Hickman County Board of Education

	Descriptor Term: **Care of School Property**	Descriptor Code: **6.311**	Issued Date: **05/01/23**
		Rescinds: **6.311**	Issued: **03/01/21**

Students shall help maintain the school environment, preserve school property and exercise care while using school facilities.

All district employees shall report all damage or loss of school property to the principal or designee immediately after such damage or loss is discovered. The principal or designee shall make a full and complete investigation of any instance of damage or loss of school property. The investigation shall be carried out in cooperation with law enforcement officials when appropriate.

School property is defined as buildings, buses, books, equipment, records, instructional materials or any other item under the jurisdiction of the Board.

When the person causing damage or loss has been identified and the costs of repair or replacement have been determined, the director of schools shall take steps to recover these costs. This may include recommending the filing of a civil complaint in court to recover damages. If the responsible person is a minor, recovery will be sought from the minor's parent or guardian.[1]

In addition, the district may withhold the grades, diploma, and/or transcript of the student responsible for vandalism or theft or otherwise incurring any debt to a school until the student or the student's parent/guardian has paid for the damages.[2] When the minor and parent are unable to pay for the damages, the district shall provide a program of voluntary work for the minor. Upon completion of the work, the student's grades, diploma, and/or transcripts shall be released. Such sanctions shall not be imposed if the student is not at fault.

Legal References

1. TCA 37-10-101
2. TRR/MS 0520-01-03-.03(13)

Cross References

Visitors to the School 1.501
Security 3.205
Student Fees and Fines 6.709

Hickman County Board of Education

	Descriptor Term:	Descriptor Code:	Issued Date:
	Code of Behavior and Discipline Procedures	**6.313**	**08/05/24**
		Rescinds: **6.313**	Issued: **08/07/23**

Students are expected to conform to the rules and regulations of the school system and apply themselves to the learning process.

The Board delegates to the Director of Schools the responsibility of developing specific codes of conduct which are appropriate for each level of school.[1] Codes of conduct for students in pre-kindergarten or kindergarten shall utilize alternative disciplinary practices such as RTI[2] (Response to Instruction and Intervention) and PBIS (Positive Behavior Interventions and Supports) framework. Exclusionary discipline shall only be used as a measure of last resort.[2] The development of each code shall involve principals and staff members of each level and shall be consistent with the relevant policies as adopted by the Board.[3]

The following levels of misbehavior and disciplinary procedures and options are standards designed to protect all members of the educational community in the exercise of their rights and duties and to maintain a safe learning environment where orderly learning is possible and encouraged.[4] These misbehaviors apply to student conduct on school buses, on school property, and while students are on school-sponsored outings. Staff members shall ensure that disciplinary measures are implemented in a manner that: [5]

1. Balances accountability with an understanding of traumatic behavior;
2. Teaches school and classroom rules while reinforcing that violent or abusive behavior is not allowed at school;
3. Minimizes disruptions to education with an emphasis on positive behavioral supports and behavioral intervention plans;
4. Creates consistent rules and consequences; and
5. Models respectful, non-violent relationships.

In order to ensure that these goals are accomplished, the school district shall utilize the following trauma-informed discipline practices: restorative practices, RTI^{2}B (Response to Instruction and Intervention for Behavior), multi-tiered system of supports, behavior intervention plans, ACEs (Adverse Childhood Experiences).

MISBEHAVIORS: Level I

Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school, but which can usually be handled by an individual staff member.

***Examples* (not an exclusive listing):**

Classroom disturbances
Classroom tardiness
School Bus disturbances
Cheating and lying
Littering
Gambling
Disrespect to teachers/staff
Abusive language
Nondefiant failure to do assignments or carry out directions
Dress Code Violations wearing while on the grounds of a public school during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment[6] or any violation of school board policy 6.310
Harassment/Intimidation/Bullying/Discrimination (Sexual, Racial, Ethnic, Religious)

Disciplinary Procedures:

Immediate intervention by the staff member.
Determine what offense was committed and its severity.
Determine the offender and that he/she understands the nature of the offense.
Employ appropriate disciplinary options.
Record of the offense and disciplinary action maintained by staff members.
Communicate with the parent or guardian of the student if the disciplinary action is referred outside of the classroom.

Disciplinary Options:

Verbal reprimand
Special Assignment
Restricting activities
Assigning work details
Counseling
Withdrawal of privileges
Issuance of demerits which might affect citizenship or deportment grades
Strict supervised study
Detention
Corporal punishment
In-school suspension
Out-of-school suspension
Trauma-informed discipline practices: restorative practices, RTI2B (Response to Instruction and Intervention for behavior), multi-tiered system of supports, behavior intervention plans, ACEs (Adverse Childhood Experiences).

MISBEHAVIORS: Level II

Misbehavior whose *frequency* or *seriousness* tends to disrupt the learning climate of the school. Included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.

***Examples* (not an exclusive listing):**

Continuation of unmodified Level I behaviors
School or class tardiness
Use of tobacco, vaping, or e-cigarettes
Using forged notes or excuses
Disruptive classroom behavior
Disruptive school bus behavior
Harassment/Intimidation/Bullying/Discrimination (Sexual, Racial, Ethnic, Religious)
Violations to the AUP (Acceptable Use Policy) in regards to the internet and devices

Disciplinary Procedures:

Students are referred to the principal for appropriate disciplinary action.
Principal meets with the student and teacher.
Principal or teacher attempts to notify and communicate with the parent/guardian of the student.
Principal hears accusations made by the teacher, permits the student the opportunity of explaining his/her conduct, denying it or explaining any mitigating circumstances.
Principal takes appropriate disciplinary action and notifies the teacher of action.
Record of offense and disciplinary action maintained by principal.

Disciplinary Options:

Teacher/schedule change
Modified probation
Behavior modification
Social probation
Peer counseling
Referral to outside agency
In-school suspension
Transfer
Detention
Suspension from school-sponsored activities or from riding school bus
Corporal punishment
Restricting school related honors student is otherwise due
Out-of-school suspension not to exceed ten (10) days.
Referral to law enforcement.

Trauma-informed discipline practices: restorative practices, RTI2B (Response to Instruction and Intervention for behavior), multi-tiered system of supports, behavior intervention plans, ACEs (Adverse Childhood Experiences).

For use of tobacco, vaping or e-cigarettes- 1st offense 2 days ISS(in-school suspension), 2nd offense-3 days ISS (in-school suspension), 3rd offense- 5 days ISS (in-school suspension), 4th or more offenses: Suspension in addition to the foregoing, when a student is found to be in possession of tobacco or nicotine. For each offense a court petition must be filed.

MISBEHAVIORS: Level III

Acts directly against persons or property but whose consequences *do not seriously endanger* the health or safety of others in the school.

***Examples* (not an exclusive listing)**:

Continuation of unmodified Level I and II behaviors
Fighting
Vandalism (minor) Less than $500.00
Use, possession, sale, and/or distribution of tobacco, vaping, or e-cigarettes
Alcohol-possessing, acquiring, attempting to acquire, consuming, being under the influence of, selling or attempting to see, distributing or transmitting alcoholic beverages.
Stealing
Threats to others-A threat communicated verbally or demonstratively to inflict physical or other harm on any school employee, any other person acting in an official capacity on behalf of the school, or any other student. To be a violation of this rule, the threat must be one which would cause a person to reasonably fear imminent bodily injury or well-being.
Harassment/Intimidation/Bullying/Discrimination (Sexual, Racial, Ethnic, Religious)
Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying, Cyber-Bullying, and/or Hazing- hazing is any intentional or reckless act, on or off school property, by a student, that endangers the mental or physical health or safety of that student, or that induces or coerces a student to endanger such student's mental or physical health or safety.

Disciplinary Procedures:

Students are referred to the principal for appropriate disciplinary action.
Principal meets with the student and teacher.
Notify the parent or guardian of the student.
Principal hears the accusation by the accusing party and permits the offender the opportunity of explaining conduct.
Principal takes appropriate disciplinary action.
Principal may refer the incident to the director of schools and make recommendations for consequences.
If a student's program is to be changed, adequate notice shall be given to the student and his/her parents of the charges against him, his/her right to appear at a hearing and to be represented by a person of his/her choosing.

Disciplinary action can be appealed to the SDHA (Student Discipline Hearing Authority) under board policy guidelines.
Record of offense and disciplinary action maintained by principal or director of schools.

Disciplinary Options:

In-school suspension
Alternative School
Detention
Corporal punishment
Restitution from loss, damage or stolen property
Out-of-school suspension not to exceed ten (10) days
Social adjustment classes
Transfer
Referral to law enforcement
Expulsion
Trauma-informed discipline practices: restorative practices, RTI2B (Response to Instruction and Intervention for behavior), multi-tiered system of supports, behavior intervention plans, ACEs (Adverse Childhood Experiences).
Alcohol- 30 day suspension or alternative school placement

MISBEHAVIORS: Level IV

Acts which result in violence to another's person or property or which *pose a threat* to the safety of others in the school. These acts are so serious that they usually require administrative actions which result in the immediate removal of the student from the school, the intervention of law enforcement authorities and action by the Board.

If a student's action poses a threat to the safety of others in the school, a teacher, principal, school employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or death to another person.[7]

***Examples* (not an exclusive listing):**[8]

Unmodified Level I, II and III behaviors
Death threat (hit list)
Bomb threat
Extortion
Possession/use/transfer of dangerous weapons (as defined below)*
Bringing a firearm to school or being in possession of a firearm at school or knowingly possessing, handling, transmitting, or using a weapon, or knowingly possessing an object with the intent of going armed, or use of any object in a threatening or assaultive manner. Weapons include, but are not limited to, firearms, BB guns, pellet guns, ammunition, explosives, knives with blades of 2 1/2 inches or more in length, switchblades, razorblades, box cutters, bowie knife, hawk bill knife, or other like instruments utilizing a razor blade and ice picks, daggers, slingshots, leaded canes, blackjacks and knuckles.

Other Weapon Offenses: A student shall not knowingly possess, handle, or transmit oleoresin capsicum (pepper spray), a knife with blade less than 2 ½ inches in length or a weapon replica. An exception applies to weapon replicas when school authorities specifically authorize the use of weapon replicas in instances such as the color guard, a prop in a school play, and the like.

Threat of mass violence on school property or at a school-related activity*
Assault
Assault that results in bodily injury upon any teacher, principal, administrator, any other employee of the school, or a school resource officer*
Aggravated assault*
Electronic Threats as defined in 6.309*
Vandalism (excess of $500)
Theft/possession/sale of stolen property (excess of $200)
Arson
Use/transfer of unauthorized substances
Possession of unauthorized substances (as defined below)*
Drugs- unlawfully possessing, acquiring, attempting to acquire, using, being under the influence of, selling or attempting to sell, distributing or transmitting any narcotic, stimulant drug, prescription drug, barbital or legend drug, inhalants, or any other controlled substance.

Drug Paraphernalia-Drug look-alikes or paraphernalia shall include pills, powder or any substance which gives the appearance of prohibited drugs. Drug paraphernalia shall include roach clips, rolling papers, pot pipes, dab pens, pagers or any other device or materials used with illegal substances

Representation of any Substance as an Illegal Drug or Controlled Substance Possessing, Acquiring, attempting to acquire, using (whether by inhalation, ingestion or injection), being under the influence of, selling or attempting to sell, distributing or transmitting any designer, synthetic or counterfeit drug, any illegal performance enhancing drug, any substance that causes impairment, any substance which is inappropriately used to alter the mind, mood or behavior, or any other substance used as a drug. This Disciplinary Offense covers anything used as a drug not covered in the Drugs section of the Zero-Tolerance Offenses.

Harassment /Intimidation/Bullying/Discrimination (Sexual, Racial, Ethnic, Religious)

Disciplinary Procedures:

Law enforcement officials and the Director of Schools are immediately contacted, if applicable.[9]

Principal confers with appropriate staff members and with the student.
Principal hears the accusation by the accusing party and permits the offender an opportunity of explaining conduct.
Parents are notified.
Law enforcement officials are contacted.
Incidents are reported and recommendations made to the director of schools.

Complete and accurate reports are submitted to the director of schools.
Students can appeal the disciplinary action to the SDHA (Student Discipline Hearing Authority) under the board policy guidelines.

Disciplinary Options

Expulsion
Alternative schools
Other hearing authority or Board action which results in appropriate placement
* Expulsion/Remand for a period of not less than one (1) calendar year subject to modification by the director of schools on a case-by-case basis.
Trauma-informed discipline practices: restorative practices, RTI^{2}B (Response to Instruction and Intervention for Behavior), multi-tiered system of supports, behavior intervention plans, ACEs (Adverse Childhood Experiences).

ADDITIONAL GUIDELINES:

1. A student shall not be suspended solely because charges are pending against him/her in juvenile or other court.

2. An administrator that suspects a student of behavior that is unlawful in nature shall report the suspicion to the school resource officer for investigation and possible referral to juvenile court.

3. A principal shall not impose successive short term suspensions that cumulatively exceed ten (10) days for the same offense.[2]

4. A teacher or other school official shall not reduce or authorize the reduction of a student's academic grade because of discipline problems except in deportment or citizenship. Only deportment or citizenship grades may be reduced because of discipline actions.

5. A student shall not be denied the passing of a course or grade promotion solely on the basis of failure to:
    a. pay any activity fee;
    b. pay a library or other school fine; or
    c. make restitution for lost or damaged school property.

* Zero tolerance offenses

Special Education Procedure: The discipline of special education students is governed by federal and state laws. If an offense is committed by a special education student, the federal laws may or may not permit punishment as set forth above. In addition, special and different procedures must be followed when an offense is committed by a special education student.

Director's Right to Modify: The director of schools has the right to modify disciplinary sanctions. Such modification may only be done on a case-by-case basis considering the specific circumstances surrounding the disciplinary sanction.

Safe Harbor Provision:

1. A student may approach a school official and voluntarily surrender an object, the possession of which is prohibited by these rules, provided the object is one that the student could lawfully possess off school grounds and is not a firearm. This safe harbor provision does not apply if a search is ongoing in the school. If a student approaches as school official and voluntarily surrenders such an object, then the student will not be subject to discipline under these rules. The principal will make arrangements to return the object to the student's parents or legal guardian.

2. If a student discovers an illegal item such as drugs, a weapon or other contraband (e.g. tobacco, alcohol) on school property, including on a school bus, the student may approach a school official and report the discovery. A student shall not be in violation of the rules solely by making such a report. School officials shall use discretion in determining whether the circumstances surrounding the report warrant further investigation of the reporting student.

Legal References

1. TCA 49-6-4005
2. TCA 49-6-3024
3. TCA 49-6-2801
4. TCA 49-6-4002
5. TCA 49-6-4109
6. TCA 49-6-4009
7. TCA 49-6-2802
8. TCA 39-16-517; TCA 49-6-3401(g); Public Acts of 2024, Chapter No. 882; Public Acts of 2024, Chapter No. 915
9. Public Acts of 2024, Chapter No. 882

Cross References

Security 3.205
Traffic and Parking Controls 3.403
Procedural Due Process 6.302
Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
Title IX & Sexual Harassment 6.3041
Interference/Disruption of School Activities 6.306
Bus Safety and Conduct 6.308
Zero Tolerance Offenses 6.309
Dress Code 6.310
Corporal Punishment 6.314
Detention 6.315
Suspension 6.316
Safe Relocation of Students 6.4081

Hickman County Board of Education

	Descriptor Term: **Corporal Punishment**	Descriptor Code: **6.314**	Issued Date: **08/07/23**
		Rescinds: **6.314**	Issued: **05/01/23**

1. The principal or assistant principal may use corporal punishment in a reasonable manner against a student for good cause in order to maintain discipline and order within the public schools in accordance with the following guidelines:[1] Corporal punishment shall be administered only after other less stringent measures have failed or if the conduct of a student is of such nature that corporal punishment is the only reasonable form of punishment under the circumstances; Prior to administering the punishment, the student's teacher or principal shall document that he/she has:

    a. Acted to address the student's behavior;

    b. Provided consequences to the student to address the behavior;

    c. Consulted with the student's parent/guardian; and

    d. Considered the need to conduct an evaluation to determine whether the student has a disability per federal law.[2]

2. The instrument to be used shall be approved by the principal;

3. Corporal punishment shall be administered in the presence of another professional employee;

4. The nature of the punishment shall be such that it is in proportion to the gravity of the offense, the apparent motive and disposition of the student, and the influence of the student's example and conduct on others;

5. Corporal punishment shall only be administered when the school has received written parental permission and followed procedures for the appropriate grade band.

GRADES K – 8:

Parents of students that persist in violating the school rules and discipline policy in grades K-4 may request corporal punishment for their child. The principal or assistant principal will use corporal punishment only if the parents have signed a permission form. The principal or assistant principal will use customary discretion in the administration of the corporal punishment, but no student should receive more than three (3) licks on any given day. Consideration shall be given to the age, size, emotional condition, and physical condition of the child.

GRADES 9 – 12:

No corporal punishment will be administered to a student in grades 9-12. Alternative forms of punishment/suspension will be provided.

STUDENTS WITH DISABILITIES

If a student has a disability, corporal punishment shall be administered only when the school has received written parental permission. The parental permission must include the type of corporal punishment that is allowed and the circumstances under which it is permitted. This information will be kept on file at the school. It may be revoked at any time. The principal shall notify the parent(s)/guardian(s) any time corporal punishment is used.

A disciplinary record shall be maintained and shall contain the name of the student, the type of misconduct, the type of corporal punishment administered, the name of the person administering the punishment, the name of the witness present, and the date and time of the punishment.

Disciplinary records shall be filed in the school office and made available to parent(s)/guardian(s) or students, whichever is appropriate.

The Director of Schools shall develop administrative procedures to implement this policy, including applicable recordkeeping and reporting requirements.

Legal References

1. TCA 49-6-4103; TCA 49-6-4104; TCA 49-6-4402
2. 20 USCA § 1400 et. seq.; Public Acts of 2023, Chapter No. 275

Cross References

Code of Behavior and Discipline 6.300
Student Records 6.600

Hickman County School System

Corporal Punishment	6.314AP

Corporal Punishment

School administrators will follow the procedures in Board Policy 6.314.

Corporal punishment will only be administered if a parent has signed a parent permission form.

Corporal punishment will be administered in the presence of another professional employee.

The request to use corporal punishment shall be reported to the Deputy Director for recordkeeping and reporting.

Hickman County Board of Education

	Descriptor Term: **Detention**	Descriptor Code: **6.315**	Issued Date: **05/01/23**
		Rescinds: **6.315**	Issued: **03/01/21**

Students may be detained before or after the school day as a means of disciplinary action.

The following guidelines shall be followed:

1. The student will be given at least one (1) day of notice before detention;
2. Parents will be informed before detention takes place;
3. Students in detention will be under the supervision of certified staff members;
4. Detention will not exceed one (1) hour after the official closing of the school day for students up to the fourth (4th) grade and two hours for students in grades 5-12, but may be administered several days in succession; and
5. Teachers must have the approval of the principal before detaining a student.

Cross References

Code of Conduct 6.300

Hickman County Board of Education

	Descriptor Term: **Suspension**	Descriptor Code: **6.316**	Issued Date: **08/05/24**
		Rescinds: **6.316**	Issued: **05/01/23**

DEFINITIONS:

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

REASONS FOR SUSPENSION:

Any principal, principal-teacher or assistant principal (herein called principal) may suspend any student from attendance at school or any school-related activity on or off campus 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:[1]

1. Willful and persistent violation of the rules of the school;
2. Immoral or disreputable conduct, including vulgar or profane language;
3. Violence or threatened violence against the person of any personnel 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 on school property;[2]
8. Possession of a knife, etc., as defined in TCA 39-17-1309, on school property;[3]
9. Assaulting a principal, teacher, school bus driver or other school personnel with vulgar, obscene or threatening language;
10. Unlawful use or possession of barbital or legend drugs, as defined in TCA 53-10-101;[4]
11. Engaging in behavior which disrupts a class or school-sponsored activity;
12. Assault against a school employee as defined in state law;[6]

13. Making a threat, including a false report, to use a bomb, dynamite, or any other deadly explosive or destructive device including chemical weapons on school property or at a school sponsored event, or an invalid threat of mass violence;[5]

14. One (1) or more students initiating a physical attack on an individual student on school property or at a school activity, including travel to and from school;

15. Off-campus criminal behavior resulting in felony charges; when behavior 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.

Except in an emergency, a principal shall not suspend any student until that student has been advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.

If as a result of an investigation, a principal or his/her designee finds that a student acted in self-defense under a reasonable belief that the student, or another to whom the student was coming to the defense, may have been facing the threat of imminent danger of death or serious bodily injury, then, the student may not face any disciplinary action.[7]

IN-SCHOOL SUSPENSION:[9]

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/her regular teachers. Students given in-school suspension shall be required to complete academic assignments and shall receive credit for work completed.

PROCEDURES FOR OUT OF SCHOOL SUSPENSION AND EXPULSION:

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 any student until that student has been advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.

2. Upon suspension of any student (in-school suspension in excess of one (1) day), the principal shall make an immediate attempt to contact the parent or guardian to inform them of the suspension. The student shall not be sent home before the end of the school day unless the parent or guardian has been contacted.

3. The principal shall notify the parent or guardian and the director of schools or designee in writing:
    a. Of the suspension and the cause for it; and
    b. A request for a meeting with the parent or guardian, student and principal, to be held as soon as possible, but no later than five (5) days following the suspension.

4. . Immediately following the scheduled meeting, whether or not attended by the parent or guardian or student, the principal shall determine the length of the suspension 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.[10]

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 for more than ten (10) days, he/she may suspend 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 or guardian and the student of the right to appeal the decision to suspend for more than ten (10) days.[11] The notice shall include a statement that, unless the student's parent or guardian requests an open hearing in writing within five (5) days of receipt of the notice, any hearing will be closed to the public. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student or any person holding a teaching license who is employed by the school system if requested by the student.

7. The appeal from this decision shall be to disciplinary hearing authority appointed by the Board. If a Disciplinary Hearing Authority has not been appointed, then the appeal shall be to the Board.

8. If the suspension 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.[8]

SCHOOL-SPONSORED EVENTS[6]

If a student assaults an employee, he/she shall be suspended from school-sponsored events for one (1) calendar year unless modified by the Director of Schools. A school-sponsored event is an activity that is not directly related to a student's grade in a course of instruction.

Legal References

1) TCA 49-2-203(a)(7); TCA 49-6-3401(a)
2) TCA 39-17-1309(b)
3) TCA 39-17-1309
4) TCA 53-10-101; TCA 39-17-454

Cross References

Traffic and Parking Controls 3.403
Code of Conduct 6.300
Procedural Due Process 6.302
Interference/Disruption of School Activities 6.306

5) Public Acts of 2024, Chapter No. 882
6) Public Acts of 2024, Chapter No. 915; TCA 39-13-101
7) TCA 49-6-3401(i)
8) TCA 49-6-3401(d)
9) TCA 49-6-3401(b)
10) TCA 49-6-3401(c)(3)
11) TCA 49-6-3401(a)-(c); *Goss v. Lopez*, 419 U.S. 565 (1975); 20 USCA § 1415

Drug-Free Schools 6.307
Bus Safety and Conduct 6.308
Zero Tolerance Offenses 6.309
Dress Code 6.310
Student Disciplinary Hearing Authority 6.317
Alternative Education 6.319

Hickman County Board of Education

	Descriptor Term:	Descriptor Code:	Issued Date:
	Student Disciplinary Hearing Authority	**6.317**	**05/01/23**
		Rescinds: **6.317**	Issued: **03/01/21**

A Disciplinary Hearing Authority (DHA) shall conduct appeals for students who have been suspended for more than ten (10) school days. [1] The Board shall appoint members to the DHA which shall consist of three (3) members, (maximum number must not exceed total membership of Board) at least one (1) of whom shall be a licensed employee of the board, and such appointments are for one (1) year terms and subject to reappointment. Board members shall not serve on the DHA.

The director of schools shall appoint a chairman of the DHA from the members appointed by the Board. The chairman shall perform the following duties:

1. Set the time, place and date for each hearing;
2. Maintain order and structure during each hearing; and
3. Prepare, sign, and disseminate the minutes of each meeting.

Upon receiving notification of the request to appeal the suspension decision, the DHA shall provide written notification to the parent or guardian of the student, the student, and any other appropriate person of the time, place and date of the hearing. The hearing must be held no later than ten (10) days after the beginning of the suspension.[1]

The DHA may take the following disciplinary actions: [2]

1. Affirm the decision of the school principal;
2. Order removal of the suspension unconditionally;
3. Order removal of the suspension upon such terms and conditions as it deems reasonable;
4. Assign the student to alternative program; or
5. Suspend the student for a specified period of time.*

Within five (5) days of the DHA rendering a decision, the student, principal, principal-teacher or assistant principal may request a review by the Board, and the Board shall review the record. Following the review, the Board may grant or deny the request for a hearing or affirm or overturn the decision of the DHA with or without a hearing. The Board shall not impose a more severe penalty than that imposed by the DHA without first providing an opportunity for a hearing before the Board. [3]

The notice of the hearing shall include a statement that, unless the student's parent or guardian requests an open hearing in writing within five (5) days of receipt of the notice, the hearing shall be closed to the public. [3]

* Note: Zero-tolerance offenses as set forth in statute require mandatory calendar year expulsion or assignment to alternative placement for a calendar year unless modified by the director of schools.

Legal References

1. TCA 49-6-3401(c)(4)(A)
2. TCA 49-6-3401(c) (5)
3. TCA 49-6-3401(c)(6)

Cross References

Procedural Due Process 6.302
Suspension/Expulsion/Remand 6.316

Hickman County School System

Disciplinary Hearing Authority	6.317AP

Discipline Hearing Authority

A Student Discipline Hearing Authority (SDHA) shall conduct appeals for students who have been suspended for more than ten (10) school days.

All appeals shall be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student, or any person holding a teaching license who is employed by the school system if requested by the student.

Upon receiving notification of the request to appeal the suspension decision, the SDHA shall provide written notification to the parent or guardian of the student, the student, and any other appropriate person of the time, place and date of the hearing. The hearing must be held no later than ten (10) days after the beginning of the suspension.

The student or principal may, within five (5) days of the decision, request review by the board of education; provided, that local school board policy may require an appeal to the director of schools prior to a request for review to the Board.

Hickman County School System

Disciplinary Hearing Authority	6.317AP

Notice of Right to Appeal Decision of Student
Discipline Hearing Authority

I understand that the decision of the Student Discipline Hearing Authority (SDHA) may be appealed in accordance with Tennessee Code Annotated 49-603401(c)(6). I understand that the appeal must be made to the Director of Schools within five (5) days of the SDHA decision. This appeal should be made in writing to:

John Mullins
Director of Schools
Hickman County Board of Education
115 Murphree Avenue
Centerville, TN 37033
(931) 729-3391, ext. 0

Parent/Guardian Signature _____ Date _____

Hickman County School System

Disciplinary Hearing Authority	6.317AP

Hickman County Schools
Student Discipline Hearing Authority
Employee Referral Form

Date of Referral to SDHA _____

Student Name _____

School _____

Parent Name _____

Address _____

Telephone Number _____

Email Address _____

Description of Infraction _____

Alleged Violations: _____

Hickman County Code of Behavior and Discipline: _____
(specify policy)

Tennessee Code Annotated:

(if applicable provide citation)

Does the student receive special education services? Yes No

If yes, has a manifestation determination been conducted? Yes No

Date of manifestation determination: _____

Disciplinary measures administered to date: _____

_____

_____ _____

Signature of School Employee requesting SDHA hearing **Print Name**

Hickman County Board of Education

	Descriptor Term: **Admission of Suspended or Expelled Students**	Descriptor Code: **6.318**	Issued Date: **08/05/24**
		Rescinds: **6.318**	Issued: **05/01/23**

The Board may deny admission of any student (except those in state custody) who has been expelled or suspended from another school district in Tennessee or another state even though the student has established residency in the district in which he/she seeks enrollment.

After a request for enrollment is made, the Director of Schools shall investigate the facts surrounding the suspension/expulsion from the former school district. The principal may ask the parent(s)/guardian(s) in writing if their student has been adjudicated delinquent for an offense listed in TCA 49-6-3051 and submit any records to the Director of Schools.[1] Based on the results of the investigation, the Director of Schools shall make a recommendation to the Board to approve or deny the request.

The Board shall not deny enrollment beyond the length of the imposed suspension/expulsion.

A student may be dismissed if it is determined subsequent to the enrollment that the student has been suspended or expelled from the former school district.[2]

Legal References

1. Public Acts of 2024, Chapter No. 721
2. TCA 49-6-3401(f); 20 USCA § 1232g(b)(4), (h)

Cross References

School Admissions 6.203
Student Records 6.600

Hickman County Board of Education

	Descriptor Term: **Alternative Education**	Descriptor Code: **6.319**	Issued Date: **12/04/23**
		Rescinds: **6.319**	Issued: **08/07/23**

General[1]

The Board shall operate an alternative school program for students in grades 1-12 who have been suspended or expelled from regular school programs, or in lieu of suspension or expulsion for students who display inappropriate behavior. 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.

An alternative school is a short-term intervention program designed to provide educational services outside the regular school program for students who have been suspended or expelled. The alternative school is located in a separate facility from the regular school program.

Alternative school programs shall be operated in accordance with state laws and 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.[2]

The director of schools shall develop procedures that provide appropriate educational opportunities for all students assigned to an alternative education program. These educational opportunities shall utilize Tennessee's academic standards, incorporate innovative teaching strategies, deliver research-based instructional techniques, and provide the resources necessary to foster student learning and achievement.

Annually, the director of schools/designee shall submit the following information to the Department of Education:

1. Alternative school(s) or program(s) currently in operation in the district;
2. Number and grade level of students served in an alternative education program;
3. Primary reason for student assignment to an alternative education program; and
4. Number of faculty and staff serving each alternative education program.

ASSIGNMENT[3]

The Director of Schools/designee is not required to assign a student to the alternative school or program if the student committed one of the following:

1. A zero tolerance offense;[4] or
2. An offense of violence or threatened violence, or an offense that threatened the safety of other students at the school if the location of the alternative school or program is on the

same grounds as the school from which the student was disciplined or assigning the student to that location would endanger the safety of the students or staff.[5]

Prior to the assignment of the student to an alternative school program, the director of schools/designee shall provide written notice to the student's parent/guardian stating the reason for the student's placement.[6]

Placement in an alternative education setting shall be reserved for students who significantly disrupt the educational process. If a student has an active Individualized Education Plan, a 504 plan, or is suspected of having a disability, all state and federal laws, rules, and regulations related to special education shall be followed. The director of schools/designee shall develop procedures regarding placement of students in the program, taking in to consideration the impact of exclusionary discipline practices.[7]

Attendance in alternative school programs shall be mandatory, and students attending an alternative school located outside of the school district shall provide their own transportation.

The director of schools/designee shall monitor and regularly evaluate the academic progress of each student enrolled in an alternative education program.

REMOVAL[8]

A student may be removed from the alternative school or program if:

1. He/she violates the rules of the alternative school or program; or

2. He/she is not benefitting from the assignment and all interventions have been exhausted unsuccessfully.

ADDITIONAL OFFENSES[9]

Any new disciplinary offense committed during a student's original suspension or expulsion period shall be treated as a new and separate offense. These offenses shall not constitute an extension of the original suspension or expulsion.

TRANSITION PLANS[10]

The director of schools/designee shall develop procedures regarding the implementation of transition plans for the integration of students entering and exiting the program.

Legal References

1. TCA 49-6-3402; TRR/MS 0520-01-02-.09
2. TRR/MS 0520-01-02-.09(9)(a)
3. TCA 49-6-3402(c)(1)(A)
4. TRR/MS 0520-01-02-.09(6)(a); TCA 49-6-3402(c)(1)(B)
5. TCA 49-6-3402(c)(1)(C); Public Acts of 2023, Chapter No. 279
6. TRR/MS 0520-01-02-.09(9)(i)
7. TRR/MS 0520-01-02-.09(9)(h)
8. TCA 49-6-3402(c)(2)(B)
9. TRR/MS 0520-01-02-.09(9)(g)(2)
10. TRR/MS 0520-01-02-.09(9)(m)

Cross References

Special Education 4.202
Virtual Education Program 4.212
Suspension 6.316
Student Disciplinary Hearing Authority 6.317
Special Education Students 6.500