

An employee disciplined for violation of this policy may appeal the decision by contacting the Federal Rights Coordinator or the director of schools.

Legal References

1. 29 CFR §1604.11; TCA 5-23-104
2. 20 USCA § 1681

Cross References

Appeals To and Appearances Before the Board 1.404
Equal Opportunity Employment 5.104
Complaints and Grievances 5.501
Title IX & Sexual Harassment 6.3041

Hickman County Board of Education

	Descriptor Term: **Complaints and Grievances**	Descriptor Code: **5.501**	Issued Date: **03/06/23**
		Rescinds: **5.501**	Issued: **12/07/20**

EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES

The Board believes that differences of opinions arising in the course of employment should be resolved as quickly as possible and at the lowest supervisory level.

In instances of questions by an individual staff member concerning the interpretation of policies and procedures to that staff member, administrative practices within his/her particular school, and relationships with other employees, the staff member concerned must consult the administrative or supervisory personnel to whom he/she is responsible. If a satisfactory resolution of the problem cannot be reached after ample opportunity for consideration of the matter, the staff member concerned may discuss the matter with the next level of supervision up to and including the director of schools.

In instances where an individual staff member feels for personal reasons that he/she cannot discuss a problem with his/her immediate superior, he/she may take the problem directly to the director of schools. After review of the case, the director of schools shall take action as he/she deems appropriate and within a prompt, reasonable time shall notify all parties concerned of his decision.

HARASSMENT/DISCRIMINATION GRIEVANCES

Employees should notify any district complaint manager if they believe the Board, its employees or agents have violated their rights guaranteed by the State or federal Constitution, State or federal statute or board policy including:[1,2,3]

1. Age Discrimination Employment Act;[1]
2. Title II of the Americans with Disabilities Act[4]
3. Title IX of the Education Amendments of 1972[5]
4. Section 504 of the Rehabilitation Act of 1973[6]
5. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972[7,5]

The complaint manager will endeavor to respond and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

1. Filing a Complaint — An employee who wishes to avail himself or herself of this grievance procedure may do so by filing a complaint with any district complaint manager. The employee may request a complaint manager of the same sex. The complaint manager may assist the employee in filing a grievance.

2. Investigation — The complaint manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The complaint and identity of the complainant will not be disclosed except (1) as required by law or this policy; or (2) as necessary to fully investigate the complaint; or (3) as authorized by the complainant. The complaint manager shall file a written report within ten (10) days of the filing of the grievance, of his or her findings with the director of schools. If a complaint of sexual harassment contains allegations involving the director of schools, the written report shall be filed with the Board. The director of schools shall keep the Board informed of all complaints.

3. Decision and Appeal — After receipt of the complaint manager's report, the director of schools shall render a written decision within five (5) days of the receipt of the report which shall be provided to the employee. If the employee is not satisfied with the decision, the employee may appeal the decision to the Board by making a written request to the complaint manager. The complaint manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the Board. Thereafter, the Board shall render within thirty (30) days from the date the appeal was received, review the report and affirm, overrule or modify the decision and render a written finding which shall be provided to the complainant. This grievance procedure shall not be construed to create an independent right to a Board hearing.

APPOINTING COMPLAINT MANAGERS

The director of schools shall appoint at least two complaint managers, one of each gender. The Federal Rights Coordinator may be appointed as a complaint manager. The director of schools shall insert into this policy the names, addresses and telephone numbers of current complaint managers. (see note)

*(**Note**: Title IX regulations require districts to identify the name, address and telephone number of the person who is responsible for coordinating the district's compliance efforts. A policy should not be adopted with a person's name in it; rather, the identifying information can be added and amended as necessary.)*

Legal References

1. Age Discrimination Employment Act, 29 USCA § 621 *et seq.*; 42 USCA §§ 6101 – 6107; 34 CFR § 110.25
2. Equal Pay Act, 29 USCA § 206(d)
3. Immigration Reform and Control Act, 8 USCA § 1324 *et seq.*
4. Americans with Disabilities Act, 42 USCA § 12101 *et seq.*
5. Title IX of the Education Amendments, 20 USCA § 1681 *et seq.*
6. Section 504 of the Rehabilitation Act, 29 USCA § 701 *et seq.*
7. Title VII of Civil Rights Act, 42 USCA § 2000e *et seq.*

Cross References

Appeals to and Appearances Before the Board 1.404
Section 504 and ADA Grievance Procedures 1.802
Equal Opportunity Employment 5.104
Discrimination/Harassment of Employees 5.500
Title IX & Sexual Harassment 6.3041

Hickman County School System

Complaints and Grievances	5.501AP

1. Follow reporting procedures outlined in board policy 5.501.
2. Documentation on the appropriate form should be completed and signatures obtained. Forms are listed below and can also be found at in the Google folder for Administrative forms.

Title VI/IX Complaint forms: Complaint Register
Complaint/Grievance Statement form

Complaint Managers:

Mike Elkins
Mike.elkins@hickmank12.org
115 Murphree Avenue
Centerville, TN 37033
(931) 729-3391

Belinda Anderson
belinda.anderson@hickmank12.org
115 Murphree Avenue
Centerville, TN 37033
(931) 729-3391

Hickman County Board of Education

	Descriptor Term:	Descriptor Code:	Issued Date:
	Complaints About School Personnel	**5.502**	**05/01/23**
		Rescinds: **5.502**	Issued: **12/05/22**

Whenever a complaint about an employee is made to the Board as a whole or a board member as an individual, it will be referred to the school administration for study and possible solutions. The employee involved will be advised of the nature of the complaint and given opportunity for explanation, comment, and presentation of the facts as he/she sees them.

If, after such procedure is followed there is still a question or complaint, the matter shall then be referred in writing to the Board, which shall determine whether it will hear the individual or group.

Individuals or groups desiring to speak to the Board shall follow the same procedures as outlined in board policy dealing with public participation at board meetings.

Cross References

Appeals To & Appearances Before the Board 1.404