

AGENDA
POLICY COMMITTEE MEETING
WEDNESDAY, JULY 6, 2022, 10:00 A.M.

- I. Approve Agenda.
- II. Discuss the following policies:
 - Reporting Child Abuse/6.409
 - Attendance/6.200/6.200(a)
 - Admission of Suspended or Expelled Students/6.318
 - Attendance of Non-Resident Students/6.204
 - Separation Practices for Non-Tenured Teachers/5.201
 - Substitute Teachers/5.701
 - Separation Practices for Tenured Teachers/5.200
 - Grading System/4.600
 - Use of Internet/4.406
 - Library Materials/4.403
 - Reconsideration of Textbook and Instructional Materials/4.402
 - Virtual Education Program/4.212
 - Credit Recovery/4.210
 - Instructional Standards/4.101
 - Emergency Preparedness Plan/3.202
 - Bids and Quotations/2.806
 - Board Members/1.102
 - Code of Discipline and Behavior/6.300
 - Employment of Retirees/5.119

CAMPBELL COUNTY BOARD OF EDUCATION

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| Monitoring: Review: Annually, in April | Descriptor Term: Reporting Child Abuse | Descriptor Code: 6.409 | Issued Date: |
| | | Rescinds: | Issued: |

1 *General*

2 The Director of Schools shall:¹

- 3 1. Designate one employee as the Child Abuse Coordinator (the Coordinator) and an additional
4 employee to serve as the Alternate Child Abuse Coordinator (the Alternate) for each school;
5
- 6 2. Require that the Coordinator and the Alternate receive appropriate training;
7
- 8 3. Supply the Coordinator with all necessary resources;
9
- 10 4. Ensure that all employees working directly with students annually complete the child abuse
11 training program required by state law.²

12 The Coordinator shall assist any employee with appropriately reporting and responding to instances of
13 child abuse or child sexual abuse.

14 **REPORTING**

15 All personnel shall be alert for any evidence of child abuse, sexual abuse, or neglect.³ If personnel
16 know or have reasonable cause to suspect child abuse, sexual abuse, or neglect, a report shall be filed
17 immediately with the Coordinator, the Department of Children's Services (DCS), and law
18 enforcement.⁴ When alleged abuse involves someone employed by, previously employed by, or
19 otherwise affiliated with the school, the report may be made directly to the DCS and law enforcement
20 prior to notifying the Coordinator.⁵

21 The report shall include, to the extent known by the reporter:⁶

- 22 1. The name, address, telephone number, and age of the child;
23
- 24 2. The name, telephone number, and address of the parents or persons having custody of the child;
25
- 26 3. The nature and extent of the abuse or neglect; and
27
- 28 4. Any evidence to the cause or any other information that may relate to the cause or extent of the
29 abuse or neglect.

30 The Director of Schools/designee shall develop reporting procedures, including sample indicators of
31 abuse and neglect, and shall disseminate the procedures to all school personnel.

1 CONFIDENTIALITY

2 District employees shall keep all information regarding any child abuse confidential in accordance
3 with state law.

4 INVESTIGATIONS

5 School administrators and employees have a duty to cooperate, provide assistance, and information in
6 child abuse investigations⁷ including permitting DCS teams to conduct interviews while the child is at
7 school. The principal may control the time, place, and circumstances of the interview but may not
8 insist that a school employee be present even if the suspected abuser is a school employee or another
9 student. The principal is not in violation of any laws by failing to inform parent(s)/guardian(s) that the
10 child is to be interviewed even if the suspected abuser is not a member of the child's household.⁸

Legal References

1. TCA 49-6-1601
2. TCA 37-1-408; Public Acts of 2022, Chapter No. 841
3. TCA 37-1-403(a)(1); TCA 37-1-412; TCA 37-1-602; TCA 37-1-605(a)(4)
4. TCA 37-1-403(a)(2); TCA 49-6-1601
5. Public Acts of 2022, Chapter No. 781
6. TCA 37-1-403(b)
7. TCA 37-1-611(b)
8. Tenn. Op. Atty. Gen. No. 87-101 (June 9, 1987)

Cross References

Recommendations and File Transfers 5.203
Staff-Student Relations 5.610
Interrogations and Searches 6.303
Student Discrimination, Harassment, Bullying, Cyber-
bullying, and Intimidation 6.304
Title IX & Sexual Harassment 6.3041
Promoting Student Welfare 6.400

Click here to choose a school board.

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| Monitoring: Review: Annually, in March | Descriptor Term: Attendance | Descriptor Code: 6.200 | Issued Date: Click here to enter a date. |
| | | Rescinds: | Issued: |

1 *General*

2 Attendance is a key factor in student achievement; therefore, students are expected to be present each
3 day school is in session.

4 The Director of Schools/designee shall ensure that this policy is posted in each school building and
5 disseminated to all students, parent(s)/guardian(s), teachers, and administrative staff.

6 The Attendance Supervisor shall oversee the entire attendance program which shall include:¹

- 7 1. All accounting and reporting procedures and their dissemination;
- 8 2. Alternative program options for students who severely fail to meet minimum attendance
9 requirements;
- 10 3. Ensuring that all school age children attend school;
- 11 4. Providing documentation of enrollment status upon request for students applying for new or
12 reinstatement of driver's permit or license; and
13
- 14 5. Notifying the Department of Safety whenever a student with a driver's permit or license
15 withdraws from school or fails to maintain satisfactory academic progress.²

16 Student attendance records shall be given the same level of confidentiality as other student records. Only
17 authorized school officials with legitimate educational purposes may have access to student information
18 without the consent of the student or parent(s)/guardian(s).³

19 Absences shall be classified as either excused or unexcused as determined by the principal/designee.
20 Excused absences shall include:⁴

- 21 1. Personal illness/injury;
- 22
- 23 2. Illness of immediate family member;
- 24
- 25 3. Death in the family;
- 26
- 27 4. Extreme weather conditions;
- 28

- 1 5. Religious observances;⁵
- 2
- 3 6. Pregnancy;
- 4
- 5 7. School-endorsed activities;
- 6
- 7 8. Summons, subpoena, or court order; or
- 8
- 9 9. Circumstances which in the judgment of the principal create emergencies over which the
- 10 student has no control.

11 The principal shall be responsible for ensuring that:⁶

- 12 1. Attendance is checked and reported daily for each class;
- 13
- 14 2. Daily absentee sheets contain sign in/sign out sheets and indicate students present or absent
- 15 for the majority of the day;
- 16
- 17 3. All student absences are verified;
- 18
- 19 4. Written excuses are submitted for absences and tardiness; and
- 20
- 21 5. System-wide procedures for accounting and reporting are followed.

22 TRUANCY

23 Annually, the Director of Schools/designee will provide written notice to parent(s)/guardian(s) that
24 attendance at school is required. Students shall be present at least fifty percent (50%) of the scheduled
25 school day in order to be counted present. Students may attend part-time days, alternating days, or for a
26 specific amount of time as indicated in their Individualized Education Plan or 504 Plan and shall be
27 considered present for school attendance purposes. If a student is required to participate in a remedial
28 instruction program outside of the regular school day where there is no cost to the parent(s)/guardian(s)
29 and the school district provides transportation, unexcused absences from these programs shall be
30 reported in the same manner.⁷

31 A student who is absent five (5) days without adequate excuse shall be reported to the Director of
32 Schools/designee who will, in turn, provide written notice to the parent(s)/guardian(s) of the student's
33 absence. If a parent/guardian does not provide documentation within adequate time excusing those
34 absences or request an attendance hearing, then the Director of Schools shall implement tier two of the
35 progressive truancy plan described below prior to referral to juvenile court.

36 *Progressive Truancy Plan*⁸

37 Tier I of the progressive truancy plan shall apply to all students within the district and include schoolwide
38 prevention-oriented supports to assist with satisfactory attendance. These supports shall include, but are
39 not limited to, **[insert local practices as to these schoolwide prevention-oriented supports]**.

1 Tier II of the progressive truancy plan shall be implemented after the student accumulates five (5)
2 unexcused absences, but before referral to juvenile court, and includes the following:

- 3 1. A conference with the student and the student's parent(s)/guardian(s);
4
- 5 2. An attendance contract, based on the conference, signed by the student, the parent(s)/guardian(s),
6 and the Attendance Supervisor/designee. The contract shall include:
7
 - 8 a. A specific description of the school's attendance expectations for the student;
 - 9 b. The period for which the contract is effective; and
 - 10 c. Penalties for additional absences and alleged school offenses, including additional
11 disciplinary action and potential referral to juvenile court.
- 12 3. Regularly scheduled follow-up meetings to discuss the student's progress; and
13
- 14 4. A school employee shall conduct an individualized assessment detailing the reasons a student
15 has been absent from school. The employee may refer the student to counseling, community-
16 based services, or other services to address the student's attendance problems.
17

18 Tier III shall be implemented if the truancy interventions under Tier II are unsuccessful. Tier III shall
19 consist of the following interventions: _____ [e.g., **school-based community services;**
20 **participation in a school-based restorative justice program; referral to a school-based teen court;**
21 **Saturday or after-school courses designed to improve attendance and behavior**]. The interventions
22 shall address students' needs in an age-appropriate manner. Finalized plans shall be approved by the
23 Director of Schools/designee.

24 **MAKE-UP WORK**

25 **[Insert local practices concerning make-up work.]**

26 **STATE-MANDATED ASSESSMENT**

27 Students who are absent the day of the scheduled end-of-course (EOC) exams shall present a signed
28 doctor's excuse or shall have been given an excused release by the principal prior to testing to receive
29 an excused absence. Students who have excused absences will be allowed to take a make-up exam.
30 Excused students will receive an incomplete in the course until they have taken the EOC exam.

31 Students who have an unexcused absence shall receive a failing grade on the EOC exam which shall be
32 averaged into their final grade.

33 **CREDIT/PROMOTION DENIAL**

34 Credit/promotion denial determinations may include student attendance; however, student attendance
35 may not be the sole criterion.⁹ If attendance is a factor prior to credit/promotion denial, the following
36 shall occur:

- 1 1. The student and the parent(s)/guardian(s) shall be advised if the student is in danger of
- 2 credit/promotion denial due to excessive absenteeism; and
- 3
- 4 2. Procedures in due process are available to the student when credit or promotion is denied.

5 DRIVER'S LICENSE REVOCATION²

6 A student who has more than ten (10) consecutive or fifteen (15) unexcused absences during any
7 semester shall be ineligible to retain a driver's permit or license.

8 ATTENDANCE HEARING¹⁰

9 Students with excessive (more than five (5)) unexcused absences or those in danger of credit/promotion
10 denial shall have the opportunity to appeal to an attendance hearing committee appointed by the
11 principal. If the student chooses to appeal, the student or his/her parent(s)/guardian(s) shall be provided
12 written or actual notice of the appeal hearing and shall be given the opportunity to address the committee.
13 The committee will conduct a hearing to determine if any extenuating circumstances exist to excuse an
14 absence(s) or to determine if the student has met attendance requirements that will allow him/her to pass
15 the course or be promoted. Upon notification of the attendance committee decision, the principal shall
16 send written notification to the Director of Schools/designee and the parent(s)/guardian(s) of the student
17 of any action taken regarding the excessive unexcused absences. The notification shall advise
18 parent(s)/guardian(s) of their right to appeal such action within two (2) school days to the Director of
19 Schools/designee.

20 The appeal shall be heard no later than ten (10) school days after the request for appeal is received.

21 Within five (5) school days of the Director of Schools/designee rendering a decision, the student's
22 parent(s)/guardian(s) may request a hearing by the Board, and the Board shall review the record.
23 Following the review, the Board may affirm or overturn the decision of the Director of Schools/designee.
24 The action of the Board shall be final.

Legal References

1. TCA 49-6-3006
2. TCA 49-6-3017(c); Public Acts of 2022, Chapter No. 878
3. 20 USCA § 1232g
4. TRR/MS 0520-01-02-.17(5); State Board of Education Policy 4.100
5. TCA 49-6-2904(b)(5)
6. TCA 49-6-3007
7. TCA 49-6-3021
8. TCA 49-6-3007; TCA 49-6-3009
9. TCA 49-2-203(b)(7); TCA 49-6-3002(b)
10. TRR/MS 0520-01-02-.17(7)

Cross References

- School Calendar 1.800
- Extracurricular Activities 4.300
- Interscholastic Athletics 4.301
- Field Trips/Excursions/Competitions 4.302
- Reporting Student Progress 4.601
- Promotion and Retention 4.603
- Recognition of Religious Beliefs, Customs, & Holidays 4.803
- Voluntary Pre-K Attendance 6.2011
- Homeless Students 6.503
- Students in Foster Care 6.505
- Students from Military Families 6.506
- Student Records 6.600

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| | | Rescinds: | Issued: |

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3 day school is in session.

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10 requirements;
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15 reinstatement of driver's permit or license; and
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30 absence. If a parent/guardian does not provide documentation within adequate time excusing those
31 absences or request an attendance hearing, then the Director of Schools shall implement the progressive
32 truancy intervention plan described below prior to referral to juvenile court.

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21 **Saturday or after-school courses designed to improve attendance and behavior**]. The interventions
22 shall address students' needs in an age-appropriate manner. Finalized plans shall be approved by the
23 Director of Schools/designee.

24 **NON-SCHOOL SPONSORED EXTRACURRICULAR ACTIVITY⁹**

25 A principal/designee may excuse a student to participate in non-school sponsored extracurricular
26 activities. The principal shall document the approval in writing and shall excuse no more than ten (10)
27 absences each school year. No later than seven (7) business days prior to the student's absence, the
28 student shall provide documentation to the school as proof of the student's participation along with a
29 written request for the excused absence from the student's parent/guardian. The request shall include
30 the following:

- 31 1. Student's name and personal identification number;
- 32
- 33 2. Student's grade;
- 34
- 35 3. The dates of the student's absence;
- 36
- 37 4. The reason for the student's absence; and
- 38
- 39 5. The signatures of the student and parent/guardian.

40 **RELEASED TIME COURSE¹⁰**

1 A principal/designee may excuse a student to attend a course in religious moral instruction for up to
2 one (1) class period per school day. Students shall not be excused during any class which requires an
3 examination for state or federal accountability purposes.

4 The student shall submit a written consent form signed by the student's parent/guardian prior to
5 participation in the released time course. The principal/designee shall document the approval in
6 writing. The student shall provide documentation to the principal/designee as proof of the student's
7 participation in the released time course.

8 The district shall not be responsible for transporting students to and from the place of instruction.

9 **[Include the following language if the Board wants to allow students to receive credit for these**
10 **courses:** Upon submission of the student's transcript from the entity that provided the released time
11 course, the student may be awarded one-half (1/2) unit of elective credit. The Director of Schools shall
12 develop procedures with secular criteria for determining whether credit shall be awarded.]

13 **MAKE-UP WORK**

14 **[Insert local practices concerning make-up work.]**

15 **STATE-MANDATED ASSESSMENT**

16 Students who are absent the day of the scheduled end-of-course (EOC) exams shall present a signed
17 doctor's excuse or have been given an excused release by the principal prior to testing to receive an
18 excused absence. Students who have excused absences will be allowed to take a make-up exam.
19 Excused students will receive an incomplete in the course until they have taken the EOC exam.

20 Students who have an unexcused absence shall receive a failing grade on the EOC exam which shall be
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22 **CREDIT/PROMOTION DENIAL**

23 Credit/promotion denial determinations may include student attendance; however, student attendance
24 may not be the sole criterion.¹¹ If attendance is a factor prior to credit/promotion denial, the following
25 shall occur:

- 26 1. The student and the parent(s)/guardian(s) shall be advised if the student is in danger of
27 credit/promotion denial due to excessive absenteeism; and
28
- 29 2. Procedures in due process are available to the student when credit or promotion is denied.

30 **DRIVER'S LICENSE REVOCATION²**

31 A student who has more than ten (10) consecutive or fifteen (15) unexcused absences during any
32 semester shall be ineligible to retain a driver's permit or license.

33 **ATTENDANCE HEARING¹²**

1 Students with excessive (more than five (5)) unexcused absences or those in danger of credit/promotion
 2 denial shall have the opportunity to appeal to an attendance hearing committee appointed by the
 3 principal. If the student chooses to appeal, the student or his/her parent(s)/guardian(s) shall be provided
 4 written or actual notice of the appeal hearing and shall be given the opportunity to address the committee.
 5 The committee will conduct a hearing to determine if any extenuating circumstances exist to excuse an
 6 absence(s) or to determine if the student has met attendance requirements that will allow him/her to pass
 7 the course or be promoted. Upon notification of the attendance committee decision, the principal shall
 8 send written notification to the Director of Schools/designee and the parent(s)/guardian(s) of the student
 9 of any action taken regarding the excessive unexcused absences. The notification shall advise
 10 parent(s)/guardian(s) of their right to appeal such action within two (2) school days to the Director of
 11 Schools/designee.

12 The appeal shall be heard no later than ten (10) school days after the request for appeal is received.

13 Within five (5) school days of the Director of Schools/designee rendering a decision, the student's
 14 parent(s)/guardian(s) may request a hearing by the Board, and the Board shall review the record.
 15 Following the review, the Board may affirm or overturn the decision of the Director of Schools/designee.
 16 The action of the Board shall be final.

Legal References

1. TCA 49-6-3006
2. TCA 49-6-3017(c); Public Acts of 2022,
Chapter No. 878
3. 20 USCA § 1232g
4. TRR/MS 0520-01-02-.17(5); State Board of
Education Policy 4.100
5. TCA 49-6-2904(b)(5)
6. TCA 49-6-3007
7. TCA 49-6-3021
8. TCA 49-6-3007; TCA 49-6-3009
9. TCA 49-6-3022
10. TCA 49-2-130
11. TCA 49-2-203(b)(7); TCA 49-6-3002(b)
12. TRR/MS 0520-01-02-.17(7)

Cross References

- School Calendar 1.800
- Extracurricular Activities 4.300
- Interscholastic Athletics 4.301
- Field Trips/Excursions/Competitions 4.302
- Reporting Student Progress 4.601
- Promotion and Retention 4.603
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- Student Records 6.600

CAMPBELL COUNTY BOARD OF EDUCATION [Click here to choose a school board.](#)

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| Monitoring: Review: Annually, in March | Descriptor Term: Admission of Suspended or Expelled Students | Descriptor Code: 6.318 | Issued Date: |
| | | Rescinds: | Issued: |

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

- 4 After a request for enrollment is made, the Director of Schools shall investigate the facts surrounding
- 5 the suspension/expulsion from the former school district and make a recommendation to the Board to
- 6 approve or deny the request.

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

- 8 A student may be dismissed if it is determined subsequent to the enrollment that the student has been
- 9 suspended or expelled from the former school district.¹

Legal References

1. TCA 49-6-3401(f); Public Acts of 2022, Chapter No. 868; 20 USCA § 1232g(b)(4), (h)

Cross References

- School Admissions 6.203
 Student Records 6.600

CAMPBELL COUNTY BOARD OF EDUCATION [Click here to choose a school board](#)

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| Monitoring: Review: Annually, in March | Descriptor Term: <h2 style="text-align: center;">Attendance of Non-Resident Students</h2> | Descriptor Code: 6.204 | Issued Date: Click here to enter a date. |
| | | Rescinds: | Issued: |

1 Students residing outside the boundaries of the school district may attend schools within the school
 2 district under the following conditions:

- 3 1. They shall be approved by the Director of Schools.¹
- 4 2. They shall pay a tuition fee established annually by the Board. Annual tuition may not exceed
 5 per student, per annum, an amount equal to the amount of local funds actually used for school
 6 purposes by the school district per student during the preceding school year minus any funds
 7 received from the student's resident district. Tuition for out-of-state students shall be charged at
 8 the same rate as the average cost per student (state and local funds) in the district attended.²
- 9 3. Non-resident students shall make application at least _____ **[insert number of days/weeks]**
 10 prior to the first day of school.³ The Director of Schools/designee shall provide non-resident
 11 students notice of eligibility for re-enrollment by the end of the school year.
- 12 4. Requests from students from adjoining states to attend school shall be considered on a case-by-
 13 case basis.⁴
- 14 5. Students who become residents of the school district shall be refunded any unused portion of the
 15 tuition on a pro-rata basis.
- 16 6. When payment is not made on all or any part of the required tuition for a previous year, the
 17 student(s) shall be excluded from future attendance until all prior and current tuition is paid.
- 18 7. If an employee of this school district has a residence outside the school district, his/her
 19 children may be allowed to attend if the appropriate tuition requirements are met.⁵ **[Note: This**
 20 **is discretionary. Districts can choose to waive tuition.]**

Legal References

1. TCA 49-6-3104
2. TCA 49-6-3003; TCA 49-6-403(f); Public Acts of 2022, Chapter No. 709
3. TCA 49-6-3105
4. TCA 49-6-3108; TCA 49-6-403(f)
5. TCA 49-6-3113; TCA 49-6-3103; Public Acts of 2022, Chapter No. 709

Cross References

Revenues 2.400
Students from Military Families 6.506

CAMPBELL COUNTY BOARD OF EDUCATION [Click here to choose a school board.](#)

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|--|--|----------------------------------|--------------|
| Monitoring: Review: Annually, in January | Descriptor Term: Separation Practices for Non-Tenured Teachers | Descriptor Code: 5.201 | Issued Date: |
| | | Rescinds: | Issued: |

1 **SUSPENSION PENDING AN INVESTIGATION¹**

2 The Director of Schools may suspend a teacher at any time that may seem necessary, pending
 3 investigation, or final disposition of a case before the Board or an appeal. If the matter under investigation
 4 is not the subject of an ongoing criminal investigation or a Department of Children's Services
 5 investigation, and if no charges for dismissal have been made, a suspension pending investigation shall
 6 not exceed ninety (90) days in duration. Under no circumstances shall the Director of Schools suspend
 7 a non-tenured teacher with pay. If vindicated or reinstated, the non-tenured teacher shall be paid full
 8 salary for the period of suspension.

9 **SUSPENSION OF THREE DAYS OR LESS²**

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

16 Under no circumstances shall the Director of Schools suspend a non-tenured teacher with pay. If
 17 reinstated, the non-tenured teacher shall be paid full salary for the period of suspension unless suspension
 18 without pay is deemed to be an appropriate penalty.

19 **DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS²**

20 The Director of Schools may dismiss or suspend for more than three (3) days any non-tenured teacher
 21 during the contract year for incompetence, inefficiency, insubordination, improper conduct, or neglect
 22 of duty after giving the non-tenured teacher, in writing, due notice of the charges.

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

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

- 27 1. Be represented by counsel;
- 28
- 29 2. Call and subpoena witnesses;
- 30

1 3. Examine all witnesses; and

2
3 4. Require that all testimony be given under oath.

4 Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the
5 affected teacher within ten (10) working days following the close of the hearing. The teacher may appeal
6 the decision to the Board within ten (10) working days of the hearing officer rendering the written
7 decision to the teacher. Written notice of appeal to the Board shall be given to the Director of Schools.
8 Within twenty (20) working days of receipt of notice, the Director of Schools shall prepare a copy of the
9 proceedings, including all transcripts and evidence, documentary or otherwise, and provide a copy to the
10 Board.

11 The Director of Schools shall also have the right to appeal any adverse ruling by the hearing officer in
12 the same manner as the non-tenured teacher.

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

16 1. Sustain the decision;

17
18 2. Send the record back if additional evidence is necessary; or

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20 3. Revise the penalty or reverse the decision.

21 Before any decision to dismiss is made, a majority of the membership of the Board shall concur in
22 sustaining the charges. The Board shall render a decision on the appeal within ten (10) working days
23 after the conclusion of the hearing.

24 Within twenty (20) working days after receipt of notice of the decision of the Board, either party may
25 appeal to the chancery court in the county where the school district is located. The Board shall provide
26 the entire record of the hearing to the court.

27 **NONRENEWAL**

28 Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of
29 employment enjoyed by tenured teachers except that they have no claim upon continuing employment
30 or tenure protections.

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

33 The Director of Schools is under no obligation to re-employ non-tenured teachers at the end of their
34 contract period. If the Director of Schools determines not to renew the contract of a non-tenured teacher,
35 the following action shall be taken:

36 1. The Board shall be notified at the next regular board meeting; and

- 1 2. Written notice of non-renewal shall be sent to the teacher by certified mail, overnight carrier, or
2 by email within five (5) business days following the last instructional day for the school year.³ If
3 the reason for nonrenewal is due only to a loss of funding for the position, then the notice shall
4 include a statement listing it as the cause for nonrenewal.⁴

5 **RESIGNATION**

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

9 The conditions under which it is permissible to break a contract with the Board are as follows:⁶

- 10 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified
11 statement of a physician approved by the Board; or
12
13 2. The release by the Board of the teacher from the contract which the teacher has entered into with
14 the Board.

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

18 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with
19 the State Board of Education and request the suspension of a teacher's license. After the State Board of
20 Education has provided the teacher an opportunity for defense during a hearing, the State Board of
21 Education may suspend the license for no less than thirty (30) days and no more than three hundred
22 sixty-five (365) days.⁸

23 **RETIREMENT**

24 Retirement is a termination of services under conditions which will allow the teacher to draw benefits
25 from retirement plans and/or Social Security benefits.

26 Teachers eligible for retirement benefits may elect to retire at any age according to the provisions of the
27 retirement system. Central office personnel shall assist teachers in securing retirement benefits; however,
28 it shall be the responsibility of the retiring teacher to provide verification of eligibility in writing from
29 the Tennessee Consolidated Retirement System (TCRS) to the central office. It shall be the responsibility
30 of the retiring teacher to file for benefits.

31 *(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and*
32 *does NOT follow the suspension/dismissal guidelines outlined in this policy. Rather, nonrenewal of non-*
33 *tenured teachers after the contract year follows the nonrenewal guidelines outlined in this policy.)*

Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE); TCA 49-5-512
3. TCA 49-5-409
4. Public Acts of 2022, Chapter No, 678
5. TCA 49-5-508
6. TCA 49-5-411(a)
7. TCA 49-5-706
8. TCA 49-5-411(b)
9. TCA 8-36-805

Cross References

- Public Hearings 1.401
Teacher Tenure 5.117
Recommendations and File Transfers 5.203

| CAMPBELL COUNTY BOARD OF EDUCATION Click here to choose a school board. | | | |
|--|---|---|--|
| Monitoring: Review: Annually, in February | Descriptor Term: <p style="text-align: center;">Substitute Teachers</p> | Descriptor Code: <p style="text-align: center;">5.701</p> | Issued Date: Click here to enter a date |
| | | Rescinds: | Issued: |

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies
 2 until a licensed teacher is available.^{1,2} Substitute teachers may be employed and paid directly by the
 3 Board or by a third-party employer through an agreement between such third-party employer and the
 4 Board.

5 Substitute teachers employed by third party entities shall be subject to the same unemployment benefit
 6 eligibility conditions as substitute teachers employed directly by the Board.²

7 **APPLICATION/QUALIFICATIONS**

8 Criminal history record checks and fingerprinting of applicants for substitute teaching are required.³

9 Applicants with revoked licenses or certificates according to the Department of Education shall not be
 10 hired.⁴

11 Qualifications for substitute teachers shall be determined by the Director of Schools in compliance with
 12 board policy, state laws, and State Board of Education rules and regulations.

13 A list of substitute teacher(s) will be prepared by the [*Director of Schools, Personnel Director, etc.*]
 14 who will maintain file(s) which may include transcripts, credentials, recommendations, and other
 15 pertinent information.

16 **COMPENSATION**

17 If employed directly by the district, the compensation of substitute teachers shall be determined annually
 18 by the Board.

19 Retired teachers serving as substitutes who do not have an active teaching license shall be paid the same
 20 as a retired substitute teacher with an active teaching license. This only applies to teachers who retired
 21 after July 1, 2011 through July 1, 2016.⁵

22 **CERTIFICATION**

23 When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a
 24 substitute teacher shall possess a teaching certificate with endorsement in the discipline(s) to be taught
 25 or shall be a retired teacher that held the appropriate endorsement.⁶

1 When substituting for a teacher without sick leave, the substitute shall be certified and paid according to
2 the state salary schedule.¹

3 **EMERGENCY NEEDS**

4 All teacher aides, secretaries, and clerks are approved substitute teachers for use in emergency situations.
5 Emergency use shall be defined as less than a full day due to the regular or substitute teacher being
6 unable to arrive on time or remain for the full day.

7 Said substitutes shall receive the proportionate equivalent salary regular substitute teachers would
8 receive under similar circumstances or their regular salary, if higher; however, they shall not receive pay
9 for both positions at the same time.

10 **TRAINING AND ORIENTATION**

11 The Director of Schools shall be responsible for ensuring that there are appropriate training and
12 development programs for substitute teachers.

13 **RESPONSIBILITIES**

14 Substitute teachers shall assume the same responsibilities as the regular teacher, including but not limited
15 to, bus duty and playground supervision.

16 **RE-EMPLOYMENT/TERMINATION**

17 On an annual basis, the Director of Schools, with input from the principals, shall determine which
18 substitute teachers performed at an acceptable level. Substitute teachers who performed below an
19 acceptable level shall not be re-employed.

20 All substitutes shall be responsible for providing correct addresses and phone numbers and for notifying
21 the principal and/or third-party employer if they wish to terminate their service as substitutes.

Legal References

1. TRR/MS 0520-01-02-.04(5)
2. TCA 49-5-709
3. TCA 49-5-413(a)(2)
4. TCA 49-2-203(a)(14)
5. TCA 49-3-312(b)
6. TCA 49-3-312(a); TRR/MS 0520-01-02-.04(5)(b)

Cross References

- Background Investigations 5.118
Employment of Retirees 5.119

CAMPBELL COUNTY BOARD OF EDUCATION [Click here to choose a school board.](#)

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|--|--|----------------------------------|--------------|
| Monitoring: Review: Annually, in January | Descriptor Term: Separation Practices for Non-Tenured Teachers | Descriptor Code: 5.201 | Issued Date: |
| | | Rescinds: | Issued: |

1 SUSPENSION PENDING AN INVESTIGATION¹

2 The Director of Schools may suspend a teacher at any time that may seem necessary, pending
 3 investigation, or final disposition of a case before the Board or an appeal. If the matter under investigation
 4 is not the subject of an ongoing criminal investigation or a Department of Children's Services
 5 investigation, and if no charges for dismissal have been made, a suspension pending investigation shall
 6 not exceed ninety (90) days in duration. Under no circumstances shall the Director of Schools suspend
 7 a non-tenured teacher with pay. If vindicated or reinstated, the non-tenured teacher shall be paid full
 8 salary for the period of suspension.

9 SUSPENSION OF THREE DAYS OR LESS²

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

16 Under no circumstances shall the Director of Schools suspend a non-tenured teacher with pay. If
 17 reinstated, the non-tenured teacher shall be paid full salary for the period of suspension unless suspension
 18 without pay is deemed to be an appropriate penalty.

19 DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS²

20 The Director of Schools may dismiss or suspend for more than three (3) days any non-tenured teacher
 21 during the contract year for incompetence, inefficiency, insubordination, improper conduct, or neglect
 22 of duty after giving the non-tenured teacher, in writing, due notice of the charges.

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

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

- 27 1. Be represented by counsel;
- 28
- 29 2. Call and subpoena witnesses;
- 30

1 3. Examine all witnesses; and

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3 4. Require that all testimony be given under oath.

4 Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the
5 affected teacher within ten (10) working days following the close of the hearing. The teacher may appeal
6 the decision to the Board within ten (10) working days of the hearing officer rendering the written
7 decision to the teacher. Written notice of appeal to the Board shall be given to the Director of Schools.
8 Within twenty (20) working days of receipt of notice, the Director of Schools shall prepare a copy of the
9 proceedings, including all transcripts and evidence, documentary or otherwise, and provide a copy to the
10 Board.

11 The Director of Schools shall also have the right to appeal any adverse ruling by the hearing officer in
12 the same manner as the non-tenured teacher.

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

16 1. Sustain the decision;

17
18 2. Send the record back if additional evidence is necessary; or

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20 3. Revise the penalty or reverse the decision.

21 Before any decision to dismiss is made, a majority of the membership of the Board shall concur in
22 sustaining the charges. The Board shall render a decision on the appeal within ten (10) working days
23 after the conclusion of the hearing.

24 Within twenty (20) working days after receipt of notice of the decision of the Board, either party may
25 appeal to the chancery court in the county where the school district is located. The Board shall provide
26 the entire record of the hearing to the court.

27 **NONRENEWAL**

28 Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of
29 employment enjoyed by tenured teachers except that they have no claim upon continuing employment
30 or tenure protections.

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

33 The Director of Schools is under no obligation to re-employ non-tenured teachers at the end of their
34 contract period. If the Director of Schools determines not to renew the contract of a non-tenured teacher,
35 the following action shall be taken:

36 1. The Board shall be notified at the next regular board meeting; and

- 1 2. Written notice of non-renewal shall be sent to the teacher by certified mail, overnight carrier, or
2 by email within five (5) business days following the last instructional day for the school year.³ If
3 the reason for nonrenewal is due only to a loss of funding for the position, then the notice shall
4 include a statement listing it as the cause for nonrenewal.⁴

5 **RESIGNATION**

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

9 The conditions under which it is permissible to break a contract with the Board are as follows:⁶

- 10 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified
11 statement of a physician approved by the Board; or
12
13 2. The release by the Board of the teacher from the contract which the teacher has entered into with
14 the Board.

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

18 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with
19 the State Board of Education and request the suspension of a teacher's license. After the State Board of
20 Education has provided the teacher an opportunity for defense during a hearing, the State Board of
21 Education may suspend the license for no less than thirty (30) days and no more than three hundred
22 sixty-five (365) days.⁸

23 **RETIREMENT**

24 Retirement is a termination of services under conditions which will allow the teacher to draw benefits
25 from retirement plans and/or Social Security benefits.

26 Teachers eligible for retirement benefits may elect to retire at any age according to the provisions of the
27 retirement system. Central office personnel shall assist teachers in securing retirement benefits; however,
28 it shall be the responsibility of the retiring teacher to provide verification of eligibility in writing from
29 the Tennessee Consolidated Retirement System (TCRS) to the central office. It shall be the responsibility
30 of the retiring teacher to file for benefits.

31 *(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and*
32 *does NOT follow the suspension/dismissal guidelines outlined in this policy. Rather, nonrenewal of non-*
33 *tenured teachers after the contract year follows the nonrenewal guidelines outlined in this policy.)*

Legal References

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3. TCA 49-5-409
4. Public Acts of 2022, Chapter No, 678
5. TCA 49-5-508
6. TCA 49-5-411(a)
7. TCA 49-5-706
8. TCA 49-5-411(b)
9. TCA 8-36-805

Cross References

Public Hearings 1.401
Teacher Tenure 5.117
Recommendations and File Transfers 5.203

CAMPBELL COUNTY BOARD OF EDUCATION [Click here to choose a school board.](#)

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|--|--|----------------------------------|--------------|
| Monitoring: Review: Annually, in January | Descriptor Term: Separation Practices for Tenured Teachers | Descriptor Code: 5.200 | Issued Date: |
| | | Rescinds: | Issued: |

1 SUSPENSION PENDING AN INVESTIGATION¹

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

9 SUSPENSION OF THREE DAYS OR LESS^{2,3}

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

16 Under no circumstances shall a Director of Schools suspend a tenured teacher with pay. If reinstated, the
 17 tenured teacher shall be paid full salary for the period of suspension unless suspension without pay is
 18 deemed to be an appropriate penalty.

19 DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS⁴

20 When a tenured teacher is charged with offenses that may justify dismissal or a suspension greater than
 21 three (3) days, the charges shall be made in writing, specifically stating the offenses that are charged,
 22 and shall be signed by the party or parties making the charges.

23 If, in the opinion of the Board, the charges are of such nature as to warrant the dismissal or a suspension
 24 greater than three (3) days of the teacher, the Director of Schools shall give the teacher a written notice
 25 of this decision, a copy of the charges against the teacher, and a copy of a form provided by the
 26 Commissioner of Education advising the teacher of his/her legal duties, rights, and recourse.

27 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days after
 28 receipt of notice give written notice to the Director of Schools of his/her request for a hearing.

29 The Director of Schools shall, within five (5) days after receipt of request, assign a hearing officer from
 30 the list maintained by the Board.

1 The Board shall maintain a list of qualified individuals who have indicated a willingness to act as
2 impartial hearing officers as defined under Tennessee law.

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

10 Either party may appeal to the Board an adverse ruling by giving written notice of appeal within ten (10)
11 working days of the hearing officer's delivery of the hearing officer's written findings and conclusions.
12 The Director of Schools shall prepare a copy of the proceedings, including all transcripts and evidence,
13 documentary or otherwise, and transmit the same to the Board within twenty (20) working days of the
14 receipt of the notice of appeal.

15 The Board shall hear the appeal on the record, and no new evidence may be submitted by either party.
16 The appealing party may appear before the Board to argue why the adverse ruling should be overturned.
17 In no event should such argument last more than fifteen (15) minutes unless the Board votes to extend
18 additional time. At the conclusion of the hearing, any member of the Board may vote to sustain the
19 decision of the hearing officer, send the record back for additional evidence, revise the penalty, or reverse
20 the decision. The Board shall render its decision within ten (10) working days after the conclusion of the
21 hearing. In the event that the decision of the Board is appealed to the chancery court, the Board shall
22 transmit the entire record prepared by the Director of Schools and reviewed by the Board to the chancery
23 court for its review.

24 RESIGNATION

25 A teacher shall give the Director of Schools notice of resignation at least thirty (30) days before the
26 effective date of the resignation. A teacher who fails to give such notice, in the absence of justifiable
27 extenuating circumstances, shall forfeit all tenure status. The Board may waive the thirty (30) days'
28 notice requirement and permit a teacher to resign in good standing.⁵

29 The conditions under which it is permissible to break a contract with the Board are as follows:⁶

- 30 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified
31 statement of a physician approved by the Board; or
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35 date of return if the teacher does not intend to return to the position from which he/she has taken leave.
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2 Education may suspend the license for no less than thirty (30) days and no more than three hundred
3 sixty-five (365) days.⁸

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6 retirement plans and/or Social Security benefits. Teachers eligible for retirement benefits may elect to
7 retire at any age according to the provisions of the retirement system.

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9 responsibility of the retiring teacher to provide verification of eligibility in writing from the Tennessee
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11 teacher to file for benefits.

Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE), TCA 49-5-512(d)
3. TCA 49-5-511(a)(2)
4. TCA 49-5-511—513
5. TCA 49-5-508(a)
6. TCA 49-5-508(c)
7. TCA 49-5-706
8. TCA 49-5-411(b)
9. TCA 8-36-805
10. TCA 8-36-821

Cross References

- Public Hearings 1.401
Teacher Tenure 5.117
Recommendations and File Transfers 5.203