



**Tennessee**  
Schools for the Deaf

**2023-2024**

# **HANDBOOK**

**(STUDENTS, PARENTS & STAFF)**

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## MISSION

***Empowering students, families, and stakeholders through education, advocacy, and community***

## VISION

Tennessee School for the Deaf (TSD) students will be linguistically and culturally competent. They will exhibit a mastery of both American Sign Language (ASL) and English and possess self-knowledge and skills necessary to succeed academically and socially as a productive member of society.

Students will:

- Approach challenges with optimism and perseverance while working toward solutions, asking for help when appropriate, collaborating with others to problem solve, and self-advocating
- Respect themselves and others
- Exhibit curiosity and creativity
- Demonstrate a mastery of both ASL and English
- Develop short- and long-term plans for learning and develop career goals that give purpose to their learning
- Exhibit a joy for learning through free thinking and creativity while developing self-confidence

Teachers and staff will:

- Respect, value, and honor the language and culture of Deaf and Hard of Hearing individuals
- Demonstrate a mastery of ASL and English
- Approach their work with optimism, humility, and teamwork
- Set high expectations for students' behavior, academic performance, and creative endeavors
- Develop lessons and tasks that align to grade-level standards with appropriate support for student success
- Collaborate effectively to promote learning through incidental learning in school, at home, and in the community
- Model behavior and mentor students to set high aspirations for themselves and to develop appropriate plans to achieve those aspirations
- Provide support and resources to facilitate student success

In an environment that:

- Is language and information rich, exhibiting appreciation of and value for identity, language, and culture
- Respects all employees and values the purpose of each job
- Displays strong leadership and effective communication
- Is safe, nurturing, and professional
- Allocates resources effectively for student success

## INTRODUCTION

The Tennessee General Assembly, through the strong support of General John Cocke of Grainger County, Tennessee, passed a bill to establish a school for the deaf on January 29, 1844. In the spring of 1844, Governor James C. Jones appointed a board for the school that was to develop the plan for establishing a school for the deaf. The school opened in June 1845 under the leadership of Mr. Thomas MacIntire with six students in the heart of downtown Knoxville. In 1924, the school moved to the beautiful Island Home Park area, where it still resides today. The Tennessee Department of Education has responded to the need to serve deaf and hard of hearing students in the state of Tennessee by establishing two additional campuses in the state: Jackson and Nashville. The district which includes all three campuses/schools is known as Tennessee Schools for the Deaf (TSD). At the district level, there are various outreach programs available to stakeholders across the state which guide and encourage families with deaf or hard of hearing children and support local education agencies in serving these children. Through the variety of outreach programs that TSD provides, including the Deaf Mentor program, TSD is becoming widely known as a strong and supportive resource for deaf and hard of hearing children, their families, and professionals in the field.

Tennessee Schools for the Deaf (TSD) encompasses three campuses across the state of Tennessee: Knoxville (TSDK), Nashville (TSDN), and Jackson (WTSD).

All information contained in this handbook is applicable to all campuses/schools and students unless specific notation is made within a section that the information applies to a specific campus/school.

## STUDENT AND PARENT INFORMATION, NOTICES, AND SUPPORT SERVICES

### ACCESS TO STUDENT RECORDS<sup>1</sup>

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. Parents and eligible students have the right to inspect and review the student's education records within 45 days after the day the TSD receives a request for access. Parents or eligible students who wish to inspect their child's or their education records should submit to the registrar's office a written request that identifies the records they wish to inspect. The registrar's office will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

### EMERGENCY CLOSINGS<sup>2</sup>

The director of schools, in consultation with the Department of Education, is authorized to close school in the event of hazardous weather, a public health emergency, or any other emergency which presents a threat to the safety of students, staff members, or school property.

As soon as a decision to close schools is made, the director of schools or their designee will notify the public media and information will be posted to the school's website and social media platforms, and notification sent out to parents via email, text, and/or phone call.

If school is not in session or is dismissed early due to snow or inclement weather, the director of schools in consultation with the chief academic officer will determine if all scheduled activities involving students will be postponed or cancelled.

### FIELD TRIPS<sup>3</sup>

All school-sponsored field trips must be authorized in writing by the director of schools or designee. All field trips involving international travel or out-of-state travel must receive prior written approval from the executive director who oversees the state special schools.

Potential types of field trips and parental consent include:

- (a) **Academic field trips** which include all off-campus trips that are organized as part of the class curriculum, and which can occur during regular school day or after regular school hours. Written informed consent from the parent or guardian is required prior to each trip.
- (b) **Extracurricular field trips** which are off-campus trips organized by a school-sponsored club or group. Participation is optional and voluntary. Extracurricular field trips must offer an educational benefit consistent with the club or group's focus and can occur during the regular school day with the approval of the school principal, or after regular school hours. Written informed consent from the parent or guardian is required prior to each trip.
- (c) **Interscholastic field trips** which are in-town or out-of-town, off-campus trips in which students participate in activities including but not limited to, athletics, cheerleading, and the performing arts. Interscholastic field trips can occur during the regular school day with the approval of the director of instruction, or after regular school hours. Written informed consent from the parent

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<sup>1</sup> TSD Policy 6.6000, Student Records

<sup>2</sup> TSD Policy 1.8010, Emergency Closings

<sup>3</sup> TSD Policy 4.3020, Field Trips



or guardian is required annually at the beginning of the school year or prior to the first time the student participates in an interscholastic activity to authorize the student to participate in the interscholastic activity and to attend field trips required or related to those activities. A parent may at any time revoke their consent for their student's participation in interscholastic activities and interscholastic field trips by providing a notice in writing.

- (d) **Recreational/educational field trips** which are off-campus experiences that may take place after school or during the school day, for shopping, eating out, etc. The purpose of these field trips may be for career and technical education or recreation. Written informed consent from the parent or guardian is required annually at the beginning of the school year or prior to the first time the student participates in a recreational field trip. This provides blanket consent. A parent may at any time revoke their consent for recreational field trips by providing a notice in writing. Blanket permission does not cover trips to amusement parks, theme parks, or any type of sports parks. Trips to these parks require written informed consent from the parent or guardian prior to each trip.
- (e) **Out-of-state travel** which are off-campus trips outside of Tennessee is overnight travel that involves stay of at least one (1) night and requires lodging, and international travel to any country or territory outside of the United States all require prior written informed consent from the parent or guardian prior to each trip.

Teachers or school staff will ensure supervision on school sponsored field trips and additional supervision may be provided by volunteer chaperones over the age of 18 as deemed appropriate by the school. All chaperones are required to submit to a current, satisfactory criminal background check coordinated through TSD and follow the requirements and guidelines for the trip.

On field trips, the ratio for student supervision is a minimum of 1:4 for students in grades K-6 and 1:7 for students in grades 7-12. When taking overnight field trips, chaperones shall be the same sex as the students traveling. An appropriate ratio of male and female chaperones is required if both boys and girls are attending the overnight field trip.

Transportation for field trips will be through commercial motor coaches driven by properly licensed drivers or school-owned vehicles driven by properly licensed school employees.

TSD may request payment of fees associated with field trips.

## **MEDIA ACCESS TO STUDENTS<sup>4</sup>**

The director of schools is authorized to grant permission and set parameters for media access to students. Parents/guardians have the option to withhold permission for public news media interviews or photographs of their child at school. Prior written consent shall be obtained from the student's parent or guardian if the student is to be filmed or videotaped and will be identified or be a primary subject of the filming or videotaping. TSD personnel may release student information to the media only in accordance with applicable provisions of the education records law and school policies governing directory information and personally identifiable information.

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<sup>4</sup>TSD Policy 6.6040 Media Access to Students

## ADDRESS & PHONE NUMBER CHANGES

Parents or guardians should notify the registrar's office, contact information below, in writing or via e-mail if there is a change of address, home, or work numbers.

Registrar's Office – Enrollment & Records

Email: [registrar@tsdeaf.org](mailto:registrar@tsdeaf.org)

Telephone: 865.407.5033

Fax: 615.770.7570

VP: 865.407.2559

## NONDISCRIMINATION POLICY

TSD does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following people have been designated to handle inquiries regarding the nondiscrimination policies and sexual harassment complaints.

Chief Compliance Officer

2725 Island Home Blvd., TN 37920

865.309.0341

[compliance\\_chief@tsdeaf.org](mailto:compliance_chief@tsdeaf.org)

For further information on notice of nondiscrimination, visit the [Office for Civil Rights Complaint Assessment System](#) for the address and phone number of the office that serves your area, or call 800.421.3481.

## PROOF OF CUSTODY<sup>5</sup>

Any student enrolled at TSD whose parents are separated or divorced should submit proof of custody documentation to the registrar's office as soon as possible. If there is a change of custody at any point in time, a copy of the new document should be sent to the office. Failure to provide documentation, limits TSD's ability to prevent contact with individuals who should not see your child. This information is critical to your child's safety.

## SCHOOL VISITORS<sup>6</sup>

Upon arrival, visitors shall present a state-issued photo ID or passport to the security personnel on duty at the entrance to the school. Security personnel shall provide the visitor with a badge which must be worn at all times during the visit. All visitors must then report to the school's main office to sign in and sign out. Everyone should enter and exit the school through the main entrance.

Parents may visit the classroom at the teacher or school's request or by making an appointment with the school at least two (2) days in advance. To make an appointment, contact the teacher and/or administrative assistant for the school.

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<sup>5</sup> TSD Policy 6.2090, Child Custody/Parental Access

<sup>6</sup> TSD Policy 1.5010, School Visitors

## ANNUAL AHERA NOTIFICATION (TSDK)<sup>7</sup>

In accordance with the United States Environmental Protection Agency's rule 763.84 this document serves as annual notice for the 2023-2024 school year that there are buildings on the campus of Tennessee School for the Deaf, Knoxville, that contain asbestos-containing building materials (ACBM). These materials are monitored and maintained following the Asbestos Hazard Emergency Response Act (AHERA) guidelines and by using our management plan.

The six-month periodic surveillance was conducted in December 2022 and June 2023. The annual progress report was completed in June 2023. The last three-year reinspection was conducted in September 2021. Abatement and remediation activities occurred as a result of renovation and construction activities. All abatement and remediation were handled by outside contractors properly licensed to work with ACBM.

All records of abatement and remediation are included in the management plan. The full management plan is available for viewing at the school, free of charge, during regular school hours. Please contact the local education authority's designated person, at 865-579-2409 if you would like to review the plan.

## FOOD SERVICE PROGRAM<sup>8</sup>

The food service programs at TSD serve a nutritional breakfast and lunch for our students. Elementary students are also provided a morning snack. There is no charge for meals and snacks served to the students attending TSD.

Day students may bring lunches from home. Sodas or carbonated drinks **may not** be consumed during the lunch period.

Family members and other visitors are welcome to join us for lunch. A meal ticket must be purchased from the fiscal and procurement office. Please contact your school's administrative assistant and child's classroom teacher when planning to join your student for lunch.

TSD food service programs follow all federal school nutrition regulations.

## HEALTH SERVICES MEDICAL CLINIC

Campus wide health and wellness are the primary goals of the Health Services Medical Clinic of TSDK and WTSD. The TSD Knoxville clinic maintains 24-hour nurse coverage while students are on campus. The WTSD Clinic maintains nurse coverage during school hours. [Following Guidelines for Health Care in a School Setting](#), a member of the nursing team will be on duty to provide guidance and assistance any time a student becomes ill or is injured during campus operations.

TSDN collaborates with the Tennessee School for the Blind (TSB) nursing staff to provide guidance and assistance any time a student becomes ill or is injured during school operations.

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<sup>7</sup> TSD Policy 3.2080 Asbestos Management

<sup>8</sup> TSD Policy 3.5000, Food Service Management

## Health Screenings<sup>9</sup>

Periodically, the nursing team will conduct specific health screenings as defined by the Guidelines for Health Care in a School Setting and according to the [Tennessee School Health Screening Guidelines](#).

These include:

- REQUIRED HEALTH SCREENINGS include the following:
  - Vision: All students in grades pre-K, K, 2, 4, 6, and 8 are screen annually. One year (or class) of high school is optional. Other students who should be screened are those new to the school system or suspected of having a vision problem by their teachers.
  - Hearing: All students in grades pre-K, K, 2, 4, 6, and 8 are screen annually. One year (or class) of high school is optional. Other students who should be screened are those new to the school system and/or suspected of having a hearing problem by their teachers.
  - Blood Pressure (BP): All students in grades K, 2, 4, 6, 8, and one year of high school (usually wellness class) are screened annually.
  - Body Mass Index (BMI) – Height and Weight: All students in grades K, 2, 4, 6, 8, and one year of high school (usually wellness class) are screened annually.
- ENCOURAGED HEALTH SCREENINGS include the following:
  - Scoliosis: Schools are encouraged to screen all students in 6th grade for scoliosis.
  - Oral Health: Schools are encouraged to screen students for oral health problems.
  - Concussion: Schools are encouraged to provide baseline concussion screenings for students who participate in sports.

To opt out of required screenings listed above, the parent or legal guardian who wishes to excuse the parent's or legal guardian's student from participating in a health screening provided as part of a coordinated school health program must submit a request in writing to the student's school nurse, instructor, school counselor, or principal.

## Medical Services (TSDK)

If a student is identified to have a need for further medical evaluation, TSD Knoxville health services medical clinic also offers on-site pediatrician visits for those students with acute illness or injury. If an injury is emergent and requires emergency medical evaluation, our staff will arrange transport to East TN Children's Hospital for further evaluation. It is our commitment to notify parents and guardians as expediently as possible in the event of any situation that requires further medical evaluation.

## Communicable Disease

TSD is committed to limiting the spread of communicable disease within our student population. We routinely monitor illness trends in our area and on campus and reinforce CDC guidelines regarding communicable disease management. With respect to pandemic preparedness and reporting, the nursing team follows the guidance from our state and local Departments of Health and are in direct communication regarding communicable disease reporting and contact tracing, as necessary.

Parents must inform the school principal if their child is infected with a communicable disease. Children with a communicable disease which may endanger the health of himself/herself or other individuals may be moved to an alternate setting or excluded from school until a physician or the county health department provides certification that the disease is no longer communicable.

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<sup>9</sup> TSD Policy 6.4020 Physical Exams and Immunizations

With respect to pandemic preparedness and reporting, the nursing team follows the guidance from our local Department of Health and are in direct communication regarding communicable disease reporting and contact tracing, as necessary.

Students who have been sent home with head lice may return to school only after the hair has been treated appropriately and the parent presents to the principal or school nurse proof of treatment, a release from the health department or a health care provider, or after satisfactory examination by the school nurse.<sup>10</sup>

### **Accidents and Illnesses<sup>11</sup>**

1. TSD shall have the following emergency contact information for all students on file in the student information system and principal's office. This information shall be reviewed annually and updated as needed.
  - Parent or guardian location and phone number(s) during the school day
  - Name, address, and phone number of student's physician(s)
  - All documentation concerning a student's particular physical disability or medical condition, such as an Emergency Care Plan, Individualized Health Care Plan, or documented safety plan.
2. If a student suffers an injury or becomes ill while on school grounds or at a school-sponsored event, a trained staff member shall have the responsibility to render first-aid or ensure that first-aid is rendered.
  - Students who suffer from a life-threatening injury or illness shall be transported to the hospital emergency room upon recommendation of the school nurse or emergency services shall be called (i.e., 911) if the injury or illness warrants it.
  - In the event of serious injury or illness to a student, the principal or designee shall notify the parent or guardian of the injury or illness and where the student is located.
3. The director of schools or designee shall inform the department immediately of any serious injury or illness suffered by students while under jurisdiction of the school.
  - A report of each accident taking place in a school shall be filed in the office of the director of schools. Forms for reporting accidents shall be made available from the office of the director of schools.
  - In all accidents serious enough to require medical attention or requiring the student to be taken home, or in all cases that the staff member in charge deems desirable, reports shall be made and filed as stated above.
4. No injured student shall be taken and left at home or sent home unless a parent, or someone designated by a parent, is at home and willing to accept the responsibility of the student.
5. Any student who has been injured in a school related activity shall be required to have a medical release from their doctor submitted prior to returning to participation in a school activity or event.

### **Illness**

Students who are ill must be fever free for 24 hours before returning to school.

Day students with vomiting/diarrhea must stay home for 24 hours before returning to school.

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<sup>10</sup> TSD Policy 6.4031, Head Lice

<sup>11</sup> TSD Policy 6.4100, Accidents and Illnesses

Residential students at TSD Knoxville with vomiting/diarrhea will be observed at the clinic for further signs and symptoms for 24 hours before returning to the school/residence hall. The medical services staff/nurses may determine that a residential student needs to be sent home.

**NOTE:** TSD will follow appropriate guidelines for illness relating to COVID-19 as advised by the Tennessee Department of Health and local health departments.

### **Medication<sup>12</sup>**

Students who take medication every day will need the following documentation:

- Why does the student take the medication?
- How often is the medication given?
- What is the dose of the medication?
- Who is the medical provider that prescribes the medication?

\*This information should be submitted on the Medication Administration Form. All medication should be transported to the school by an adult and delivered to a TSD staff member. Students are not permitted to carry medication with them while at school during instructional or residential hours.

If parents or guardians are providing vitamins or supplements, be sure to tell the clinic the reason for the supplementation.

Also, medication must be sent in original bottles that are clearly labeled with prescription information including child's name, medication dosage, physician's name, date, and expiration. No medication will be accepted in baggies, unmarked bottles, or in pill containers. Nurses need to identify medication clearly and accurately.

Providing the clinic with a two-week supply of medication is strongly encouraged; this ensures adequate supply of medication.

### **Immunization Requirements<sup>13</sup>**

The Tennessee Department of Health has specific immunization requirements for children who attend childcare, pre-school, and school. The state's immunization requirements follow the current schedule published by the Centers for Disease Control and Prevention (CDC) and endorsed by the American Academy of Pediatrics (AAP) and American Academy of Family Physicians (AAFP).

Required immunizations for children attending childcare, pre-school, and school must be documented on the Official Immunization Certificate. This certificate is available in local health departments and at many medical offices in Tennessee.

Specific immunization requirements by age and grade are available on the [Tennessee Department of Health Childcare – 12th Grade Immunization Requirements](#) webpage.

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<sup>12</sup> TSD Policy 6.4050, Administration of Medication in School Setting

<sup>13</sup> TSD Policy 6.4020, Physical Examinations and Immunizations

### **Children with Medical or Religious Exemption to Requirements**

*Medical-* Physicians (MD or DO) or Public Health Nurses are authorized to indicate specific vaccines medically exempted (because of risk of harm) on the certificate. Other vaccines remain required. The medical reason for the exemption does not need to be provided.

*Religious-* This exemption requires a signed statement by the parent/guardian that vaccination conflicts with their religious tenets or practices. If the child needs documentation of a health examination for the school, it must be noted by the healthcare provider on the immunization certificate. In that case, the provider should check the box in section 1a. that the parent has sought a religious exemption to explain why immunization information is absent or incomplete.

### **STUDENT SUICIDE PREVENTION<sup>14</sup>**

TSD is committed to protecting the health and well-being of all students and understands that physical, behavioral, and emotional health are integral components of student achievement. Faculty and staff are expected to be proactive in maintaining a safe and supportive learning environment and to immediately report to the building principal or residential program supervisor any indications that a student may be in danger of harming self or others. Students are strongly encouraged to report if they, or another student, are feeling suicidal or in need of help. A summary of available resources shall be annually updated and posted for students.

#### **Prevention**

All TSD employees shall attend either the annual in-service training in suicide prevention or participate in other equivalent training approved by the director of schools. The training shall include but not be limited to, identification of risk factors, warning signs, reporting procedures, intervention and response procedures, referrals, and postvention strategies.

The school psychologist serves as the suicide prevention coordinator responsible for planning, coordinating, and monitoring the implementation of this policy. School counselors are designated as the point of contact in each school for issues relating to suicide prevention and policy implementation.

#### **Intervention**

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

Upon notification, the principal, dean, or designee shall ensure the student is placed under continuous adult supervision. Emergency Medical Services (EMS) shall be contacted immediately if an in-school suicide attempt occurs. The school counselor will notify the deans and/or principals, chief academic officer, chief compliance officer, and student life.

Prior to contacting the student's parent/guardian, the director of schools or designee shall determine if there could be further risk of harm resulting from parent/guardian notification. If parent/guardian notification could result in further risk of harm or endanger the health or wellbeing of the student, then local law enforcement and the Department of Children Services shall be contacted.

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<sup>14</sup> TSD Policy 6.4150, Student Suicide Prevention

If appropriate, the director of schools or designee shall contact the student's parent/guardian and provide the following information:

- Inform the parent/guardian that there is reason to believe the student is at risk of suicide;
- Inform the parent/guardian if emergency services were contacted;
- Ask the parent/guardian whether he/she wishes to obtain or has obtained mental health counseling for the student;
- Provide the names of community mental health counseling resources if appropriate.

The director of schools or designee will seek parental permission to communicate with outside mental health care providers regarding a student. If the student is under the age of 16 and the parent/guardian refuses to seek appropriate assistance, the director of schools or designee shall contact the Department of Children Services.

The chief academic officer or designee shall document the incident, including contact with the parent/guardian, by recording:

- The time, date, and circumstances which resulted in the student coming to the attention of school officials;
- A timeline of the specific actions taken by school officials;
- The parent/guardian contacted, including attempts;
- The parent/guardian's response; and
- Time and date of release of student to authorized individual.
- Anticipated follow-up and safety plan.

Prior to a student returning to school, the director of schools or designee and/or principal shall meet with the student and his/her parent or guardian in order to develop a safety plan. The safety plan shall identify actions the student's caregivers and school personnel will take to ensure the safety of the student. The principal will identify an employee to periodically meet with the student to monitor his/her safety and address any problems or concerns with re-entry.

### **Postvention**

Immediately following a student suicide death, the threat assessment team shall meet and develop a postvention plan. At a minimum, the postvention plan shall address the following:

- Verification of death;
- Preparation of school response, including support services;
- Informing faculty and staff of a student death;
- Informing students that a death has occurred;
- Providing counseling services and information on the resources available to students, faculty, and staff.

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



## **CHILD ABUSE AND NEGLECT REPORTING PROCEDURE<sup>15</sup>**

If any personnel know of or has reasonable cause to suspect child abuse, sexual abuse, or neglect, a report shall be filed immediately with the child abuse coordinator, [Department of Children Services](#), and law enforcement. The report must include, to the extent known, the name, address, and age of the child and the name and address of the parents or persons having custody of the child, the nature and extent of the abuse and neglect, and any evidence to the cause or any other information that may relate to the cause or extent of the abuse or neglect.

## **HOMELESS CHILDREN POLICY AND PROCEDURES<sup>16</sup>**

All students admitted for attendance at TSD are deaf or hard of hearing, and TSD has been determined to be their least restrictive environment (LRE). TSD serves students between the ages of 2 and 21.

The homeless liaison for the TSD is the social worker (865.579.2436). In the event a current student or future student at TSD is classified as homeless under the McKinney-Vento Act, the TSD homeless liaison/social services liaison will contact the homeless liaison of the student's LEA to inform them of the matter. The TSD homeless liaison/social worker liaison and the administration at TSD will assist the LEA to ensure the student is provided transportation, temporary housing, if needed, full enrollment in school, and the implementation of the student's individualized education program (IEP). The LEA is responsible for gathering personal information about the student and his/her family and sharing that information with TSD administration.

TSD does not receive any federal funds for homeless education. The LEA of the student will provide all funding necessary to assist a homeless student and his/her family. In the event that TSD is called upon to help offset accommodations financially, funds from the general budget, federal budgets, Title I-A will be used, and assistance may be requested from the Parent Teacher Counselor Association (PTCA). TSD's primary roles will include helping identify homeless students, contacting the LEA homeless liaison, implementation of the student's IEP, and providing assistance to the LEA when needed.

### **Definition of Homeless**

Homeless students are individuals who lack a fixed, regular, and adequate nighttime residence.

Homeless students include:

- (a) Students sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; students living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; students living in emergency or transitional shelters; or students abandoned in hospitals;
- (b) Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- (c) Students living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (d) Migratory students who are living in circumstances described above.

### **Compliance Indicators**

TSD provides the following services to students who are designated as homeless students. Students will:

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<sup>15</sup> TSD Policy, 6.4090, Child Abuse and Neglect

<sup>16</sup> TSD Policy 6.5030, Homeless Students

- be provided with a liaison to ensure that they are enrolled and receive all educational services appropriate to their hearing loss and instructional needs.
- not be segregated nor stigmatized by their temporary condition. They will be an integral part of any or all classes and programs that are appropriate to their educational needs.
- have transportation arranged through the LEA in which the student resides.
- not need a permanent address to be enrolled.
- not be denied enrollment due to missing school records or additional enrollment documentation is not immediately available.
- have access to all components of the school program.
- receive breakfast and lunch without cost.
- receive all school supplies without cost.
- receive residential options as needed or requested for students throughout the school year.
- receive interpreter services for deaf/hard of hearing parents or for parents who are non-English speaking. Educational rights will be explained, and they will be given printed copies of those rights.
- be connected to a variety of federally supported or faith-based programs to provide food, clothing, shelter, and/or medical assistance throughout the calendar year.

## **RESPONSE TO INSTRUCTION AND INTERVENTION FOR BEHAVIOR (RTI<sup>2</sup>-B)**

RTI<sup>2</sup>-B is a three-tiered continuum of support based on principles of applied behavior analysis and includes a set of research-based strategies used to increase predictability, structure, and compliance and to decrease problem behaviors by teaching new skills and making changes in the environment. RTI<sup>2</sup>-B places an emphasis on teaching and reinforcing expected behaviors across campus and departments.

RTI<sup>2</sup>-B unites evidence-based, problem-solving approaches to address student behavior with an emphasized focus on teaching appropriate behaviors as opposed to punishing behaviors and develops positive relationships between students and school staff. RTI<sup>2</sup>-B includes universal prevention efforts to promote a positive school- and class-wide climate and create a culture where all students and teachers are respected and included in their community.

TSD has adopted the following three rules for all departments: elementary, upper school, and student life:

**T – Take Responsibility**  
**S – Show Respect**  
**D – Do the Safe Thing**

These rules define our expectations for behavior at our school and they will be posted throughout the school and campus. Primary interventions and strategies are used for all students and office discipline data is collected from incidents. Teachers and staff then use evidence-based practices to problem solve, plan, and evaluate student behavior data in order to increase student learning and decrease disruptions.

## **TRANSPORTATION<sup>17</sup>**

### **Student Vehicles (TSDK)**

Day students wishing to drive to and from school must receive prior approval from the principal, residential students must receive prior approval from the principal and director of student life. Without this approval, students will not be allowed to drive a vehicle on school property.

Students must provide a copy of a valid Tennessee driver's license and proof of insurance to the director of student life. Students may park their vehicles only in those spaces specifically identified.

Students may not leave campus in their own vehicle before the close of the school day without prior approval. All requests to drive off campus must be in writing and approved by the appropriate administrator before departure. At no time shall a student be permitted to ride with another student. Failure to abide by the rules for maintaining a vehicle on campus or violation of campus traffic rules as well as failure to maintain good behavior and conduct may result in the loss of driving privileges on campus.

### **Day Students<sup>18</sup> (TSDK)**

Students who live within a 90-mile radius of the Knoxville campus are considered day students. Exceptions to this may be considered based on extenuating circumstances and require director of schools' approval. Day students will be transported to and from school each day, either through LEA transportation services or by their families as car riders.

### **County School Bus Transportation (all campuses)<sup>19</sup>**

School bus transportation is provided by the student's LEA when students reside within a legally acceptable distance from the school. TSD, in cooperation with the LEA, may assist in the follow-up to incidents that may occur on the school bus. The LEA maintains the authority for the transportation of their students from pick-up to unloading. Questions, concerns, and suggestions regarding transportation services are to be directed to the special education director/supervisor of the appropriate LEA.

The safety of all children is the primary concern for both TSD and the LEA. School personnel will work diligently to ensure the safety of all riders. Similarly, parents and children must take an active role in school bus safety. School bus transportation is a privilege that may be suspended. School bus rules will be strictly enforced.

Any absences due to suspension from bus transportation will be unexcused. Parents must arrange for their children to get to and from school.

### **Pick Up and Drop Off**

The list of pick-up/drop-off time by school/location is listed below. Messages for students about change in their dismissal must be called into the front office prior to 2:45 p.m. on the day of the needed change. Parents may also write a note or send an email ~~in the agenda~~ to inform the principal and administrative assistant of a change in dismissal.

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<sup>17</sup> TSD Policy 3.4040 Private Vehicles

<sup>18</sup> TSD Policy 3.7000 Residential Program

<sup>19</sup> TSD Policy 3.4000 Student Transportation

TSDK, TSDN, nor WTSD offer any type of after-school services and will not be responsible for the care, custody, supervision, or control of students before or after school. Students may only be dropped off during posted drop-off times (by campus) and must be picked up promptly after the school day ends.

#### **Morning Drop-off**

- TSDK Elementary
  - 7:20 am – 7:50 am EST – Location: Front of AJM
  - 7:55-8:00 am EST – Sign-in in Elementary school
- TSDK Upper School
  - 7:20 am – 7:50 am EST – Location Front of AJM
  - 7:55-8:00 am EST – Sign-in in AJM
- TSDN – 7:15 am CST – TSDN – Cottage 8/Building 13 Parking Lot
- WTSD – 7:30 am CST - Front of School

#### **Afternoon Pick up**

- TSDK Elementary – Top/upper Parking Lot\*
  - Monday – Thursday – 3:30 pm EST
  - Friday – 12:30 pm EST
- TSDK Upper School – Monday – Thursday – AJM Parking Lot\*
  - Monday – Thursday 3:30 pm EST
  - Friday – 12:30 pm EST
- TSDN – TSDN – Cottage 8/Building 13 Parking Lot
  - Monday-Thursday – 3:15 pm CST
  - Friday – 11:45 am CST
- WTSD – 3:00 pm CST – Buses – front of school; Car riders – side

TSDK parent note: If a student has not been picked up by their parent/guardian by 3:40 pm Mon-Thursdays and 12:40 pm on Fridays, the student will be sent to the residence hall for parent pick-up.

#### **Residential Student Transportation (TSDK)**

Students are transported to home and back to campus each weekend by bus. This is facilitated by the coordinator of transportation - 865.622.2272 (V/VP). Chaperones are assigned to ensure the trips home and back are well coordinated. Students **are not permitted** use state transportation to visit a friend's home on the weekend.

Following TSD policy 6.3030 Interrogations and Searches, a student who is suspected or accused of misconduct or an infraction as outlined in the school's handbook may be subject to search before returning to campus or home. In addition, students and/or their belongings may be subject to search in accordance with state law and TSD policy 6.3030.

#### **Bus Delay to Drop Point (TSDK)**

If the bus will be arriving at the drop point more than 10 minutes after its scheduled time, TSD staff will make every effort to contact parents or legal guardians.

If the bus has not arrived after 10 minutes past the scheduled time, parents can contact the coordinator of transportation – 865.622.2272 (VP), 865.579.2489 (V) or TSD security at 865.579.2502.

Drop points are located at businesses that permit the use of their locations for pick up and drop off students. Please remember that these businesses reserve the right to ask staff, parents, or students to leave the premises; the drop point vendors are allowing us to use their establishments and have the right to remove us at any time.

### **15-Minute Late Policy for Parents (Homegoing Day - TSDK)**

In order to improve the efficiency of homegoing transportation, it is important for the parents/legal guardians to be at the drop point on schedule to pick up students.

When the parents or legal guardians fail to show up within 15 minutes after the scheduled arrival time, the bus will depart right away and proceed to the next drop point(s) whether contact has been made with the parents or legal guardians or not. If the parents or legal guardians have not been contacted, TSD will make every effort to contact them. When contacted, the parents or legal guardians will be given a time the bus would arrive back at the student's regular drop point after the bus has completed the last drop point. **Students who are not picked up within 15 minutes of the bus's arrival at the last drop point on the scheduled route will be transported back to TSD, and parents or legal guardians will be responsible for transportation home for the weekend.** If TSD has exhausted all the numbers trying to contact the parents, the LEA, Department of Children Services, and/or the local police will be contacted for assistance in trying to reach the parents or to accept custody of the child. Our goal is to deliver the children home safely, as soon as possible, and with the least amount of stress.

### **15-Minute Late Policy for Parents (Returning Day - TSDK)**

In order to improve the efficiency of returning to campus transportation, it is important for the parents/legal guardians to be at the drop point on schedule to drop off students. If parents/legal guardians are more than fifteen minutes late, the bus will continue to the next stop. Parents may meet the bus at the next stop or transport the student to TSDK. Students who miss the bus are counted as absent for the week.

## **STUDENT LIFE (TSDK)**

### **MISSION STATEMENT**

We believe that the residential program at the TSD is a unique educational/residential environment. The program is designed to meet the needs of each student and to furnish our students with skills necessary to maintain a home-like environment, develop age-appropriate independence in various aspects of self-care and advocacy, develop social skills as they relate to respecting others, and afford our students with opportunities to better understand the community in which we live and serve in.

### **RESIDENTIAL PROGRAM ASSIGNMENTS<sup>20</sup>**

Students accepted to the TSDK K-12 educational program or the Comprehensive Adult Program (CAP) at the Knoxville campus may be considered for acceptance into the residential program. Enrollment into TSD's residential program is a separate and distinct consideration. Eligibility for the residential program includes the following:

- The applicant must be admitted to the TSDK's educational program.

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<sup>20</sup> TSD Policy 3.7000, Residential Program

- The applicant resides beyond a 90-minute commute each way between home and TSD Knoxville campus using transportation provided for day students. Exceptions to this may be considered based on extenuating circumstances and require director of schools' approval.
- The applicant has the ability to live independently provided the residential support offered to all students.
- The applicant's local LEA, parent, or guardian, and TSD have approved the applicant's placement in the residential program. For applicants who have reached the age of majority and retain their educational decision-making rights, parent or guardian approval is not required.
- Applicants with a history of un-rehabilitated behavior that poses a potential threat to themselves or others, including but not limited to substance abuse, fire-starting, sexually predatory behavior, or assault, will be considered on a case-by-case basis in consultation with the Tennessee Department of Education office of general counsel in a manner that complies with applicable state and federal law. Living on campus in the residential program is a privilege and may be revoked by school administration.

TSD student athletes who reside within a 90-minute radius of the school may be admitted to the residential upon written request and written approval by the director of schools. Admissions will be dependent upon availability of space.

Residence hall assignments for students are divided into age-appropriate groups designed to promote independent living skills and appropriate social behaviors. Each house in the residence hall is individual in that it creates its own program tailored to fit the needs of its unique student population. The Student Life department also maintains certain shared rules/regulations as designated by the director and the deans. In an effort to provide consistency between the Instruction and Student Life departments, the discipline policy outlined in this student handbook is followed.

## **CURRICULUM**

A residential program curriculum is used to assist the staff in teaching independent living skills and varies depending upon the age and ability of each child. Activities and field trips are used within the program to make incidental learning more fun and relevant. Specific goals are selected for each student, and progress reports with detailed information are sent home with report cards.

## **CELL PHONES AND ELECTRONIC DEVICES**

The following rules apply to cell phone use in the residential program.

Cell phones and electronic devices are not allowed in bedrooms or bathrooms. Cell phones and electronic devices are to be used in the following areas:

- living room,
- common area,
- and in open spaces.

Cell phones are not allowed at athletic activities or during recreation activities. Cell phones are to be left in the residence hall during school hours unless school rules permit cell phones at school (see Instruction section of the handbook).

All cell phones are accounted for every evening prior to bedtime.

Consequences for Violations

Time frame: within a nine-week period (quarter)

- 1st Violation: Cell phone is taken until the end of the day.
- 2nd Violation: Cell phone is taken and given to the residence hall supervisor to be kept for up to 24 hours.
- 3rd Violation: Loss of cell phone privilege for the remainder of the school year.

## **RECREATION**

The recreation program provides various leisure activities for all the residential students. This program also oversees elementary and middle school sports which includes football, volleyball, basketball, baseball, and soccer. (Phone # 865.579.2407)

## **RESIDENTIAL PROGRAM – DAY STUDENTS**

Day students must receive prior permission from the director of student life to stay in the residence hall after school either for after-school activities or overnight. Student athletes who are day students are permitted to stay in the residence hall during the athletic season. Staying in the residence hall during this time is a privilege and students are subject to discipline listed in this section.

Day students are assigned to a house in the residence hall and are under the supervision of that residential program anytime they are on campus except during normal school hours or when accompanied by a parent. Students must check in with the residential program staff in their assigned house immediately upon arrival after school hours.

While under residential program supervision, day students must follow the same rules as the residential students in their assigned house. Passes will be required when visiting other areas on campus. Day students that show up in a house other than their assigned one will be asked to show their pass. If they have no pass, they will be asked to leave, and their assigned house will be informed of the unauthorized visit.

Day students may eat meals in the residence hall when they are on campus for socialization, athletic events, and/or other activities.

### **Athletic Events**

Day students who are staying in the residence hall in order to attend athletic events are required to check in with their assigned house before the athletic event is to begin, unless accompanied by a parent. If they arrive after the event has begun, they are to locate a residential program staff member and inform him/her that they are on campus. While under the supervision of the cottage residential program staff, day students are expected to follow the same rules as residential students in their assigned-house.

When students are accompanied by their parents, they are under their parents' supervision.

### ***Procedures for Away Athletic Events and Other School Activities***

Day students returning to campus at night from away athletic events and other school activities will stay in their designated house residence until their parents arrive to pick them up.

### **Discipline**

All day students will be expected to follow rules outlined in the TSD student handbook as well as individual house residence rules. Any time a day student violates rules repeatedly, he/she may have privileges

suspended for a length of time to be determined by the residential program supervisor, a dean, student life director, and/or the chief academic officer.

## **INSTRUCTIONAL DEPARTMENT**

The Department of Instruction ensures that students at TSD learn both inside and outside the classroom. Our belief in “whatever it takes” is evident in the classroom as teachers work to individualize instruction. The curriculum at TSD is based on the Tennessee State Standards, and standards for American Sign Language are used to promote language development. Assessments are used to measure students’ mastery of state standards as well as their acquisition of language. Students are encouraged to explore their talents and are empowered to explore career options and pursue a career choice including transition to work or postsecondary education.

### **Schools and grade levels by campus are:**

**TSD Knoxville (TSDK):** Pre-school through 12<sup>th</sup> grade, Comprehensive Adult Program (Deaf Plus) between the ages of 18 to 22, as well as a Toddler Learning program

**TSD Nashville (TSDN):** Pre-school through 5<sup>th</sup> grade, as well as a Toddler Learning program

**WTSD Jackson (WTSD):** Pre-school through 6<sup>th</sup> grade, as well as a Toddler Learning program

## **LIBRARY**

### **TSDK**

The Marr Memorial Library plays a central role in the TSD's upper school, providing standards-aligned resources and instruction and serving as the gathering place for club meetings, study hall, and other community events. Its collection holds nearly 10,000 fiction, non-fiction, reference, and audio-visual titles that are available to students, families, faculty, and staff. Library programming is based on the academic needs of the school and includes introduction to library organization, bibliographic instruction, and digital research and presentation. The library is open for student use with a teacher permit Monday-Friday 8 a.m.–3:30 p.m. For more information, visit the Marr Memorial Library page on TSD’s website at: [https://www.tsdeaf.org/apps/pages/TSDK\\_library](https://www.tsdeaf.org/apps/pages/TSDK_library).

### **WTSD**

WTSD’s library is an inviting space located in the same building as the gymnasium. Its collection contains approximately 5000 fiction, non-fiction, and reference titles that serve to support student literacy and professional growth. The library is open for students, classrooms, and staff use throughout the school day.



## ASSESSMENTS

TSD uses a variety of assessments to measure the growth and achievement of the students. Assessments are given throughout the year to all students.

<b>Subject Area Assessments</b>		
<u>Assessment</u>	<u>Administration Window</u>	<u>Students</u>
AimswestPlus	fall, winter, and spring	grades K-3
Measures of Academic Progress (MAP)	fall, winter, and spring	grades K-12
Tennessee Comprehensive Assessment Program (TCAP) - includes TCAP Achievement, TCAP Alt, and the End-of-Course (EOC) assessments	spring	grades 3-12
US Civics	fall and winter	grades 11 and 12
PreACT	spring	grades 8 and 10
ACT	fall spring	grade 12 (fall) grade 11 (spring)
<b>American Sign Language Assessments</b>		
<u>Assessment</u>	<u>Administration Window</u>	<u>Students</u>
Visual Communication and Sign Language Checklist (VCSL)	fall and spring	preschool, prekindergarten, kindergarten, and Deaf Plus
ASL-Receptive Skills Test (ASL-RST)	fall	grades prekindergarten-7 and new students
ASL-Expressive Skills Test (ASL-EST)	fall	grades kindergarten, 3, 6, 9, 12
ASL Assessment (ASLA)	spring	even grades and new students without scores
<b>Other Assessments</b>		
World-Class Instructional Design and Assessment (WIDA) Screener	anytime	potential English Language Learners (students who use foreign languages as well as English and ASL)
World-Class Instructional Design and Assessment (WIDA)	spring	English Language Learners (students who use foreign languages as well as English and ASL)
Dyslexia assessments	anytime	students who have a qualifying discrepancy between their reading and language skills to suggest they may have characteristics of dyslexia

## ELEMENTARY SCHOOL

### Vision Statement

TSD elementary schools (**TSDK, TSDN, and WTSD**) will function as a professional community in which teachers pursue a clear, shared purpose for all students' learning, engage in collaborative activities to achieve that purpose, and focus on high expectations for all students. Our students will demonstrate incremental growth in academic areas, communication abilities, and life skills.

### Mission Statement

- We commit to a positive environment through collaboration and professional development to ensure student achievement and growth.
- We will use data to guide our instruction.
- We will work alongside school counselors, residential program staff and parents to expand each student's social and life skills.

### Grading System

Grading	Definition/ Numerical Grade
<b>Preschool, PK, and Kindergarten</b>	
<b>E</b>	Excellent
<b>S</b>	Satisfactory
<b>P</b>	Progressing
<b>N</b>	Needs Improvement
<b>1st Grade through 12<sup>th</sup> Grade</b>	
<b>A</b>	90-100
<b>B</b>	80-89
<b>C</b>	70-79
<b>D</b>	60-69
<b>F</b>	59 and below

Assignments are given weight towards the final grade as given in the table below.

Assignment Category	Category Weight
Classwork (CW)	40%
Assessments (TQ)	30%
Homework (HW)	20%
Participation (P)	10%

### **Pupil Progression**

Students are promoted each year based on meeting IEP goals and earning passing grades in each subject area.

## **UPPER SCHOOL (TSDK)**

### **Mission Statement**

To facilitate optimal learning for all students to enable them to lead productive and fulfilling lives in a changing and complex society.

### **Cell Phone Policy<sup>21</sup>**

Cell Phone Guidelines:

- Cell phones must be kept in their backpack. (i.e. put away and not on the desk or in their hands while in the classroom). Cell phones must be silenced, muted, or turned off while in the classroom.
- Cell phones may be used between classes.

Consequences for Violations:

Time frame: within a 9-week period (quarter)

- 1st Violation: Cell phone is taken until the end of the school day.
- 2nd Violation: Cell phone is taken and given to the principal to be kept for up to 24 hours.
- 3<sup>rd</sup> Violation: Loss of cell phone privileges for a period of time to be determined by the principal.

### **Class Membership**

Upon entry into upper school students will be assigned to a grade and class. Each class is charged with class dues, planning, organizing, and funding activities that support the goals of the class. Each class is also responsible for conducting community service activities throughout the school year.

Each class (senior, junior, sophomore, and freshman) will hold regularly scheduled meetings. Meetings may be called as needed.

### **Diploma Options<sup>22</sup>**

#### **High School Diploma**

The high school diploma is earned by students who:

- Earn the specified twenty-two (22) units of credit
- Have satisfactory records of attendance and conduct

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<sup>21</sup> TSD Policy 6.3120, Student Use of Personal Communication and Electronic Devices

<sup>22</sup> TR/MSS 0520-01-03.06

### ***Special Education Diploma***

A special education diploma may be awarded at the end of their fourth year of high school to students with disabilities who have:

- Not met the requirements for a high school diploma
- Have satisfactorily completed an IEP
- Have satisfactory records of attendance and conduct

Students who obtain the special education diploma may continue to work towards the high school diploma through the end of the school year in which they turn twenty-two (22) years of age.

### ***Occupational Diploma***

An occupational diploma may be awarded to students with disabilities who:

- Have not met the requirements for a high school diploma
- Have satisfactorily completed an individualized education program
- Have satisfactory records of attendance and conduct
- Have completed the occupational diploma Skills, Knowledge, and Experience Mastery Assessment (SKEMA) created by the Department of Education and have completed two (2) years of paid or non-paid work experience

The determination that an occupational diploma is the goal for a student with a disability will be made at the conclusion of the student's tenth (10th) grade year or two (2) academic years prior to the expected graduation date. Students who obtain the occupational diploma may continue to work towards the high school diploma through the end of the school year in which they turn twenty-two (22) years old.

### ***Alternate Academic Diploma***

An alternate academic diploma may be awarded to students who:

- Have been assessed using the alternative assessments
- Have completed the 22 credit hour requirements for the HS diploma within 4 years + one summer
- Received special education services or supports and made satisfactory progress on an IEP
- Have satisfactory records of attendance and conduct and
- Complete a transition assessment(s) that measures, at a minimum postsecondary readiness in the areas of postsecondary education and training; employment; independent living; and community involvement.

### ***Extra-Curricular Activities, Clubs, and Organizations***

Extracurricular activities include not only sports and cheerleading, but also clubs, class activities, and other activities. All students participating in extracurricular activities will be expected to be in good standing and have attended at least 50% of the school day on the day of club meetings or competitions/games.

Any behavior problem resulting in a disciplinary action may restrict the student's participation in extracurricular activities. Students who are put on in-school suspension are not permitted to participate in games or activities; however, they may attend practices.

## Grading System

Grades will be based on the following standard:

Numeric Grade	Letter Grade	Scale	Points
90-100	A	Excellent	4 grade points
80-89	B	Good	3 grade points
70-79	C	Average	2 grade points
60-69	D	Below Average	1 grade point
59-Below	F	Failure	0 grade points
	O	No Credit	
	Inc	Incomplete	
	X	Continuation	

Assignments are given weight towards the final grade as given in the table below.

Assignment Category	Category Weight
Classwork (CW)	40%
Assessments (TQ)	30%
Homework (HW)	20%
Participation (P)	10%

## Graduation Requirements

9th-12th grade students at the TSD are required to meet the following graduation requirements. The extent to which each student matriculates through this program is determined by the student's IEP. Students who complete this course of study and meet all state assessment requirements (End-of-Course Exams including the required state Civics assessment) will become eligible for a regular high school diploma.

Requirements for Students	
<b>TOTAL CREDITS REQUIRED: 22</b>	
<b>MATH:</b> 4 Credits Including Algebra I, II, Geometry and a fourth higher level math course	<b>SCIENCE:</b> 3 Credits Including Biology, Chemistry or Physics, and a third lab course or Computer Science
<b>ENGLISH:</b> 4 Credits English I, II, III, IV	<b>SOCIAL STUDIES:</b> 3 Credits World History, American History, Government & Economics
<b>PHYSICAL EDUCATION AND WELLNESS:</b> 1.5 Credits	<b>PERSONAL FINANCE:</b> .5 Credits
<b>WORLD LANGUAGE:</b> 2 Credits ASL I, II <b>FINE ARTS:</b> 1 Credit	<b>ELECTIVE FOCUS:</b> 3 Credits Math and Science, Career and Technical Education, Fine Arts, or Humanities

\*SBE Rule 0520-01-03-.06

## Program of Study

Students are considered "ready graduates" if they meet one of the following indicators:

- Score of 21 or higher on the ACT; or
- Complete 4 early postsecondary opportunities (EPSOs); or
- Complete 2 EPSOs and earn an industry certification.

A program of study will be developed for every student in 9-12 grade. The program of study is a sequence of instruction consisting of coursework, co-curricular activities, work-site learning, service learning and other learning experiences. This sequence of instruction provides preparation for a career.

The student, in cooperation with the transition services staff and members of the IEP team, will develop a personal plan of study. This is their individual scope and sequence of coursework, co-curricular activities, work site learning, service learning, and other learning experiences based upon his/her chosen career goals and aspirations. The plan of study will be revisited annually and adjustments made as the interests and career aspirations of the student change. This is a flexible resource within the constraints of graduation requirements that is designed to change in concert with the interests and needs of the learner.

### **Reporting Information**

Report cards are mailed to parents/guardians every quarter. Grades are reported as alphabetic letters and are determined by the percent scale listed above. If students are 18 years of age, grades, with student's approval, will be mailed to the parents/guardians. Each successive report is not the average of previous grade reports; rather, it represents the compiled scores of all daily lessons, homework, projects, quizzes, examinations, and other classroom assignments during the period of days covered by the report.

Honor roll is based on the following:

- Academic
- Work Study
- Special Program

<b>First Honors</b>	<b>All A's on Report Card, GPA: 4.0</b>
<b>Second Honors</b>	<b>A's and B's, GPA 3.0-3.9</b>
<b>Honorable Mention</b>	<b>A's and B's with one C, GPA 3.0-3.5</b>

### **Transition Services**

Transition services provides supports for TSD students. The primary focus of transition services is to prepare students for a path of their choosing: a career, technical path; a 2-year or 4-year college track; or transition to work. Transition services works closely with students in areas of self-advocacy and self-determination, as well as learning about resources and benefits within their chosen community. Transition services also provide services in assessment of student interests and aptitude, and coordination of work-based learning experiences.

### **Valedictorian and Salutatorian**

To be eligible for these academic honors, seniors must meet the following **minimum requirements**:

Students grade point averages are calculated to the tenth and ranked. The student with the highest GPA is designated as valedictorian and the student with the second highest GPA is designated as the salutatorian. If necessary, calculations will be taken out to hundredths or further to determine rankings. There shall be only one valedictorian and one salutatorian in each graduating class.

Valedictorian GPA of 3.5 or greater

Salutatorian GPA of at least 3.25

A purple graduation gown will be worn for those walking on the stage for the first time. A white graduation gown will be worn for those walking on the stage for the second time to earn an additional diploma.

## **VARSITY ATHLETICS (TSDK)**

The athletics program at TSD is recognized as an integral part of the total educational program. Sports in the athletic program includes cheerleading, girls' volleyball, football, girls' basketball, boys' basketball, swimming, and track and field.

Procedures and guidelines for TSD athletes follow those established and set forth in the TSD athletics handbook. Each coach is responsible for reviewing these procedures and guidelines with the students at the beginning of each sport season. The student who participates in athletics at TSD is not only representing himself/herself, but his/her conduct also influences other's opinion of the school and the Deaf community. Participation in athletics at TSD is not the right of any student but is an honor each individual must earn. For this reason, the importance of proper conduct, attitude, and sportsmanship are stressed in all phases of the program.

TSD is a member of the Tennessee Secondary School Athletic Association (TSSAA) and follows all eligibility rules set forth by this controlling body. The athletic program is considered a part of the academic program and is under the supervision of the chief academic officer and student life director. All students have the right to appeal decisions and consequences by making a formal appeal to the athletic director, chief academic officer, and director of schools. Final decisions are under approval of the athletic director, chief academic officer, and the director of schools.

### **Eligibility Requirements**

Any potential student-athlete must be a student of TSD and adhere to all school policies as outlined in the current student handbook.

Any student in grades 8-12, who is eligible, according to TSSAA requirements, will be eligible to try out for varsity athletics.

### **School Attendance**

- All student-athletes are expected to abide by the official attendance policy of TSD.
- Student-athletes may not participate in any athletic contest if he/she was absent from school the day of the contest.
- Student-athletes may not participate in any athletic contest on Saturday if he/she was absent from school on the preceding Friday.
- Student-athletes may be allowed to play if the absence from school is excused by the principal and/or the chief academic officer.
- Student-athletes must be in attendance at least 50% of the school-day to be eligible to participate in competitions/games.

### **Suspension from Class and/or School**

Student-athletes must attend but not participate in any athletic contest during their suspension for classroom or school related incidents. Student-athletes must attend and participate in practice sessions during their suspension.

## **TECHNOLOGY**

### **NETWORK AND INTERNET ACCESS<sup>23</sup>**

TSD's IT department consistently monitors the TSD network, devices, and program/apps in order to ensure the highest level of security for students and staff. Network and device security and content filtering on TSD campuses meet the requirements of the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA). This includes security protocols and monitoring for the use of devices and applications such as Zoom when students are on TSD's Network.

Devices assigned to students and utilized on home networks are also subject to monitoring and inspection as determined to be necessary to ensure device security and is ultimately for the student's protection.

However, please note that, while TSD uses technology protection measures to limit access to material considered harmful or inappropriate to students, it may not be possible for TSD to absolutely prevent such access, especially when students are not on the TSD network. Despite our best efforts, a student may encounter material that is objectionable or otherwise not authorized by TSD. Further, TSD is not responsible for outages, unauthorized access or disruption by third parties (e.g., cybersecurity incidents, "hacking", malware, and other unlawful activities). In the event of such occurrence, TSD may need to implement additional security measures, including, but not limited to, requiring return of Equipment.

TSD may monitor use, files, data, electronic communications, Internet browser histories, or other features of the Equipment at any time; but it is ultimately the responsibility of the parent or guardian to monitor the student's use. Violations may result in confiscation of the device (personal or school), if confiscated, the device will be held during the investigation. Depending on violation, the local law enforcement may confiscate the device.

### **RESPONSIBLE USE<sup>23</sup>**

Campus technology resources, including Internet and Wi-Fi access, are provided for the instructional and business purposes of the TSD. Students are expected to exhibit responsible, respectful, and safe behavior, following all school, local, state, and federal rules, policies, and laws. General school rules for behavior and communication apply to technology as well. Throughout the school year, students are provided instruction regarding Digital Citizenship, Internet Safety, and Cyberbullying.

### **SCHOOL-OWNED TECHNOLOGY**

TSD has purchased school-owned technology resources for instructional purposes; specific resources may be issued individually to students. Use of these resources, which include the school's network systems and use of school equipment, is restricted to approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these school-owned

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<sup>23</sup> TSD Policy 4.4060, Use of Internet and Social Media



resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

## **STUDENT-OWNED DEVICES<sup>21</sup>**

Students at the TSD are permitted to bring student-owned technology devices to campus including cell phones, pagers, tablets, etc. for use before/after school and during residential hours as permitted.

Cell Phone Guidelines:

- Cell phones must be kept in their backpack. (i.e. put away and not on the desk or in their hands while in the classroom). Cell phones must be silenced, muted, or turned off while in the classroom.
- Cell phones may be used between classes.

Consequences for Violations:

Time frame: within a 9-week period (quarter)

- 1st Violation: Cell phone is taken until the end of the school day.
- 2nd Violation: Cell phone is taken and given to the principal to be kept for up to 24 hours.
- 3<sup>rd</sup> Violation: Loss of cell phone privileges for a period of time to be determined by the principal.

## **VIDEOPHONES (VP)**

Videophones (VP) in all administrative and staff offices are not intended for personal use. Students will not be summoned from class to accept a VP call except for an emergency.

Each house in the residential program has a videophone available for incoming and outgoing video calls for student use.

Students are required to request permission from residential program staff before utilizing the videophone for any purpose. Residential program staff will counsel students about their videophone use. Calls cannot be made or received after hours as determined by the house residence staff.

# **ATTENDANCE AND DISCIPLINE**

## **ATTENDANCE POLICY<sup>24</sup>**

All TSD students are expected to attend regularly scheduled classes. Unexcused absences over ten (10) days per semester may adversely affect the student's grades and ability to earn course credit.

All absences must be accounted for with a note from parent or physician. Five (5) parent notes are allowed per semester.

Five (5) absences (excused or unexcused) during a semester will generate a letter to the parent(s) indicating that there is a concern with the student's attendance in school. The student's local education agency (LEA) will receive copies of letters regarding school attendance.

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<sup>24</sup> TSD Policy 6.2000, Student Attendance

After a student has accumulated five (5) unexcused absences during the school year, and after 5 school days from the return from the absence to turn in documentation to excuse those absences or request an attendance hearing, the principal or designee shall begin implementation of the school's Tier II of the attendance intervention plan. The school's attendance intervention plan aligns with the state's requirements for a progressive truancy intervention plan and shall be implemented prior to the filing of a truancy petition in juvenile court or a criminal prosecution for educational neglect. The intervention plan must be designed to address student conduct related to truancy in the school setting and minimize the need for referrals to juvenile court.

#### **Tardiness/Early Dismissal**

Classes start at the school's scheduled start time. Student arriving after this time will be considered late to school and will be marked as tardy in the student information system. Students should be dropped off at school prior to the beginning of the school day and must be picked-up during the appointed pick-up times for each campus. Student leaving early will be marked as having an early dismissal in the student information system. Parents of students arriving late or leaving early must sign-in their student at the school's office, and the student must receive a pass from the office to be given to their teacher.

Punctuality is a key factor in student achievement. It is important that students are on time to maximize their opportunity for success and educational growth. Students in grades pre-school–12 shall be present at least 50 percent of the scheduled school day (3 hours and 15 minutes) to be counted present. If a tardy or early dismissal is unexcused, the student will receive a participation grade of "0" in those classes missed.

#### **Excused Absence**

Students with excused absences will be allowed to make up all missed work according to the timeline established by each individual teacher. The student will be allowed two make-up days for every one day of excused absence.

The following reasons for absence will be excused:

- (a) Personal illness;
- (b) Illness of immediate family member;
- (c) Death in the family;
- (d) Extreme weather conditions;
- (e) Religious observances;
- (f) Travel days for postsecondary visits;
- (g) Pregnancy;
- (h) School sponsored or school endorsed activities;
- (i) Military active duty/deployment;
- (j) Summons, subpoena, or court order; or
- (k) Circumstances which in the judgment of the school principal create emergencies over which the student has no control.

#### **Unexcused Absence**

All other types of absences are unexcused and will result in students' receiving a grade of "0" for participation and for any graded work due for each class/day missed. An absence without documentation will be considered unexcused until such time as the student/parent presents written documentation.

**Parent Notes**

The school will accept five (5) parent notes/calls per student per school year. Thereafter, the student must have a doctor's note to excuse any absence for illness.

**Parent Call-in**

All parents or guardians should call the main office between 7:30 a.m. and 9:00 a.m. on the day of the student's absence. Any parent or guardian that does not call in will be contacted by the administrative assistant for the school beginning at 10:00 a.m. daily.

**Chronic Absenteeism**

Chronic absenteeism can occur when a student misses school for any reason (excused, unexcused, suspended/expelled). Chronic absenteeism is commonly defined as missing 10 percent or more of instructional days, the threshold at which research indicates most students are at risk of negative academic and social consequences.

**Inclement Weather**

In the event of inclement weather that results in a delay or cancellation, information will be posted to the TSD website and social media pages, and local news media will be notified.

**RIGHTS AND RESPONSIBILITIES OF STUDENTS<sup>25</sup>**

All employees, students, parents, and guardians are responsible for appropriate behaviors in the school.

Each student has the right to:

- (a) Have the opportunity for a free education in the most appropriate learning environment;
- (b) Be secure in his/her person, papers, and effects against unreasonable searches and seizure;
- (c) Be educated in a safe and secure environment;
- (d) Have appropriate resources and opportunities for learning;
- (e) Not be discriminated against on the basis of sex, race, color, creed, religion, national origin, or disabilities; and
- (f) Be fully informed of school rules and regulations.

Each student has the responsibility to:

- (a) Know and adhere to reasonable rules and regulations established by the school;
- (b) Respect the human dignity and worth of every other individual;
- (c) Refrain from libel, slanderous remarks, and obscenity in verbal and written expression;
- (d) Study and maintain the best possible level of academic achievement;
- (e) Be punctual and present in the regular school program;
- (f) Dress and groom in a manner that meets reasonable standards of health, cleanliness, modesty, and safety;
- (g) Maintain and improve the school environment, preserve school and private property, and exercise care while using school facilities;
- (h) Refrain from behavior which would lead to physical or emotional harm or disrupts the educational process;
- (i) Respect the authority of school administrators, teachers, and other authorized personnel in maintaining discipline in the school and at school-sponsored activities;

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<sup>25</sup> TSD Policy 6.3000, Student Discipline

- (j) Obey the law and school rules as to the possession or the use of alcohol, illegal drugs, and other unauthorized substances or materials; and
- (k) Possess on school grounds only those materials which are acceptable under the law and accept the consequences for articles stored in one's locker.

## **DRESS CODE<sup>26</sup>**

School dress and grooming shall be modest, moderate, and decent. Apparel or appearance which distracts students from learning or presents a safety hazard is inappropriate for school.

**Students have the right** to dress as they choose as long as their dress meets the approved dress and grooming regulations, does not disrupt school activities, is not obscene or defamatory, and does not endanger the physical health or safety of themselves or others.

**Students have the responsibility** to dress and groom in such a manner so as to reflect cleanliness, modesty, safety, and good taste; become familiar with and adhere to approved dress and grooming regulations of their school program. This includes:

- Shirts must be buttoned from the third button down.
- Undershirts are not to be worn as outer clothing.
- All undergarments must be covered at all times.
- No spaghetti or thin strap tops, sleeveless jerseys/shirts, bare-midriff shirts permitted.
- No see-through clothing permitted.
- Pants must be worn no lower than the hip bone.
- No cycling shorts permitted.
- All clothing should be appropriate in length, fit, and modesty. Clothing that is deemed suggestive and distracting to the learning environment is prohibited.
- No hats, bandanas, or inappropriate head wear (e.g., sport head band) is to be worn in any building during the school day.
- Blankets are not permitted in the classroom.
- Students are not permitted to wear:
  - a. Clothing, hats, jewelry, etc. with suggestive, violent, drug related, or obscene pictures or words
  - b. Chains or spikes including wallet chains
  - c. Clothing with depictions of gangs, illegal substances, tobacco, profanity, or alcoholic beverages
  - d. Gang type clothing such as trench coats, gang colors, or hoodies used to hide the face
  - e. Flip-flops, slides, or house slippers (appropriate footwear should be worn for recess, physical education, recreation, and play)
  - f. Clothing and headwear that is designed for sleeping or lounging
  - g. Leggings are considered underwear and are deemed unacceptable unless they are worn with long tops or dresses that cover the buttocks
  - h. Jewelry or accessories that represent or suggest obscenities, pornography, drugs, gangs, or weapons.

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<sup>26</sup> TSD Policy 6.3100, Student Dress Code

Students who do not present themselves appropriately for class will be referred to the principal's office for further attention. In matters of opinion, the judgment of the principal or other appropriate administrator will prevail.

Students in violation of the dress code will be required to return to the residential program to change into appropriate school wear. Parents of day students will be contacted to be informed of the inappropriateness of their child's appearance and may be asked to come and pick their child up from school.

#### **Methods for Determining Appropriateness**

Clothing is determined to be too short if the clothing does not exceed the length of his/her fingertips when their arms are hanging down at their side (skirts, shorts, and dresses).

If the waistline is exposed when the student's arms are raised above their head the garment is too short or small.

### **APPROPRIATE SOCIAL CONDUCT**

TSD students will be allowed to participate in planned social events and programs within certain guidelines. Parents may establish rules for their child's social interactions but cannot set aside the guidelines and standards established by the school. Students who violate the rules for appropriate social conduct will be subject to disciplinary consequences appropriate to the violation.

#### **Inappropriate Sexual Conduct**

Appropriate social interactions are strongly encouraged, and students are always expected to conduct themselves in a socially responsible manner. Conduct or behavior of a sexual nature is never allowed on the campus of TSD or during any school approved function or activity. Students who are caught in any type of sexual behavior will be disciplined accordingly.

#### **Public Display of Affection**

In addition to the school and residential programs, the TSD campus shares facilities with several other state agencies. TSD also entertains visitors and guests to the campus daily. Every member of the TSD community is expected to conduct themselves in a manner that will bring praise and positive comments to themselves and the school. Students will refrain from public displays of affection. For the purposes of this policy the following conduct is not permitted:

- Excessive hugging
- Kissing on the lips or cheeks
- Excessive body contact
- Groping or inappropriate touching
- Graffiti, signs, or posted notes/comments

### **ITEMS NOT ALLOWED IN SCHOOL**

To ensure safety and to reduce disruption to learning, students may not bring certain items to school. The list below is a brief inventory of banned articles but can be expanded to include items not listed.

Students shall not bring the following items to campus: unauthorized laptop computers, jump drives or other types of data storage devices, scooters, shoe skates, roller blades, matches, lighters, tobacco or tobacco products (including smokeless tobacco, electronic cigarettes, and associated paraphernalia),

alcohol, medicines, canned or bottled drinks (except water), guns, drugs, knives of any kind, box cutters, laser pointers, fireworks, items of considerable value, or toys, games/electronic games. Toys, games, or electronic games may be brought and used in the residential program if approved by the dean.

In matters of opinion, the school faculty, staff, or administration representative shall have the final determination of appropriateness of any item brought to school.

### **Food and Drinks<sup>27</sup>**

Students may not bring food, candy, or drinks to the classroom, with the exception of bottled water in elementary classrooms (PK-6<sup>th</sup> grade) or with prior approval from the principal.

As part of a pre-approved fund-raising activity or school event, food, candy, and drinks can be purchased or served from 3-3:30 p.m.

Soft drinks, tea, punch, power drinks and any other types of canned or bottled drinks are not allowed in school or the classroom. Soft drinks or other beverages are not permitted in the dining hall due to FDA regulations. Power/energy drinks are not allowed in the residential program. *Students may have bottled water during the day.*

Soft drinks are permitted as part of an approved school event or activity.

### **DRUG AND ALCOHOL POLICY<sup>28</sup>**

It is the policy of the TSD that students will not possess, consume, or distribute drugs, tobacco (including smokeless tobacco, electronic cigarettes, and associated paraphernalia), or alcohol, or possess drug paraphernalia while on campus or during school sponsored activities. If drugs or contraband are discovered the police will be notified.

This policy includes any and all legally controlled substances.

- Prescription medications and over-the-counter medications sold or passed off as a drug look-alike are also forbidden. A student who keeps prescription drugs and/or over-the-counter medications in his/her house residential program or in their possession during the school day is in violation of this policy. All prescription drugs and over-the-counter medications are to be kept and monitored by the school clinic.
- The use of common off-the-shelf products as inhalants for the purpose of getting “high” is a violation of this policy.

Students who knowingly ignore or fail to divulge that another student is in violation of this policy may also receive consequences for their failure to report this information to the appropriate staff member.

### **SEXUALLY EXPLICIT MATERIALS**

Pornographic materials will not be allowed on campus or in a student’s possession while on a school sanctioned activity. It is the policy of TSD that students who are in possession of or transfer, share, download, attempt to download, or produce sexually explicit materials would be in violation of school policies (4.4060 – Use of Internet and Social Media, 6.3120 – Student Use of Personal Communication

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<sup>27</sup> TSD Policy 3.5000, Food Service Management

<sup>28</sup> TSD Policy 6.3070, Drug-Free Schools

and Electronic Devices, and 6.3040 – Student Discrimination, Harassment, Bullying, Cyberbullying, Intimidation, and Hazing).

### **Definition**

Sexually explicit materials include a wide range of content-including nudity, romance, and depictions of sex and intercourse, as well as a variety of sexual proclivities.

### **Printed and Electronic Material**

Magazines, books, photographs, drawings, videos, DVDs and other types of materials that depict or describe sexually explicit materials are forbidden and students who are in possession of such materials are subject to disciplinary action.

## **DISCIPLINE PROCEDURES<sup>29</sup>**

TSD offers many educational programs to meet the needs of deaf and hard-of-hearing students. To be successful in these programs, students must behave responsibly. Responsible behavior begins by understanding what is considered acceptable behavior. The TSD discipline procedure outlines what will happen if a student misbehaves. The discipline procedures described below also apply to times when students are required to participate in instruction in a virtual setting.

The rules at TSD protect the rights of students and provide fair treatment for all students. However, one student's rights end when that student's actions interfere with another student's rights. Students who do not behave responsibly will lose privileges. Each student is responsible for his/her own behavior and must accept consequences if his/her behavior is not acceptable according to the discipline policy.

Any staff member at TSD may enforce the discipline policy with any of the students at TSD. This includes all activities on campus such as athletic and recreational activities, residential program activities, public events, other extracurricular activities, and all off-campus activities under the direct supervision of the TSD.

### **Authority**

The administration, faculty, and staff of TSD are vested with considerable legal authority. With this authority comes great responsibility. In addition to educating the child, school personnel are charged with providing a safe and healthy environment for student learning and achievement. In order to achieve this mandate, the school has developed the Code of Student Conduct that outlines the expectations for students.

In implementing student conduct procedures, TSD follows guidelines and mandates from the Individuals with Disabilities Education Act (IDEA), State Board of Education Rules, Tennessee Education Laws, and Department of Education policies and procedures. In addition, operational policies are developed and implemented by department heads in compliance with these mandates and approved by the director of schools.

### **Considerations for Students with Disabilities**

TSD may, for not more than 10 school days in a row, remove a student who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting (which must be determined by the child's IEP team), another setting, or suspension. TSD may also impose

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<sup>29</sup> T.C.A. § 49-1-214, T.C.A. § 49-6-4002

additional removals of the student of not more than 10 school days in a row in that same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement (see Change of Placement Because of Disciplinary Removals for the definition). Once a student has been removed from his or her current placement for a total of 10 school days in the same school year, TSD will, during any subsequent days of removal in that school year, provide services to the extent required by law.

### **Services During Removal**

The services that must be provided to the student who has been removed from his or her current placement may be provided in an interim alternative educational setting. A student removed from his or her current placement for more than 10 school days must:

1. continue to receive educational services, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; and
2. receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address behavior violation so that it does not happen again.

After a student has been removed from his or her current placement for 10 school days in that same school year, and if the current removal is for 10 school days in a row or less and if the removal is not a change of placement (see definition below), school personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. If the removal is a change of placement (see definition below), the student's IEP team determines the appropriate services to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

### **Manifestation Determination**

Within 10 school days of any decision to change the placement of a student because of a violation of a code of student conduct (except for a removal that is for 10 school days in a row or less and not a change of placement), TSD, the parent, and relevant members of the IEP team (as determined by the parent and the school district) must review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine:

1. if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
2. if the conduct in question was the direct result of the school district's failure to implement the student's IEP.

If TSD, the parent, and relevant members of the student's IEP team determine that either of those conditions was met, the conduct must be determined to be a manifestation of the student's disability. If TSD, the parent, and relevant members of the student's IEP team determine that the conduct in question was the direct result of the school's failure to implement the IEP, TSD will take immediate action to remedy those deficiencies.

### **Determination that Behavior was a Manifestation of the Child's Disability**

If TSD, the parent, and relevant members of the IEP team determine that the conduct was a manifestation of the student's disability, the IEP team must either:



1. conduct a functional behavioral assessment, unless TSD has conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student; or
2. if a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it as necessary to address the behavior.

Except as described under “special circumstances” below, TSD will return the child to the placement from which the student was removed, unless the parent and TSD agree to a change of placement as part of the modification of the behavioral intervention plan.

### **Determination that Behavior was not a Manifestation of the Child’s Disability**

If the behavior that violated the student code of conduct was not a manifestation of the student’s disability and the disciplinary change of placement would exceed 10 school days in a row, TSD may apply the discipline in accordance with the “Levels of Offense, Disciplinary Procedures, and Disciplinary Options” outlined below. TSD will provide services to that student as described under “Services.” The student’s IEP team determines the interim alternative educational setting for such services.

### **Special Circumstances**

Whether or not the behavior was a manifestation of the student’s disability, TSD may remove a student to an interim alternative educational setting (determined by the student’s IEP team) for up to 45 school days if the student:

1. carries a weapon (see the definition below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the Tennessee Department of Education or a school district;
2. knowingly has or uses illegal drugs (see Definitions section) or sells or solicits the sale of a controlled substance (see Definitions section) while at school, on school premises, or at a school function under the jurisdiction of the Tennessee Department of Education or a school district; or
3. has inflicted serious bodily injury (see Definitions section) upon another person while at school, on school premises, or at a school function under the jurisdiction of the Tennessee Department of Education or a school district.

### **Definitions**

Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

Illegal drug means a controlled substance, but it does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the IDEA or under any other provision of federal law.

Serious bodily injury has the meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code. Weapon has the meaning given the term “dangerous weapon” under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

### **Notification**

On the date TSD makes the decision to make a removal that is a change of placement of the student because of a violation of a code of student conduct, it must notify the parents of that decision and provide the parents with a procedural safeguards notice.

### **Change of Placement Because of Disciplinary Removals**

A removal of a child with a disability from the student's current educational placement is a change of placement if:

1. The removal is for more than 10 school days in a row; or
2. The student has been subjected to a series of removals that constitute a pattern because:
  - a. the series of removals total more than 10 school days in a school year;
  - b. the student's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
  - c. of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.

Whether a pattern of removals constitutes a change of placement is determined on a case-by case basis by TSD and, if challenged, is subject to review through due process and judicial proceedings.

### **Determination of Setting**

The IEP team must determine the interim alternative educational setting for removals that are changes of placement and removals.

### **Appeal**

The parent of a student with a disability may file a due process complaint to request a due process hearing if he or she disagrees with:

1. any decision regarding placement made under these discipline provisions; or
2. the manifestation determination.

TSD may file a due process complaint to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the student or to others.

When, as described above, the parent or school has filed a due process complaint related to disciplinary matters, the student must (unless the parent and the school agree otherwise) remain in the interim alternative educational setting pending the decision of the administrative law judge or until the expiration of the time period of removal, whichever occurs first.

### **Procedural Due Process**

Before school authorities administer disciplinary measures, reasonable inquiry shall be made to determine the truth of what happened.<sup>30</sup> The nature of this inquiry will vary in degree with the seriousness of the offense and the consequence.

For minor offenses where corrective measures are taken by the classroom teacher, no formal procedure is required. The teacher shall ensure the following:

- The offender is accurately identified;
- That he/she understands the nature of the offense; and
- That he/she understands the consequences for the offense.

In cases of severe offenses where there is a possibility of suspension, the student shall be advised of the

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<sup>30</sup> *Ingraham v. Wright*, 430 U.S. 651 (1977)

nature of his/her misconduct, questioned about it, and allowed to give an explanation.<sup>31</sup>

If a student is suspended more than ten (10) days, he/she shall receive notice of the right to appeal to the Disciplinary Hearing Authority.<sup>32</sup>

### **Student Disciplinary Hearing Authority**

A Disciplinary Hearing Authority (DHA) shall conduct appeals for students who have been suspended for more than ten (10) school days.<sup>33</sup> The director of schools, in consultation with the Tennessee Department of Education's office of general counsel, shall appoint a DHA which shall consist of three (3) members. All appointments are for one (1) year terms and subject to reappointment.

The director of schools shall appoint a chair of the DHA. The Chair shall perform the following duties:

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

Upon receiving notification of the request to appeal the suspension decision, the DHA shall provide written notification to the parent or guardian of the student, the student, and any other appropriate person of the time, place, and date of the hearing. The hearing shall be held no later than ten (10) days after the beginning of the suspension.<sup>34</sup>

The DHA may take the following disciplinary actions:<sup>35</sup>

- Affirm the decision of the principal;
- Order removal of the suspension unconditionally;
- Order removal of the suspension upon such terms and conditions as it deems reasonable;
- Assign the student to an alternative school or program; or
- Suspend the student for a specified period of time. Note that zero tolerance offenses as set forth in statute require mandatory calendar year expulsion unless modified by the director of schools.

Within five (5) days of the DHA rendering a decision, the student, principal, teacher, or assistant principal may request a review by the director of schools, and the director of schools shall review the record. Following the review, the director of schools may take the following actions.

- Grant hearing request.<sup>36</sup> If the director of schools grants a hearing request, she/he shall provide notice to the student and his/her parent or guardian. The notice of the hearing shall include a statement that, unless the student or the student's parent(s)/guardian(s) requests an open hearing in writing within five (5) days of receipt of the notice, the hearing shall be closed to the public. The director of schools may affirm, overturn, or modify the decision of the DHA.
- Deny hearing request. If the director of schools denies a hearing request, it may affirm, overturn, or modify the decision of the DHA. The director of schools shall not impose a more severe penalty than that imposed by the DHA without first providing an opportunity for a

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<sup>31</sup> *Goss v. Lopez*, 419 U.S. 565 (1975)

<sup>32</sup> T.C.A. § 49-6-3401(c)(4)(A)—(B)

<sup>33</sup> T.C.A. § 49-6-3401(c)(4)(D)

<sup>34</sup> T.C.A. § 49-6-3401(c)(4)(D)

<sup>35</sup> T.C.A. § 49-6-3401(c)(5)

<sup>36</sup> T.C.A. § 49-6-3401(c)(6)

hearing before the director of schools.<sup>37</sup>

## **Levels of Offense, Disciplinary Procedures, and Disciplinary Options**

### **I. Level I Offenses**

This level includes minor misbehavior on the part of the student which impedes orderly classroom guidelines or interferes with the orderly operation of the school, but which can usually be handled by an individual staff member. Examples include (not an exhaustive listing):

- (a) Classroom disturbances (e.g., talking in class or talking out of turn, throwing objects, and other behavior that distracts from student learning)
- (b) Classroom tardiness
- (c) Academic dishonesty (e.g., cheating or plagiarizing)
- (d) Disrespectful behavior (e.g., verbal insults or put-downs, including the use of profane or offensive language; picking on, teasing, or distracting other students; making lewd or rude gestures or comments)
- (e) Failure to do assignments or carry out directions
- (f) Violating the Tennessee Schools for the Deaf dress code

### **Disciplinary Procedures**

- (1) The staff member intervenes immediately.
- (2) The staff member determines what offense was committed and its severity.
- (3) The staff member determines who committed the offense and if he/she understands the nature of the offense.
- (4) The staff member employs appropriate disciplinary options.
- (5) The record of the offense and disciplinary action shall be maintained by the staff member.

### **Disciplinary Options**

- (1) Verbal reprimand
- (2) Special assignment
- (3) Restricting activities (1-3 days)
- (4) Counseling
- (5) Withdrawal of privileges (1-3 days)
- (6) Issuance of demerits
- (7) Supervised study
- (8) Detention (1-3 days)
- (9) In-school suspension (1-3 days)

### **II. Level II Offenses**

This level includes misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school. These misbehaviors do not represent a direct threat to the health and safety of others but have educational consequences serious enough to require corrective action on the part of administrative personnel. Examples include (not an exhaustive list):

- (a) Continuation of unmodified Level I misbehaviors
- (b) Using forged notes or excuses
- (c) Disruptive classroom behavior

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<sup>37</sup> T.C.A. § 49-6-3401(c)(6)

**Disciplinary Procedures**

- (1) The student is referred to the principal for appropriate disciplinary action.
- (2) The principal meets with the student and the staff member.
- (3) The principal hears the accusation made by the staff member and allows the student the opportunity to explain his/her conduct.
- (4) The principal takes appropriate disciplinary action and notifies the staff member of the action.
- (5) The record of offense and disciplinary action shall be maintained by the principal.

**Disciplinary Options**

- (1) Teacher/schedule change
- (2) Counseling
- (3) Referral to outside agency
- (4) In-school suspension (1-5 days)
- (5) Detention (1-5 days)
- (6) Suspension from school-sponsored activities or from riding school bus (1-5 days)
- (7) Out-of-school suspension (1-5 days)

**III. Level III Offenses**

This level includes acts directly against persons or property but whose consequences do not seriously endanger the health or safety of others in the school. Examples include (not an exhaustive list):

- (a) Continuation of unmodified Level I and II misbehaviors
- (b) Fighting
- (c) Vandalism (minor)
- (d) Use, possession, sale, distribution, and/or being under the influence of tobacco or alcohol
- (e) Use, possession, sale, or distribution of drug paraphernalia
- (f) Use, sale, distribution, and/or being under the influence of drugs
- (g) Stealing
- (h) Threats to others
- (i) Harassment, bullying, cyber-bullying, or intimidation on the basis of race, color, national origin, sex, gender, or disability
- (j) Hazing
- (k) Review or use of pornographic material on school or personal devices, or sexting
- (l) Intentionally damaging or inappropriately using school technology equipment or the school internet/network
- (m) Downloading, installing, or removing software/apps or media without permission and direction from an authorized TSD staff member

**Disciplinary Procedures**

- (1) The student is referred to the principal for appropriate disciplinary action.
- (2) The principal meets with the student and the staff member.
- (3) The principal hears the accusation and allows the student the opportunity to explain his/her conduct.
- (4) The principal takes appropriate disciplinary action.
- (5) The principal may refer the incident to the director of schools and make recommendations for consequences.
- (6) The record of offense and disciplinary action shall be maintained by the principal.

**Disciplinary Options**

- (1) In-school suspension (1-10 days)
- (2) Detention (1-10 days)
- (3) Restitution from loss, damage, or stolen property
- (4) Out-of-school suspension (1-10 days)
- (5) Social adjustment classes
- (6) Transfer, if authorized by state and federal special education law
- (7) Withdrawal of privileges (10 or more days)

**IV. Level IV Offenses**

This level of misbehavior includes acts which result in violence to another's person or property or which pose a threat to the safety of others in the school. These acts are so serious that they usually require administrative actions which result in the immediate removal of the student from the school, the intervention of law enforcement authorities, or action by the Department of Education. If a student's action poses a threat to the safety of others in the school, a teacher, principal, school employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or death to another person. Examples include (not an exhaustive list):

- (a) Continuation of unmodified Level I, II, and III misbehaviors
- (b) Death threat
- (c) Extortion
- (d) Bomb threat
- (e) Possession, use, and/or transfer of dangerous weapons\*
- (f) Assault that results in bodily injury upon any teacher, principal, administrator, any other employee of the school, or a school resource officer\*
- (g) Aggravated assault\*
- (h) Vandalism
- (i) Theft, possession, and/or sale of stolen property
- (j) Arson
- (k) Possession of unauthorized substances (e.g. any controlled substance, controlled substance analogue, or legend drug)\*
- (l) Use or transfer of unauthorized substances
- (m) Electronic threat to cause bodily injury or death to another student or school employee

**Disciplinary Procedures**

- (1) The principal confers with appropriate staff members and with the student.
- (2) The principal hears the accusations and allows the student the opportunity to explain his/her conduct.
- (3) The parent(s)/guardian(s) are notified.
- (4) Law enforcement officials are contacted.
- (5) The incident is reported, and recommendations are made to the director of schools.
- (6) If the student's placement is to be changed, adequate notice of the charges shall be given to the student and his/her parent(s)/guardian(s) and his/her right to appear at a hearing.

**Disciplinary Options**

- (1) In-school suspension (10 or more days)
- (2) Detention (10 or more days)
- (3) Restitution from loss, damage, or stolen property

- (4) Out-of-school suspension (10 or more days)
- (5) Social adjustment classes
- (6) Transfer to home LEA if authorized by state and federal special education law
- (7) Expulsion one calendar year
- (8) Withdrawal of privileges (15 or more days)

\*Designates zero tolerance offenses

### **Zero-Tolerance**

In order to ensure a safe and secure learning environment, the following offenses shall not be tolerated:

- (a) A student brings to school or is in unauthorized possession on school property of a firearm;
- (b) A student is in unlawful possession of any drug, including any controlled substance, controlled substance analogue, or legend drug on school grounds or at a school-sponsored event;
- (c) A student commits aggravated assault upon any teacher, principal, administrator, any other employee of the school, or school resource officer; and
- (d) A student commits assault that results in bodily injury upon any teacher, principal, administrator, any other employee of the school, or school resource officer.
- (e) A student is in unauthorized possession or carries, whether openly or concealed, with the intent to go armed on school property or at a school sponsored event, any bowie knife, hawk bill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, knuckles or any other weapon of like kind as defined in T.C.A. § 39-17-1309.
- (f) A student makes a threat of mass violence on school property or at a school-related activity.

Committing any of these offenses shall result in a student being expelled from regular attendance at school for at least one (1) calendar year, unless modified by the director of schools. Modification to the length of time shall be granted on a case-by-case basis. Students that commit zero tolerance offenses may be assigned to an alternative school or program at the discretion of the director of schools. When it is determined that a student has violated this policy, the principal of the school shall notify the student's parent or guardian and the criminal justice or juvenile delinquency system as required by law.

### **Interrogations and Searches<sup>38</sup>**

The director of schools, principal, and teachers may question students about any matter pertaining to the operation of TSD and the enforcement of its rules.

- Questioning shall be conducted discreetly and under circumstances which will avoid unnecessary embarrassment to the student being questioned. (b) Any student answering falsely, evasively, or refusing to answer may be subject to disciplinary action, including suspension.
- The director of schools or designee may interrogate a student who is suspected or accused of misconduct or an infraction of the as outlined in the school's handbook and Policy 6.3000, Student Discipline, without the presence of a parent or guardian.

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<sup>38</sup> TSD Policy 6.3030 Interrogations and Searches

- The director of schools or designee may request assistance from the police department to investigate a crime involving TSD.
  - The police may interrogate a student suspect in school during school hours.
  - The director of schools or designee shall attempt to notify the parent or guardian prior to the interrogation unless circumstances require otherwise.
  - The interrogation may proceed without attendance of the parent or guardian.
  - The director of schools or designee shall be present during the interrogation unless circumstances or law enforcement agency requires otherwise.
  - Depending on the subject matter of the interrogation, the use of policewomen or female staff members is desirable in the interrogation of female students.
- The police department may interrogate students at school for crimes committed outside of school and school hours.
  - The police department shall first contact the director of schools or designee regarding the planned interrogation and inform him or her of the probable cause to investigate.
  - The director of schools or designees shall make reasonable effort to notify the parent or guardian of the interrogation unless circumstances require otherwise.
  - The interrogation may proceed without attendance of the parent or guardian.
  - The director of schools or designee shall be present during the interrogation unless circumstances or law enforcement agency requires otherwise.
  - Depending on the subject matter of the interrogation, the use of policewomen or female staff members is desirable in the interrogation of female students.

The director of schools shall develop procedures regarding the searching of students, lockers, vehicles, and containers which are consistent with state law and regulations that shall be reviewed by the Department of Education's office of general counsel.

- The director of schools shall develop additional procedures to ensure compliance with all of the provisions of the School Security Act of 1981 that shall be reviewed by the Department of Education's office of general counsel.
- The director of schools or designee, having reasonable suspicion, may search any student, place, or thing on school property or in the possession of any student during any organized school activity off campus, including buses and vehicles of students and visitors.
  - Notice shall be posted in the school parking lot that informs individuals that any vehicle parked on school property is subject to search if information is received which would cause a reasonable belief that the search will lead to the discovery of:
    - Evidence of any violation of the law.
    - Evidence of any violation of school rules or regulations or proper standards of student or faculty conduct.
    - Any object or substance which, because of its presence, presents an immediate danger of harm or illness to any person.

All lockers or other storage areas provided for student use on school premises remain the property of TSD and are provided for the use of students subject to inspection, access for maintenance, and search.

- A student using a locker that is the property of TSD does not have the right of privacy in that locker or its contents.
- Notice shall be posted in each school that lockers and other storage areas are school property and are subject to search.



A student may be subject to a physical search because of the results of a locker search, or because of information received from a teacher, staff member, or other student if such action is reasonable to the director of schools. All of the following standards of reasonableness shall be met:

- A particular student has violated policy.
- The search could be expected to yield evidence of the violation of school policy or disclosure of a dangerous weapon or drug.
- The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision and education of students.
- The primary purpose of the search is not to collect evidence for a criminal prosecution.
  - The search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student, as well as the nature of the infraction alleged to have been committed.

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

TSD may use handheld or walk-through metal detectors to check a student's person or personal effects as follows:

- School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; or every third individual entering an athletic event).
- Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.
- School officials or law enforcement officers may conduct a metal detector check of a student's person or personal effects if there is reasonable suspicion that the student is in possession of an illegal or unauthorized metal-containing object or weapon.
- A student's failure to permit a metal detector check, as provided in this policy, shall be considered grounds for disciplinary action, including possible suspension.
- The director of schools or designee shall develop procedures for use of metal detectors that shall be reviewed by the Department of Education's office of general counsel.

Police officers, if public health or safety is involved, may make a general search of students' lockers and desks, or students' or nonstudents' automobiles for drugs, weapons, or items of an illegal or prohibited nature.

- The director of schools or designee shall be present during the search.

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

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

- Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It should be tagged for identification at the time it is seized and kept in a secure place by the director of schools or designee until it is presented at the hearing.
- Returned to the parent or guardian of a student.
- Destroyed, if it has no significant value, but only with the express written permission of the director of schools.
- Turned over to any law enforcement officer.
  - Any dangerous weapon or drug as defined in T.C.A. § 49-6-4202 shall be turned over to an appropriate law enforcement official after completion of an administrative proceeding at which its presence is reasonably required.

The director of schools or designee may request the assistance of law enforcement whenever the possibility of uncovering evidence of a criminal nature exists. This assistance may include the:

- Search of the school premises, any student, or any motor vehicle on school premises.
- Identification or disposal of anything found during a search conducted in accordance with this policy.

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

## **STUDENTS CHARGED WITH A FELONY**

Off campus criminal behavior that results in the student being legally charged with an offense that would be classified as a felony if the student was charged as an adult or if adjudicated delinquent for an offense that would be classified as a felony if the student was an adult, or if the student was convicted of a felony, and the student's continued presence in school poses a danger to persons or property or disrupts the educational process.<sup>39</sup>

## **THREAT WATCH POLICY AND PROCEDURES<sup>40</sup>**

A threat which may present the danger of violence is defined as any conduct which places a student or staff member in reasonable fear of impending bodily injury. Mere gestures such as making a gun with one's hand and pretending to shoot someone, making the "cut your throat" sign or saying, "I'm going to kill you" would in and of themselves does not warrant a threat watch. Any student engaging in abusive, harassing, or threatening conduct while on school property, in a school vehicle, or at any school activity shall be subject to disciplinary action as outlined in the TSD handbook.

In the special case that the student's behavior constitutes a threat which may present the danger of violence to another student or staff member, the offending student shall be placed on a watch until the behavior specialist or school psychologist determines that it is safe to terminate the watch.

The staff person supervising the student at the time of the infraction shall put the watch into effect. During the watch, the student shall always be visually accessible by a staff member. The implementation of a watch shall only be waived by staff specified in the release of watch procedure.

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<sup>39</sup> T.C.A. § 49-6-3401(14)

<sup>40</sup> TSD Policy 3.2040, Threat Assessment Team

## **Reporting**

The team member who is responsible for the student at the time of the incident (or designee) shall call the school psychologist or the behavior specialist. If none of the above is available, contact the chief academic officer and/or chief compliance officer.

The team member or designee shall call the student's parents.

At or before transition from school to the residential program or vice-versa, the team member responsible for notifying the parent or guardian shall notify supervisors of other departments providing student supervision that the student is placed on watch. At this time the director of schools, chief academic officer, director of chief compliance officer, and director of student life shall be notified that the student is on threat watch.

## **Release of Watch**

The school psychologist (chief compliance officer if school psychologist is not available) will make this determination after gathering input from the following, as appropriate: school counselor, residential program supervisor, dean, and principal. Consultation with the clinical psychologist will be utilized as needed.

## **BULLYING AND HARASSMENT<sup>41</sup>**

TSD has determined that a safe, civil, and supportive environment in school is necessary for students to learn and achieve high academic standards. In order to maintain that environment, acts of bullying, cyber-bullying, discrimination, harassment, hazing, or any other victimization of students, based on any actual or perceived traits or characteristics, are prohibited.

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

The director of schools or designee is responsible for educating and training respective staff and students as to the definitions and recognition of discrimination, bullying, cyberbullying, harassment, intimidation, and hazing.

The director of schools shall develop forms and procedures to ensure compliance with the requirements of this policy and state law.

Bullying, harassment, or intimidation is an act that substantially interferes with a student's educational benefits, opportunities or performance, and has the effect of:

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

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<sup>41</sup> TSD Policy 6.3040, Discrimination, Bullying, Cyberbullying, Harassment, Intimidation, and Hazing

- Creating a hostile educational environment.

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

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

Discrimination is conduct that deprives a student of the benefit of an educational opportunity on the basis of race, color, national origin, sex, gender, or disability.

Hazing is an intentional or reckless act by a student or group of students that is directed against any other student that endangers the mental or physical health or safety of the student or that induces or coerces a student to endanger his/her mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization. Coaches and other employees of the school shall not encourage, permit, condone, or tolerate hazing activities.

Retaliation is any adverse action against an individual for filing a complaint or participating in an investigation.

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall promptly report such information to the principal, dean, or designee.

While reports may be made anonymously, an individual's need for confidentiality must be balanced with obligations to cooperate with police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough investigation, or to take necessary actions to resolve a complaint, and the identity of parties and witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

The director of schools or designee shall be responsible for investigating and resolving complaints. The school must immediately (within one school day) report allegations or instances of discrimination or harassment on the basis of race, nationality, origin, color, sex, gender, disability, or religion to the Tennessee Department of Education's office for civil rights. Once a complaint is received, the principal or designee shall initiate an investigation within forty-eight (48) hours of receipt of the report. If a report is not initiated within forty-eight (48) hours, the principal or designee shall provide the director of schools with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.<sup>8</sup> The principal or designee shall immediately notify the parent or guardian when a student is involved in an act of discrimination, harassment, intimidation, bullying, or cyberbullying. The principal or designee shall provide information on school counseling and support services. Students involved in an act of discrimination, harassment, intimidation, bullying, or cyberbullying shall be referred to the appropriate school counselor by the principal or designee when deemed necessary.

The director of schools or designee is responsible for determining whether an alleged act constitutes a violation of this policy, and such act shall be held to violate this policy when it meets one of the following conditions:

- It places the student in reasonable fear or harm for the student's person or property;
- It has a substantially detrimental effect on the student's physical or mental health;
- It has the effect of substantially interfering with the student's academic performance; or
- It has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school.

Upon the determination of a violation, the director of schools or designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. All investigations shall be completed and appropriate intervention taken within twenty (20) calendar days from the receipt of the initial report. If the investigation is not complete or intervention has not taken place within twenty (20) calendar days, the principal or designee shall provide the director of schools with appropriate documentation detailing the reasons why the investigation has not been completed or the appropriate intervention has not taken place. Within the parameters of the federal Family Educational Rights and Privacy Act, a written report on the investigation will be delivered to the parent or guardian of the complainant, parent or guardian of the accused students, and to the director of schools.

The director of schools or designee shall consider the nature and circumstances of the incident, the age of the individual, the degree of harm, previous incidences or patterns of behavior, or any other factors, as appropriate to properly respond to each situation.

A substantiated charge against an employee shall result in disciplinary action up to and including termination.

A substantiated charge against a student shall result in corrective or disciplinary action that may include suspension. The student may appeal this decision in accordance with disciplinary policies and procedures.

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or a student's property, the director of schools or designee shall report the findings and any disciplinary actions taken to the director of schools.

The director of schools or designee shall prepare an annual report of all of the bullying cases brought to the attention of school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they are still pending. This report shall be submitted to the Department of Education by August 14.

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

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

## SEXUAL HARASSMENT<sup>42</sup>

Sexual harassment is unwelcome behavior of a sexual nature. It is a violation of federal law Part 1604.11-Section 703 of Title VII of the Civil Rights Act of 1964, as amended in 1972. The Equal Employment Opportunity Commission (EEOC) is the federal agency that enforces Title VII. Title VII applies to the work environment.

Student to student sexual harassment is covered under Title IX of Federal Law and has been addressed by the U.S. Department of Education's office for civil rights, the National Education Association (NEA), and others. Schools, colleges, and universities must act immediately to stop this form of harassment. This applies to all schools, elementary through college, that receive federal funding. It includes athletics, field trips, extra-curricular programs, bus and plane transportation, and all regular classroom activities. It protects both male and female students (and school employees) from sex discrimination. It prohibits sexual harassment even when the harasser and person harassed are the same sex.

### Definitions

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal, written, electronic, or physical conduct of a sexual nature when:

- Submission to the advances are made a term or condition of a student's participation in school activities.
- Submission is used as the basis for educational decisions affecting the individual.
- Such conduct interferes with an individual's school performance, or creates an intimidating, hostile or offensive learning environment. Title IX prohibits the same areas of sexual harassment as Title VII.

### Conditions

**Quid pro quo** is when a school employee conditions a student's participation in an education program or school activity or bases an educational decision (e.g., grades) on the student's submission to unwelcome sexual conduct. Quid pro quo is illegal regardless of the student's decision. According to policy guidance, a school or college "will always be liable for even one instance of quid pro quo harassment by school employees in a position of authority, even if the school or college didn't know about the harassment."

**Hostile environment** includes conduct of a sexual nature that is sufficiently severe, persistent, or pervasive and unwelcome. It can be created by a school employee, another student, or a school visitor (student or adult).

The environment is considered hostile when the student views it as hostile and it is reasonable for the student to view it as hostile. It is usually created by a series of incidents, but can be created by a single incident, such as rape or sexual assault.

### School's Responsibility

In an effort to prevent the occurrence of sexual harassment, students are counseled about appropriate behavior. Counselors as well as staff and faculty in all departments must address appropriate behavior. Teachers have been given information on this subject to be passed on to the students, appropriate to their age level.

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<sup>42</sup> TSD Policy 6.3040, Discrimination, Bullying, Cyberbullying, Harassment, Intimidation, and Hazing

When an incident occurs, the school will take prompt and appropriate steps to stop and remedy the sexual harassment. Once observed or reported, immediate reporting to the supervisor of that department must occur. The supervisor is then required to inform the coordinator of Title IX (contact information below) who will be responsible for investigating and resolving complaints. The school must immediately (within one school day) report allegations or instances of discrimination or harassment on the basis of race, nationality, origin, color, sex, gender, disability, or religion to the Tennessee Department of Education's office for civil rights. All information is to be dealt with confidentially and according to guidelines. In addition to reporting to the supervisor and director of schools. The social worker is also notified, as they make a determination as to whether the incident should be reported to Department of Children Services and/or local police.

Instances of sexual harassment may be reported to the Department of Children Services and/or law enforcement as the situation warrants. The following should be taken into consideration:

- Age, size, and mental ability of the students.
- Age difference.
- Nature of the offense (physical or verbal).

## **GRIEVANCE PROCEDURES FOR STUDENTS<sup>43</sup>**

### **Title VI, Title IX, Section 504, and ADA**

In accordance with federal and state office for civil rights guidelines, any student or parent who believes TSD or any of the school's staff, teachers and administrators have inadequately applied the principles of and/or regulations of Title VI of the Civil Rights Act of 1964 (race, color, national origin), Title IX of the Education Amendment Act of 1972 (sex/gender), Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act of 1991 (disability), may file a complaint which shall be referred to as a formal grievance.

TSD recognizes that determining whether a particular action or incident is discrimination or harassment or, conversely, is reflective of an action without a discriminatory or intimidating intent or effect must be based on all of the facts in the matter. Given the nature of harassing behavior, the school recognizes that false accusations can have serious effects on innocent individuals. Therefore, all students and parents are expected to act responsibly, honestly, and with the utmost candor whenever they present discrimination or harassment allegations or charges against fellow students, a staff member, or others associated with the school, or third parties.

Some forms of sexual harassment of a student by another student may be considered a form of child abuse which would require that the student-abuser be reported to proper authorities in compliance with State law. **This guideline does not negate the requirement for reporting suspected child abuse to the proper authorities in compliance with state law.**

### **Definitions**

Grievance is a complaint filed by any parent or member of the student body.

"Complainant" is an individual who is alleged to be the victim of conduct that could constitute discrimination or harassment.

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<sup>43</sup> TSD Policy 6.3041 Title IX and Sexual Harassment, TSD Policy 6.3040 Student Discrimination, Harassment, Bullying, Cyberbullying, Intimidation, and Hazing

“Respondent” is an individual who is reported to be the perpetrator of conduct that could constitute discrimination or harassment.

### **Grievance Procedure**

All complaints should be filed immediately with the Title VI, Title IX, 504, or ADA coordinators on campus. Whenever possible and practical, as determined by the coordinator, an informal solution to the grievance is encouraged and should be attempted at the principal/supervisor level. However, if an informal acceptable solution cannot be reached, the parent or student may file a formal grievance.

The student or parent should submit a formal, written complaint, or an oral complaint that is documented in writing to the principal or dean immediately. However, nothing requires a complainant to report or file a formal complaint within a certain timeframe. A copy of the formal, written complaint must be forwarded to the appropriate coordinator and copied to the chief academic officer or the director of student life. The appropriate coordinator shall, according to policy, promptly contact the complainant to discuss and offer supportive measures and explain the grievance process. The appropriate coordinator shall immediately (within 24 hours) contact the staff attorney at the Tennessee Department of Education’s office for civil rights.

If the student's or parent's complaint is with the principal/dean, the complaint may be filed directly with the appropriate coordinator. If the complaint involves the coordinator, the complaint shall be filed with the director of schools.

The office of general counsel may assign an investigator to gather relevant documents, interview witnesses, and make a recommendation as to necessary action. Once a complaint is received, the Investigator shall initiate an investigation within forty-eight (48) hours of receipt of the complaint. If an investigation is not initiated within forty-eight (48) hours, the investigator shall provide the Title IX coordinator with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.

All investigations shall be completed within twenty (20) calendar days from the receipt of the initial complaint. If the investigation is not complete within twenty (20) calendar days, the investigator shall provide the appropriate coordinator with appropriate documentation detailing the reasons why the investigation has not been completed.

Within the parameters of the federal Family Educational Rights and Privacy Act, the appropriate coordinator shall keep the complainant and the respondent informed of the status of the investigation process. At the close of the investigation, a written final report on the investigation will be delivered to the parents or guardians of the complainant, to the respondent if an adult or parents or guardians of the respondent, to the director of schools, and to the Tennessee Department of Education’s office for civil rights.

If the investigation reveals that the complaint is valid, then prompt, appropriate remedial and/or disciplinary action will be taken to prevent the continuance of the harassment or its recurrence. After a determination of responsibility is made, the appropriate coordinator shall work with the complainant to determine if further supportive measures are necessary. The coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the discrimination or harassment.



**Appeals Procedure**

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

Upon receipt of an appeal, the appropriate coordinator shall:

- Immediately (within 24 hours) contact Lee Danley, Legal Counsel, at the Tennessee Department of Education at (615) 428.4227 or [lee.danley@tn.gov](mailto:lee.danley@tn.gov).
- Notify the parties in writing.

The Tennessee Department of Education's office of general counsel shall assign an impartial hearing officer within five (5) days of receipt of the appeal.

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

**Retaliation**

Retaliation against any person who makes a report or complaint or assists, participates, or refuses to participate in any investigation of an act alleged in this policy is prohibited.

**Coordinator Contact Information****Title VI & IX**

2725 Island Home Blvd., TN 37920

865.309.0341

[compliance\\_chief@tsdeaf.org](mailto:compliance_chief@tsdeaf.org)

**ADA/504 Coordinator**

Tennessee Schools for the Deaf

2725 Island Home Blvd., Knoxville, TN 37920

[ada504coordinator@tsdeaf.org](mailto:ada504coordinator@tsdeaf.org)

**Tennessee School for the Deaf - Knoxville**  
2725 Island Home Blvd.  
Knoxville, TN 37920  
(865) 579-2500  
[www.tsdeaf.org](http://www.tsdeaf.org)

**Tennessee School for the Deaf - Nashville**  
115 Stewarts Ferry Pike  
Nashville, TN 37214  
(615) 981-5617  
[www.tsdeaf.org](http://www.tsdeaf.org)

**West Tennessee School for the Deaf**  
100 Berryhill Drive  
Jackson, TN 38301  
(731) 423-5705  
[www.tsdeaf.org](http://www.tsdeaf.org)