



Student Wellness Services

Policy Number: 6.411	Monitoring Review: Annually
Effective/Revised Date: October 24, 2024	Signature:
Approved by: Lizzette Reynolds, Commissioner	

The Achievement School District (ASD) recognizes the value of proper nutrition, physical activity, and other health conscious practices and the impact that such practices have on student academic achievement, health, and well-being. In order to provide an environment conducive to overall student wellness, this policy shall be followed by all schools in the ASD.¹

Commitment to Coordinated School Health

All ASD Schools shall implement the CDC's Coordinated School Health (CSH) approach to managing new and existing wellness related programs and services in schools and the surrounding community based on state law and Tennessee State Board of Education CSH standards and guidelines. TDOE's Coordinated School Health Coordinator shall be responsible for overseeing compliance with State Board of Education CSH standards and guidelines.

School Health Advisory Council^{2,3}

A school health advisory council shall be established to serve as a resource to school sites for implementing policies and programs and develop an active working relationship with the county health council. The council shall consist of individuals representing the school and community, including parents, students, teachers, school administrators, health professionals, school food service representatives, and members of the public. The primary responsibilities of the council include but are not limited to:

- (1) Developing, implementing, monitoring, reviewing and as necessary, making recommendations as to physical activity and nutrition policies;
- (2) Ensuring all schools within the district create and implement an action plan related to all School Health Index modules;
- (3) Ensuring that the results of the action plan are annually reported to the council; and
- (4) Ensuring that school level results include measures of progress on each indicator of the School Health Index.

The State Board of Education's Coordinated School Health and Physical Activity Policies shall be used as guidance by the Council to make recommendations. The Board will consider recommendations of the council in making policy changes or revisions. Additionally, each school will have a Healthy School Team consisting of teachers,

¹ Tenn. Code Ann. § 49-1-1002

² State Board of Education Policy 4.204

³ State Board of Education Policy 4.206

students, parents and administrators.² The Team will hold Healthy School Team meetings during the school year to assess needs and oversee planning and implementation of school health efforts. The principal/designee will ensure compliance with the school Wellness Policy, to include an assessment of the implementation of the Wellness Policy and the progress made in attaining the policy goals. The assessment will be made available to the public.

Commitment to Nutrition

All schools shall participate in the USDA child nutrition programs, which may include but not be limited to, the National School Lunch Program, the School Breakfast Program, the Summer Food Service Program, and the After School Snack Program.^{4,5,6}

Meals shall be accessible to all students in a non-stigmatizing manner. Students will be given adequate time to enjoy healthy meals and relax in a pleasant environment. Good nutritional habits shall be encouraged. All food including vending machines, fundraising items, and concessions must meet guidelines set forth by the Healthy, Hunger-free Kids Act, 2010, Smart Snacks in Schools.^{4,5,6} The principal/designee shall be responsible for overseeing the school's compliance with the State Board of Education Rules and Regulations for sale of food items in the school.^{2,5,6}

Commitment to Physical Activity and Physical Education⁷

All ASD schools shall support and promote physical activity. Physical activity may be integrated into any areas of the school program.

Physical Education classes shall be offered as part of a standards-based program designed to provide developmentally appropriate moderate to vigorous physical activity as an integral part of the class. All physical education classes shall comply with the State Board of Education's Physical Education Standards. In addition to the district's physical education program, non-structured physical activity periods shall be offered as required by law.

Schools shall continue to offer after school sports and activities. Physical activity shall not be employed as a form of discipline or punishment.

Commitment to Curriculum³

All applicable courses of study should be based on State-approved curriculum standards.

School Health Index³

All schools shall annually administer a baseline assessment on each of the three recommended School Health Index modules. Results shall be submitted to the School Health Advisory Council and reported to the State Department of Education.

⁴ 42 USCA § 1758b (Section 204 of the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111- 296))

⁵TRR/MS 0520-01-06

⁶ 7 C.F.R. § 210 and 220

⁷ T.C.A. § 49-6-1021

Record Keeping Compliance

The school's Coordinated School Health Coordinator shall ensure that records demonstrating compliance with community involvement requirements are maintained. The Coordinated School Health Coordinator shall additionally document that the school wellness policy and triennial assessments are made available to the public.⁸

⁸ 7 C.F.R. § 210.31(f)



Special Education Students

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Special education students between the ages of three (3) and twenty-one (21), inclusive, shall receive the benefit of a free appropriate public education (FAPE). These students shall be educated with the general student population to the maximum extent appropriate and should be placed in separate or special classes only when the severity of the disability is such that education in regular classes, even with the use of supplementary aids and services, cannot be accomplished satisfactorily.¹

Eligibility standards and options of service for special education services shall be based upon the criteria specified in state regulations.²

Students receiving special education services shall not be restrained, except as permitted by state law and regulations.^{3,4} The superintendent shall develop administrative procedures to govern the following:

1. Personnel authorized to use isolation and restraint;
2. Training requirements for personnel working with special education students; and
3. Incident reporting procedures.⁴

¹ Tenn. Code Ann. § 49-10-103(c)

² TRR/MS 0520-01-09-01

³ Tenn. Code Ann. § 49-10-1301 to 1307

⁴ TRR/MS 0520-01-09-.23



Homeless Students

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A homeless student shall have equal access to the same free, appropriate public education (FAPE) as provided to other children and youths.¹

Homeless students are individuals who lack a fixed, regular, and adequate nighttime residence and include the following²:

- (1) 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;
- (2) 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;
- (3) Students living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or trains stations, or similar settings; and
- (4) Migratory students who are living in circumstances described above.

Enrollment

Homeless students shall be immediately enrolled, even if the student is unable to produce records normally required for enrollment (i.e. academic records, immunization records, health records, proof of residency), or missed the district's application or enrollment deadlines.³ Parents/guardians are required to submit contact information to the district's homeless coordinator.³

Placement

For the purposes of this policy, school of origin shall mean the school that the student attended when permanently housed or the school in which the student was last enrolled, including a preschool/pre-k program.⁹ School of origin shall also include the designated receiving school at the next grade level when the student completes the final grade level served by the school or origin.⁴

¹ 42 USCA §§ 11431 to 11435; McKinney-Vento Education Assistance Improvements Act of 2001, § 721; State Board of Education 2.103

² McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 725

³ McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(C)(i), § 722(g)(3)(H)

⁴ McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95); § 722(g)(3)(I)

Placement shall be determined based on the student's best interest.⁵ At all times, a strong presumption that keeping the student in the school of origin is in the student's best interest shall be maintained, unless doing so would be contrary to a request made by the student's parent/guardian or the student in the case of an unaccompanied youth.⁶ When determining placement, student-centered factors, including but not limited to impact of mobility on achievement, education, health, and safety shall be considered⁶. The choice regarding placement shall be made regardless of whether the student lives with their homeless parents/guardians or has been temporarily placed elsewhere.⁷

If it is not in the student's best interest to attend the school of origin, or the school requested by the parent/guardian or unaccompanied youth, the principal or their designee shall provide a written explanation of the reasons for the determination, in a manner and form that is understandable to the parent/guardian or unaccompanied youth.⁶ The written explanation shall include a statement regarding the right to appeal the placement decision.⁶ If the placement decision is appealed, the School shall refer the parent/guardian or unaccompanied student to the homeless coordinator, who shall carry out the dispute resolution process as expeditiously as possible and in accordance with the law.⁸ Upon notice of an appeal, the principal shall immediately enroll the student in the school in which enrollment was sought pending a final resolution of the dispute, including all available appeals.⁸

Records

Records ordinarily kept by the school shall be maintained for all homeless students. Information regarding a homeless student's living situation shall be treated as a student education record and shall not be considered directory information.⁹

Services¹⁰

The principal shall ensure that each homeless student is provided services comparable to those offered to other students within the School, including transportation, special education services, programs in career and technical education (CTE), and programs for gifted and talented students, and school nutrition. The principals shall designate a district homeless coordinator who shall ensure this policy is implemented throughout each ASD school. The homeless coordinator shall ensure:

- (1) Homeless students are quickly identified and have access to education and support services, to include Head Start and district pre-k programs;
- (2) Coordination with local social service agencies and other entities providing services to homeless students;
- (3) Coordinate transportation, transfer of records, and other inter-district activities with other school districts;
- (4) Coordinate transportation to the school or origin or choice for homeless students;
- (5) Refer homeless students and their families to health care services, dental services, mental health and substance abuse services, and housing services;
- (6) Assist homeless students in obtaining immunizations, medical or immunization records, and any additional assistance that may be needed;
- (7) Public notice of the educational rights of homeless students is disseminated in places frequented by

⁵ McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(A)

⁶ McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95); § 722(g)(3)(B)

⁷ McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95); § 722(g)(3)(F)

⁸ McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95); § 722(g)(3)(E)

⁹ McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95); § 722(g)(3)(G)

¹⁰ McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95); § 722(g)(4) - (6)

parents/guardians of homeless students, including schools, shelters, public libraries, and soup kitchens;
and

- (8) Unaccompanied youth are enrolled and informed of their status and independent students.

The principal shall develop procedures to ensure that homeless students are recognized administratively and that the appropriate and available services are provided for these students. The director shall ensure professional development is provided to school personnel providing services to homeless students.



Confidentiality of Student Records

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A confidential cumulative record shall be kept for each student enrolled in school. The folder shall contain a health record, attendance record, and scholarship record; shall be kept current; and shall accompany the student through their school career.¹

The name used on the record of the student entering the school system must be the same as that shown on the birth certificate, unless evidence is presented that such name has been legally changed. If the parent does not have, or cannot obtain a birth certificate, then the name used on the records of such student shall be as shown on documents which are acceptable as proof of date of birth.

The name used on the records of a student entering the system from another school must be the same as that shown on records from the school previously attended unless evidence is presented that such name has been legally changed as prescribed by law.

When a student transfers to another school within the ASD, copies of the student's records, including the student's disciplinary records, shall be sent to the transfer school.²

All records shall be remitted in accordance with the Family Education Rights and Privacy Act (FERPA).³

Access to Student Records

Student records shall be confidential. Authorized school officials shall have access to and permit access to student education records for legitimate educational purposes.⁴ A "legitimate educational interest" is the official's need to know information in order to:

- (1) Perform required administrative tasks
- (2) Perform a supervisory or instructional task directly related to the student's education; and

¹ 20 USCA 1232g; Tenn. Code Ann. §10-7-503; Tenn. Code Ann. § 10-7-504

² Tenn. Code Ann. § 49-3-3001(c)(1)

³ Tenn. Code Ann. § 49-1-701 *et seq.*

⁴ Tenn. Code Ann. § 10-7-504(a)(4); 20 USCA § 1232g

- (3) Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

Authorized school officials may release information from or permit access to a student's education record without the parent(s) or eligible student's* prior written consent in the following instances:

- (1) To comply with a judicial order or lawfully issued subpoena. The school system will make a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure;⁵
- (2) If the disclosure is an item of directory information;⁶
- (3) To comply with the requirements of child abuse reports to the extent known by the school officials including the name, address, and age of the child; the name and address of the person responsible for the care of the child, and the facts requiring the report;⁷
- (4) When certain federal and state officials need information in order to audit or enforce legal conditions related to federally-supported education programs in the school system;⁸
- (5) When the school system has entered into a contract or written agreement for an organization to conduct scientific research on the system's behalf to develop tests or improve instruction, provided that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purpose for which the study was conducted;⁹
- (6) To appropriate officials if the parent(s) claim the student as a dependent as defined by the Internal Revenue Code;¹⁰
- (7) To accrediting organizations to carry out the accrediting functions;¹¹
- (8) When a student seeks or intends to enroll in another school district or a post-secondary school. Parent(s) of students or eligible students have a right to obtain copies of records transferred under this provision;¹²
- (9) To financial institutions or government agencies that provide or may provide financial aid to a student in order to establish eligibility, to determine the amount of financial aid, to establish conditions for the receipt of financial aid, and to enforce financial aid agreements;¹³
- (10) To make the needed disclosure in a health or safety emergency when warranted by the seriousness of the threat to the student or other persons, when the information is necessary and needed to meet the emergency, when time is an important and limiting factor, and when the persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency;¹⁴
- (11) To the Attorney General or his designee for official purposes related to the investigation or prosecution of an act of domestic or international terrorism. An educational agency that, in good faith, produces education records in accordance with an order issued under this Act shall not be liable to any person for that production;¹⁵
- (12) To any agency caseworker or other representative of a state or local child welfare agency or tribal organization authorized to access the student's educational records when such agencies or

⁵ 20 USCA 1232g(b)(2)(B)

⁶ 20 USCA 1232g(b)(2); Tenn. Code Ann. § 10-7-504(a)(4)(A)

⁷ Tenn. Code Ann. § 37-1-403

⁸ 20 USCA 1232g(b)(3)

⁹ 20 USCA 1232g(b)(1)(F)

¹⁰ 20 USCA 1232g(b)(1)(H)

¹¹ 20 USCA 1232g(b)(1)(G)

¹² TRR/MS 0520-01-03-.03(15)

¹³ 20 USCA 1232g(b)(1)(D)

¹⁴ 20 USCA 1232g(b)(1)(I)

¹⁵ 20 USCA 1232g(j); USA Patriot Act of 2001 § 507

organizations are legally responsible for the care and protection of the student;¹⁶

Authorized school officials may release information from a student's education record if the student's parent(s) or the eligible student gives written consent for the disclosure. The written consent must include:¹⁷

- (1) A specification of the records to be released
- (2) The reasons for the disclosure;
- (3) The person, organization, or class of persons or organizations to whom the disclosure is to be made;
- (4) The signature of the parent(s) or eligible student;
- (5) The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent(s) or the eligible student* may obtain a copy of any records disclosed under this provision.

The ASD will maintain an accurate record of all requests to disclose information from or to permit access to a student's education records. The system will maintain an accurate record of information it discloses and access it permits. The system will maintain this record as long as it maintains the student's education record.¹⁸

The record will include at least:¹⁷

- (1) The name of the person or agency that makes the request;
- (2) The interest the person or agency has in the information;
- (3) The date the person or agency makes the request; and
- (4) Whether the request is granted and, if it is, the date access is permitted or the disclosure is made.

** The student becomes an "eligible student" when he/she reaches age 18 or enrolls in a post-secondary 23 school, at which time all of the above rights become the student's right.*

¹⁶ 20 USCA. 1232g

¹⁷ 34 C.F.R. 99.30

¹⁸ 34 C.F.R. 99.32(a)



Safe Relocation of Students

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Employees who are directly responsible for a student's education or who otherwise interact within the scope of their assigned duties may relocate a student from the student's present location to another location when such relocation is necessary for the student's safety or the safety of others.¹ Such employees may also intervene in a physical altercation between two or more students or between a student and an Achievement School District (ASD) employee. Reasonable force may be used to physically relocate or intervene in a conflict if a student is unwilling to cooperate.²

If an employee is unable to resolve the matter with the use of reasonable or justifiable force as required, the student shall be allowed to remain in place until such a time as local law enforcement officers or school resource officers can be summoned to relocate the student or take the student into custody until such a time as a parent or guardian can retrieve the student.

In the event that physical relocation becomes necessary, the employee shall file a brief report of the incident with the principal. Ideally, the report should include:

- (1) Name of the student(s) involved;
- (2) Location, date, and time of the incident;
- (3) Identity of any witnesses to the incident;
- (4) Description of the student actions justifying the use of force; and
- (5) Detailed explanation of the amount and extent of the force used.

If the student's behavior constitutes a violation of the ASD's zero tolerance policy, the report shall be placed in the student's permanent record. Otherwise, the report shall be kept in the student's discipline record and not become a part of that student's permanent record. The principal or the principal's designee shall notify the teacher involved of the actions taken to address the behavior of the relocated student.

The principal shall create procedures to implement this policy consistent with state law. Each building principal shall fully support the employees' authority under this policy and fully implement the policy and procedures of the ASD.

¹ Tenn. Code Ann. § 49-6-4008

² Tenn. Code Ann. §§ 39-11-603, 609-614



Student Surveys

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Surveys, analyses, and evaluations for research purposes shall be allowed at Achievement School District (ASD) schools when the project is viewed as contributory to a greater understanding of the teaching-learning process, the project does not violate the goals of the school, and the disruption of the regular school program is minimal. The director of schools shall develop administrative procedures for approving requests for conducting surveys, analyses, or evaluations by agencies, organizations or individuals. The requests shall outline what is to be done, who is to be involved and how the results will be used and distributed¹.

Prior to the dissemination of a survey, analysis, or evaluation to students, parents/guardians shall be notified of the opportunity to review the materials. Such notification shall include information indicating the purpose of the survey, analysis, or evaluation as well as who will have access to the results. Following such notification and prior to the administration of the survey, analysis, or evaluation, parents/guardians may opt their child out of participation.

The director of schools shall develop procedures for granting such parental requests and to implement the other provisions of this policy.¹

No student shall be required, as part of any program, to submit to a survey, analysis or evaluation that reveals information concerning:^{1, 2}

- (1) mental or psychological problems of the student or the student's family;
- (2) sexual behavior or attitudes;
- (3) illegal, anti-social, self-incriminating, or demeaning behavior;
- (4) critical appraisals of other individuals with whom respondents have close family relationships;
- (5) legally privileged relationships;
- (6) income; or
- (7) the collection of student biometric data involving the analysis of facial expressions, EEG brain wave patterns, skin conductance, galvanic skin response, heart-rate variability, pulse, blood volume, posture, and eye-tracking.³

¹ Tenn. Code Ann. § 49-2-211

² 20 USCA § 1232h

³ Tenn. Code Ann. § 49-1-706

⁴ Tenn. Code Ann. § 49-1-705

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent/guardian.

The collection of the following student data is strictly prohibited:⁴

- (1) political affiliation or voting history;
- (2) religious practices; and
- (3) firearm ownership

Collecting, Disclosing, or Using Information for Marketing³

In general, the ASD will not collect, disclose or use personal student information for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose.

If any collected information is to be marketed or sold, parents will be directly notified at least annually at the beginning of the school year of the specific or approximate dates when such information will be collected. Parents/guardians, upon request, may inspect any instrument used to collect personal information for the purpose of marketing or selling that information before the instrument is administered or distributed to the student. All parents/guardians and students of appropriate age may decline to provide the information requested.

This portion of the policy does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions to the extent allowed by law, such as the following:

- (1) College or other postsecondary education recruitment or military recruitment.
- (2) Book clubs, magazines and programs providing access to low-cost literary products.
- (3) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
- (4) The sale by students of products or services to raise funds for school-related or education related activities.
- (5) Student recognition programs.

³ 20 USCA § 1232h(c)(1); 20 USCA § 1232h(c)(4)