

# **VIRTUAL STUDENT CONDUCT EXPECTATIONS**



**Chief of Academic Operations & School Support  
Shawn Page**

**Executive Dir. Of SEED  
Dr. Angela Hargrave**

**SHELBY COUNTY SCHOOLS  
160 South Hollywood  
Memphis TN, 38112  
901-416-5300**

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# **Virtual Conduct Expectations & Protocols**

*All students will be expected to abide by the existing SCS Student Code of Conduct during virtual schooling. The virtual class is an extension of the school, just as the bus and any school related activity. This document is designed to be followed in tandem with the SCS Student Code of Conduct.*

*For additional clarity surrounding discipline protocols, contact  
Office of Student Equity, Enrollment & Discipline (SEED)  
901-416-6007.*

*SEED District Officials and Managers will provide direct consultation.*

*For revisions, contact Dr. JB Blocker, Manager of Equity & Discipline [BLOCKERJ@scsk12.org](mailto:BLOCKERJ@scsk12.org)*

# Virtual Conduct Expectations & Protocols

*The purpose of the Student Code of Conduct is to support positive student behavior and, when appropriate, apply reasoned discipline.*

## VIRTUAL DISCIPLINE CATEGORIES

In order to maintain positive virtual schooling climates, students are prohibited from engaging in the misconduct outlined in Policy 6022. The Student Code of Conduct's progressive categories (in their entirety) will continue to be used when defining and responding to virtual misconduct. Please see [SCS Policy 6022](#) pages 13-21, for a comprehensive list of the Discipline Categories A-E.

**For the purposes of specifically addressing “virtual” conduct expectations, please give special attention the prohibited Category C, D, E and A behaviors below.**

### **Category C (*Moderate-Serious*)**

#1. Threatening bodily harm to school personnel, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention;

#7. Malicious destruction of or damage to school property, including electronic media, or the property of any person attending or assigned to the school;

#8. Stealing or misappropriation of school or personal property (regardless of intent to return);

Consequences for these behaviors can result in

- Parent-Principal Conference (Virtual/in-person/phone)
- Virtual Supervised Study/Detention
- Virtual In-School Suspension
- In-School Suspension
- Out-of-school Suspension
- Remand to Alternative School

## **Category D** (*Minor- Moderate*)

#4. Threatening bodily harm to another student, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a student and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention;

#7. Inappropriate use of electronic media, including, but not limited to, all calls (land line, cellular or computer generated), instant messaging, text messaging, video/audio recording devices, iPods, MP3s or any type of electronic music or entertainment device, and cameras and camera phones;

#9. Bullying/cyberbullying, intimidation, and harassment

#11. Inciting, advising or counseling of others to engage in any acts in Categories A, B or C using any means to send or receive spoken or written messages, including, but not limited to, notes, letters, texts, online or in-person group chats or conferencing, electronic messaging, audio messaging, video messaging, social media posts/streams, or other similar forms of communication;

Consequences for these behaviors can result in

- Parent-Principal Conference (Virtual/in-person/phone)
- Virtual Supervised Study
- Virtual In-School Suspension
- In-School Suspension

## **Category E** (*Minor*)

#1. Habitual and/or excessive tardiness;

#2. Class cutting\*;

#3. Intentional disturbance of class, cafeteria or school activities;

#8. Possession of and access to beepers, cellular phones or other electronic communication devices during school hours without permission of the principal or in violation to district/school policy;

#10. Dress code violation, including wearing, while on school grounds during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment

Consequences for these behaviors can result in

- Parent-Principal Conference (Virtual/in-person/phone)
- Virtual Supervised Study/Detention
- Virtual In-School Suspension

## CATEGORY A OFFENSES

**Note:** Any student who commits a **Category (A) offense** must receive a mandatory 180 day suspension. Category (A) offenses include: possession of drugs, aggravated assault of staff and possession of a firearm on school property/event. **Notification will be made to law enforcement authorities. Any modification of this penalty can only be made by the Superintendent.**

## EXCLUSIONARY DISCIPLINE MEASURES

For the purposes of virtual schooling, exclusionary consequences will be considered as:

- any direct removal from the virtual schooling process, long-term remands to the virtual alternative school setting and failure to provide IEP approved services during virtual schooling (i.e., OSS, removal from virtual class without assigning Virtual ISS, etc.).
- Exclusionary consequences should only be used as a last resort and after implemented interventions have failed, unless otherwise dictated by policy categories.

## 504 & SPECIAL EDUCATION

*Local, State and Federal stipulations still apply for students who receive 504 and special education services within the virtual school setting.*

Manifestation meetings should be held for disabled students when suspensions are expected to extend beyond 10 days or when there is a pattern of misbehavior. Unless a disciplinary infraction is the direct result of a child's disability, the child will be disciplined in the same manner as a nondisabled child. The district, parent/guardian, and relevant members of the IEP team shall review all relevant information to determine:

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

Schools should contact their special education advisors to receive guidance on developing appropriate Virtual supports within the IEP for specific students.

# MANDATORY REPORTING & TITLE IX

*All employees are expected to abide by the mandatory reporting processes outlined within [SCS Policy 7005](#) while serving in the virtual schooling environment.*

## TITLE IX

Title IX reporting mandates must be adhered to, just as in the traditional schooling environment. Discrimination and harassment including but not limited to, race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical or sensory disability, socio-economic or familial status is strictly prohibited.

- Alleged victims of harassment, intimidation, bullying, or their parents or guardians shall report these incidents immediately to the Principal or building level administrator.
- Any reports made to staff should be forwarded to the Principal or building level administrator immediately but no later than 24 hours of the expressed concern. Anonymous reports may be made; however, disciplinary action may not be based solely on an anonymous report.
- Principals may report formal complaints of **sexual harassment** may be filed with the Title IX Coordinator in person, via mail, or electronic mail at the contact information listed below:  
SCS Title IX Coordinator  
titleix@scsk12.org  
901-416-5417  
160 S. Hollywood Street, Memphis, TN 38112

## CYBER-BULLYING

As previously mentioned in Category (C), **Bullying, Cyber-bullying and harassment** of any kind are **strictly prohibited** and can result in disciplinary action (up to suspension). In addition to reporting directly to staff, victims of bullying may also report bullying using the Safe-School Web Tips reporting process, which can be found in [SCS Policy 6046](#) .

Any complaints of harassment, intimidation or bullying should include the following information:

- Identity of the alleged victim and the person accused;
- Location, date, time and circumstances surrounding alleged incident;
- Description of what happened;
- Identity of witnesses; and
- Any other evidence available.

School principals will continue to follow the traditional school reporting processes for reporting and investigating bullying, cyber-bullying and harassment. Principals can reach out to the Office of Student Equity Enrollment & Discipline (SEED) by emailing [HARRISAE1@scsk12.org](mailto:HARRISAE1@scsk12.org) or [DICKERSONCL@scsk12.org](mailto:DICKERSONCL@scsk12.org) for additional guidance or review the policy above.

## **RESTORATIVE PRACTICES & PROGRESSIVE DISCIPLINE**

A framework for a broad range of restorative approaches that emphasize the importance of positive relationships, proactively building school communities and working toward repairing relationships, is necessary for students when harm has occurred. This remains true, even within the virtual schooling environment. The true purpose behind restorative practices and disciplining progressively are to correct and mold the mental faculties and moral characters of students. Gradual, sequential and strategic responses should be implemented to deter negative student behavior. Behavior Intervention/Support Plans and sensitivity to social emotional learning are often the strongest evidence and indicators of restorative practices.

## **SOCIAL EMOTIONAL LEARNING**

The vision for Shelby County Schools is to provide equitable support to all students to build their emotional, social and cognitive development through the use of research-based strategies grounded in trauma-informed practice that leads to improved school climate and attendance, decreased suspensions, expulsions, drop-out rates, and reduced stress for staff and students. Addressing Adverse Childhood Experiences in Tennessee and Shelby County Chronic childhood trauma, or what experts call adverse childhood experiences (ACEs), can affect a child's brain-building process. ACEs are toxic to brain development and can compromise the brain's structural integrity. Left unaddressed, ACEs and their effects make it more difficult for a child to succeed in school, live a healthy life and contribute to the state's future prosperity — our communities, our workforce, and our civic life. Schools that build cultures of understanding and support can be an extraordinarily protective factor in the lives of students coping with trauma. (SCS CHESSEL Manual, 2019).



# STUDENT EXPECTATIONS

*Students must maintain virtual settings and behaviors that are conducive for instruction and that minimize distractions.*

## Virtual Work Settings

1. Working stations must be free of foreign objects that are not being utilized for instruction.
2. The recording device being used for instruction must be positioned to allow teachers to observe both the working space and student, especially during testing.
3. Eating and drinking are not allowed during virtual courses. This is hazardous to electronic devices and can also be distracting during instruction.
4. **When possible**, students are encouraged to work in areas that are isolated from other individuals and pets. If circumstances exist that do not allow complete seclusion, the parent will need to share this information separately with the instructor. Instructors will only require what the parent can reasonably provide.
5. Additional electronic devices should not be kept or used within the visible working area, unless they are being utilized for instruction/are teacher approved. This includes the use of speakers, phones, earphones and other devices that may provide distractions from teacher lead instruction.
6. Students will follow daily guidance from their teachers regarding best methods of communicating and participating during virtual schooling. Instructions regarding when and how to interact verbally and how to use audio and camera options will be dependent on the design of instruction and direction of the teacher.

## Student Dress & Conduct

7. Students are to wear appropriate dress, that does not distract from the virtual learning process. Inappropriate attire including but not limited to the following are prohibited: clothing with profanity; derogatory terms; racial slurs; sexual content; and clothing that is transparent or overly revealing. School uniforms will not be required for Virtual Schooling.
8. Students should refrain from engaging in any of the behaviors identified in [SCS Policy 6022](#) while engaged in virtual schooling. **Traditional school rules and behavioral expectations still apply.** Behavior that is disruptive to the virtual schooling setting will be addressed using progressive discipline measures.
9. Students are to remain positively engaged in instruction and participate.

# TEACHER EXPECTATIONS

*Every teacher will continue to hold student's accountable for misconduct during virtual courses, as authorized in [TCA § 49-6-4102](#). Teachers must continue to implement reasonable classroom management interventions prior to referring students to administration.*

## Virtual Classroom Management & Restorative Practices

1. Teachers will regularly communicate behavior expectations to students. Expectations should be briefly stated at the beginning of each virtual course to remind students of protocol and appropriate use of their devices.
2. Teachers may utilize audio and video features on the technological platform to limit a student's interaction, if the student's behavior is disruptive to the virtual schooling process.
3. Teachers will remain cognizant of the social emotional needs of students, even while interacting within the virtual setting.
4. Teachers will continue to monitor, implement and revisit interventions and restorative (i.e., Bright Bytes etc.) practices as a deterrent to removing students completely from virtual class.
5. Teachers will maintain Virtual ISS folders that contain rigorous class assignments that meet local and state standards. Teachers will communicate deadlines for assignments to be returned and collect ISS assignments electronically from students.

## Teacher Reporting & Communication

6. Teachers will routinely communicate student behaviors to parents and involve them in the development of behavior support plans and intervention strategies.
7. Teachers will report persistent misbehavior to administration, only after varied interventions and supports have been implemented and failed.
8. Teachers will report any instances of harassment, bullying, intimidation and any forms of harassment based on discrimination to administration within 24 hours.
9. Teachers will report possible criminal offenses, abuse, and neglect to DCS/law enforcement. Please see the following policy for more specifics [SCS Policy 7005](#).
10. Teachers will NOT penalize students academically for misbehavior in the virtual setting; However, students who miss virtual schooling due to suspension, run the risk of missing assignments, which can lead to academic decline.
11. A restorative credit/grade process should be established for first time offenders that will allow students to participate in grade/credit recovery. Teachers/Administrators may create reasonable stipulations that coincide with make-up work opportunities (i.e., reflective essays, community service if applicable, SHAPE etc.).
12. Teachers will continue to abide by all 504 and IDEA stipulations when responding to virtual conduct, just as required within the traditional school environment.

## PRE-OFFICE REFERRAL STEPS (may include additional restorative practices)

*As a result of student virtual misconduct, teachers may:*

- Redirect students verbally/electronically (i.e., audio and video restrictions etc.)
- Hold Virtual Parent Conferences at alternate times
- Restrict privileges/rewards
- Place students in isolated virtual classes (separated from the group but continuing with virtual instruction), if there is a teacher assistant to continue instruction with the removed student
- Submit student referrals to administration for persistent/serious misbehavior

# **ADMINISTRATIVE EXPECTATIONS**

**(i.e. Principals, Assistant Principals and Vice-Principals)**

## **Virtual Restorative Practices & Discipline Response**

1. Administrators will work to ensure that teachers have thoroughly implemented restorative practices and interventions before referring students to administration. (unless the severity of the misconduct warrants immediate action per Policy Categories).
2. Administrators will investigate virtual misconduct that has escalated beyond the teacher's responsibility and provide virtual due process to students.
3. Administrators will review teacher referrals to determine the appropriate response/consequences/interventions to misbehavior and will also assist teachers in the development of virtual interventions.
4. Administrators will collaborate virtually with students, parents and teachers when developing behavior support plans
5. Administrators may collaborate with teachers to create reasonable stipulations that coincide with make-up work opportunities (i.e., reflective essays, community service if applicable, SHAPE etc.) and may develop restorative credit programs.
6. Administrators may assign students to Virtual Supervised Study/ISS for misbehavior.
7. Administrators will be responsible for entering any behavior that is deemed worthy of becoming a part of the student's disciplinary history into PowerSchool. Suspensions must be entered with 24 hours.
8. Administrators may conduct, schedule and manage Virtual ISS/supervised study when support staff are unavailable or identify and train appropriate others.

## **Administrator Reporting & Communication**

9. Principals will conduct virtual appeal conferences for parents who desire to appeal short-term exclusionary consequences, or other disciplinary consequences that do not warrant formal due process.
10. Administrators will report any instances of harassment, bullying, intimidation and any forms of harassment based on discrimination appropriately, document and investigate following policy guidelines.
11. Administrators will report possible criminal offenses, abuse, and neglect to DCS/law enforcement. Please see the following policy for more specifics [SCS Policy 7005](#).
12. Administrators (only) will make SHAPE referrals, levy suspensions or remove students from the virtual schooling setting.
13. Administrators will Virtually participate in Formal Due Process Hearings and will be responsible for presenting evidence that justifies severe exclusionary consequences.

As always, schools have flexibility when developing restorative practices. Creativity and resourcefulness can be used when developing virtual intervention strategies, when strategies coincide with SCS policy.

*Administrators should consult directly with SEED Officials and Managers when seeking clarity on discipline related matters. SEED support can be obtained by calling 901-416-6007*

# **VIRTUAL SUPPORTS BEHAVIOR SUPPORT STAFF**

(i.e., Monitors, Behavior Specialists, RTIB2 Specialist & Reset Room Staff, Truancy/Attendance specialists etc.)

## **MONITORS & RESET ASSISTANTS**

1. Monitors will address moderate to severe behaviors (tier 2 students) that have escalated to administration via teacher referrals.
2. Monitors will maintain records of Virtual Supervised Study rosters, assist with staggered ISS scheduling and monitor students to ensure the completion of regular classroom work assignments, while students attend Virtual Supervised Study.
3. Monitors will facilitate restorative practices that address SEL, which will include but not be limited to Virtual Restorative Circles, character development, and de-escalation strategies.
4. Monitors will communicate the assigned students' progress to teachers, and administration on a daily basis.

## **SCHOOL COUNSELORS**

1. Counseling Managers will continue to utilize weekly and bi-weekly memos to share ideas with school counselors about virtual school counseling and supporting their professional development.
2. School Counselors will continue to create Newsletters, Websites, Social Media Posts and Videos highlighting social-emotional learning to engage and support students.
3. School Counselors will continue to contact their Tier II Students' Parents to do a check-in and submit contact log to their Counseling Manager.
4. School Counselors will continue to communicate with their school staff/teachers to let them know when contacting parents or students if a follow-up is needed and that referrals can be made to the Counselor and the MH Clinician/Social Worker.

# **VIRTUAL SUPPORTS BEHAVIOR SUPPORT STAFF Cont'd**

## **RESPONSE TO INTERVENTION/BEHAVIOR SPECIALIST**

1. RTBI2 will continue to provide training, daily oversight and program delivery of the State Framework for Response to Intervention<sup>2</sup>- Behavior (RtI<sup>2</sup>-B) to all schools in the SCS district during school closure for students. *(SCS is in the first-year of a three tier roll-out of a multi-tiered system of support. RtI<sup>2</sup>-B is the behavior companion framework to RtI<sup>2</sup>-Academics.)*
2. RTBI2 will continue to provide direct student behavior interventions at the tier 1 and early tier-2 categories of behavior deficits in schools during school closure for students.
3. RTBI2 will continue to provide professional development, direct consultation with school staff, collaboration with state monitoring offices, phone calls to homes, TEAMS meetings and a variety of resources to students and families as identified by school referrals and general information seeking during various check-in platforms.

## **MENTAL HEALTH STAFF**

1. Mental Health staff will continue to offer the Social-Emotional Support Line and Tele-therapy services with parental consent to new and existing student clients.

# PARENT RESPONSIBILITIES

## Virtual Restorative Practices & Discipline Responses

1. Parents should familiarize themselves with the following Policies to assist with communicating behavioral expectations to students:
  - [SCS Policy 6022 -Student Conduct](#)
  - [SCS Policy 6026-Discipline Appeals](#)
  - [SCS Policy 6046-Bullying](#)
2. Parents should communicate regularly with teachers and administrators regarding the status of their students and work collaboratively with employees to develop behavior support plans, especially if misbehavior becomes a concern.
3. Parents should ensure that students wear appropriate dress, that does not distract from the virtual learning process. Inappropriate attire including but not limited to the following are prohibited: clothing with profanity; derogatory terms; racial slurs; sexual content; and clothing that is transparent or overly revealing. School uniforms will not be required for Virtual Schooling.
4. Parents should make every attempt to provide appropriate working stations/settings with minimal distractions for students (i.e., isolation, if possible, quiet areas etc.)
5. Parents should consult with the Office of Student Equity, Enrollment & Discipline by calling (901-416-6007) for additional discipline guidance, requests for formal due process and support regarding the implementation of behavior support plans.

## ADDITIONAL SUPPORTS

1. Ongoing professional development will be provided to ensure that teachers, administrators, and support staff are equipped to manage student behaviors within virtual settings. Please email [BLOCKERJ@scsk12.org](mailto:BLOCKERJ@scsk12.org) or [HARTKB@scsk12.org](mailto:HARTKB@scsk12.org) for Classroom Management, Discipline and Restorative Practices Training.
2. District Officials and Managers from the Office of SEED will be on standby to provide ongoing consultations and guidance to parents and administrators when dealing with virtual behavioral incidents.
3. Due Process is still required in all instances and appeals can be held for individuals disputing discipline consequences.

## VIRTUAL ISS/SUPERVISED STUDY

Virtual ISS/Supervised study is the act of removing a student from their normal virtual setting and placing them in a new virtual setting that is supervised by another employee. The Virtual ISS/Supervised study setting will require the student to receive strategies in character education development and other restorative practices, in addition to requiring the completion of school assignments. Students under Virtual in-school suspension/supervised study shall be recorded as constituting a part of the public school attendance in the same manner as students who attend regular virtual classes.

## **VIRTUAL ISS/SUPERVISED STUDY Cont'd.**

**Virtual In-School Suspension** can be utilized to address student misbehavior that rises to a level that would normally warrant in-school suspension.

**Virtual Supervised Study** can be utilized to address minor misbehaviors that do **not** rise to a level that would normally warrant in-school suspension. This option will also be used for temporary virtual class moves (i.e., assigned virtual supervised study for 1<sup>st</sup> period as opposed to the entire day or placed into another elementary teacher's virtual course for 1 hour).

### **General Processes**

1. Virtual ISS/Supervised Study environments must be conducive for learning and instruction should be ongoing during the span of the student's scheduled stay.
2. Students will participate in restorative practices that will address social emotional learning and character development.
3. In addition to restorative practices, electronic folders will be developed that house class assignments.
4. Virtual ISS/Supervised study will not exceed 10 days at one time.

### **Students**

1. Students who misbehave can be assigned Virtual ISS after other interventions have been implemented.
2. Students will be expected to complete all assignments by accessing the Virtual ISS folder supplied by their school.
3. Students will be expected to maintain appropriate behavior while in the Virtual ISS setting to avoid additional consequences.
4. Students will be expected to follow all other fore-mentioned rules and protocols listed within the Virtual Conduct Expectations and Student Code of Conduct.

### **Teachers**

1. Teachers will develop Virtual ISS folders and will be responsible for supplying rigorous assignments that satisfy state and local standards.
2. Teachers will have the authority to add additional stipulations (i.e., reflective essays etc.) when collecting work from students who have been assigned Virtual ISS.
3. Teachers will not penalize students academically because they are assigned to Virtual ISS/Supervised Study.

### **Administrators**

1. Only administrators (Assistant principals, Vice Principals & Principals) will have the authority to assign virtual in-school suspension to students (after due process).
2. Administrators or their designee will schedule meeting dates in Microsoft Teams/zoom and develop list of students assigned to Virtual ISS.
  - Multiple Rooms may be created to ensure Virtual ISS placements are not overcrowded, Virtual ISS rooms should follow the same capacity rules as classrooms because they must be conducive for education.

## VIRTUAL ISS/SUPERVISED STUDY Cont'd

- Virtual ISS should be provided in increments of 1-3 days per suspensions. By law, ISS should never exceed 10 days. Virtual ISS should not be used as a tool to continuously remove students from the normal instructional environment.
3. Administrators will submit the Virtual ISS/Supervised Study discipline log into PowerSchool as ISS if the assignment is 1 day or greater and email the official letter of ISS notification to the parent/guardian. If the behavior does not rise to the level of a suspension, it should be coded as Supervised Study.
    - **Option A:** A list of student's names could be generated as an email and sent to all teachers on the student's schedule
    - **Option B:** Administrator will create a school wide ISS class. The administrator will request teachers to place assignments in subject folders within the ISS class.
    - Additional enrichment materials/practices will be available for students to access.
  4. Administration will call parents to inform them of the Virtual ISS assignment within 24 hours.



# VIRTUAL SHAPE PROGRAM

The House Adjustment Program Enterprise (S.H.A.P.E.) aims to reduce the number of Shelby County Schools students sent to Juvenile Court for minor infractions. The purpose of the program is to decrease the number of minority students sent to Juvenile Court .

The School House Adjustment Program Enterprise (SHAPE) serves as an alternative to exclusionary consequences. The program reduces the number of out of school suspensions, while improving students' conduct and behavior. **SHAPE Coordinators will serve students virtually and will continue to accept referrals from schools for students using the criteria below.**

1. Any student who commits a serious school violation can be referred to the SHAPE program in lieu of long-term suspension, as long as the school violation is not a state mandated Category (A) offense (i.e., possession of drugs, firearms or aggravated assault of staff) Note: Only students with a possession of drugs charge will receive Alcohol and Drug Services at the Alternative School. Upon completion of the Seven Challenges program the possession of drug charge will be dismissed. Failure to complete the program will result in the charge being referred to Juvenile Court for prosecution.
2. Students can receive up to three referrals within a school year and referrals must be made in advance of the suspension.
3. Students will participate in the virtual program for four weeks and will be managed by the on- site coordinator at each school. If students refuse to comply with the program, the administrator shall enforce the suspension.
4. The start date shall commence at the beginning of each school year.
5. The SHAPE program is restorative in nature and is designed to direct and enrich students who have made poor choices, while reducing the school to prison pipeline. Because of this, the SHAPE program accepts students despite their discipline history and entry into the program is based on the current year's incident and referral.
6. This program is strictly voluntarily; however, we want to encourage student attendance.
7. Email John Hall at [HALLJT@SCSk12.org](mailto:HALLJT@SCSk12.org) for SHAPE inquiries.

## **VIRTUAL DUE PROCESS & APPEALS**

*Any principal, principal-teacher or assistant principal of any public school in this state is authorized to suspend a pupil from attendance at the school, including its sponsored activities, or from riding a school bus, for good and sufficient reasons. Good and sufficient reasons*  
[TCA. § 49-6-3401.](#)

1. Except in an emergency, no principal, vice principal or assistant principal shall suspend any student from virtual schooling until that student has been advised of the nature of the student's misconduct, questioned about it and allowed to give an explanation.
2. Upon suspension from virtual classes of any student other than for virtual in-school suspension of one (1) day or less, the principal shall, within twenty-four (24) hours, notify the parent or guardian and the department responsible for district- wide student discipline of:
  - a. The virtual suspension, which shall be for a period of no more than ten (10) days; b. The cause for the suspension; and
  - c. The conditions for readmission, which may include, at the request of either party, a meeting of the parent or guardian, student and principal.
3. If the virtual suspension is for more than five (5) days, the principal shall develop and implement a plan for improving the behavior, which shall be made available for review by the Superintendent (or designee) upon request.
4. The following provisions apply to expulsions (removal from attendance for more than ten (10) consecutive days or more than fifteen (15) days in a month of virtual school attendance and to expulsions and remands of a student to an alternative school in cases regarding a violent felony as defined in T.C.A. 40-35-321(e)):
  - a. If, at the time of the virtual suspension, the principal, vice principal or assistant principal determines that an offense has been committed that would justify a virtual suspension for more than ten (10) days, the person may suspend a student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.
  2. The principal, vice principal or assistant principal shall immediately give written or actual notice to the parent or guardian and the student of the right to appeal the decision to suspend for more than ten (10) days or to expel or remand the student to an alternative school in cases regarding a violent felony. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the

## **VIRTUAL DUE PROCESS & APPEALS Cont'd**

student or any person holding a teaching license who is employed by the school system if requested by the student.

3. The appeal from this decision shall be to the disciplinary hearing authority appointed by the Board. The disciplinary hearing authority shall consist of at least one (1) licensed employee of SCS, but no more than seven (7) members.
4. The virtual hearing shall be held no later than ten (10) days after the beginning of the suspension or expulsion or remand in cases regarding a violent felony. The disciplinary hearing authority shall give written notice of the time, date and technological platform (i.e. Microsoft Teams, Zoom etc.) to the parent or guardian, the student and the school official designated in subdivision (C)(4)(a) who ordered the suspension or expulsion or remand in cases regarding a violent felony. Notice shall also be given to the SCS employee referred to in subdivision (C)(4)(b) who requests a hearing on behalf of the suspended student or the student who is expelled or remanded in cases regarding a violent felony.
5. After the hearing, the disciplinary hearing authority may affirm the decision of the principal, order removal of the suspension or expulsion or remand in cases regarding a violent felony unconditionally or upon such terms and conditions as it deems reasonable, assign the student to an alternative program or night school or suspend the student for a specified period of time.
6. A written record of the proceedings, including a summary of the facts and the reasons supporting the decision, shall be made by the disciplinary hearing authority. The student, principal, vice principal or assistant principal may, within five (5) days of the decision, appeal the decision of the disciplinary hearing authority to the Superintendent. The Superintendent's designee shall review the written record of the disciplinary hearing authority and shall make a recommendation to the Superintendent as soon as practicable. After receiving a recommendation from the Superintendent's designee, the Superintendent shall render a decision based on the designee's recommendation.

## **VIRTUAL DUE PROCESS & APPEALS Cont'd**

Absent a timely appeal, the decision shall be final. Within five (5) days of the Superintendent's decision, the student, principal, vice principal or assistant principal may request review by the Board of Education. The Board of Education, based upon a review of the record, may grant or deny a request for a Board hearing and may affirm or overturn the decision of the disciplinary hearing authority with or without a hearing before the Board; provided, that the Board may not impose a more severe penalty than that imposed by the disciplinary hearing authority without first providing an opportunity for a hearing before the Board. If the Board conducts a hearing as a result of a request for review by a student, principal, vice principal or assistant principal, then, in accordance with state law and/or regulations the hearing shall be closed to the public, unless the student or student's parent or guardian requests in writing within five (5) days after receipt of written notice of the hearing that the hearing be conducted as an open meeting. If the Board conducts a hearing as a result of a request for review by a student, principal, vice principal or assistant principal that is closed to the public, then the Board shall not conduct any business, discuss any subject, or take a vote on any matter other than the appeal to be heard. Nothing in this subdivision (C)(6) shall act to exclude the Tennessee Department of Children's Services from the disciplinary hearings when the department is exercising its obligations under T.C.A. § 37-1-140. The action of the Board of Education shall be final.



# Virtual Suspension Appeals Process

Process for Handling Incoming Inquiries

*Principals are obligated by law to communicate the right of appeal*

<p>Principals Parents Guardians DCS Guardians Unaccompanied Youth Authorized Attorneys</p>	<p><b>Stage 1-</b> Parent(s) may request hearings by contacting <b>Jeannie Parks, Discipline Analysts at 901-416-6709 or 901-416-6007</b>. Parents who are not in disagreement with the suspension may proceed directly to the virtual alternative school setting and are not required to have the Discipline Hearing Appeal. <b>Parent requests must be within 5 days of the suspension date.</b> Electronic invites (i.e., Microsoft Teams/Zoom etc.) to be determined by SEED will be sent to all parties.</p>
<p>NOTE:</p> <p>All Officials within the Office of S.E.E.D. serve district-wide and all serve as Discipline Hearing Authorities, per state law requirements. To ensure the maximum convenience for parents, Officials will conduct the legal due process proceedings virtually using a standard technological platform adopted by the district, unless otherwise determined by the SEED Director/Manager of Equity &amp; Discipline. Hearings will be video recorded only by the SEED Office and administrators, students, and the parents/guardians must be present. All parties may request a copy of the hearing.</p>	<p><b>Stage 2-</b> standardized virtual hearing times are provided as an option to parents, administrators and Officials (i.e., 8:30am, 10:00am, 10:30 am, and 12:30pm). Standardized times ensure continuity and consistency required to schedule the various hearing requests.</p> <p><b>Stage 3-</b> Officials and School Administrators need to either accept or deny the virtual hearing request (emailed calendar invite) as soon as possible. If denied a new hearing request will be scheduled, unless the 10 legally mandated days have passed. It is imperative that all administrators respond to hearing requests and identify other administrations for coverage if they cannot attend.</p> <p><b>Stage 4-</b>The parent is informed of the hearing date and time in writing from the Office of S.E.E.D. If the administrator doesn't respond within 8 hours the parent will be notified of the date and time. Hearings shall be scheduled within 10 days of the suspension.</p> <p><b>Stage 5 -</b>The hearing will take place on the date and time it is scheduled unless the parent cancels, or emergencies deemed acceptable by the Office of S.E.E.D. occur and are communicated prior to the hearing. Administrators are required to contact Jeannie Parks as soon as possible if they choose to modify or cancel the hearing.</p>

## **Virtual Student Truancy**

[TCA. § 49-6-3007](#)

**(d)** All public, nonpublic, and church-related schools shall keep daily reports of attendance, verified by the teacher making the record, that shall be open to inspection at all reasonable times by the director of schools of the LEA in which the school is located, or the director's duly authorized representative.

**(1)** By the beginning of each school year, the principal or head of school of a public, nonpublic, or church-related school shall give written notice to the parent, guardian, or person having control of a student subject to compulsory attendance that the parent, guardian, or other person having control of the student must monitor the student's school attendance and require the student to attend school. The written notice must inform the parent, guardian, or other person having control of a student that a student who accumulates five (5) days of unexcused absences during the school year is subject to the LEA's progressive truancy interventions and that continued unexcused absences may result in a referral to juvenile court. The five (5) days of unexcused absences need not be five (5) consecutive days of unexcused absences.

# Virtual Truancy Progressive Intervention Flow Chart

## Three Unexcused Absences

1. School sends Warning notice via letter or email.
2. School logs in PowerSchool that warning letter has been sent.

## Five Unexcused Absences

1. School schedules and conducts Student Attendance Review Team (SART) in-person or virtual meeting. A Parent Student Attendance Plan (PSAP) is completed.
2. School monitors student's progress and intervenes as needed.
3. If parent fails to attend SART and accumulates five (5) additional unexcused absences, school refers student to Truancy Specialist.
4. School logs the SART meeting in PowerSchool.

## Ten Unexcused Absences

1. Truancy Specialist schedules Student Attendance Review Board (SARB) in-person or virtual meeting.
2. Specialist assesses reasons for additional absences and determines needs for intervention/support
3. The Specialist modifies the PSAP if needed. If the parent does not attend the SARB meeting and the student continues to accumulate absences, the case may be referred to juvenile court.

## Fifteen or More Unexcused Absences

1. Truancy Specialist assesses reasons for continued absences, determines need for a revised plan of intervention.
2. If the progressive truancy intervention plan is unsuccessful with a student and the district can document that the student's parent or guardian is unwilling to cooperate in the truancy intervention plan, it may then be referred to Juvenile Court.

**OFFICE OF STUDENT EQUITY ENROLLMENT & DISCIPLINE  
(SEED ADMIN)**



**Dr. Angela Hargrave, Director**

**District Managers & Officials**

**Note:** All District Managers and District Officials provide district-wide support and direction concerning general discipline, attendance and enrollment procedures and practices. SEED administrators manage a variety of areas and should be called directly for consultation. All SEED staff works to rectify Office of Civil Rights non-compliance issues per the SEED Director's request(s).

**Main number: 416-6075**

<b>Dr. Kimberly Baker</b>	<i>Attendance Initiatives/Training, Civil Rights Data Collection, Parent-Student Handbook Updates</i>	416-7394 bakerkd@scsk12.org
<b>Dr. Karen Ball</b>	<i>Homeless Student &amp; Foster Care Enrollment, Foster Care Review Board</i>	416-7393 ballkf@scsk12.org
<b>Dr. JB Blocker</b> <i>(Manager of Equity &amp; Discipline)</i>	<i>General Discipline Implementation, State-Reported Discipline Data, Individualized PD Presentations/Training, &amp; Standardized Discipline Forms etc.</i>	416-7383 blockerj@scsk12.org
<b>Rosalind Davis</b> <i>(Manager of 504, SEL &amp; OCR)</i>	<i>504 Guidelines/Grievances, Registration Forms and OCR &amp; ACEs Training etc.</i>	416-7453 davisrj@scsk12.org
<b>Stacey Davis</b> <i>(Manager Registrar)</i>	<i>Student Enrollment, Transfers &amp; Tuition etc.</i>	416-7473 <a href="mailto:daviss2@scsk12.org">daviss2@scsk12.org</a>
<b>Dr. Alvin Harris</b>	<i>Bullying, Cyber-bullying, Harassment and Intimidation</i>	416-7391 <a href="mailto:harrisae1@scsk12.org">harrisae1@scsk12.org</a>
<b>Jason Harris</b>	<i>Custody, Foreign Exchange Students, Victim of Violent Crimes Reporting Individual Exemptions from Standardized Dress Code/Uniform</i>	416-7735 harrisjk@scsk12.org
<b>Kelvin Hart</b>	<i>Monitor, Classroom Management, Restorative Practices Training, CTE visits, Student Centered Initiatives (i.e., task forces, advisory councils, mentor programs etc.)</i>	416-1766 hartkb@scsk12.org
<b>Tommie McCarter</b>	<i>Homeschooling/TN Virtual Schooling &amp; Release from Compulsory Attendance</i>	416-7740 mccartertl@scsk12.org
<b>Lisa Miller</b>	<i>504 Guidelines, Training/Grievances, Foreign Student Enrollment &amp; Adverse Childhood Experiences (ACEs) Training</i>	416-7570 millerls@scsk12.org
<b>Thomasena Stuckett</b> <i>(Manager of Truancy, ACEs &amp; Homebound)</i>	<i>Homebound Instruction/Teacher Evaluations, Mental Health Facility Reimbursements, Adverse Childhood Experiences (ACEs) Training, District-wide PD Planning/Events etc.</i>	416-0539 stucketttd@scsk12.org



## NOTES