
State Board of Education Charter School Local Education Agency (LEA) Policy Revisions

The Background:

Pursuant to Public Chapter 850 of the 108th General Assembly, the State Board serves as the chartering authority for charter schools that it authorizes on appeal if the local education agency (LEA) and the charter school operator do not mutually agree that the LEA will be the authorizer. In Tennessee, the chartering authority serves as the LEA for any authorized charter schools.

In order to comply with the oversight and monitoring duties required in statute, the State Board must adopt policies to govern its functions as the LEA for authorized charter schools. *These policies will only impact the charter schools authorized by the State Board and will not be applicable to any other school or local district.* Additionally, these policies will work in conjunction with State Board Policies 6.100 through 6.110 that govern the State Board's duties as a charter school authorizer.

Pursuant to the State Board's Board Meetings Policy 1.400, this item is on first and final reading due to timing considerations. State Board-authorized charter schools must wait for our LEA policies to be approved before they can finalize revisions to their school policies for the upcoming school year. Any additional changes necessitated by changes to state law after the legislature adjourns will be presented on first and final reading in July.

The majority of State Board LEA policies presented in this item received moderate revisions. New policies and policies with more significant revisions are outlined below.

New Policies

- 1801 Special Education/IDEA: Moved language regarding IDEA out of policy 1802 Americans with Disabilities Act (ADA), Section 504, and Individuals with Disabilities Education Act (IDEA), into a new, separate policy addressing special education obligations of authorized schools and of the district. This newly created policy addresses the complaint process, administrative complaints information, and the requirement that schools provide parents an annual notice of procedural safeguards.
- 5610 Staff-Student Relations: Based on the TSBA model policy on this subject, the policy addresses appropriate interactions between staff and students at authorized schools.
- 6316 Suspension/Expulsion/Remand: Based on the TSBA model policy on this subject, this policy sets forth the minimum legal requirements regarding suspension, expulsion, and remands and minimum due process for suspensions of ten (10) days or less.

Policies to Repeal

- 3203 Crisis Management: All information in this policy was already covered in LEA policy School Safety 3201.

- 4301 Hazing: Moved language on hazing from this policy into LEA policy Bullying, Cyber-bullying, Hazing, and Harassment 6304, so that all information on hazing is contained in one policy.
- 5910 Threats of Violence: Moved language from this policy into LEA policy Student Discipline 6313.

Policies with Significant Revisions

- 1200 Grievances and Complaints: Added transportation and bullying issues to the list of complaints handled by the school. Deleted the reference to compulsory attendance violations because these are handled by the school pursuant to our LEA policies. Deleted references to expulsion because those appeals come through the Disciplinary Hearing Authority (DHA) process outlined in LEA policy Required Remands and Student Disciplinary Hearing Authority 6317, and are primarily handled by the school. Clarified that the Director of Schools or designee (not the State Board) will review complaints and determine if a complaint is properly before the State Board.
- 3201 School Safety: Made changes to the section regarding the SAVE Act to align better with the law, including removal of unnecessary detail directly from statute. Made the adoption of a school policy on who may possess firearms on school grounds optional because statute does not require adoption of a policy, and statute itself is already very specific regarding who may possess a firearm on campus.
- 3208 Asbestos Management: Clarified the duties of the school asbestos coordinator, added appointment of a district coordinator, and added annual identification by each school of its coordinator.
- 3400 Transportation: Added information from a new state law regarding appointment of a transportation supervisor for the charter school and district, a complaint process required to be adopted by the charter school, and training required for transportation supervisors. Added additional information from existing law regarding reporting of physical and mental examinations of bus drivers. Removed the need for schools to adopt an additional policy on students exiting bus at a stop other than the assigned stop, unless the school wants to adopt a stricter policy.
- 4207 English Learners: Added information about Individualized Learning Plans (ILPs) and training on WIDA standards as a result of the updated State Board ESL Program Policy 3.207.
- 4210 Credit Recovery: Added information regarding admission requirements for credit recovery as a result of the updated State Board High School Policy 2.103.
- 4603 AP/IB Courses, Honors/Technical Courses, and Grading: Changed the name of this policy to Promotion and Retention, Grading, and Assessment. Moved information on AP/IB and honors/technical courses to a separate, new policy. Added requirements from the updated State Board Promotion and Retention Policy 3.300 for grades K-8. Added a section on testing information that must be posted to the State Board's and each school's website.
- 4605 Course Credits and Graduation: Added information regarding recognition of students graduating with various state honors or distinctions as a result of the updated State Board High School Policy 2.103.
- 4802 Student Equal Access: Clarified requirements of school policy if the school creates a limited public forum.
- 5118 Background Investigations: Added a requirement that contractors and school volunteers be background checked and that the charter school shall create procedures outlining the types of volunteers required to undergo a background check.
- 5400 Employee Health: Made changes to bring this policy into compliance with the State Board's newly revised HIV and AIDS Policy for Employees and Students of Tennessee Public Schools Policy 5.300.

- 6200 Attendance: Made changes to the truancy section of this policy in response to new law, Public Chapter 379 of the 110th General Assembly, requiring schools to adopt a policy outlining progressive truancy interventions.
- 6300 Security: Deleted language regarding zero tolerance and discipline policies because this information is contained elsewhere in LEA policies Zero Tolerance 6309 and Student Discipline 6313.
- 6303 Reporting of Crimes, Interrogations, and Searches: Added a section on interrogations based on policies of numerous other LEAs and Tennessee Attorney General's opinion that gave schools more concrete guidance on the subject.
- 6304 Bullying, Cyberbullying, Discrimination, Harassment, and Hazing: Added information regarding sexual harassment and sexual abuse reporting, as well as reporting of findings of bullying and harassment complaints. Added that investigations involving abuse, sexual abuse, or other criminal matters shall not commence until authorization is received from law enforcement or the Department of Children's Services. Added additional information regarding hazing from LEA policy Hazing 4301 to consolidate the two policies into one.
- 6309 Zero Tolerance: Clarified that zero tolerance offenses may not always result in a mandatory expulsion for one (1) year except for those set forth in state law. Specified zero tolerance offenses set forth in state law that require one (1) year expulsion. Deleted the Gun Free Schools Act section because the state's zero tolerance statute prohibiting possession of firearms satisfies this requirement.
- 6313 Student Discipline: Made changes to bring this policy into compliance with the State Board's newly revised Alternative Education Programs Policy 2.302 regarding development of transition plans for alternative school students and additional information regarding the alternative program. Added required language from state law on discipline policies so that LEA policy Threats of Violence 5910 can be repealed.
- 6400 Student Wellness and Health Services: In order to comply with new state laws and updated State Board Administration of Medication in a School Setting Policy 4.205, added language regarding administration of medication, including medications for students with adrenal insufficiency, diabetes, pancreatic insufficiency, and administration of opioid antagonists.
- 6409 Child Abuse, Neglect, and Child Sexual Abuse: Updated to include information regarding child sexual abuse, additional detail regarding reporting procedures, cooperation with the Department of Children's Services investigations, and reporting/employment actions against employees suspected of abuse, neglect, or sexual abuse.
- 6600 Student Records and Confidentiality: Added information regarding a parent's ability to opt out of information being provided to military recruiters/institutions of higher education, clarification on what the annual Family Educational Rights and Privacy Act of 1974 (FERPA) notification should include, and additional information regarding surveys from the Protection of Pupil Rights Amendment (PPRA).

The Recommendation:

State Board staff recommends adoption of this item on final reading.