



**STUDENT CODE OF CONDUCT
AND RELATED POLICIES**

Student Code of Conduct and Related Policies

STUDENT INTERNET and E-MAIL USE 2009-2010

A. Introduction

The Nashville Global Academy offers access to the Internet and e-mail to students at school as part of its instructional program. The purpose of student Internet and e-mail use is to enhance educational opportunities available to students. Student's use of the Internet and e-mail at school is a privilege, not a right. If a student abuses his/her privilege, he/she may lose his/her privilege to use the Internet and/or e-mail at school. The purpose of this document is to inform students and parents that students must abide by the following Code of Ethics in using the Internet and e-mail at school, and that student faces serious consequences for misuse of the Internet and/or e-mail at school. This form is valid for the 2009-2010 school years only. A new document must be signed each year.

B. Code of Ethics

1. Student use of the Internet and e-mail shall be for educational purposes only.
2. Students shall not access the Internet or e-mail unless such use is at the direction and under the supervision of a Nashville Global Academy teacher and/or staff member.
3. Students shall not use the Internet or e-mail for commercial or for-profit purposes.
4. Students shall not use the Internet or e-mail to intentionally seek information, obtain copies, or modify files or other data, or passwords belonging to other users, or misrepresent other users on the system.
5. Students understand that all communications and information accessible via the Internet or e-mail is the private property of the author and shall respect it as such and abide by applicable copyright laws.
6. Students shall not use the Internet or e-mail in such a way as to disrupt use by others; students shall not destroy, modify or abuse hardware or software in any way; students shall not access, process, develop, download or distribute files dangerous to the integrity of the system.
7. Students shall not install or download copyrighted software.
8. Students shall not use the Internet or e-mail to access, process, develop, download or distribute pornographic materials, including but not limited to text, images, or sounds.
9. Students must receive prior written approval to subscribe to Listserve via the Internet or e-mail.
10. Students shall not use the Internet or e-mail to access, process, develop, download or distribute hate mail, harassment, or discriminatory remarks.
11. Harassment, intimidation and bullying via electronic means are prohibited and should not occur. Such action is not allowed on school district computers or on school property.

C. Consequences for Misuse of Internet and/or E-mail

Students who misuse the Internet or e-mail at school will be suspended from such use for a period not less than one (1) week. Serious or repeated misuse of the Internet could result in permanent loss of Internet and e-mail privileges. If a student's misuse of the Internet or e-mail is in violation of the Student Code of Conduct, the student shall be punished pursuant to the Student

Code of Conduct: If a student's misuse of the Internet or e-mail is in violation of the law, such misuse shall be reported to the appropriate authorities and could be punished as a criminal offense.

D. Conclusion

Students shall not be permitted to use the Internet or e-mail at school unless the permission form on page 1 of this Handbook is signed by both parent/guardian and student and returned to the student's school. By signing this form, both parent/guardian and student acknowledge that they have read and understand the terms of this document and agree to abide by it during the entire school year the student is enrolled in the Nashville Global Academy. Also, by signing this document, both parent/guardian and student acknowledge and understand that: Nashville Global Academy is providing access to Internet and e-mail for educational purposes only; while the Nashville Global Academy has taken reasonable precautions to eliminate students' access to inappropriate materials through the Internet, no system is foolproof, and inappropriate materials may still be accessible to students through no fault of the Nashville Global Academy; and, if, at any time, either parent/guardian or student wishes to terminate their agreement with this document, the parent/guardian or student must inform the Nashville Global Academy in writing.

Summary of Zero Tolerance Violations

A student, who commits any of the following offenses, as determined by a due process disciplinary hearing committee, shall be deemed to have committed a "zero tolerance violation" and shall be expelled from school for one (1) calendar year:

1. Bringing a firearm¹ to school and/or unauthorized possession of a firearm on school property.
2. Battery upon a teacher, executive director, administrator, or any other employee of a local education agency or a school resource officer.
3. Unlawful possession, use, sale, distribution or delivery of any drug, controlled substance² or legend drug³.

Title IX Armed Forces Requirements

There have been some questions regarding the requirements under Title IX of No Child Left Behind related to armed forces recruitment. To summarize the Nashville Global Academy's responsibility, here are the main points:

- Section 9528 of NCLB is titled "Armed Forces Recruiter Access to Students and Student Recruiting Information."
- All Local Education Agencies (LEAs) are required to provide, upon a request made by military recruiters or institution of higher education, access to secondary students' names, addresses and telephone listings.
- This also affects private schools unless they maintain a religious objection to service in the Armed Forces and the objection is verifiable through the corporate or other organizational documents or materials of that school.
- LEAs and private schools must annually notify parents that they may request that their child's name, address and telephone listing not be released to military recruiters without their consent.

¹ As defined in 18 U.S.C. § 921.

² As defined in T.C.A. §§ 39-17-403 through 39-17-415.

³ As defined in T.C.A. § 53-10-101.

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 a 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 automatically be in violation of Rules 6, 7, 8 or 9 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.

Section I, Part 1 Code of Student Conduct Rights, Responsibilities, Rules and Due Process Procedures

A. Introduction

A primary responsibility of the Nashville Global Academy and its professional staff shall be the development of an understanding and appreciation of our representative form of government, the rights and responsibilities of the individual, and the legal processes whereby necessary changes are brought about.

The school is a community, and the rules and regulations of a school are the laws of that community. All those enjoying the rights of citizenship in the school community must also accept the responsibilities of citizenship. A basic responsibility of those who enjoy the rights of citizenship is to respect the laws of the community. The school may take disciplinary action for violations of the rules of the school community regardless of whether criminal or civil charges result. Recent court decisions have indicated clearly that young people in the United States have the right to receive a free public education; and the deprivation of that right may occur only for just cause and in accordance with due process of the law.

Note that bus transportation is a privilege and not a right. Students who do not adhere to the rules may have this privilege revoked.

The courts have also stated that students have the rights of citizenship as delineated in the United States Constitution and its amendments, and that these rights may not be abridged, obstructed, or in other ways altered except in accordance with due process of the law.

The First and Fourteenth Amendments to the Constitution of the United States prohibit states from unduly infringing upon the rights of speech and expression. In the school setting this restriction on state action limits the manner and extent to which schools may limit the speech and expression of students. In order to regulate effectively First Amendment rights, school authorities must show that the failure to regulate would create a material and substantial disruption of school work and discipline.

Administrators and teachers also have rights and duties. Administrators and teachers are required by law to maintain a suitable environment for learning; and administrators have the responsibility for maintaining and facilitating the education program. Therefore, students are expected to conform to the rules and regulations of the school system and apply themselves to the learning process.

The initial judgment that certain conduct violates one of these rules is made by the Executive Director. The Executive Director is authorized by statute to suspend students for cause up to ten days. The teacher has the authority to dismiss students from a class for cause by referring the pupil to the executive director or the executive director's designee. The following rules, regulations, and due process procedures are designed to protect all members of the educational community in the exercise of their rights, duties and responsibilities. A student found to be in violation of one of these rules is subject to long-term suspension.

Pursuant to TCA §49-6-3401, the Nashville Global Academy shall not be required to enroll a student who is under suspension for the remainder of the year and/or expelled from another school system. If a student who is suspended from another school system requests enrollment in the Nashville Global Academy, his/her Designee shall make a recommendation to the Board to approve or deny the request. Such recommendation shall occur only after investigation of the facts surrounding the suspension from the former school system. If the Nashville Global Academy accepts enrollment of a student from another school system and it is subsequently determined that the student has been suspended or expelled by the other school system, then the Nashville Global Academy may dismiss such student.

B. Parent Rights and Responsibilities

Parents are entitled to express verbally their opinions. Such verbal opinions shall not interfere with the freedom of others to express themselves. The use of obscenities or personal attacks is prohibited.

Parents are entitled to access their child's records and obtain information from their child's teachers. All parent meetings should be held on school grounds and must be authorized by a teacher or by the executive director.

Parents are required to participate in the education process in a substantive and meaningful way. Accordingly, each parent whose child is enrolled at the Nashville Global Academy must:

- devote a minimum of 10 hours per month in school services and empowerment training activities
- participate in regularly scheduled parent/teacher conferences
- actively participate in the education process for the benefit of their child and the academy
- Must comply with the written agreement/contract of the Nashville Global Academy

FAILURE TO COMPLY WITH THE RULES AND REGULATIONS OF THE NASHVILLE GLOBAL ACADEMY WILL RESULT IN IMMEDIATE DISMISSAL OF THE CHILD FROM THE NASHVILLE GLOBAL ACADEMY.

Student Rights and Responsibilities

1. Freedom of Speech and Assembly

Students are entitled to express verbally their personal opinions. Such verbal opinions shall not interfere with the freedom of others to express themselves. The use of obscenities or personal attacks is prohibited.

All student meetings on school grounds may function only as a part of the formal education process or as authorized by the executive director.

Students have the freedom to assemble peacefully. There is an appropriate time and place for the expression of opinions and beliefs. Conducting demonstrations that interfere with the operation of the school or classroom is inappropriate and prohibited.

2. Freedom to Publish

Students are entitled to express in writing their personal opinions. The distribution of such material may not interfere with or disrupt the educational process. Such written expressions must be signed by the authors.

Students who edit, publish, or distribute handwritten, printed, or duplicated matter among their fellow students within the schools must assume responsibility for the content of such publications.

Libelous, obscene and racially, ethnically and religiously demeaning types of materials and personal attacks are prohibited in all publications.

Unauthorized commercial solicitation will not be allowed on school property at any time.

The distribution by students in school buildings or on school grounds of unlawful or political materials whose content reflects the special interests of a political candidate or political organization is prohibited.

3. Policy for Distribution of Materials

Informational materials (leaflets, flyers, etc.) brought to the school by a student may be distributed before school, after school and between classes. Neither the distribution of these materials nor the materials themselves may disrupt classes or other school activities. Upon request, the student must provide the Executive Director with a copy of the materials. Distribution of items that are libelous, obscene, racist, religiously demeaning or offensively graphic is prohibited. If it is possible for the student to omit such inappropriate items from the materials, he or she should be given the opportunity to do so.

4. Attendance

Prompt daily attendance of all who are enrolled in the Nashville Global Academy is required in accordance with state law and Board of Education rules. Students will attend regularly-scheduled classes unless officially excused.

5. Tardiness

Students shall attend all classes promptly, within time limits set by the school.

C. School Rules

The School Rules listed below apply:

1. On school grounds;
2. En route to and from school, including, but not limited to, school buses and MTA buses;
3. Off school grounds at a school activity, function, event or school-related circumstances as determined by the Executive Director even if the alleged violation did not occur on a school day;
4. Off school grounds if the behavior is potentially or actually disruptive to the school environment, its educational purpose or constitutes a threat to the health, safety, or welfare of a student or students and/or school personnel.

RULE 1: DISRUPTION OF SCHOOL

A student shall not by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct cause the disruption, interference or obstruction of any school purpose.

Neither shall a student engage in such conduct nor shall a student help to cause others to engage in such conduct which causes, or which can reasonably be foreseen to cause disruption, interference or obstruction of any school purpose.

While this list is not intended to be exclusive, the following acts - when the result is disruption, interference or obstruction of any school purpose - illustrate the kinds of offenses encompassed here:

- Cutting Class
- Truancy
- Unexcused tardiness to class, school, etc.
- Leaving campus without permission
- Trespassing
- Occupying any school building, school grounds, or part thereof, depriving others of its use
- Blocking the entrance or exit of any school building or corridor or room therein with intent to deprive others of lawful access to or from or use of the building or corridor or room
- Firing, displaying, or possessing fireworks
- Prevention of or attempting to prevent by physical act the convening or continued functioning of any school, class, activity, or any authorized meeting or assembly on the school campus
- Preventing students from attending a class or school activity
- Blocking normal pedestrian or vehicular traffic on a school campus, except under the direct instruction of the executive director
- Making noise or acting in any manner so as to interfere seriously with the teacher's ability to conduct his/her class
- Inappropriate sexual behavior
- Immoral or disreputable conduct, vulgar or profane language
- Disrespectful behavior toward authority figures
- Refusal to obey an order of the executive director, teacher, or other authorized school employee
- Refusal to identify self to proper school authorities
- Inappropriate dress
- Possession of laser pointers or any electronic devices, including pagers and beepers
- Fighting
- Improper use of cell phones

Rule 2: Damage or Theft of Property

A student shall not cause or attempt to cause damage to property or steal or attempt to steal property. Included under this rule are the following violations:

- Destruction of school property
- Setting fire to any school building or property
- Theft of school property
- Destruction of private property
- Stealing from students, employees, or others
- Concealment of stolen property

Rule 3: Assault and Battery

A student shall not intentionally cause or attempt to cause physical injury or behave in such a way as could reasonably be expected to cause physical injury to any person.

A student shall not commit sexual battery⁴. A student who commits a sexual battery may be expelled for up to one (1) calendar year. Violations of this part must be referred to the Guidance & Social Services Counselor.

A student shall not commit aggravated assault⁵. A student who commits an aggravated assault may be expelled for up to one (1) calendar year. Violations of this part must be referred to the Guidance & Social Services Counselor.

A student shall not commit an assault or battery in which two (2) or more individuals assail a lesser number of individuals. Violations of this part may result in an expulsion of up to one (1) calendar year. Violations of this part must be referred to the Guidance & Social Services Counselor. A student shall not participate in a fight in which groups of individuals assault each other. A student shall not participate in a fight in which groups of individuals assault each other.

A student shall not, through threat or use of physical force, attempt to deprive a student or any other person of any possession, including money. (Extortion)

A student shall not make a threat to inflict physical harm. A student who makes a threat, communicated verbally or demonstratively, to inflict physical or other harm on any school employee or any other person acting in an official capacity on behalf of the academy may be expelled for up to one (1) calendar year from any Nashville Global Academy programs except those programs especially designed for such offenders. To be a violation of this rule, the threat must be one that would cause a person to reasonably fear imminent bodily injury. Violations of this part must be referred to the Guidance & Social Services Counselor. A student, who commits a battery upon a teacher, executive director, administrator, or any other employee, as determined by a due process disciplinary hearing committee, shall be deemed to have committed a zero tolerance violation and shall be expelled from school for one (1) calendar year.

Employees who are injured as a result of conduct by a student must immediately report the injury to the Executive Director. The principal must immediately report the injury to MNPS.

Rule 4: Weapons and Dangerous Instruments

A student shall not knowingly possess, handle, transmit, or use any weapon, including, but not limited to: a firearm, BB gun, pellet gun, ammunition, explosive, a knife 21/2 inches or more in length, switchblade, razor blade, box cutter or other like instrument utilizing a razor blade.

A student shall not knowingly possess any object for the purpose or intent of going armed.

A student shall not threaten the use of firearms, explosives, or other weapons.

A student shall not use any object in a threatening or assaultive manner.

A student shall not refuse to submit to a weapon search or scan or flee when requested to submit to a weapon search or scan.

A student who knowingly possesses, handles, transmits, or uses a weapon, knowingly possesses an object with the intent of going armed, refuses to submit to a weapon search or scan, flees when requested to submit to a weapon search or scan, or uses any object in a threatening or assaultive manner may be expelled for up to one (1) calendar year. Violations of this part must be referred to the Guidance & Social Services Counselor.

⁴ As defined in T.C.A. § 39-13-505

⁵ As defined in T.C.A. § 39-13-102

A student shall not knowingly possess, handle or transmit oleoresin capsicum (pepper spray), a knife less than 2 1/2 inches in length or a weapon replica. A first violation of this part shall result in a suspension for up to five (5) school days. A second violation of this rule must be referred to the Guidance & Social Services Counselor.

A student who brings a firearm to school or is in possession of a firearm at school, as determined by a due process disciplinary hearing committee, shall be deemed to have committed a zero tolerance violation and shall be expelled from school for one (1) calendar year.

As required by state and federal laws, any student who brings a weapon to school shall be referred to law enforcement.

Rule 5: Tobacco

A student shall not use or possess tobacco. A first violation of this rule shall result in a suspension from school for one (1) day. A second violation of this rule shall result in a suspension from school for three (3) days. A third violation of this rule shall result in a suspension from school for five (5) days.

A student shall not possess or transmit tobacco paraphernalia. Pursuant to state law, T.C.A. § 39-17-1505 (c), any person who possesses tobacco and who is under eighteen years of age: “shall be issued a citation by a law enforcement officer or school principal who has evidence of the violation. The citation shall require the person to appear in the juvenile court in the county in which the violation is alleged to have occurred. At the time of issuance of the citation, the tobacco product shall be seized as contraband by the law enforcement officer or school principal.”

Rule 6: Alcoholic Beverages

A student shall not acquire, possess, use, sell, transmit, or be under the influence of any alcoholic beverage or intoxicant of any kind. A first violation of this rule shall result in a suspension for three (3) days. A second violation of this rule shall result in a suspension for five (5) days. A third violation of this rule shall result in a suspension over five (5) days and must be referred to the Guidance & Social Services Counselor.

The school official in charge will immediately remove from contact with other students anyone under the influence or anyone who the school official has reasonable suspicion to believe is under the influence of alcohol. Thereupon, the school official shall contact the parent or legal guardian. The Executive Director must notify police of any incidents involving the possession, selling, or transmitting of alcoholic beverages.

Rule 7: Drugs

A student shall not unlawfully possess, use, sell, distribute or deliver any drug, controlled substance, or legend drug. A student who unlawfully possesses, uses, sells, distributes, or delivers any drug, controlled substance or legend drug, as determined by a due process disciplinary hearing committee, shall be deemed to have committed a zero tolerance offense and shall be expelled from school for one (1) calendar year.

The school official in charge will immediately remove from contact with other students anyone under the influence or anyone who the school official has reasonable suspicion to believe is under the influence of any drug, controlled substance or legend drug. Thereupon, the school official shall contact the parent or legal guardian. The Executive Director must notify police of any incidents involving the possession, selling, or transmitting of any drug, controlled substance, or legend drug.

A student shall not refuse to submit to a drug search or flee when requested to submit to a drug search or scan.

A student shall not possess drug paraphernalia.

A student shall not represent any substance as an illegal drug or controlled substance.

A student shall not inappropriately use, possess, or distribute over-the-counter drugs. Administration of all over-the-counter drugs shall be in compliance with District Policy. Use of a recommended dosage of a drug authorized by a medical prescription for a student from a registered physician shall not be considered a violation of this rule.

Rule 8: Gambling

A student shall not gamble.

Rule 9: Harassment

A. Intimidation/Bullying

A student shall not exhibit conduct that has the purpose or effect of unreasonably interfering with another student's academic development or creates an intimidating, hostile or offensive learning environment.

A student shall not engage in conduct such as drawing inappropriate, unwelcome or cruel cartoons or caricatures, making cruel or inappropriate jokes, or any conduct that could be considered verbal or physical abuse.

Intimidation or bullying should be reported to any staff member, who must report the incident to the Executive Director. The Executive Director must take prompt action to prevent further harm.

B. Sexual Misconduct

A student shall not make unwelcome sexual advances or requests for sexual favors or engage in other verbal or physical conduct of a sexual nature that is unwelcome and/or may be considered offensive, inappropriate or abusive.

Sexual misconduct may include, but is not limited to: sexual advances, verbal harassment or abuse; subtle pressure of sexual activity; touching of a sexual nature including inappropriate patting or pinching; intentional brushing against another person's body without his/her consent; demands for sexual favors; graffiti, posters, cartoons, caricatures and jokes of a sexual nature; playing sexually explicit audio/video tapes; and inappropriate sexual comments, including spreading rumors about or rating another person's sexual activity or performance.

Rule 10: Gangs and Gang-Related Activity

A student shall not participate in a gang or gang-related activity. Gang-related activity includes, but is not limited to: the display or possession of gang symbols or paraphernalia, gang recruitment, gang initiation, gang fighting, and gang intimidation.

Rule 11: Repeated Violation of School Rule(s)

A student shall not willfully and/or persistently violate the rule(s) of the school. A student shall comply with the directions of teachers, student teachers, substitute teachers, teacher aides, Executive Directors or other authorized personnel during any period of time.

Rule 12: Off-Campus Violation of School Rule(s)

A student commits a violation of this Rule, if the student violates any School Rule off-campus and the behavior is potentially or actually disruptive to the school environment; it's educational purpose, or constitutes a threat to the health, safety, or welfare of a student or students and/or school personnel.

Section I, Part II.

Procedural Due Process Code for Dealing with Alleged Violations

A. General Provision

Section 1: Coverage

Alleged misconduct shall be dealt with by the executive director or the executive director's designee:

- a. whenever a teacher considers a problem of classroom discipline to be so serious as to warrant the executive director's attention; or
- b. whenever the alleged misconduct constitutes a violation of the rule(s); or
- c. whenever the executive director deems it advisable that he/she deal personally with the misconduct.

Section 2: Executive Director's Investigation

In dealing with alleged misconduct, the executive director or the executive director's designee shall investigate the incident. The student shall be informed of the alleged misconduct of which he/she is accused and shall receive an explanation of the evidence to support the charges. The student shall be given an opportunity to present his/her side of the incident and given an opportunity to deny or explain the allegations.

The executive director shall identify the names of any witnesses to the incident. The executive director shall talk to these witnesses, as soon as possible after the incident. The Executive Director shall talk to any other persons having personal knowledge about the incident. The witness statements shall be made in writing, signed and dated by the witness. If the student makes a reasonable explanation of his/her side of the incident that, if true, would free the student from blame but evidence of the truth of the explanation is not immediately available, the executive director may postpone disciplinary action for a reasonable time until such evidence may be presented to him/her.

Section 3: Searches and Seizures

The following rules shall apply (1) to the search of lockers, (2) other areas of school property assigned or accessible to students for the holding or storage of property, packages and containers brought onto school property by students and visitors. The search shall be conducted by the executive director or his/her designee in the presence of an adult witness.

- a. There should be reasonable suspicion⁶ for school authorities to believe that the student(s) or visitor(s) possess(es) an item, the possession of which constitutes a crime or school rule violation.
- b. The search of individual lockers or other storage areas, packages and containers shall be for a specific item.
- c. If circumstances in a particular school dictate, a general search of lockers or other school property accessible to students may be conducted.
- d. A notice shall be posted at all schools that lockers and other storage areas, containers and packages brought into the school by students or visitors are subject to search for drugs, drug

⁶ Reasonable suspicion is defined as circumstances based on statements or facts that would lead a person of ordinary care and prudence to believe and consciously entertain an honest and strong suspicion that a person has done a specific act.

paraphernalia, dangerous weapons, or any property which is not properly in the possession of the student.

The following rules shall apply to the search of students' or visitors' vehicles located or parked on school property. The search shall be conducted by the school Executive Director or his/her designee.

- a. There should be reasonable suspicion for school authorities to believe that the vehicle contains a dangerous weapon, drugs or drug paraphernalia.
- b. The search of the vehicle by a school official shall be for a specific item.
- c. If circumstances in a particular school dictate, a general search of vehicles may be conducted.
- d. A notice shall be posted at all schools indicating that vehicles located or parked on school property are subject to search.

The following rules shall apply to the search of a student for items in the student's immediate possession. The search shall be conducted by the executive director or his/her designee.

- a. There should be reasonable suspicion for school authorities to believe that the student possesses an item, the possession of which is a violation of school policy or is a dangerous weapon, drug, or drug paraphernalia.
- b. The following standards of reasonableness shall be met:
 - i. The student is suspected of having violated school policy. The search shall not be conducted solely to gather evidence of a violation of the criminal law.
 - ii. The executive director /designee shall determine whether, under the circumstances, that a search is reasonably necessary. If a search is necessary, it shall be reasonably related to the grounds for the search; it shall not be excessively intrusive in light of the student's age and sex, as well as the nature of the violation.
 - iii. The search will yield evidence of a school policy violation, dangerous weapon, drug or drug paraphernalia.
- c. The search shall be conducted in private and in the presence of an adult witness. Situations wherein there is an immediate threat to the safety and welfare of students and staff, and in the school official's judgment the immediate control of the student and item(s) which are subject of the search is necessary, a search may be conducted in a non-private setting and without an adult witness, provided all of the requirements of reasonableness in subsections (b) (i-iii) above are met.

The following rules shall apply to item(s) discovered and/or seized in the course of searches conducted on school facilities.

- a. Any dangerous weapon or drug located by the Executive Director or his/her designee shall be turned over to the appropriate law enforcement officials.
- b. Any item reasonably felt to necessitate criminal prosecution shall be turned over to the appropriate law enforcement officials.
- c. School authorities may seize any item reasonably felt to be a threat to the safety or security of others or that is used to disrupt or interfere with the educational process.

NOTE: Students and parents should be aware that state law permits school officials to make use of metal detectors and drug detection animals to facilitate the discovery of weapons and drugs on school properties.

Section 4: Limitation on Executive Director's Power to Suspend or Request a Hearing

If the executive director investigates a student's alleged misconduct and decides to take disciplinary action, the executive director must investigate and take action only upon all alleged misconduct known to him/her at that time. Consequently, the most serious actions the executive director can take on his/her own authority for any and all misconduct by a particular student, known to the executive director at

any one time, is to give suspension for ten (10) school days. If the executive director thinks additional penalties are appropriate, the Executive Director may initiate the procedures which might result in a long-term suspension or expulsion.

B. Sections Applicable to Summary and Short-Term Suspensions

Section 5: Summary Suspension

If the executive director witnesses or has knowledge of any serious student misconduct and the executive director thinks that immediate removal of the student is necessary to restore order or to protect persons on the school grounds, the executive director may suspend the student immediately for not more than two (2) school days. In such cases, the executive director is not required to conduct the investigation described in Section 2 before he/she suspends; the executive director 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. If the executive director thinks an additional suspension is necessary, the total suspended time shall not exceed ten (10) school days. State law, TCA §49-6-3401(c) (3) provides that: "If the suspension is for more than five (5) days, the executive director shall develop and implement a plan for improving the behavior which shall be made available for review by the superintendent upon request."

Once the executive director has decided to suspend a student summarily, the Executive Director shall follow the procedures described in Section 7 for sending a student home during the day.

Section 6: Short-Term Suspension

A short-term suspension is a denial to a student of the right to attend school and take part in any school function for any period up to and including five (5) school days except in extreme cases.* The executive director may invoke a short-term suspension after investigating the misconduct and for the following reasons:

- a violation of the district rules prohibiting student misconduct listed in Part 1 of this document; or
- misconduct that is proscribed by rules necessary to the operation of a good school environment that may not be formally embodied in district policy. State law, TCA §49-6-3401(c) (3) provides that: "If the suspension is for more than five (5) days, the executive director shall develop and implement a plan for improving the behavior which shall be made available for review by the superintendent upon request." * In extreme cases, the executive director may authorize a suspension to exceed the maximum of five (5) days. Once the executive director has decided to invoke a short-term suspension, he/she shall follow the procedure of Section 7 for sending a student home during the school day.

If students are given a short-term suspension from school, the students may lose credit for the work they miss. Any assignment given prior to the suspension may be turned in when the students return. Assignments given during the suspension will receive no credit.

Teachers shall not be required to accept work for credit which occurred during the suspension.

The removal of a student from class by the classroom teacher, Executive Director, or other authorized school personnel for the remainder of the subject period or school day and his/her placement in another room in the school premises shall not be considered a short-term suspension and shall not come under the rules and procedures set forth above.

Section 7: Sending a Suspended Student Home During the School Day

When a student is suspended, the executive director shall attempt to reach the student's parents, legal guardian or legal custodian (hereinafter the term parent(s) includes legal guardian and legal custodian) to inform them of the school's action and to request that they come to the school for their child. If the parents are unable to come for their child, the student must remain on school property until the close of the

school day unless, with the parent's consent and in the executive director's judgment, the student can provide transportation home. If the executive director cannot reach the parents, the student must remain on school property until the close of the school day.

Notwithstanding the above rule, the executive director may order a student removed from school grounds if the executive director determines that removal is necessary to restore order or to protect students or employees. Any student who has been suspended from school and who fails or refuses to leave school grounds after being directed to do so by the executive director or his/her designee shall be guilty of trespassing on school grounds and may face criminal charges. Students returning to campus before serving suspension may be subject to trespassing charges.

Section 8: Informing the Parents in Cases of Summary and Short-Term Suspensions

When a student is suspended, the Executive Director shall:

- a. send a suspension notice to the student's parents describing the student's misconduct, stating the rule violated, and stating the executive director's reasons for action;
- b. make reasonable efforts to contact the parent by telephone to be certain the parent has received the notice of suspension in subsection (a);
- c. make reasonable efforts to hold a conference with the parents before or at time the student returns to school;
- d. secure written statements and keep on file all documents and relevant information received about the misconduct.

C. Sections Applicable to Long-Term Suspension and Expulsion

Section 9: Initiating Long-Term Suspension or Expulsion

(a) Decision to Seek Suspension Over Ten Days or Expulsion

If, after the executive director's investigation, the Executive Director decides that a penalty more severe than any within his/her own authority is warranted, the executive director shall refer the matter to the Guidance & Social Services Counselor. The executive director must decide to do this within five (5) school days after he/she is notified or learns of the alleged misconduct.

Until the student is offered placement in an alternative learning center or is returned to his/her assigned school, he/she shall be given the opportunity to make up any class assignments missed during a long-term suspension or expulsion.

(b) Sanction Before Hearing

Upon completion of the 10-day suspension, a long-term suspension will begin until the issue is resolved by the Disciplinary Committee.

(c) Expedited Review

When a student is charged with a zero tolerance offense, the Executive Director shall send notice to the parents and shall refer the matter to the Department of Student Services as provided in Section 10. In addition, the Executive Director shall have the discretion to apply to the Director of ~~Schools~~ **Attendance and Discipline** or the Director's designee for an expedited review of the matter. The request for review should include the following information:

1. a statement that a student has been charged with a zero tolerance offense and a full explanation of the facts surrounding the charge;
2. the student(s) disciplinary history;

3. any other information that the Executive Director determines would be helpful to the Director of ~~Schools~~ **Attendance and Discipline** or his/her designee.

Upon receipt of this information, the Director of ~~Schools~~ **Attendance and Discipline** or his/her designee may review the matter and make a determination that the facts as alleged do not warrant expulsion under the zero tolerance policy. In that event, the Director of **Attendance and Discipline** or his/her designee should return the matter to the Executive Director for a determination of appropriate punishment. If the Director denies the request for review, the matter shall proceed through the due process procedures as any other student disciplinary matter.

The procedure described in subsection (a) above does not affect the Executive Director's authority to invoke a short-term suspension or other sanction after his/her investigation.

Section 10: Notice

Whenever the executive director seeks a long-term suspension or expulsion, the executive director must give written notice to the student and the student's parents as soon as possible. Notice should be given within five (5) school days after the executive director learns of the alleged misconduct. The notice shall include:

- a. the rule allegedly violated and a brief description of the conduct, including a description of the evidence against the student; a statement that the alleged student misconduct is of such serious nature that the matter is being referred to the MNPS Director of ~~Schools~~ **Attendance and Discipline**.
- b. request for a determination of whether the student committed the offense with which he/she is charged and, if so, whether long-term suspension or expulsion may be appropriate; a statement that the student is entitled to a hearing before long-term suspension or expulsion is imposed and that the student or parent must contact the Guidance & Social Services ~~Counselor~~ **Coordinator**
- c. within five (5) school days of the beginning of the suspension if the student wishes to request such a hearing before a disciplinary committee;
- d. notification that written statements about the misconduct and the student's records are available at the school for examination by the student, the student's parents and the student's representative;
- e. a description of the hearing procedures adopted by the school board; a statement that failure to contact the Guidance & Social Services ~~Counselor~~ **Coordinator** within five (5) school days shall constitute a waiver of the right to a hearing.

Section 11: Scheduling the Hearing

(a) Disposition of the Case When a Hearing is Waived

If the student's parents waive a hearing before the hearing board, the Guidance & Social Services ~~Counselor~~ **Coordinator** within ten (10) school days of the date that the executive director referred the case to him/her, shall convene the hearing board to determine whether the student has violated a rule of serious misconduct and recommend the penalty to be imposed upon review of the material presented to him/her by the executive director.

The Guidance & Social Services ~~Counselor~~ **Coordinator** shall give notice to the parents by certified mail of the outcome, disposition and notice that the student has a right to appeal the punishment of the Executive Director or the hearing board to the Director of ~~Schools~~ **Attendance and Discipline** within five (5) school days in accordance with Section 17. Parents' failure to appear before the hearing board also constitutes waiver of the hearing.

(b) Disciplinary Hearings

Student disciplinary hearings shall be scheduled within ten (10) school days of the beginning of the suspension. This time line may be extended with the consent of the parents under extenuating circumstances as determined by the Guidance & Social Services Coordinator.

These statements shall set out with some particularity the information known to the person making them. For example, if the student is charged with consistently failing to follow a teacher's directions, the consistent nature of the failures must be specifically described.

Section 12: Group Hearings

When students are charged with violating the same rule and have acted in concert and the facts are basically the same for all students, a single hearing may be conducted for them if the Guidance & Social Services Coordinator believes that the following conditions exist:

- a single hearing will not likely result in confusion; and
- no student will have his/her interests substantially prejudiced by a group hearing.

If, during the hearing, the Guidance & Social Services ~~Counselor~~**Coordinator** finds that a student's interests will be substantially prejudiced by the group hearing, the ~~Counselor~~**Coordinator** may order a separate hearing for that student.

Section 13: Witness Statements

The signed statements of all witnesses interviewed by the Executive Director shall be made available in the office of the executive director at least two (2) school days before the hearing. If further information will be employed at the hearing, copies will be made available before the hearing.

Section 14: Composition of the Hearing Board

(a) Guidance & Social Services Coordinator

The Guidance & Social Services Coordinator shall be the presiding officer of the hearing board and have all the rights and duties of a hearing board member as well as the following specific duties and powers:

1. The Guidance & Social Services Coordinator schedules the hearing at a specified time, date and place. He/she has authority to postpone the date and time or change the place for good cause.
2. The Guidance & Social Services Coordinator assures the presence of a full neutral board at the hearing, however selected.
3. The Guidance & Social Services Coordinator is available before the hearing to answer any questions that the student (or his/her parents or representative) may have about the nature and conduct of the hearing.
4. The Guidance & Social Services Coordinator has full charge of the hearing and has authority to direct its proceedings and to control the conduct of all persons present, subject to the general directions of this procedural code. He/she may limit questioning by non-board members that is repetitious, unproductive, unduly long or irrelevant.
5. The Guidance & Social Services Coordinator writes the hearing board's findings of facts and recommendations for action. He/she may delegate this responsibility to another member of the board.
6. The Guidance & Social Services Coordinator transmits the hearing board's written findings and recommendations to the Executive Director, the Assistant Director, the student, and the student's parents. If the recommendation of the hearing board is that the student be excluded from school, the Executive Director shall forward the written findings and recommendations to the MNPS Director of Attendance and Discipline.

(b) Regular Hearing Board Members

In addition to the Guidance & Social Services Coordinator, the hearing board shall be comprised of at least one principal from a school other than the student's home school, one individual from Pupil Personnel, and one other certificated employee.

(c) Conflict of Roles

Anyone who has had direct contact with the student's alleged misconduct or who will probably give testimony to the hearing board shall not serve as a member of the hearing board.

Section 15: Conduct of the Hearing

(a) Closed Hearing

The hearing may be attended only by the hearing board members, the Director of Schools or the Director's designee, the Executive Director, the student, the parents, the student's representative, security personnel, if necessary, and others deemed appropriate by the hearing officer. The student may be excluded at the discretion of the hearing board with the concurrence of the student's parents (or the representative when the representative acts in the place of the parents) at times when the student's psychological or emotional problems are being discussed. No one may be present with the hearing board during its deliberations.

(b) Student Rights

The student may speak in his/her own behalf and may be questioned on his/her testimony, but the student may choose not to testify and in such cases the student shall not be threatened with punishment or later punished for refusal to testify. Students should present written documents or witness statements at least one business day but no less than 24 hours prior to the hearing for these documents to be considered.

(c) Record of the Hearing

The Guidance & Social Services Coordinator shall provide for making an audio recording of any information orally presented to the hearing board. Statements and other written matter presented to the board should be kept on file in the office of the Guidance & Social Services Counselor.

(d) Executive Director's Presentation of Statements and Records

It shall be the executive director's duty to present to the hearing board the signed statements of all known persons having information about the student's misconduct. These shall be the same statements that previously have been available to the student in the school office and those statements that the student has submitted to that office. Further, upon the request of the hearing board, the student, the parent, or the student's representative, the executive director shall submit to the hearing board the student's record of previous behavior and his/her academic record. If the executive director or the hearing board deems it necessary, the information contained in such records shall be explained and interpreted to the hearing board by a person trained in their use and interpretation.

The hearing shall consist of a review of the statements and records presented by the executive director, student, parent and/or legal counsel. All witness statements shall be made available to the members of the hearing board. Members of the hearing board, the executive director, the student's parents and the student's representative may question witnesses about any matters logically relevant to the charge against the student and proper disposition of the matter. The Guidance & Social Services Counselor, has the responsibility and the authority to limit repetitious, unproductive, unduly long or irrelevant questioning.

(e) Role of the Parents

The parents should be present at the hearing and should have an opportunity to make a statement to the board of their opinions about the proper disposition of the case and to answer questions.

Any statement they make need not be filed with the executive director before the hearing. They should be able to advise the student during the hearing. As allowed by subsection (f), they may also question any witness.

If the parents are out of town or for any other substantial reason are unable to attend, the adult representative described in subsection (h) may act in the place of the parents as their role is set above.

(f) Adult Representation in Addition to Parents

The student may be accompanied by his/her parent(s) or guardian or any other person the student or parents feel may be of assistance to the student at the hearing. If the student intends to bring an attorney to represent him/her at the hearing, the student must notify the Guidance & Social Services Counselor at least 24 hours before the hearing so that the Guidance & Social Services Counselor may arrange for the school board's attorney to be present. If the student fails to give such notice, the hearing may be rescheduled to allow the school board attorney to attend.

NOTE: Nothing in Section 15 of this document shall abridge or modify the Educational Agreement.

Section 16: Disposition of the Case

The hearing board shall reach its decision on whether the student violated a rule(s) by majority vote. The decision must be based solely on the evidence presented at the hearing and should state substantial findings of fact on which the board's decision rests. If no misconduct is found, the matter is terminated and no further action may be taken against the student.

When some misconduct is found, the board shall determine what action if any should be taken with respect to the student. The board's determination may range from no action through the entire scope of counseling attempts and possible penalties available under the policies of the board and applicable state law. The determination should explain in terms of the needs of both the student and the school the reasons for the particular action taken. The parents, legal guardian or legal custodian shall be notified of the hearing board's decision by certified letter. Minority views should be noted if the minority member so requests.

Section 17: Appeals

A. Appeal to the Director

The student may appeal the decision of the hearing board to the Director of Schools or the Director's designee provided the appeal is made within five (5) calendar days from receipt of the decision by certified mail. The appeal may be by letter or phone to the Director at 2601 Bransford Avenue. The Director or designee shall set a date for a review hearing within six (6) school days and notify the student by certified mail of the time and place of the hearing. The appeal to the Director or designee shall be solely on the record of the hearing before the hearing board, except for new evidence that has come to light since the initial hearing and may affect the outcome of the appeal. The Director or designee may affirm, reverse, or modify the decision of the hearing board. The Director or designee shall notify the student by certified mail of his/her decision within five (5) school days.

B. Appeal to the MNPS Board of Education

If a student wishes to appeal the decision of the Director or designee, the student shall make a written request to the Board of Education at 2601 Bransford Avenue within five (5) school days after the Director or designee issues a decision. In compliance with TCA 49-6-3401, the Board of Education, based upon a review of the record, may grant or deny a request for a Board hearing and may affirm or overturn

the decision of the hearing authority with or without a hearing before the Board; provided, that the Board may not impose a more severe penalty than that imposed by the hearing authority without first providing an opportunity for a hearing before the board.

Should the Board of Education decide to hold a hearing, the Chairman of the Board within ten (10) days of receipt of the student's request, will notify the student by certified mail of the date, place and time that such a hearing will be held. Should the Board decide to deny a request for a Board hearing, the Chairman of the Board in a timely fashion will notify the student by certified mail informing him/her of its action.

Section 18: Modification of Punishment

A request for modification of an expulsion order is not an appeal of either the violation or the punishment. It is a request for the Director to change the terms of the expulsion, including but not limited to the length of the expulsion or the school assignment.

At any time after the conclusion or waiver of the appeals process, a parent and/or student may submit to the Director of Schools a written request for modification of the student's expulsion. The Director of Schools has the power to modify any expulsion on a case-by-case basis at any time after the completion of the appeals process [TCA § 49-6-3401 (g)]. The written request should include a statement of reasons supporting the modification. The Director shall respond to the request with his/her decision within a reasonable time, which shall not exceed twenty-one (21) calendar days from receipt of the request. The Director is not required to provide an explanation of the decision.

Section 19: Alternative Programs

Any student who is subject to a long-term suspension or expulsion may be assigned to an alternative program for the duration of the long-term suspension or expulsion in accordance with board policy.

SCHOOL DAY

The school day for grades K-8 shall be eight (8) hours in length. Requests for dismissal of a pupil before the close of school shall be made in writing or in person by the parent or guardian. The executive director or any teacher shall be permitted to detain pupils after school hours for a reasonable length of time. If the length of time is long enough to cause anxiety for the parent because of the pupil's late arrival at home, the parent should be notified.

A bus pupil shall not be detained after school except upon previous arrangement with his parents. Whenever a pupil is detained after school hours, he shall be under the personal charge of either the executive director or a teacher.

The following chart lists the student conduct rules and infraction codes school administrators assign to student referrals. "ZT" indicates zero-tolerance infractions, which carry a mandatory one-year expulsion. "RC" offenses are Refer to Counselor, a mandatory referral to the Guidance & Social Services Counselor for possible expulsion.

RULE 1 - DISRUPTION OF SCHOOL

1. CUTTING CLASS
2. TRUANCY
3. TARDINESS TO CLASS, SCHOOL, ETC.
4. TRESPASSING
5. LEAVING SCHOOL CAMPUS
6. REFUSING TO PROVIDE PROPER IDENTIFICATION

7. BLOCKING ACCESS TO OR ILLEGALLY OCCUPYING ANY SCHOOL PROPERTY
8. DISRUPTIVE BEHAVIOR
9. FIGHTING
10. INAPPROPRIATE DRESS
11. REFUSING TO OBEY OR TAKE PUNISHMENT
12. DISRESPECTFUL
13. PROFANE OR INDECENT LANGUAGE
14. INAPPROPRIATE SEXUAL BEHAVIOR
15. POSSESSING, FIRING, OR DISPLAYING FIREWORKS
16. UNAUTHORIZED POSSESSION OF ELECTRONIC DEVICES
17. IMPROPER USE OF A CELL PHONE

RULE 2 - DAMAGE OR THEFT OF PROPERTY

1. DESTRUCTION OF SCHOOL PROPERTY
2. SETTING FIRE TO ANY SCHOOL BUILDING OR PROPERTY
3. THEFT OF SCHOOL PROPERTY
4. DESTRUCTION OF PRIVATE PROPERTY
5. STEALING FROM STUDENTS
6. STEALING FROM EMPLOYEES OR OTHERS
7. CONCEALMENT OF STOLEN PROPERTY

RULE 3 - ASSAULT/ BATTERY/THREATS

1. EXTORTION
2. THREATENING STUDENTS OR OTHERS
3. SIMPLE ASSAULT ON STUDENT OR OTHERS
4. RC GROUP FIGHTING
5. RC ASSAULT/BATTERY IN WHICH TWO (2) OR MORE INDIVIDUALS
6. ASSAIL A LESSER NUMBER OF INDIVIDUALS
7. RC AGGRAVATED ASSAULT ON STUDENT OR OTHERS
8. RC SEXUAL BATTERY ON STUDENT OR OTHERS
9. RC RAPE
10. RC THREATENING SCHOOL EMPLOYEES OR SRO
11. ZT PHYSICAL ASSAULT ON SCHOOL EMPLOYEES OR SRO
12. ZT SEXUAL BATTERY ON SCHOOL EMPLOYEES OR SRO

RULE 4 - WEAPONS

1. THREATENING TO USE FIREARMS, EXPLOSIVES OR WEAPONS
2. SIMPLE POSSESSION OF A KNIFE (LESS THAN 2-1/2 INCHES)
3. POSSESSION OF A WEAPON REPLICAS
4. POSSESSION OF OLEORESIN CAPSICUM (PEPPER SPRAY)
5. FALSE CLAIMS RELATED TO POSSESSION AND/OR USE OF A FIREARM
6. CAUSING DEATH ACCIDENTALLY
7. RC POSSESSION AND/OR USE OF A KNIFE (2 1/2" OR MORE IN LENGTH), SWITCHBLADE, BOX-CUTTER, RAZOR BLADE OR OTHER KNIFE-LIKE INSTRUMENT UTILIZING A RAZOR BLADE
8. RC POSSESSION OF ANY OBJECT FOR THE PURPOSE OF GOING ARMED
9. RC USING ANY OBJECT OR SUBSTANCE IN A THREATENING OR ASSAULTIVE MANNER
10. RC REFUSAL TO SUBMIT TO A WEAPON SEARCH OR SCAN
11. RC FLEEING A WEAPON SEARCH OR SCAN
12. RC POSSESSION AND/OR USE OF A BB GUN OR PELLET GUN
13. RC POSSESSION AND/OR USE OF EXPLOSIVES AMMUNITION
14. CAUSING DEATH INTENTIONALLY

15. ZT POSSESSION AND/OR USE OF A FIREARM

RULE 5 - TOBACCO

1. POSSESSION AND/OR USE OF TOBACCO
2. POSSESSION OF TOBACCO PARAPHERNALIA

RULE 6 - ALCOHOLIC BEVERAGES

1. POSSESSION, USE, SELLING OR TRANSMITTING ALCOHOLIC BEVERAGES
2. BEING UNDER THE INFLUENCE OF ALCOHOL OR ANY INTOXICANT

RULE 7 - DRUGS/DRUG RELATED

1. POSSESSION OF DRUG PARAPHERNALIA
2. REPRESENTATION OF ANY SUBSTANCE AS AN ILLEGAL DRUG OR CONTROLLED SUBSTANCE
3. INAPPROPRIATE USE, POSSESSION OR DISTRIBUTION OF OVER THE COUNTER DRUGS
4. RC FLEEING FROM A DRUG SEARCH
5. RC BEING UNDER THE INFLUENCE OF DRUGS DRUG-LIKE SUBSTANCE
6. ZT INAPPROPRIATE USE, POSSESSION OR DISTRIBUTION OF PRESCRIPTION DRUGS
7. ZT INHALING/INGESTING SUBSTANCES AS DRUGS/HALLUCINOGENS
8. ZT POSSESSION AND/OR USE OF ILLEGAL DRUGS
9. ZT SELLING DRUGS

RULE 8 - GAMBLING

1. 64 GAMBLING

RULE 9 - HARASSMENT/INTIMIDATION

2. INTIMIDATION/BULLYING
3. CRUELTY/ABUSIVENESS TO STUDENT OR OTHERS
4. SEXUAL HARASSMENT

RULE 10 - GANG AND GANG-RELATED ACTIVITY

1. DISPLAY OR POSSESSION OF GANG SYMBOLS OR PARAPHERNALIA
2. GANG RECRUITMENT OR GANG INITIATION
3. RC GANG FIGHTING (TWO OR MORE INDIVIDUALS)
4. GANG INTIMIDATION

RULE 11 - REPEATED VIOLATIONS

1. REPEATEDLY VIOLATING SCHOOL RULES AND REGULATIONS

RULE 12 - OTHER

2. OFF CAMPUS BEHAVIOR

Section I, Part III**Removal of Student for Health or Safety**

A. Any student who has a dangerous communicable disease that poses a substantial threat to the health or safety of the school community may be removed from school by the executive director until the student no longer poses such a threat. At the discretion of the executive director for reentry the student may be required to present a doctor's statement or a statement from the Board of Health that he/she is no longer contagious.

B. A student who has been charged with the selling of narcotics or other such serious violation of the criminal law may be removed from the school by the executive director when it is necessary to protect other students and/or teachers or avoid disruption to school operations. The executive director must be able to present reasonable cause to indicate that the continued presence of the student endangers other students and/or teachers or would substantially disrupt school operations. As soon as the student no longer poses such a threat, the student shall be reinstated.

Section I, Part IV Additional Provisions

A. A school may develop and enforce additional rules approved by the executive director or his/her designee as long as they do not contradict and/or abridge the rules set forth in this document.

B. Any section of this document or portion thereof found by adjudication to be contrary to law or constitutional right shall be stricken without effect to the remaining sections.

Section II Selected Policy Information

The following district policies are intended to provide information to parents and teachers concerning many of the school district's most common questions. A full copy of the District Standard Operating Procedures (DSOP) manual is available in the main office and on the [website \(www.NashvilleGlobalAcademy.org\)](http://www.NashvilleGlobalAcademy.org). Since these policies are updated periodically, the most current information is on the website.

Loss of Confidentiality

While it is not the desire of the Board that any member of the public be discouraged from presenting his or her message to the Board, Board meetings are required by law to be open to the public therefore all information presented to the Board will be made public. The executive director or his/her designee shall ensure and document that anyone requesting to appear is aware of this loss of confidentiality.

VISITORS TO THE SCHOOLS

The Staff of the Nashville Global Academy welcomes parents and other interested persons to visit schools at any time and observe the work of the school. However, the protection of the pupils and the need to avoid disturbing the teaching-learning activities of the school require some regulations of such visits.

1. Upon entering the building, all visitors shall report immediately to the office of the Executive Director, or at support facilities and business offices, the office where they have business. If the school staff desires, visitors may be issued a visitor's permit. This shall not be applicable to persons attending public events, approved by or authorized by school authorities, and who remain in the area of the school building or grounds thereof assigned for such events.

2. Employees of the academy (supervision, maintenance staff members, and others) and persons who have been authorized by school authorities to enter a school building shall also advise the executive director, or designee, that they are in the building.
3. Persons whose conduct may disrupt the safe and orderly operations of school facilities, in the reasonable judgment of authorized school personnel, may be required to request and secure permission to be on school facilities in advance.
4. No person shall remain in any school building or on the grounds thereof or on grounds owned and used by the school after being requested to leave the premises by the executive director, his/her designee, person charged with the responsibility for the facility, school security officer, or a law enforcement officer. Anyone who trespasses loiters, or fails to comply with a request to leave the premises of a school facility given by an individual authorized to make such a request shall be in violation of the rules and regulations of the Nashville Global Academy and subject to personnel action and/or prosecution under law.

Welcome notices shall be prominently displayed in school buildings indicating that visitors shall report to the Executive Director's office and trespassing is prohibited.

DSOP HR 3511 ZERO TOLERANCE: PARENTS/VISITORS GUIDELINES FOR ASSAULTS ON EMPLOYEES BY PARENTS/VISITORS

The Nashville Global Academy has a legitimate interest in providing school employees a safe and orderly environment in which to perform their duties and responsibilities. Parents and other individuals who visit school facilities must not interfere, disrupt, or obstruct the normal operations of the school. Assaults* or intimidating acts which place school employees in fear of their safety and well-being will not be tolerated. When an assault occurs, the following procedures should be followed by the executive director or designees:

- a. The employee should give immediate notice to the executive director /designee of the incident.
- b. The executive director /designee should immediately obtain the details of the incident and report to the police.
- c. The executive director should provide the employee with reasonable assistance required to resolve the incident, as requested.
- d. If an employee is assaulted by a parent, that parent should not be allowed to visit the school unless the Executive Director is notified in advance. Conditions for a visit must be established with input from the employee and communicated to the parent.
- e. Executive director should make any necessary changes in classroom assignment of the student whose parent perpetrated the assault.
- f. The executive director may recommend a transfer of a student if it is determined it is in the best interest of all concerned.
- g. Any assaults⁷ must be reported to the executive director.

DSOP CAP 0500 SEXUAL HARASSMENT

I. Policy on Student Harassment

The Nashville Global Academy is committed to safeguarding the right of all students and employees within the school system to learn and work in an environment that is free from all forms of harassment and sexual harassment. It is the policy of this school system to maintain learning and working environment that is free from harassment of any type. The school system prohibits any form of sexual

⁷ Assaults shall be defined according to T.C.A. § 39-13-101 & 39-13-102 for the purpose of this policy.

harassment and harassment based upon age, religion, marital status, creed, disability, or race/national origin.

It shall be a violation of this policy for any student or employee of this school system to harass a student or an employee through conduct or communication in any form as defined in this policy. Infractions of this policy shall be punished as provided herein. Harassment is a form of discrimination. Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 require school districts to have officially adopted policy statements of nondiscrimination on the basis of sex, disability, national origin, and race.

II. Defining Harassment

Sexual harassment is a form of sex discrimination and consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct of a sexual nature when:

- a. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a student's grade, credit, or admission to or participation in a student activity; or
- b. Submission to or rejection of such conduct is used as a basis for educational decisions affecting that student; or
- c. Such conduct interferes with the student's work performance or creates an intimidating, hostile, or offensive learning environment. Sexual harassment can include, but is not limited to: sexual advances; verbal harassment or abuse; subtle pressure for sexual activity; touching of a sexual nature including inappropriate patting or pinching; intentional brushing against another person's body; demands for sexual favors; graffiti, posters, cartoons, caricatures, and jokes of a sexual nature; playing sexually explicit audio/video tapes; sexual-oriented verbal kidding or abuse and spreading rumors about or rating another person's sexual activity or performance.

Harassment on the basis of age, religion, marital status, creed, disability, or race/national origin is a form of discrimination and consists of conduct or communication, submission to or rejection of which is made either explicitly or implicitly a term or condition of a student's grade, credit, or admission to or participation in a student activity; is used as a basis for educational decisions affecting that student or interferes with the student's work performance or creates an intimidating, hostile, or offensive learning environment.

III. Reporting Harassment

Any student, who believes that he or she is the victim of harassment, or witnesses harassment, should report the harassment.

Students, or their parents or guardians, may report the harassment to any or all of the following:

- The student's teacher;
- The executive director I or executive director /designee of the student's school;
- The Guidance & Social Services Counselor; and/or
- The Personnel Staff.

IV. Procedures

Allegations of harassment by students shall be fully investigated by the executive director or executive director /designee of the school from which the allegation arose. Confidentiality of students and employees shall be maintained, to the extent possible, during any investigation of alleged sexual harassment. All allegations of student to student and student to employee harassment shall be forwarded to the executive director of the students' school(s). Students found to have engaged in harassment shall be promptly and appropriately disciplined.

Disciplinary action may be taken up to and including suspension and expulsion. Alleged harassment of a student by an employee shall be fully investigated by the personnel staff and/or the executive director. Confidentiality of students and employees shall be maintained, to the extent possible, during any investigation of alleged harassment. All allegations of employee to student harassment shall be forwarded to the executive director of the student's and the employee's school(s) unless the executive director is alleged to be involved in the harassment. In the event that the executive director is involved in the alleged harassment, the allegation shall be forwarded to the Disciplinary Board of the school.

Employees found to have engaged in harassment shall be promptly and appropriately disciplined. Disciplinary action may be taken up to and including dismissal. The executive director is responsible for conducting activities within his/her area of responsibility in a manner which will ensure compliance with this policy. The executive director is responsible for ensuring that students are aware that they have a right to be free from harassment and that there are procedures for investigating harassment.

Written reports of all allegations of harassment shall be kept as provided in Administrative Guidelines implementing this Policy.

V. Retaliation

Retaliation of any kind against a student or employee who, in good faith, reports a claim of harassment or cooperates with an investigation of such a claim will not be tolerated. Any student or employee found to have engaged in retaliation will be promptly and appropriately disciplined. Discipline of a student may be taken up to and including suspension or expulsion. Discipline of an employee may be taken up to and including dismissal.

VI. Notice

A copy of the foregoing policy will be published in the District Policy Manual, shall be included in the Code of Student Conduct, and shall be posted in the School District's administrative offices and in a conspicuous place in each school building. Postings of the policy shall include the name, address, and telephone number of the executive director. Questions concerning the interpretation of this policy should be directed to the executive director. Address all inquiries to:

Executive Director
Nashville Global Academy
[Address]

VII. Employee Harassment Policy

An Employee Harassment Policy, which outlines the procedures by which employee complaints of harassment shall be reported and investigated, is located in the Office of the Executive Director and the website at www.NashvilleGlobalAcademy.org.

DSOP 0510 STUDENT RECORDS

Purpose and Definition of Student Records

The Nashville Global Academy faculty maintains student records to provide for the growth and development of individual students, to provide information to parents and authorized staff, and to provide a basis for the evaluation and improvement of school programs.

A student record is any information directly related to a student which is maintained in writing, film, tape, or any other medium. Distinguished from student records are working notes which remain in the

sole possession of the maker. Such notes become a student record when they are made available to another person other than a substitute for the maker.

The Nashville Global Academy faculty maintains a number of different student records in various locations. The person responsible for a student record is the authorized custodian and shall be responsible directly, and through his immediate superior, for the observance of law, policy, regulations and directives in the collection of information for student records, their maintenance and protection, the proper dissemination of information contained therein, the correction of errors, and the forwarding of records for official purposes when so directed.

Disclosure of Student Records

Nashville Global Academy faculty shall provide parents of students access to official records directly related to their student and must obtain the written consent of parents before releasing personally identifiable data about their student from records to other than a specified list of exceptions. Parents and students shall be notified of these rights annually.

A student record shall be considered personally identifiable if it includes any of the following:

- The name of a student, the student's parent, or other family member
- The address of the student
- A personal identifier, such as the student's social security number, student number or photograph
- A list of personal characteristics which would make the student's identity easily traceable. All Metropolitan Nashville Public Schools keep directory information on students. Such information includes the following: the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous school attended by the student.

A parent/legal guardian or eligible student who does not want directory information to be released without prior consent must so notify the local school executive director by October 20th of each new school year.

No directory of students shall be published for the school system as a whole. Individual schools may elect to publish local school directories for use by the school staff, parents and the student body. No list of students at any grade level shall be distributed to persons other than students, parents and school personnel except as authorized by the Director of Schools upon receipt of a formal, written request. Lists which are authorized may not be used for any other than the approved purpose. Neither may such lists be duplicated or distributed without further authorization.

"Parent" includes a parent, a guardian, or an individual acting routinely as a parent of a student in the absence of a parent or guardian. It will be presumed that the parent has the authority to exercise these rights unless Nashville Global Academy has been provided with evidence that there is a law or court order governing such matters as divorce, separation or custody, or a legally binding instrument which provides to the contrary.

Written consent of the parent/legal guardian or eligible student (18 years of age) is required for the written or oral disclosure of a personally identifiable student record except when that student's record is requested:

- a. For use by other academy officials who have legitimate educational interest.

School officials include:

- A person employed by the district as an administrator, supervisor, instructor, or support staff member
- A person employed by or under contract to the district to perform a special task, such as an attorney, auditor, a medical consultant or therapist

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or by a contract agreement
 - Performing a task related to a student's education
 - Performing a task related to the discipline of a student
 - Providing a service or benefit relating to the student or student's family, such as health care, counseling, or job placement.
- b. For use by certain authorized representatives of the State and Federal Government (See Section 99.35 of Section 438 of the General Education Provisions Act);
- c. In connection with a student's application for financial aid;
- d. In compliance with judicial order or subpoena with the restriction that parents, legal guardian or eligible student be notified prior to compliance with the order;
- e. By another school or school system to which the student seeks or intends to transfer, upon condition that the parent has an opportunity to receive a copy of the record. (Such copies will be provided at the expense of the parent/legal guardian);
- f. In the event of a health or safety emergency, according to the following criteria:
- The seriousness of the threat to the health or safety of the student or other individuals;
 - The need for the information to meet the emergency;
 - Whether the parties to whom the information is disclosed are in a position to deal with the emergency;
 - The extent to which time is of the essence in dealing with the emergency.
- g. If required by State law adopted prior to November 19, 1974;
- h. For use by organizations conducting certain studies on behalf of the school system;
- i. If required by accrediting organizations to carry out their functions;
- j. For inspection and review by parents or an eligible student who claims the student as a dependent for income tax purposes.

Written consent to disclose information must specify the records to be disclosed, the reason for disclosure and with whom the record is to be shared. Further, the record may not be disclosed, even with consent, unless the prospective receiver agrees not to permit further disclosure except with written consent.

A record of disclosure shall be maintained with the records of each student as long as that student's records are kept. The record of disclosure will indicate all individuals, agencies, or organizations, other than authorized school system staff, which have requested or obtained access to the record, the information disclosed, and the purpose for disclosure, the person granting disclosure, and the date. This record of disclosure shall be made available to parents and eligible student for inspection and review upon request. A record of disclosure will not be maintained for school officials, parties with written consent or parties seeking directory information.

Amendment of Student Records

A parent/legal guardian or eligible student has the right to request in writing that the authorized custodian of that student's record amend the record if it is believed to be inaccurate, misleading or in violation of the privacy or other rights of the student. The authorized custodian shall rule on the request to amend and notify the claimant of the decision within a reasonable length of time not to exceed twenty days. Information found to be misleading or otherwise inappropriate shall be expunged from the record by the

authorized custodian. If the request to amend is denied, the authorized custodian shall inform the parent/legal guardian or eligible student of the right to a hearing in order to challenge the content of the student's record. The parent/legal guardian or eligible student may request a hearing without waiting for a ruling from the authorized custodian.

The hearing to challenge the content of the student's record must include at least the following elements:

- a. The parent/legal guardian or eligible student shall be given notice of the date, place and time reasonably in advance of the hearing.
- b. The parent/legal guardian or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised, and may be assisted or represented by individuals of his/her choice at his/her expense, including an attorney.
- c. The decision resulting from the hearing shall be written, based solely upon the evidence presented at the hearing, and shall include a summary of the evidence and the reasons for the decision.

If dissatisfied with the results of the hearings, the claimant has the right to enter into the record explanatory or rebuttal material which shall be kept as a part of the challenged record as long as the record is kept and shall be disclosed whenever the contested portion of the record is disclosed.

Transfer of Rights

The described rights of disclosure and requests to amend the student record shall transfer to persons 18 years of age or older. The student record of a student who has reached his 18th birthday or graduated from high school may be disclosed to the parent or guardian without consent of that student if that student is a dependent as defined under Section 152 of the Internal Revenue Code of 1954.

Deletion and Disposition of Student Records

No information in a student record may be deleted or destroyed if it is required to be kept by law, or there is a request for access pending. Within these restrictions, the authorized custodian of a student record may at any time delete information or dispose of records which are extraneous, no longer relevant, misleading, inappropriate, or found to be in error.

Lists of Students

No list or lists of pupils shall be given to any persons not officially connected with the schools, except as authorized by the Director. Lists of prospective graduates may be made available upon request to accredited vocational, technical, or educational institutions, National Guard, and the armed services. These lists will be furnished only by the Guidance & Social Services Counselor.

DSOP CAPM 0513 PERSONAL APPEARANCE

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

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

The following Dress Code is approved for grades K through 8:

Dress Code rules apply during school hours and at all school events or school-sponsored activities.

Students' dress and grooming shall be in strict adherence to the uniform policy. All girls must wear navy blue slacks, maroon (wine) plaid skirts, or maroon (wine) plaid jumpers, and white collared blouses with the appropriate black or brown shoes, white, navy or maroon socks or tights, as determined by the academy, and must be groomed in a clean and neat manner. School sweaters and vests are white, navy or maroon (wine). The school blazers are navy blue and maroon (wine).

All boys must wear navy blue pants, a white oxford collared shirt, maroon plaid bow tie, appropriate black or brown shoes, white, navy or maroon (wine) socks, as determined by the academy and must be groomed in a clean and neat manner. School sweaters and vests are white, navy or maroon (wine). The colors of the school blazers are navy blue and maroon (wine).

Dress, which is disturbing and distracting in school is inappropriate. Clothes and appearance must be safe and not disruptive to the educational process.

- a. Skirts and shorts must reach the knee or extend below the knee.
- b. Topcoats may not be worn in the classroom. No more than one lightweight outer garment with pockets may be worn. All others must be placed in lockers.
- c. Appropriate black or brown footwear (including black sneakers) must be worn at all times. No flip-flops or house shoes are permitted at any time.
- d. Head coverings such as bandanas, scarves, sweatbands, caps, do-rags, or hairnets are not to be worn or seen during school time or school functions. Religious head coverings will be respected and are not included in the ban on head coverings.

DSOP 0516 CELL PHONE POLICY FOR STUDENTS

A student may possess a cellular telephone, on school property, at after school activities, and at school-related functions, provided that during school hours and on a school bus, the cell phone remains off, not on vibrate, and is concealed.

Possession of a cellular telephone by a student is a privilege. Phones will be forfeited by any student who fails to abide by the terms of this policy. Violations of this policy will result in disciplinary action against the student. The consequences may result in confiscation of the cellular telephone and/or other disciplinary consequences pursuant to Rule 1 of the Student Code of Conduct.

Phones will immediately be confiscated on the first offense if the phone is used for inappropriate activities, including but not limited to:

- Text messaging that contains inappropriate content, profanity, or threats to others
- Cheating on tests
- Taking or showing inappropriate photographs
- Calling outside groups or individuals to participate in fights, retaliate, or participate in other inappropriate activities on the school grounds or at school events.

Students who use their phone for any inappropriate activities or refuse to relinquish their phone upon request to any person in authority in a school will have their phone immediately confiscated and lose the privilege of having a phone for the balance of the school year. The student who possesses a cellular phone shall assume responsibility for its care. At no time shall the Nashville Global Academy be responsible for preventing theft, loss or damage to cell phones brought onto its property.

DSOP CAPM 0520 Safe Child Health Policy Administering and/or Assisting with Self Administration of Medications

School personnel will assist with the self-administration of medication to children pursuant to “Guidelines for Use of Health Care Professionals and Health Care Procedures in a School Setting” adopted by the Tennessee Board of Education on January 29, 1997.

(These guidelines include directives for assistance with self-administration of medication, administering medications, and provision of health care procedures.) Under certain circumstances, students can carry and self-administer metered dose asthma inhalers.

TRANSPORTATION OF STUDENTS TO MEDICAL FACILITIES

At the site of an accident, students may be transported to a medical facility for emergency treatment at the discretion of school personnel. Under perceived emergency situations and conditions, the most expeditious means should be used to obtain immediate emergency care and transportation for children to facilities capable of administering emergency care. Every effort shall be made to contact the child’s parent or legal guardian; however, failure to make such contact shall not unreasonably delay transport or treatment. In perceived non-emergency situations, students shall not be transported by school personnel to any health care provider or facility without the expressed, written permission of the child’s parent or legal guardian.

DSOP FPM 4206 FEE WAIVER POLICY

In compliance with Section 55 of the Educational Improvement Act of 1991 and the State Board of Education Rule 0520-1-3.03(14) “School Fees,” required fees will be waived for students who are verified through free and reduced price lunches. Verification of eligibility is not automatic. The parent/guardian must request a waiver for school fees by completing the waiver form and returning it to the school. Parent/guardian must receive written notice of approval or denial of the fee waiver request. No student shall be discriminated against because of race, sex, color, national origin, age or disability. No overt identification of verified students shall be made. The names of verified students shall not be published, posted or announced in any manner. Any records generated under this program that identify particular children shall be maintained in strict confidence and shall not be disclosed to any other person for any purpose. The parent/guardian of a verified student must be given the opportunity to pay all or any portion of the school fee if they desire.

School fees are defined as:

- a. Fees for activities that occur during regular school hours;
- b. Fees for activities, supplies and materials required to participate in all courses offered for credit or grade as determined by the Administration;
- c. Fees or tuition applicable to courses taken for credit or grade during the summer, except for non-resident students;
- d. Fees required for graduation cap and gown;
- e. Fees for a copy of the student’s record; and
- f. Refundable security deposits collected by a school for use of school property for courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit in accordance with local board policies.

School fees do not include:

- a. Fines imposed on all students for late-returned library books, parking or other traffic fines imposed for abuse of parking privileges on school property;

- b. or reasonable charges for lost or destroyed textbooks up to and including the sixth year of use, library books, workbooks or any other property of the school;
- c. Debts incurred pursuant to Rule 0520-1-3.03(13), Withholding of Student Grades for Debts Owed to the School;
- d. Refundable security deposits collected by a school for use of school property for participation in extracurricular activities;
- e. Costs for extracurricular activities occurring outside the regular school day including sports, optional trips, clubs or social events; and
- f. Non-resident tuition charged of all students attending a school system other than the one serving their place of residence.

DSOP CAPM 0523

Child Abuse and Neglect

It is the policy of the Nashville Global Academy that any school employee who knows or reasonably suspects that a child's health or welfare has been harmed as a result of abuse or neglect must immediately report such abuse or neglect to the Davidson County office of the Tennessee Department of Children's Services. Alternatively, reports may be made to the Davidson County Juvenile Court Judge, Davidson County Sheriff, or the Metro-Nashville Chief of Police.(See T.C.A. §37-1-403 and §37-1-605). School employees will inform the executive director whenever a report is made.

DSOP CAPM 0524

Communicable Diseases

Students shall be excluded from school temporarily if they have, or have been exposed to, certain communicable diseases. Periods of exclusion for the various communicable diseases shall be those prescribed by the Metropolitan Health Department. As they deem necessary, municipalities and local boards of health are authorized to make and enforce additional ordinances, rules or regulations beyond the minimum requirements for the prevention and control of communicable diseases. (Statutory Authority: T.C.A. 68-5-104(a); Rules, Department of Health and Environment: 1200-14-1-.24).

Parents or guardians of infected students shall inform appropriate school officials of the infection so that proper precautions for the protection of other students, employees, and the infected student shall be taken. No student with a communicable disease which may endanger the health of either that student or other individuals will enter or remain in the regular school setting. If the school executive director has reason to believe a student has a communicable disease which may endanger the health of either that student or other individuals in the regular school setting, the executive director shall:

- a. Assign the student to a setting which will protect that student, other students, and employees; or
- b. Excluded the student from school until certification is obtained from a physician or the Metropolitan Health Department by either the parent or Executive Director stating that the student is no longer communicable.

If the executive director has reason to believe that the student has a long-term communicable disease, the Executive Director must require confirmation from a physician or the Metropolitan Health Department as to the student's condition. If the student is confirmed to have a long-term communicable disease the executive director shall refer the student for appropriated educational services. The executive director may request that further examinations be conducted by a physician or the Metropolitan Health Department and may request periodic reexaminations after the student has been readmitted to the school.⁸

⁸ TCA 49-2-203(b)(2).

The names of all students excluded will be forwarded to the Director of Schools. Parents or guardians of students excluded under this policy may petition for the student's readmission to the Director who shall consider in deciding the petition the available medical information, the best interest of the educational process, and all parties involved.

For further information and a list of all communicable diseases and conditions, please refer to the complete policy on the Nashville Global Academy website, or call 615-xxx-xxxx.

DSOP HR3514 COMPLAINTS POLICY

PURPOSE:

To resolve public and employee complaints against the school system and its employees informally at the lowest possible building or departmental level, while establishing a specific process for appeal, review, and creation of a written record where law or other Board policy does not already provide a specific complaint and appeal procedure.

BACKGROUND:

This policy shall not be used to present complaints involving negligence, intentional torts, or civil rights claims against the Board or county, additionally: (1) Complaints involving employee harassment and sexual harassment will be processed in accordance with the Employee Harassment Policy, DSOP 0411. (2) Complaints involving student harassment and sexual harassment will be processed in accordance with the Student Harassment Policy, DSOP 0500. (3) Complaints involving the Americans with Disabilities Act will be processed in accordance with the ADA Claims Procedures, DSOP 0412. (4) When applicable, complaints by Certificated employees should follow the procedure as set forth in the Educational Agreement. (5) When applicable, complaints by support employees should follow the procedure as set forth in the Handbook for Support Personnel.

PROCEDURES:

To the extent possible, confidentiality will be maintained during the complaint procedure. Reprisals or retaliation against a complainant or witness(es) participating in the investigation will not be tolerated and could be grounds for disciplinary action including dismissal. In addition to this policy, the Director of Schools shall establish administrative policies, procedures, and forms to accomplish the following:

1. Complaints should be referred to, and whenever possible, informally resolved by, the local building executive director within 10 days.
2. Unresolved or unsatisfactorily resolved complaints may be referred to the executive director in writing. However, it is not the intent of this policy to create a barrier to complaining, and so if the complainant is unwilling or unable to make a written complaint, executive director's staff should record the complaint in a brief written record. The executive director should investigate, collect data, and resolve or find the complaint unjustified or unsubstantiated. In all cases a written record should be maintained and written response provided within 20 working days.
3. A complaint that remains unresolved to the complainant's satisfaction by the executive director may be appealed to the executive director. After review, the executive director must decide to resolve the complaint within 20 working days or refer it to "The Appeals Board" within 10 working days. In either case a written response must be provided the complainant.
4. An "Appeals Board" shall be appointed by the executive director or his designee to review any complaint referred to it by the executive director or complainant unsatisfied with the executive director's decision. The Appeal Board's responsibility is to bring the matter to closure. It should

- be made up of four neutral parties and the chairman who will chair and coordinate their activities. In the event extenuating circumstances prohibit resolution within 20 working days, the complainant will be so notified.
5. At the end of this process the complainant has the right to appear before the Board of Education in accordance with applicable Board policy. It should be noted that, that same policy allows the Director of Schools to delay that appearance for one meeting so as to administratively resolve the issue.

Section III

No Child Left Behind Provisions

Title I Parents - Teacher Qualifications

The new law permits parents to:

- Request information regarding the professional qualifications of their students' teacher (s) and instructional assistant(s). Parents can ask for information about the major of the teacher and the field in which the teacher is certified.
- Request information about the status of the teacher's state certification and licensing measures for the grade level and subject areas in which the teacher is teaching. Parents can obtain information by submitting a request in writing to Metropolitan-Nashville Public Schools, Human Resource Office (259-8607), 2601 Bransford Avenue, Nashville, TN 37204.

Access to Student Records

High schools are required to provide to military recruiters, upon request, access to names, addresses, and phone numbers of high school students. The law also requires high schools to release information to colleges or other higher learning institutions upon request. If you do not want the Nashville Global Academy to disclose this information without your prior written consent, you must notify the executive director.

Family Involvement/Input

District must strengthen parental/community ownership of the school system and their commitment to its success. This information is included in the district's strategic plan #4 included in the handbook. Family interest and active involvement in our schools are the most important factors in helping our students meet the new challenging No Child Left Behind standards. We value your ideas and suggestions for improving the quality of instruction and for getting more parents meaningfully involved. There are several ways you can communicate with us during the school year at the school, cluster and District levels. You may contact the District's parent hotline at 259-INFO (4636) for specific contact information.

COMPLAINT REPORT FORM

THIS SECTION TO BE COMPLETED BY PARENT/GUARDIAN/CITIZEN COMPLAINANT

Date of Report: ___/___/___

Parent Name: _____

Student Name: _____

ADDRESS: _____

CITY _____ ZIP CODE _____

DAY PHONE: _____

EVENING PHONE: _____

PAGER: _____

CELL PHONE: _____

Nature of Complaint:

(Signature)

(Date)

Complaints should be referred to the CEO/Executive Director as soon as possible.