Policy Committee Meeting

September 14, 2026 6:30 PM
MCBOE

1. 4.103 Instructional Program
2. 4.300 Extracurricular Activities
3. 5.104 Equal Opportunity Employment
4. 5.501 Complaints and Grievances
5. 6.100 Student Goals
6. 6.301 Rights and Responsibilities of Students
7. 6.303 Interrogations and Searches
8. 6.304 Student Discrimination/Harassment and Bullying/Intimidation and Cyberbullying
9. 6.3041 Title IX & Sexual Harassment

Click here to choose a school board.			
Monitoring: **Review: Annually, in November**	Descriptor Term: **Instructional Program**	Descriptor Code: **4.100**	Issued Date:
		Rescinds:	Issued:

General

The Board shall not discriminate on the basis of race, color, religion, sex, national origin, or disability in its instructional program or activities.[1]

Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth."[2]

Discrimination shall include antisemitism, defined as a certain perception of Jews, which may be expressed as hatred toward Jews including, but not limited to, rhetorical and physical manifestations of antisemitism directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.[3]

GOALS

The Board approves the following instructional goals for students:

1. To develop the skills necessary to function as a self-directed person;
2. To know the principles involved in making moral and ethical choices;
3. To develop the basic skills of reading, writing, mathematics, spelling, speaking, and problem solving;
4. To develop a positive attitude toward the lifelong endeavor of learning;
5. To learn to identify personal talents and interests, make appropriate career choices, and develop career skills;
6. To acquire knowledge and to develop skills in the management of personal and public resources necessary for meeting obligations to self, family, and society;
7. To learn to act in a responsible manner;
8. To learn of the rights and responsibilities of citizens of the community, state, nation, and world; and
9. To learn to understand, respect, and interact with people of different cultures, generations, and races.

Legal References

1. 42 USCA § 2000d *et seq.*
2. Public Acts of 2026, Chapter No. 938
3. TCA § 49-50-1801; TCA § 49-50-1802

Cross References

School District Goals 1.700
Student Goals 6.100
Student Concerns 6.305

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in November	**Instructional Program**	**4.103**	**07/21/25**
		Rescinds:	Issued:

General

The Board shall not discriminate on the basis of race, color, religion, sex, national origin, or disability in its instructional program or activities.[1] Discrimination shall include antisemitism, defined as a certain perception of Jews, which may be expressed as hatred toward Jews including, but not limited to, rhetorical and physical manifestations of antisemitism directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.[2]

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1. To develop the skills necessary to function as a self-directed person;
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6. To acquire knowledge and to develop skills in the management of personal and public resources necessary for meeting obligations to self, family, and society;
7. To learn to act in a responsible manner;
8. To learn of the rights and responsibilities of citizens of the community, state, nation, and world; and
9. To learn to understand, respect, and interact with people of different cultures, generations, and races.

Legal References

1. 42 USCA § 2000d *et seq.*
2. Public Acts of 2025, Chapter No. 293

Cross References

School District Goals 1.700
Student Goals 6.100
Student Concerns 6.305

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in November	**Instructional Program**	**4.103**	**10/19/26**
		Rescinds:	Issued: **07/21/25**

General

The Board shall not discriminate on the basis of race, color, religion, sex, national origin, or disability in its instructional program or activities.[1]

Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth."[2]

Discrimination shall include antisemitism, defined as a certain perception of Jews, which may be expressed as hatred toward Jews including, but not limited to, rhetorical and physical manifestations of antisemitism directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.[3]

GOALS

The Board approves the following instructional goals for students:

1. To develop the skills necessary to function as a self-directed person;
2. To know the principles involved in making moral and ethical choices;
3. To develop the basic skills of reading, writing, mathematics, spelling, speaking, and problem solving;
4. To develop a positive attitude toward the lifelong endeavor of learning;
5. To learn to identify personal talents and interests, make appropriate career choices, and develop career skills;
6. To acquire knowledge and to develop skills in the management of personal and public resources necessary for meeting obligations to self, family, and society;
7. To learn to act in a responsible manner;
8. To learn of the rights and responsibilities of citizens of the community, state, nation, and world; and
9. To learn to understand, respect, and interact with people of different cultures, generations, and races.

Legal References

1. 42 USCA § 2000d *et seq.*
2. Public Acts of 2026, Chapter No. 938
3. TCA 49-50-1801; TCA 49-50-1802

Cross References

School District Goals 1.700
Student Goals 6.100
Student Concerns 6.305

Click here to choose a school board.			
Monitoring: **Review: Annually, in November**	Descriptor Term: **Extracurricular Activities**	Descriptor Code: **4.300**	Issued Date: Click here to enter a date.
		Rescinds:	Issued:

General

The following shall be adhered to:

1. The Board shall initially approve extracurricular activities at the district-level to ensure proper support and supervision. **[i.e., the Board would approve the creation of a new volleyball program or the ability for students to create 4-H clubs within the district.]**

2. Each student activity shall be under the guidance and direction of a staff member.

3. All extracurricular activities at the school level shall have the approval of the principal. **[i.e., the principal would set the parameters regarding whether there is enough space and/or student interest for clubs, etc.]**

4. Student activities occurring before or after regularly scheduled school hours must be under the supervision of the principal/designee.

5. Secret organizations shall not be operated in any school.

6. A student shall not be required to attend an extracurricular activity that is scheduled at a time which conflicts with his/her religious practices.[1]

7. Extracurricular activities during vacation periods shall be restricted to regularly scheduled athletic programs and major events which cannot be scheduled otherwise.

8. Student groups shall not participate in state or national activities which are not listed as approved activities by a regional accrediting association or the state and national principals' associations without the approval of the Director of Schools.

9. A student on out-of-school suspension shall not be permitted to participate in extracurricular activities.

10. Activities which restrict participation because of race, color, religion, sex, disabilities, or national origin are strictly forbidden.[2] Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth."[3]

STUDENT CLUBS & ORGANIZATIONS[4]

All students under the age of eighteen (18) shall present a signed and dated statement from their parent/guardian before joining any club or organization or participating in activities of a club or organization. The Director of Schools shall develop administrative procedures outlining this recordkeeping process.

Legal References

1. TCA 49-6-1002(c)
2. 34 CFR § 106.41
3. Public Acts of 2026, Chapter No. 938
4. TCA 49-6-1031(b)

Cross References

Special Use of School Vehicles 3.402
Interscholastic Athletics 4.301
Field Trips/Excursions/Competitions 4.302
Attendance 6.200

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in November	**Extracurricular Activities**	**4.300**	**07/10/23**
		Rescinds: **IDE**	Issued: **01/11/00**

The following guidelines shall be followed in administering the student activities program:

1. The Board shall initially approve each specific extracurricular activity so that proper support and supervision may be assured.
2. The principal, after obtaining the recommendation of the faculty and the director of schools, shall determine which clubs and organizations will be permitted.
3. Each student activity must be under the guidance and direction of a Board-approved staff member.
4. All student activities must have the approval of the principal.
5. Student activities occurring before or after regularly scheduled school hours must be under the supervision of the principal or his/her designee.
6. Secret organizations shall not be operated in any school.
7. Extracurricular activities during vacation periods shall be restricted to regularly scheduled athletic programs and major events which cannot be scheduled otherwise.
8. A student shall not be required to attend a school-sponsored student activity that is scheduled at a time which conflicts with his religious practices.
9. School-sponsored student activities during vacation periods shall be restricted to regularly scheduled athletic programs and major events or activities which cannot be scheduled otherwise.
10. Student groups shall not participate in state or national activities which are not listed as approved activities by regional accrediting associations or state and national principals' associations without the approval of the director of schools.
11. A student on out-of-school suspension shall not be permitted to participate in ~~school-sponsored~~ extracurricular activities.
12. Activities which restrict participation because of race, color, religion, sex, disabilities, or national origin are strictly forbidden.[1-2]
13. Activities sponsored by outside groups or agents will be approved only if they are co-sponsored by the school.

STUDENT CLUBS & ORGANIZATIONS[3]

All students under the age eighteen (18) shall present a signed and dated statement from their parent/guardian before joining any club or organization or participating in activities of a club or organization. The Director of Schools shall develop administrative procedures outlining this recordkeeping process.

Legal Reference:

1. TCA 49-6-1002(c)
2. 34 CFR § 106.41
3. Public Acts of 2023, Chapter No. 353

Cross References:

Interscholastic Athletics 4.301
Field Trips and Excursions 4.302
Special Use of School Vehicles 3.402
Attendance 6.200

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in November	**Extracurricular Activities**	**4.300**	**10/19/26**
		Rescinds: **IDE**	Issued: **07/10/23**

General

The following guidelines shall be followed in administering the student activities program:

1. The Board shall initially approve each specific extracurricular activity so that proper support and supervision may be assured.
2. The principal, after obtaining the recommendation of the faculty and the director of schools, shall determine which clubs and organizations will be permitted.
3. Each student activity must be under the guidance and direction of a Board-approved staff member.
4. All student activities must have the approval of the principal.
5. Student activities occurring before or after regularly scheduled school hours must be under the supervision of the principal or his/her designee.
6. Secret organizations shall not be operated in any school.
7. Extracurricular activities during vacation periods shall be restricted to regularly scheduled athletic programs and major events which cannot be scheduled otherwise.
8. A student shall not be required to attend a school-sponsored student activity that is scheduled at a time which conflicts with his religious practices.[1]
9. School-sponsored student activities during vacation periods shall be restricted to regularly scheduled athletic programs and major events or activities which cannot be scheduled otherwise.0
10. Student groups shall not participate in state or national activities which are not listed as approved activities by regional accrediting associations or state and national principals' associations without the approval of the director of schools.
11. A student on out-of-school suspension shall not be permitted to participate in school-sponsored extracurricular activities.
12. Activities which restrict participation because of race, color, religion, sex, disabilities, or national origin are strictly forbidden.[2] Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth."[3]
13. Activities sponsored by outside groups or agents will be approved only if they are co-sponsored by the school.

STUDENT CLUBS & ORGANIZATIONS[4]

All students under the age eighteen (18) shall present a signed and dated statement from their parent/guardian before joining any club or organization or participating in activities of a club or organization. The Director of Schools shall develop administrative procedures outlining this recordkeeping process.

Legal Reference:

1. TCA 49-6-1002(c)
2. 34 CFR § 106.41
3. Public Acts of 2026, Chapter No. 938
4. TCA 49-6-1031(b)

Cross References:

Interscholastic Athletics 4.301
Field Trips and Excursions 4.302
Special Use of School Vehicles 3.402
Attendance 6.200

Click here to choose a school board.

Monitoring: **Review: Annually, in January**	Descriptor Term: **Equal Opportunity Employment**	Descriptor Code: **5.104**	Issued Date:
		Rescinds:	Issued:

Opportunity for employment as well as continuation and advancement in employment shall be afforded equally to:

- members of all races;
- all creeds;
- all colors;
- either sex (Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth" unless otherwise required by federal law);
- all religions;
- individuals irrespective of age;
- all national origins;
- individuals with disabilities; and
- veteran status

with regard only for qualifications for the positions involved.[1]

Legal References

1. U.S. Constitution, Amendment XIV; Title VII, Civil Rights Act of 1964; Public Acts of 2026, Chapter No. 938; *Bostock v. Clayton Cnty., Georgia*, 590 U.S. 644, 140 S. Ct. 1731, 207 L. Ed. 2d 218 (2020); Title VI, Civil Rights Act of 1964; Title IX, Education Amendments of 1972; Age Discrimination Act of 1967; Section 504 of the Rehabilitation Act of 1973; 42 USCA § 12101-12213; TCA 50-10-101

Cross References

Section 504 and ADA Grievance Procedures 1.802
Recruitment of Employees 5.105
Discrimination/Harassment of Employees 5.500
Complaints and Grievances 5.501

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in February	**Equal Opportunity Employment**	**5.104**	**12/14/99**
		Rescinds: **GAAA**	Issued: **01/08/98**

Opportunity for employment, as well as continuation and advancement in employment, shall be afforded equally to members of all races, creeds, colors, sexes, religions, ages, national origins, and individuals with disabilities or veteran status with regard only for qualifications for the position involved.[1,2]

There will be no discrimination on the basis of sex, race, color, national origin, creed, age, marital status or disability in educational programs, activities or employment policies as required by Title VI and VII of the 1964 Civil Rights Act, Title IX of the 1972 Educational Amendments and Section 504 of the Federal Rehabilitation Act of 1973.

Curriculum materials utilized will reflect the cultural and racial diversity present in the United States and the variety of careers, roles and lifestyles open to women as well as men in our society. One of the objectives of the total curriculum and teaching strategies is to reduce stereotyping and to eliminate bias on the basis of sex, race, ethnicity, religion and disability. The curriculum should foster respect and appreciation for the cultural diversity found in our country and an awareness of the rights, duties and responsibilities of each individual as a member of pluralistic society.

Inquiries regarding compliance with Title VI, Title IX and Section 504 may be directed to the Marshall County School District, Title VI Coordinator, 700 Jones Circle, Lewisburg, TN 37091, (931)359-1581.

Legal References:

1. U.S. Constitution, Amendment XIV; Title VII, Civil Rights Act of 1964; Title VI, Civil Rights Act of 1964; Title IX, Education Amendments of 1972; Age Discrimination Act of 1967; Section 504 of Rehabilitation Act of 1973
2. Public Law 101-336; 42 U.S.C. 12112

Cross Reference:

Section 504/ADA Grievance Procedures 1.802
Discrimination/Harassment 5.500
Complaints and Grievances 5.501

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in February	**Equal Opportunity Employment**	**5.104**	**10/19/26**
		Rescinds: **GAAA**	Issued: **12/14/99**

Opportunity for employment, as well as continuation and advancement in employment, shall be afforded equally to members of all races, creeds, colors, sexes (Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth" unless otherwise required by federal law), religions, ages, national origins, and individuals with disabilities or veteran status with regard only for qualifications for the position involved.[1]

There will be no discrimination on the basis of sex, race, color, national origin, creed, age, marital status or disability in educational programs, activities or employment policies as required by Title VI and VII of the 1964 Civil Rights Act, Title IX of the 1972 Educational Amendments and Section 504 of the Federal Rehabilitation Act of 1973.

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Inquiries regarding compliance with Title VI, Title IX and Section 504 may be directed to the Marshall County School District, Title VI Coordinator, 700 Jones Circle, Lewisburg, TN 37091, (931)359-1581.

Legal References:

1. U.S. Constitution, Amendment XIV; Title VII, Civil Rights Act of 1964; Public Acts of 2026, Chapter No. 938; *Bostock v. Clayton Cnty., Georgia*, 590 U.S. 644, 140 S. Ct. 1731, 207 L. Ed. 2d 218 (2020); Title VI, Civil Rights Act of 1964; Title IX, Education Amendments of 1972; Age Discrimination Act of 1967; Section 504 of the Rehabilitation Act of 1973; 42 USCA § 12101-12213; TCA 50-10-101

Cross Reference:

Section 504/ADA Grievance Procedures 1.802
Discrimination/Harassment 5.500
Complaints and Grievances 5.501
Recruitment of Employees 5.105

Click here to choose a school board.			
Monitoring: **Review: Annually, in February**	Descriptor Term: **Complaints and Grievances**	Descriptor Code: **5.501**	Issued Date:
		Rescinds:	Issued:

EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES

Conflicts shall be resolved as quickly as possible and at the lowest supervisory level.

In instances of questions by an individual staff member concerning the interpretation of policies and procedures to that staff member, administrative practices within the staff member's particular school, and relationships with other employees, the staff member concerned shall consult his/her supervisor. If a satisfactory resolution of the problem cannot be reached after ample opportunity for consideration of the matter, the staff member concerned may discuss the matter with the next level of supervision, up to and including, the Director of Schools.

In instances where an individual staff member feels, for personal reasons, that they cannot discuss a problem with their immediate supervisor, the staff member may take the problem directly to the Director of Schools. After review of the case, the Director of Schools shall take action as he/she deems appropriate, and within a prompt, reasonable time, shall notify all parties concerned of his/her decision.

HARASSMENT/DISCRIMINATION GRIEVANCES

Employees shall notify any district complaint manager if they believe the Board, district employees, or agents have violated their rights guaranteed by the state or federal constitution, state or federal statute, board policy, or the following:[1,2,3]

1. Age Discrimination Employment Act;[1]
2. Title II of the Americans with Disabilities Act;[4]
3. Title IX of the Education Amendments of 1972;[5]
4. Section 504 of the Rehabilitation Act of 1973;[6] or
5. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972.[7,5]

The complaint manager will endeavor to respond and resolve complaints without resorting to this grievance procedure, and if a complaint is filed, to address the complaint promptly and equitably. The right of an employee to prompt and equitable resolution of the complaint shall not be impaired by the employee's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Filing a Complaint

An employee who wishes to avail himself/herself to this grievance procedure may do so by filing a complaint with any district complaint manager. The employee may request a complaint manager of the same sex. Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth" unless otherwise required by federal law.[8] The complaint manager may assist the employee in filing a grievance.

Investigation

The complaint manager will investigate the complaint or appoint a qualified person to undertake the investigation on his/her behalf. The complaint and identity of the complainant will not be disclosed except (1) as required by law or this policy; (2) as necessary to fully investigate the complaint; or (3) as authorized by the complainant. The complaint manager shall file a written report within ten (10) days of the filing of the grievance of his/her findings with the Director of Schools. If a complaint contains allegations involving the Director of Schools, the written report shall be filed with the Board. The Director of Schools shall keep the Board informed of all complaints.

Decision and Appeal

After receipt of the complaint manager's report, the Director of Schools shall render a written decision within five (5) days of the receipt of the report that shall be provided to the employee. If the employee is not satisfied with the decision, the employee may appeal the decision to the Board by making a written request to the complaint manager. The complaint manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the Board. Thereafter, the Board shall, within thirty (30) days from the date the appeal was received, review the report, affirm, overrule, or modify the decision, and render a written finding that shall be provided to the complainant. This grievance procedure shall not be construed to create an independent right to a board hearing.

APPOINTING COMPLAINT MANAGERS

The Director of Schools shall appoint at least two (2) complaint managers, one of each gender. The Federal Rights Coordinator may be appointed as a complaint manager. The Director of Schools shall make employees aware of each complaint manager's contact information.

Legal References

1. Age Discrimination Employment Act, 29 USCA § 621; 42 USCA § 6101; 34 CFR § 110.25
2. Equal Pay Act, 29 USCA § 206(d)
3. Immigration Reform and Control Act, 8 USCA § 1324
4. Americans with Disabilities Act, 42 USCA § 12101
5. Title IX of the Education Amendments, 20 USCA § 1681
6. Section 504 of the Rehabilitation Act, 29 USCA § 701
7. Title VII of Civil Rights Act, 42 USCA § 2000e

Cross References

Section 504 and ADA Grievance Procedures 1.802
Equal Opportunity Employment 5.104
Discrimination/Harassment of Employees 5.500
Title IX & Sexual Harassment 6.3041

8. Public Acts of 2026, Chapter No. 938; *Bostock v. Clayton Cnty., Georgia*, 590 U.S. 644, 140 S. Ct. 1731, 207 L. Ed. 2d 218 (2020)

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in March	**Complaints and Grievances**	**5.501**	**12/14/99**
		Rescinds: **GAE**	Issued: **10/08/98**

EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES

The Board believes that differences of opinions arising in the course of employment should be resolved as quickly as possible and at the lowest supervisory level.

In instances of questions by an individual staff member concerning the interpretation of policies and procedures to that staff member, administrative practices within his/her particular school, and relationships with other employees, the staff member concerned must consult the administrative or supervisory personnel to whom he/she is responsible. If a satisfactory resolution of the problem cannot be reached after ample opportunity for consideration of the matter, the staff member concerned may discuss the matter with the next level of supervision up to and including the director of schools.

In instances where an individual staff member feels for personal reasons that he/she cannot discuss a problem with his/her immediate superior, he/she may take the problem directly to the director of schools. After review of the case, the director of schools shall take action as he/she deems appropriate and within a prompt, reasonable time shall notify all parties concerned of his decision. An individual may appeal the director of schools' decision to the Board.

The Board will hear only complaints which have been carried through the proper procedure from the point of origin.

HARASSMET/DISCRIMINATION GRIEVANCES

Employees should notify any district complaint manager if they believe the Board, its employees or agents have violated their rights guaranteed by the State or federal Constitution, State or federal statute or board policy including:[1,3,4]

1. Title II of the Americans with Disabilities Act[2]
2. Title IX of the Education Amendments of 1972[7]
3. Section 504 of the Rehabilitation Act of 1973[5]
4. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972[6,7]

The complaint manager will endeavor to respond and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other

remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

1. *Filing a Complaint* – An employee who wishes to avail himself or herself of this grievance procedure may do so by filing a complaint with any district complaint manager. The employee may request a complaint manager of the same sex. The complaint manager may request the employee to provide a written statement regarding the nature of the complaint. The complaint manager may assist the employee in filing a grievance.
2. *Investigation* – The complaint manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The complaint and identity of the complainant will not be disclosed except (1) as required by law or this policy; or (2) as necessary to fully investigate the complaint; or (3) as authorized by the complainant. The complaint manager shall file a written report within ten (10) days of the filing of the grievance of his or her findings with the director of schools. If a complaint of sexual harassment contains allegations involving the director of schools, the written report shall be filed with the Board. The director of schools shall keep the Board informed of all complaints.
3. *Decision and Appeal* – After receipt of the complaint manager's report, the director of schools shall render a written decision within five (5) days of receipt of the report which shall be provided to the employee. If the employee is not satisfied with the decision, the employee may appeal the decision to the Board by making a written request to the complaint manager. The complaint manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the Board. Thereafter, the Board shall render within thirty (30) days from the date the appeal was received, review the report and affirm, overrule or modify the decision and render a written finding which shall be provided to the complainant. This grievance procedure shall not be construed to create an independent right to a board hearing.

APPOINTING COMPLAINT MANAGERS

The director of schools shall appoint at least two complaint managers, one of each gender. The Federal Rights Coordinator may be appointed as a complaint manager. The director of schools shall insert into this policy the names, addresses and telephone numbers of current complaint managers.

Complaint managers for the Marshall County School System will be the EIA Director and the Director of Personnel.

Legal References:

1. Age Discrimination Employment Act, 29 U.S.C. § 621 et seq.
2. Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.
3. Equal Pay Act, 29 U.S.C. § 206(d)
4. Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
5. Rehabilitation Act, 29 U.S.C. § 791 et seq.
6. Title VII of Civil Rights Act, 42 U.S.C. § 1000e et seq.
7. Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq.

Cross References:

Appeals To and Appearances Before the Board 1.404
Section 504/ADA Grievance Procedures 1.802
Equal Opportunity Employment 5.104
Discrimination/Harassment of Employees 5.500

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in March	**Complaints and Grievances**	**5.501**	**10/19/26**
		Rescinds: **GAE**	Issued: **12/14/99**

EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES

The Board believes that differences of opinions arising in the course of employment should be resolved as quickly as possible and at the lowest supervisory level.

In instances of questions by an individual staff member concerning the interpretation of policies and procedures to that staff member, administrative practices within his/her particular school, and relationships with other employees, the staff member concerned must consult the administrative or supervisory personnel to whom he/she is responsible. If a satisfactory resolution of the problem cannot be reached after ample opportunity for consideration of the matter, the staff member concerned may discuss the matter with the next level of supervision up to and including the director of schools.

In instances where an individual staff member feels for personal reasons that he/she cannot discuss a problem with his/her immediate superior, he/she may take the problem directly to the director of schools. After review of the case, the director of schools shall take action as he/she deems appropriate and within a prompt, reasonable time shall notify all parties concerned of his decision.

An individual may appeal the director of schools' decision to the Board.

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3. Title IX of the Education Amendments of 1972;[5]
4. Section 504 of the Rehabilitation Act of 1973;[6] or
5. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972.[7,5]

The complaint manager will endeavor to respond and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other

remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

1. *Filing a Complaint* – An employee who wishes to avail himself or herself of this grievance procedure may do so by filing a complaint with any district complaint manager. The employee may request a complaint manager of the same sex. Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth" unless otherwise required by federal law.[8] The complaint manager may request the employee to provide a written statement regarding the nature of the complaint. The complaint manager may assist the employee in filing a grievance.
2. *Investigation* – The complaint manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The complaint and identity of the complainant will not be disclosed except (1) as required by law or this policy; or (2) as necessary to fully investigate the complaint; or (3) as authorized by the complainant. The complaint manager shall file a written report within ten (10) days of the filing of the grievance of his or her findings with the director of schools. If a complaint of sexual harassment contains allegations involving the director of schools, the written report shall be filed with the Board. The director of schools shall keep the Board informed of all complaints.
3. *Decision and Appeal* – After receipt of the complaint manager's report, the director of schools shall render a written decision within five (5) days of receipt of the report which shall be provided to the employee. If the employee is not satisfied with the decision, the employee may appeal the decision to the Board by making a written request to the complaint manager. The complaint manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the Board. Thereafter, the Board shall render within thirty (30) days from the date the appeal was received, review the report and affirm, overrule or modify the decision and render a written finding which shall be provided to the complainant. This grievance procedure shall not be construed to create an independent right to a board hearing.

APPOINTING COMPLAINT MANAGERS

The Director of Schools shall appoint at least two (2) complaint managers, one of each gender. The Federal Rights Coordinator may be appointed as a complaint manager. The director of schools shall insert into this policy the names, addresses and telephone numbers of current complaint managers.

Complaint managers for the Marshall County School System will be the EIA Director and the Director of Personnel.

Legal References:

1. Age Discrimination Employment Act, 29 USCA § 621; 42 USCA 6101; 34 CFR § 110.25
2. Equal Pay Act, 29 U.S.C. § 206(d)
3. Immigration Reform and Control Act, 8 USCA § 1324
4. Americans with Disabilities Act, 42 USCA § 12101
5. Title IX of the Education Amendments, 20 USCA § 1681

Cross References:

Appeals To and Appearances Before the Board 1.404
Section 504/ADA Grievance Procedures 1.802
Equal Opportunity Employment 5.104
Discrimination/Harassment of Employees 5.500
Title IX & Sexual Harassment 6.3041

6. Section 504 of the Rehabilitation Act, 29 USCA § 701
7. Title VII of Civil Rights Act, 42 USCA § 2000e

Click here to choose a school board.			
Monitoring: **Review: Annually, in March**	Descriptor Term: **Student Goals**	Descriptor Code: **6.100**	Issued Date:
		Rescinds:	Issued:

In order to establish an environment that is conducive to learning, the Board establishes the following goals:

1. To assure all students the same educational opportunities regardless of race, color, creed, religion, ethnic origin, disabilities, or sex. Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth";[1]
2. To protect and observe the legal rights of students;
3. To educate students with respect and encouragement;
4. To provide an environment where students can learn personal and civic responsibility for their actions through meaningful experiences;
5. To discipline students in a fair and constructive manner;
6. To provide for the safety, health, and welfare of students; and
7. To promote faithful attendance and diligent effort.

Legal References

1. 20 USCA § 1703; TCA 49-6-3109; Public Acts of 2026, Chapter No. 938

Cross References

School District Goals 1.700
Instructional Program 4.100
Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304

NEW POLICY

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in March	**Student Goals**	**6.100**	**10/19/26**
		Rescinds:	Issued:

In order to establish an environment that is conducive to learning, the Board establishes the following goals:

1. To assure all students the same educational opportunities regardless of race, color, creed, religion, ethnic origin, disabilities, or sex. Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth";[1]
2. To protect and observe the legal rights of students;
3. To educate students with respect and encouragement;
4. To provide an environment where students can learn personal and civic responsibility for their actions through meaningful experiences;
5. To discipline students in a fair and constructive manner;
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Legal References

1. 20 USCA § 1703; TCA 49-6-3109; Public Acts of 2026, Chapter No. 938

Cross References

School District Goals 1.700
Instructional Program 4.100
Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304

Click here to choose a school board.			
Monitoring: **Review: Annually, in March**	Descriptor Term: **Rights and Responsibilities of Students**	Descriptor Code: **6.301**	Issued Date:
		Rescinds:	Issued:

The Board expects all employees, students, and parent(s)/guardian(s) to assume the responsibility for appropriate behaviors in the school.

Each student has the right to:

1. Have the opportunity for a free education in the most appropriate learning environment;
2. Be secure in his/her person, papers, and effects against unreasonable searches and seizure;
3. Be educated in a safe and secure environment;
4. Have appropriate resources and opportunities for learning;
5. Not be discriminated against on the basis of sex, race, color, creed, religion, national origin, or disabilities. Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth";[1] and
6. Be fully informed of school rules and regulations.

Each student has the responsibility to:

1. Know and adhere to the Board's policies and the district's administrative procedures;
2. Respect the human dignity and worth of every other individual;
3. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression;
4. Study and maintain the best possible level of academic achievement;
5. Be punctual and present in the regular school program;
6. Dress and groom in a manner that meets reasonable standards of health, cleanliness, modesty, and safety;
7. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities;

8. Refrain from behavior which would lead to physical or emotional harm or disrupts the educational process;
9. Respect the authority of school administrators, teachers, and other authorized personnel in maintaining discipline in the school and at school-sponsored activities;
10. Obey the law and school rules as to the possession or the use of alcohol, illegal drugs, and other unauthorized substances or materials; and
11. Possess on school grounds only those materials which are acceptable under the law and accept the consequences for articles stored in one's locker.

Legal References

1. 20 USCA § 1703; Public Acts of 2026, Chapter No. 938

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in April	**Rights and Responsibilities**	**6.301**	**02/08/00**
		Rescinds: **JCA**	Issued: **01/13/94**

The Board expects all school staff, students and parents to assume the responsibility for appropriate behaviors in the school.

Each student has the right to:

1. Have the opportunity for a free education in the most appropriate learning environment;
2. Be secure in his/her person, papers and effects against unreasonable searches and seizure;
3. Expect that the school will be a safe place;
4. Have an appropriate environment conducive to learning;
5. Not be discriminated against on the basis of sex, race, color, creed, religion, national origin or disabilities;[1] and
6. Be fully informed of school rules and regulations.

Each student has the responsibility to:[2]

1. Know and adhere to reasonable rules and regulations established by the Board;
2. Respect the human dignity and worth of every other individual;
3. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression;
4. Study and maintain the best possible level of academic achievement;
5. Be punctual and present in the regular school program;
6. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities;
7. Refrain from behavior which would lead to physical or emotional harm or disrupt the educational process; and
8. Respect the authority of school administrators, teachers and other authorized personnel in maintaining discipline in the school and at school-sponsored activities.

Legal References:

1. 20 U.S.C. §1703
2. TCA 49-6-3401

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in April	**Rights and Responsibilities**	**6.301**	**10/19/26**
		Rescinds: **JCA**	Issued: **02/08/00**

The Board expects all school staff, students and parents/guardians to assume the responsibility for appropriate behaviors in the school.

Each student has the right to:

1. Have the opportunity for a free education in the most appropriate learning environment;
2. Be secure in his/her person, papers and effects against unreasonable searches and seizure;
3. Expect that the school will be a safe place;
4. Have an appropriate environment conducive to learning;
5. Not be discriminated against on the basis of sex, race, color, creed, religion, national origin or disabilities. Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth";[1] and
6. Be fully informed of school rules and regulations.

Each student has the responsibility to:

1. Know and adhere to reasonable rules and regulations established by the Board;
2. Respect the human dignity and worth of every other individual;
3. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression;
4. Study and maintain the best possible level of academic achievement;
5. Be punctual and present in the regular school program;
6. Dress and groom in a manner that meets reasonable standards of health, cleanliness, modesty, and safety;
7. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities;
8. Refrain from behavior which would lead to physical or emotional harm or disrupt the educational process; and
9. Respect the authority of school administrators, teachers and other authorized personnel in maintaining discipline in the school and at school-sponsored activities.
10. Obey the law and school rules as to the possession or the use of alcohol, illegal drugs, and other unauthorized substances or materials; and
11. Possess on school grounds only those materials which are acceptable under the law and accept the consequences for articles stored in one's locker.

Legal References:

1. 20 U.S.C. §1703; Public Acts of 2026, Chapter No. 938

Click here to choose a school board.			
Monitoring: **Review: Annually, in March**	Descriptor Term: **Questioning Students and Searches**	Descriptor Code: **6.303**	Issued Date:
		Rescinds:	Issued:

QUESTIONING BY SCHOOL PERSONNEL

Students may be questioned by teachers or principals about any matter pertaining to the operation of a school and/or the enforcement of its rules. Questioning shall be conducted discreetly and under circumstances which will avoid unnecessary embarrassment to the student. Any student answering falsely or evasively or refusing to answer a question may be subject to disciplinary action, including suspension.

If a student is suspected or accused of misconduct or infraction of the student code of conduct, the principal may interrogate the student without the presence of parent(s)/guardian(s).

INTERROGATIONS BY POLICE AT PRINCIPAL'S REQUEST

If the principal has requested assistance by law enforcement to investigate a crime involving his/her school, the police may interrogate a student suspect in school during school hours. The principal shall first attempt to notify the parent(s)/guardian(s) of the student unless circumstances require otherwise. However, the interrogation may proceed without attendance of the parent(s)/guardian(s), but the principal/designee shall be present during the interrogation.[1]

POLICE-INITIATED INTERROGATIONS

If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated crimes committed outside of school hours, the police department should first contact the principal regarding the planned interrogation and inform him/her of the probable cause to investigate. The principal shall make reasonable efforts to notify the parent(s)/guardian(s) of the interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s), but the principal/designee shall be present during the interrogation.

SEARCHES BY SCHOOL PERSONNEL

The school principal shall authorize all searches at the outset per state law.[2] All principal initiated searches shall be conducted by a school security officer, or a school administrator or school employee designated by the Director of Schools who has completed the state required orientation and training.[2,3] The following conditions shall apply to principal initiated searches:

1. All the following standards of reasonableness must be met:
    a. A particular student has violated school policy;
    b. The search will yield evidence of the violation of school policy or will lead to finding dangerous weapons, drugs, or drug paraphernalia;

c. The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision, and education;
d. The search is not conducted for the sole purpose of discovering evidence to be used in criminal prosecution; and
e. The search shall be reasonably related to the objectives of the search and not excessively intrusive considering the age and sex of the student (Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth.") as well as the nature of the alleged infraction;[4]

2. A school administrator shall be on-site at any principal-initiated search;

3. A school administrator shall oversee the search and may end the search at any time; and

4. If a student is under the age of eighteen (18), the principal must notify the student's parent or guardian within a reasonable time of the search.[7]

If a school resource officer searches a student, based on having probable cause, the principal shall notify the Director of Schools/designee.[5]

In order to ensure a safe and secure learning environment, the Director of Schools shall develop procedures regarding the searching of students, lockers, vehicles, and containers which are consistent with state law. The Director of Schools shall develop additional procedures to ensure compliance with all of the provisions of the School Security Act of 1981.[6]

Legal References

1. TCA 49-6-4203(b)
2. TCA 49-6-4204(a); TCA 49-6-4205(a)
3. TCA 49-6-4212; Public Acts of 2026, Chapter No. 1040
4. TCA 49-6-4205(b); Public Acts of 2026, Chapter No. 938
5. State v. R.D.S., No. M200801724COAR3JV, 2009 WL 2136324, at *1 (Tenn. Ct. App. July 16, 2009)
6. TCA 49-6-4201; Tenn. Op. Att'y Gen. No. 14-21 (February 24, 2014)
7. TCA 49-6-4205(a)

Cross References

Traffic and Parking Controls 3.403
Procedural Due Process 6.302
Reporting Child Abuse 6.409

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in April	**Interrogations and Searches**	**6.303**	**07/20/26**
		Rescinds: **6.303**	Issued: **07/21/25**

INTERROGATIONS BY SCHOOL PERSONNEL

School personnel have a duty to report any reasonable suspicion that a student is carrying, or has carried, a weapon or is violating, or has violated, a provision of the Tennessee Drug Control Act to the principal, the principal's designee or, if the principal and the principal's designee are unavailable and the offense was committed on school property, to the appropriate authorities.[1]

Students may be questioned by teachers or principals about any matter pertaining to the operation of a school and/or the enforcement of its rules. Questioning must be conducted discreetly and under circumstances which will avoid unnecessary embarrassment to the student being questioned. Any student answering falsely, evasively or refusing to answer a proper question may be subject to disciplinary action, including suspension.

If a student is suspected or accused of misconduct or infraction of the student code of conduct, the principal may interrogate the student, without the presence of parent(s)/guardian(s) or legal custodians and without giving the student constitutional warnings.

INTERROGATIONS BY POLICE (AT ADMINISTRATOR'S REQUEST)

If the principal has requested assistance by law enforcement to investigate a crime involving his/her school, the police shall have permission to interrogate a student suspect in school during school hours. The principal shall first attempt to notify the parent(s)/guardian(s) or legal custodians of the student of the intended interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.[1]

The use of police women or female staff members is desirable in the interrogation of female students.

POLICE-INITIATED INTERROGATIONS

If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated crimes committed outside of school hours, the police department shall first contact the principal regarding the planned interrogation, inform him/her of the probable cause to investigate within the school. The principal shall make reasonable effort to notify the parent(s)/guardian(s) or legal custodians of the interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

SEARCHES BY SCHOOL PERSONNEL

Any principal, or his/her designee, having reasonable suspicion may search any student, place or thing on school property or in the actual or constructive possession of any student during any organized school activity off campus, including buses, vehicles of students or visitors *(Notice shall be posted in the school parking lot that vehicles parked on school property by students or visitors are subject to search for drugs, drug paraphernalia or dangerous weapons)*, and containers or packages if he/she receives information which would cause a reasonable belief that the search will lead to the discovery of:

1. Evidence of any violation of the law;
2. Evidence of any violation of school rules or regulations or proper standards of student or faculty conduct;
3. Any object or substance which, because of its presence, presents an immediate danger of harm or illness to any person.

A student using a locker that is the property of the school system does not have the right of privacy in that locker or its contents. All lockers or other storage areas provided for student use on school premises remain the property of the school system and are provided for the use of students subject to inspection, access for maintenance and search. *Notice shall be posted in each school that lockers and other storage areas are school property and are subject to search.*

A student may be subject to physical search or a student's pocket, purse or other container may be required to be emptied because of the results of a locker search, or because of information received from a teacher, staff member or other student if such action is reasonable to the principal. All of the following standards of reasonableness shall be met:

The school principal shall authorize all searches at the outset per state law.[2] All principal initiated searches shall be conducted by a school security officer, or a school administrator or a school employee designated by the Director of Schools who has completed the state required orientation and training.[2,3] The following conditions shall apply to principal initiated searches:

1. All the following standards of reasonableness must be met:
   a) A particular student has violated policy;
   b) The search could be expected to yield evidence of the violation of school policy or disclosure of a dangerous weapon or drug paraphernalia;
   c) The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision and education of students;
   d) The primary purpose of the search is not to collect evidence for a criminal prosecution; and
   e) The search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student, as well as the nature of the infraction alleged to have been committed.[4]
2. A school administrator shall be on-site at any principal-initiated search;
3. A school administrator shall oversee the search and may end the search at any time; and
4. If a student is under the age of eighteen (18), the principal must notify the student's parent or guardian within a reasonable time of the search.[7]

If a school resource officer searches a student, based on having probable cause, the principal shall notify the Director of Schools/designee.[5]

School officials may conduct hand-held or walk-through metal detector checks of a student's person or personal effects.

In order to ensure a safe and secure learning environment, the Director of Schools shall develop procedures regarding the searching of students, lockers, vehicles, and containers which are consistent with state law. The Director of Schools shall develop additional procedures to ensure compliance with all of the provisions of the School Security Act of 1981.[6]

USE OF ANIMALS

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

USE OF METAL DETECTORS

In view of the escalating presence of weapons in the schools, the Board of Education authorizes the use of hand-held or walk-through metal detectors to check a student's person or personal effects as follows:

School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; or every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, s/he may conduct a metal detector check of the student's person and personal effects.

A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action including possible suspension.

The director of schools shall develop procedures for use of metal detectors.

SEARCHES BY POLICE

If public health or safety is involved, upon request of the principal who shall be present, police officers may make a general search of students' lockers and desks, or students' or nonstudents' automobiles for drugs, weapons or items of an illegal or prohibited nature.

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

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

1. Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It should be tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing. At the discretion of the principal, the items seized may be returned to the parent or guardian of a student or, if it has no significant value, the item may be destroyed, but only with the express written permission of the director of schools.

2. Any seized item may be turned over to any law enforcement officer. Any dangerous weapon or drug as defined in TCA 49-6-4202 shall be turned over to an appropriate law enforcement official after completion of an administrative proceeding at which its presence is reasonably required.

Whenever the possibility of uncovering evidence of a criminal nature exists, the principal or his/her designee may request the assistance of a law enforcement officer to:

1. Search any area of the school premises, any student or any motor vehicle on the school premises; or

2. Identify or dispose of anything found in the course of a search conducted in accordance with this policy.

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

Legal Reference:

1. TCA 49-6-4203-(b)
2. TCA 49-6-4204(a); TCA 49-6-4205(a)
3. TCA 49-6-4212; Public Acts of 2026, Chapter No. 1040
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Cross Reference:

Traffic and Parking Controls 3.403
Procedural Due Process 6.302
Reporting Child Abuse 6.409

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in April	**Interrogations and Searches**	**6.303**	**10/19/26**
		Rescinds: **6.303**	Issued: **07/20/26**

INTERROGATIONS BY SCHOOL PERSONNEL

School personnel have a duty to report any reasonable suspicion that a student is carrying, or has carried, a weapon or is violating, or has violated, a provision of the Tennessee Drug Control Act to the principal, the principal's designee or, if the principal and the principal's designee are unavailable and the offense was committed on school property, to the appropriate authorities.[1]

Students may be questioned by teachers or principals about any matter pertaining to the operation of a school and/or the enforcement of its rules. Questioning must be conducted discreetly and under circumstances which will avoid unnecessary embarrassment to the student being questioned. Any student answering falsely, evasively or refusing to answer a proper question may be subject to disciplinary action, including suspension.

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The use of police women or female staff members is desirable in the interrogation of female students.

POLICE-INITIATED INTERROGATIONS

If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated crimes committed outside of school hours, the police department shall first contact the principal regarding the planned interrogation, inform him/her of the probable cause to investigate within the school. The principal shall make reasonable effort to notify the parent(s)/guardian(s) or legal custodians of the interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

SEARCHES BY SCHOOL PERSONNEL

Any principal, or his/her designee, having reasonable suspicion may search any student, place or thing on school property or in the actual or constructive possession of any student during any organized school activity off campus, including buses, vehicles of students or visitors *(Notice shall be posted in the school parking lot that vehicles parked on school property by students or visitors are subject to search for drugs, drug paraphernalia or dangerous weapons)*, and containers or packages if he/she receives information which would cause a reasonable belief that the search will lead to the discovery of:

1. Evidence of any violation of the law;
2. Evidence of any violation of school rules or regulations or proper standards of student or faculty conduct;
3. Any object or substance which, because of its presence, presents an immediate danger of harm or illness to any person.

A student using a locker that is the property of the school system does not have the right of privacy in that locker or its contents. All lockers or other storage areas provided for student use on school premises remain the property of the school system and are provided for the use of students subject to inspection, access for maintenance and search. *Notice shall be posted in each school that lockers and other storage areas are school property and are subject to search.*

A student may be subject to physical search or a student's pocket, purse or other container may be required to be emptied because of the results of a locker search, or because of information received from a teacher, staff member or other student if such action is reasonable to the principal. All of the following standards of reasonableness shall be met:

The school principal shall authorize all searches at the outset per state law.[2] All principal initiated searches shall be conducted by a school security officer, or a school administrator or a school employee designated by the Director of Schools who has completed the state required orientation and training.[2,3] The following conditions shall apply to principal initiated searches:

1. All the following standards of reasonableness must be met:
   a) A particular student has violated policy;
   b) The search could be expected to yield evidence of the violation of school policy or disclosure of a dangerous weapon or drug paraphernalia;
   c) The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision and education of students;
   d) The primary purpose of the search is not to collect evidence for a criminal prosecution; and
   e) The search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student (Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth.") as well as the nature of the infraction alleged to have been committed.[4]
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3. A school administrator shall oversee the search and may end the search at any time; and
4. If a student is under the age of eighteen (18), the principal must notify the student's parent or guardian within a reasonable time of the search.[7]

If a school resource officer searches a student, based on having probable cause, the principal shall notify the Director of Schools/designee.[5]

School officials may conduct hand-held or walk-through metal detector checks of a student's person or personal effects.

In order to ensure a safe and secure learning environment, the Director of Schools shall develop procedures regarding the searching of students, lockers, vehicles, and containers which are consistent with state law. The Director of Schools shall develop additional procedures to ensure compliance with all of the provisions of the School Security Act of 1981.[6]

USE OF ANIMALS

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

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In view of the escalating presence of weapons in the schools, the Board of Education authorizes the use of hand-held or walk-through metal detectors to check a student's person or personal effects as follows:

School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; or every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, s/he may conduct a metal detector check of the student's person and personal effects.

A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action including possible suspension.

The director of schools shall develop procedures for use of metal detectors.

SEARCHES BY POLICE

If public health or safety is involved, upon request of the principal who shall be present, police officers may make a general search of students' lockers and desks, or students' or nonstudents' automobiles for drugs, weapons or items of an illegal or prohibited nature.

If the principal has received reliable information which he/she believes to be true that evidence of a crime or of stolen goods, not involving school property of members of the school staff or student body, is located on school property and that any search for such evidence or goods would be unrelated to school

discipline or to the health and safety of a student or the student body, he/she shall request police assistance; and procedures to obtain and execute a search warrant shall thereafter be followed.

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

1. Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It should be tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing. At the discretion of the principal, the items seized may be returned to the parent or guardian of a student or, if it has no significant value, the item may be destroyed, but only with the express written permission of the director of schools.

2. Any seized item may be turned over to any law enforcement officer. Any dangerous weapon or drug as defined in TCA 49-6-4202 shall be turned over to an appropriate law enforcement official after completion of an administrative proceeding at which its presence is reasonably required.

Whenever the possibility of uncovering evidence of a criminal nature exists, the principal or his/her designee may request the assistance of a law enforcement officer to:

1. Search any area of the school premises, any student or any motor vehicle on the school premises; or

2. Identify or dispose of anything found in the course of a search conducted in accordance with this policy.

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

Legal Reference:

1. TCA 49-6-4203-(b)
2. TCA 49-6-4204(a); TCA 49-6-4205(a)
3. TCA 49-6-4212; Public Acts of 2026, Chapter No. 1040
4. TCA 49-6-4205(b); Public Acts of 2026,Chapter No. 938
5. State v. R.D.S., No. M200801724COAR3JV, 2009 WL 2136324, at*1 (Tenn. Ct. App. July 16, 2009)
6. TCA 49-6-4201; Tenn. Op. Att'y Gen. No. 14-21 (February 24, 2014)
7. TCA 49-6-4205(a)

Cross Reference:

Traffic and Parking Controls 3.403
Procedural Due Process 6.302
Reporting Child Abuse 6.409

Click here to choose a school board.			
Monitoring: **Review: Annually, in March**	Descriptor Term: **Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation**	Descriptor Code: **6.304**	Issued Date:
		Rescinds:	Issued:

In order to maintain a safe, civil, and supportive environment in school for students to learn and achieve high academic standards, acts of bullying, cyber-bullying, discrimination (including the definition of antisemitism found in policy 4.100), harassment, intimidation, hazing, or any other victimization of students, based on any actual or perceived traits or characteristics, are prohibited.[1]

This policy shall be disseminated annually to all school staff, students, and parent(s)/guardian(s). This policy shall cover employees, employees' behaviors, students, and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop. If the act takes place off of school property or outside of a school-sponsored activity, this policy is in effect if the conduct is directed specifically at a student and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.[2]

The principal/designee is responsible for educating and training respective staff and students as to the definition and recognition of discrimination/harassment.[3]

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

DEFINITIONS[4]

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

1. Physically harming a student or damaging a student's property;

2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;

3. Causing emotional distress to a student; or

4. Creating a hostile educational environment.

Bullying, intimidation, or harassment may also be unwelcome conduct based on a protected class (race, nationality, origin, color, sex (Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth.")[5], age, disability, religion) that is severe, pervasive, or persistent and creates a hostile environment.

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

"Hazing" is an intentional or reckless act by a student or group of students that is directed against any other student(s) that endangers the mental or physical health or safety of the student(s) or that induces or coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees of the school district shall not encourage, permit, condone, or tolerate hazing activities.

Hazing does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization. [6]

COMPLAINTS AND INVESTIGATIONS

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall promptly report such information to the principal/designee.[7]

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

The principal/designee at each school shall be responsible for investigating and resolving complaints. Once a report is received, the principal/designee shall initiate an investigation within forty-eight (48) hours of receipt of the report. If an investigation is not initiated within forty-eight (48) hours, the principal/designee shall provide the Director of Schools with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.[8] The principal/designee shall immediately notify the parent(s)/guardian(s) when a student is involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying. The principal/designee shall provide information on district counseling and support services. Students involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying shall be referred to the appropriate school counselor by the principal/designee when deemed necessary.[9]

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

1. It places the student in reasonable fear or harm for the student's person or property;

2. It has a substantially detrimental effect on the student's physical or mental health;

3. It has the effect of substantially interfering with the student's academic performance; or

4. It has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. All investigations shall be completed and appropriate intervention taken within twenty (20) calendar days from the receipt of the initial report.[7] If the investigation is not complete or intervention has not taken place within twenty (20) calendar days, the principal/designee shall provide the Director of Schools with appropriate documentation detailing the reasons why the investigation has not been completed or the appropriate intervention has not taken place.[7] Within the parameters of the federal Family Educational Rights and Privacy Act,[10] a written report on the investigation will be delivered to all involved parties and the Director of Schools.

RESPONSE AND PREVENTION[11]

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

A substantiated charge against an employee shall result in disciplinary action up to and including dismissal or suspension. The employee may appeal this decision by contacting the Federal Rights Coordinator or the _____.

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

REPORTS

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or a student's property, the principal/designee of each middle school, junior high school, or high school shall report the findings and any disciplinary actions taken to the Director of Schools and the Chair of the Board.[12]

By July 1st of each year, the Director of Schools/designee shall prepare a report of all of the bullying cases brought to the attention of school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they are still pending. This report shall be presented to the Board at its regular July meeting, and it shall be submitted to the State Department of Education by August 1st.[13]

RETALIATION AND FALSE ACCUSATIONS

Retaliation against any person who reports or assists in any investigation of an act alleged in this policy is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the principal/designee after consideration of the nature, severity, and circumstances of the act.[14]

False accusations accusing another person of having committed an act prohibited under this policy are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another may range from positive behavioral interventions up to and including expulsion.[15]

Legal References

1. TCA 49-6-4503(a), (b)(3); 20 USCA §§ 1681 to 1686; TCA 49-50-1801
2. TCA 49-6-4503(b)(11); Public Acts of 2026, Chapter No. 1093
3. TCA 49-6-4503(b)(12)
4. TCA 49-6-4503(b)(2), (13)
5. Public Acts of 2026, Chapter No. 938
6. TCA 49-2-120
7. TCA 49-6-4503(b)(5)
8. TCA 49-6-4503(b)(6)
9. TCA 49-6-4503(b)(14)
10. 20 USCA § 1232g
11. TCA 49-6-4503(b)(4), (7)-(8);Public Acts of 2026, Chapter No. 1093
12. TCA 49-6-4503(d)(3)
13. TCA 49-6-4503(c)(2)(B)
14. TCA 49-6-4503(b)(9)
15. TCA 49-6-4503(b)(10)

Cross References

Section 504 and ADA Grievance Procedures 1.802
Instructional Programs 4.100
Staff-Student Relations 5.610
Student Goals 6.100
Title IX & Sexual Harassment 6.3041
Code of Conduct 6.300
Student Concerns 6.305
Reporting Child Abuse 6.409
Emergency Contact Information 6.410
Student Suicide Prevention 6.415

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in April	**Student Discrimination/Harassment and Bullying/Intimidation and Cyberbullying**	**6.304**	**07/21/25**
		Rescinds: **6.304**	Issued: **11/09/20**

The Marshall County Board of Education has determined that a safe, civil, and supportive environment in school is necessary for students to learn and achieve high academic standards. In order to maintain that environment, acts of bullying, cyber-bullying, discrimination (including the definition of antisemitism found in policy 4.100), harassment, intimidation, hazing or any other victimization of students, based on any actual or perceived traits or characteristics are prohibited.[1]

This policy shall be disseminated annually to all school staff, students, and parent(s)/guardian(s)[2]. This policy shall cover employees, employees' behaviors, students and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop. If the act takes place off school property or outside of a school-sponsored activity, this policy is in effect if the conduct is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.

Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of violations of this policy.[3]

DEFINITIONS[4]

Bullying/Intimidation/Harassment – An act that substantially interferes with a student's educational benefits, opportunities, or performance, and the act has the effect of:

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

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

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

Hazing – An intentional or reckless act by a student or group of students that is directed against any other student(s) that endangers the mental or physical health or safety of the student(s) or that induces or

coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees of the school district shall not encourage, permit, condone or tolerate hazing activities.[5]

"Hazing" does not include customary athletic events or similar contest or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

COMPLAINTS AND INVESTIGATIONS

Alleged victims of the above-referenced offences shall report these incidents immediately to a teacher, counselor or building administrator.[6] All school employees are required to report alleged violations of this policy to the principal/designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy.

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

The principal/designee at each school shall be responsible for investigating and resolving complaints. Once a complaint is received, the principal/designee shall initiate an investigation within forty-eight (48) hours of receipt of the report.[4] If a report is not initiated within forty-eight (48) hours, the principal/designee shall provide the director of schools with appropriate documentation detailing the reason why the investigation was not initiated within the required timeframe.[7]

The principal/designee shall immediately notify the parent(s)/guardian(s) when a student is involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying. The principal/designee shall provide information on district counseling and support services. Students involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying shall be referred to the appropriate school counselor by the principal/designee when deemed necessary.[8]

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

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

Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. All investigations shall be completed and appropriate intervention taken within twenty (20) calendar days from the receipt of the initial report.[4] If the investigation is not complete or intervention has not taken place within twenty (20) calendar days, the principal/designee shall provide the director of schools with appropriate documentation detailing the reasons why the investigation has not been completed or the appropriate intervention has not taken

place.[4] Within the parameters of the federal Family Educational Rights and Privacy Act (FERPA)[9], a written report on the investigation will be delivered to the parents of the complainant, parents of the accused students and to the Director of Schools.

RESPONSE AND PREVENTION[10]

School administrators shall consider the nature and circumstances of the incident, the age of the violator, the degree of harm, previous incidences or patterns of behavior, or any other factors, as appropriate to properly respond to each situation.

A substantiated charge against an employee shall result in disciplinary action up to and including termination. A substantiated charge against a student may result in corrective or disciplinary action up to and including suspension.

An employee disciplined for violation of this policy may appeal the decision by contacting the Federal Rights Coordinator or the Human Resources Coordinator. Any student disciplined for violation of this policy may appeal the decision in accordance with disciplinary policies and procedures.

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

REPORTS

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or a student's property, the principal/designee of each elementary school, middle school, or high school shall report the findings and any disciplinary actions to the director of schools and the chair of the board of education.[11]

By July 1 of each year, the director of schools/designee shall prepare a report of all of the bullying cases brought to the attention of the school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they were still pending. This report shall be presented to the board of education at its regular July meeting, and it shall be submitted to the state department of education by August 1.[12]

The director of schools shall develop forms and procedures to ensure compliance with the requirements of this policy and TCA §49-6-4503.

RETALIATION AND FALSE ACCUSATIONS

Retaliation against any person who reports or assists in any investigation of an act alleged in this policy is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.[13]

False accusations accusing another person of having committed an act prohibited under this policy are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another may range from positive behavioral intervention up to and including suspension and expulsion.[14]

Legal References:

1. TCA 49-6-4503(a), (b)(3) 20 USCA §§ 1681 to 1686; Public Acts of 2025, Chapter No. 293
2. TCA 49-6-4506(b)(11)
3. TCA 49-6-4503(b)(12)
4. TCA 49-6-4503(b)(2), (13)
5. TCA 49-2-120
6. TCA 49-6-4503(b)(5)
7. TCA 49-6-4503(b)(6)
8. TCA 49-6-4503(b)(14)
9. 20 USCA § 1232g
10. TCA 49-6-4503(b)(4), (7)-(8)
11. TCA 49-6-4503(d)(3)
12. TCA 49-6-4503(c)(2)(B)
13. TCA 49-6-4503(b)(9)
14. TCA 49-6-4503(b)(10)

Cross References:

Section 504 and ADA Grievance Procedures 1.802
Staff-Student Relations 5.610
Student Goals 6.100
Title IX & Sexual Harassment 6.3041
Code of Conduct 6.300
Student Concerns 6.305
Reporting Child Abuse 6.409
Emergency Contact Information 6.410
Student Suicide Prevention 6.415

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in April	**Student Discrimination/Harassment and Bullying/Intimidation and Cyberbullying**	**6.304**	**10/19/26**
		Rescinds: **6.304**	Issued: **07/21/25**

The Marshall County Board of Education has determined that a safe, civil, and supportive environment in school is necessary for students to learn and achieve high academic standards. In order to maintain that environment, acts of bullying, cyber-bullying, discrimination (including the definition of antisemitism found in policy 4.100), harassment, intimidation, hazing or any other victimization of students, based on any actual or perceived traits or characteristics are prohibited.[1]

This policy shall be disseminated annually to all school staff, students, and parent(s)/guardian(s). This policy shall cover employees, employees' behaviors, students and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop. If the act takes place off school property or outside of a school-sponsored activity, this policy is in effect if the conduct is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.[2]

Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of violations of this policy.[3]

DEFINITIONS[4]

Bullying/Intimidation/Harassment – An act that substantially interferes with a student's educational benefits, opportunities, or performance, and the act has the effect of:

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

Bullying, intimidation, or harassment may also be unwelcome conduct based on a protected class (race, nationality, origin, color, ~~gender~~ sex (Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth.")[5], age, disability, religion) that is severe, pervasive, or persistent and creates a hostile environment.

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

Hazing – An intentional or reckless act by a student or group of students that is directed against any other student(s) that endangers the mental or physical health or safety of the student(s) or that induces or coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees of the school district shall not encourage, permit, condone or tolerate hazing activities.

"Hazing" does not include customary athletic events or similar contest or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.[6]

COMPLAINTS AND INVESTIGATION

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall promptly report such information to the principal/designee.[7]

Alleged victims of the above-referenced offences shall report these incidents immediately to a teacher, counselor or building administrator.[7] All school employees are required to report alleged violations of this policy to the principal/designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy.

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

The principal/designee at each school shall be responsible for investigating and resolving complaints. Once a complaint is received, the principal/designee shall initiate an investigation within forty-eight (48) hours of receipt of the report. If a report is not initiated within forty-eight (48) hours, the principal/designee shall provide the director of schools with appropriate documentation detailing the reason why the investigation was not initiated within the required timeframe.[8]

The principal/designee shall immediately notify the parent(s)/guardian(s) when a student is involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying. The principal/designee shall provide information on district counseling and support services. Students involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying shall be referred to the appropriate school counselor by the principal/designee when deemed necessary.[9]

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

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

Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. All investigations shall be completed and appropriate

intervention taken within twenty (20) calendar days from the receipt of the initial report.[7] If the investigation is not complete or intervention has not taken place within twenty (20) calendar days, the principal/designee shall provide the director of schools with appropriate documentation detailing the reasons why the investigation has not been completed or the appropriate intervention has not taken place.[7] Within the parameters of the federal Family Educational Rights and Privacy Act (FERPA)[10], a written report on the investigation will be delivered to the parents of the complainant, parents of the accused students and to the Director of Schools.

RESPONSE AND PREVENTION[11]

School administrators shall consider the nature and circumstances of the incident, the age of the violator, the degree of harm, previous incidences or patterns of behavior, or any other factors, as appropriate to properly respond to each situation.

A substantiated charge against an employee shall result in disciplinary action up to and including termination. A substantiated charge against a student may result in corrective or disciplinary action up to and including suspension.

An employee disciplined for violation of this policy may appeal the decision by contacting the Federal Rights Coordinator or the Human Resources Coordinator. Any student disciplined for violation of this policy may appeal the decision in accordance with disciplinary policies and procedures.

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

REPORTS

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or a student's property, the principal/designee of each elementary school, middle school, or high school shall report the findings and any disciplinary actions to the director of schools and the chair of the board of education.[12]

By July 1 of each year, the director of schools/designee shall prepare a report of all of the bullying cases brought to the attention of the school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they were still pending. This report shall be presented to the board of education at its regular July meeting, and it shall be submitted to the state department of education by August 1.[13]

The director of schools shall develop forms and procedures to ensure compliance with the requirements of this policy and TCA §49-6-4503.

RETALIATION AND FALSE ACCUSATIONS

Retaliation against any person who reports or assists in any investigation of an act alleged in this policy is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.[14]

False accusations accusing another person of having committed an act prohibited under this policy are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another may range from positive behavioral intervention up to and including suspension and expulsion.[15]

Legal References:

1. TCA 49-6-4503(a), (b)(3) 20 USCA §§ 1681 to 1686; TCA 49-50-1801
2. TCA 49-6-4506(b)(11); Public Acts of 2026, Chapter No. 1093
3. TCA 49-6-4503(b)(12)
4. TCA 49-6-4503(b)(2), (13)
5. Public Acts of 2026, Chapter No. 938
6. TCA 49-2-120
7. TCA 49-6-4503(b)(5)
8. TCA 49-6-4503(b)(6)
9. TCA 49-6-4503(b)(14)
10. 20 USCA § 1232g
11. TCA 49-6-4503(b)(4), (7)-(8); Public Acts of 2026, Chapter No. 1093
12. TCA 49-6-4503(d)(3)
13. TCA 49-6-4503(c)(2)(B)
14. TCA 49-6-4503(b)(9)
15. TCA 49-6-4503(b)(10)

Cross References:

Section 504 and ADA Grievance Procedures 1.802
Instructional Programs 4.100
Staff-Student Relations 5.610
Student Goals 6.100
Title IX & Sexual Harassment 6.3041
Code of Conduct 6.300
Student Concerns 6.305
Reporting Child Abuse 6.409
Emergency Contact Information 6.410
Student Suicide Prevention 6.415

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Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in March	**Title IX & Sexual Harassment**	**6.3041**	
		Rescinds:	Issued:

General

In order to maintain a safe, civil, and supportive learning environment, all forms of sexual harassment and discrimination on the basis of sex are prohibited.[1] Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth".[2] This policy shall cover employees, employees' behaviors, students, and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop in accordance with federal law. This policy shall be disseminated annually to all school staff, students, and parent(s)/guardian(s).[3] The Title IX Coordinator as well as any personnel chosen to facilitate the grievance process shall not have a conflict of interest against any party of the complaint.[4] These individuals shall receive training as to how to promptly and equitably resolve student and employee complaints.[4]

All employees shall receive training on complying with this policy and federal law.[5]

TITLE IX COORDINATOR[6]

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. He/she shall be kept informed by school-level personnel of all investigations and shall provide input on an ongoing basis as appropriate.

Any individual may contact the Title IX Coordinator at any time using the information below:

Title:

Mailing address:

Phone number:

Email:

DEFINITONS[5]

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

"Respondent" is an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sex-based harassment" is conduct on the basis of sex that satisfies one or more of the following:[4]

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or

3. Sexual assault,[7] dating violence,[8] domestic violence,[9] or stalking[10] as defined in state and federal law.

Behaviors that constitute sexual harassment may include, but are not limited to:

1. Sexually suggestive remarks;

2. Verbal harassment or abuse;

3. Sexually suggestive pictures;

4. Sexually suggestive gesturing;

5. Harassing or sexually suggestive or offensive messages that are written or electronic;

6. Subtle or direct propositions for sexual favors; and

7. Touching of a sexual nature.

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

"Supportive measures" are non-disciplinary, non-punitive, individualized services and shall be offered to the complainant and the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;

2. Course modifications;

3. Schedule changes; and

4. Increased monitoring or supervision.

The measures offered to the complainant and the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

GRIEVANCE PROCESS

Upon learning of an instance of alleged sexual harassment, even if no formal complaint is filed, the Title IX Coordinator shall:

1. Promptly contact the complainant to discuss the availability of supportive measures;

2. Consider the complainant's wishes with respect to supportive measures;

3. Inform the complainant of the availability of supportive measures; and

4. Explain the process for filing a formal complaint.[11]

While the school district will respect the confidentiality of the complainant and the respondent as much as possible, some information may need to be disclosed to appropriate individuals. All disclosures shall be consistent with the school district's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action.

Disciplinary consequences or sanctions shall not be initiated against the respondent until the grievance process has been completed. Unless there is an immediate threat to the physical health or safety of any student arising from the allegation of sexual harassment that justifies removal, the respondent's placement shall not be changed.[12] If the respondent is an employee, he/she may be placed on administrative leave during the pendency of the grievance process.[13] The Title IX Coordinator shall keep the Director of Schools informed of any employee respondents so that he/she can make any necessary reports to the State Board of Education in compliance with state law.[14]

Complaints

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall immediately report such information to the Title IX Coordinator, however, nothing in this policy requires a complainant to either report or file a formal complaint within a certain timeframe. If the complaint involves the Title IX Coordinator, the complaint shall be filed with the Director of Schools.

If a complaint involves allegations of child abuse, including child abuse on school grounds, appropriate notification shall be made per the board policy on reporting child abuse.

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:[15]

1. Provide written notice of the allegations, and the grievance process to all known parties to give the respondent time to prepare a response before an initial interview;

2. Inform the parties of the prohibition against making false statement or knowingly submitting false information;

3. Inform the parties that they may have an advisor present during any subsequent meetings; and

4. Offer supportive measures in an equitable manner to both parties.

If the Title IX Coordinator dismisses a complaint, written notice, including the reasons for dismissal, shall be provided to both parties simultaneously.[16]

Investigations[17]

[NOTE: The Title IX Coordinator cannot serve as the decision-maker or hear appeals. While the Title IX Coordinator may serve as the investigator, the investigator, decision-maker, and the entity that hears appeals must all be separate persons/entities. If the Title IX Coordinator serves as the investigator in your district, modify the language accordingly.]

The [**insert title of employee**] shall serve as the investigator and be responsible for investigating complaints in an equitable manner that involves an objective evaluation of all relevant evidence. The burden for obtaining evidence sufficient to reach a determination regarding responsibility rests on the school district and not the complainant or respondent.

Once a complaint is received, the investigator shall initiate an investigation within forty-eight (48) hours of receipt of the complaint. If an investigation is not initiated within forty-eight (48) hours, the investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.

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

All investigations shall:

1. Provide an equal opportunity for the parties to present witnesses and evidence;

2. Not restrict the ability of either party to discuss the allegations under investigation or gather and present relevant evidence;

3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;[18]

4. Provide the parties with the same opportunities to have others present during any grievance proceeding;

5. Provide to parties whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

6. Provide both parties an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint; and

7. Result in the creation of an investigative report that fairly summarizes relevant evidence.

    a. Prior to the completion of the investigative report, the investigator shall send to each party the evidence subject to inspection and review. All parties shall have at least ten (10) days to submit a written response which shall be taken into consideration in creating the final report.

Within the parameters of the federal Family Educational Rights and Privacy Act,[19] the Title IX Coordinator shall keep the complainant and the respondent informed of the status of the investigation process. At the close of the investigation, a written final report on the investigation will be delivered to the parent(s)/guardian(s) of the complainant, parent(s)/guardian(s) of the respondent, and to the Director of Schools.

Determination of Responsibility[20]

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.[21] The [**insert either the preponderance of the evidence standard OR the clear and convincing evidence standard**] shall be used in making this determination.[22]

[**Insert title of employee**] shall act as the decision-maker. He/she shall receive the final report of the investigation and allow each party the opportunity to submit written questions that he/she wants asked of any party or witness prior to the determining responsibility.

The decision-maker shall make a determination regarding responsibility and provide the written determination to the parties simultaneously along with information about how to file an appeal.

A substantiated charge against a student may result in corrective or disciplinary action up to and including expulsion. A substantiated charge against an employee shall result in disciplinary action up to and including termination.

After a determination of responsibility is made, the Title IX Coordinator shall work with the complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the harassment.

APPEALS[23]

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

Upon receipt of an appeal, the Title IX Coordinator shall:

1. Assign an impartial hearing officer [**or insert other entity that may hear the appeal**] within five (5) days of receipt of the appeal; and

2. Notify the parties in writing.

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

RETALIATION[24]

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

Legal References

1. 34 CFR § 106.1
2. Public Acts of 2026, Chapter No. 938
3. 34 CFR § 106.8(b),(c)
4. 34 CFR § 106.45(b)(2); 34 CFR § 106.8(d)
5. 34 CFR § 106.2
6. 34 CFR § 106.8(a)
7. 20 USCA 1092(f)(6)(A)(v); TCA 36-3-601(12); TCA 71-6-302
8. 34 USCA 12291(a)(11)
9. 34 USCA 12291(a)(12); TCA 40-14-109
10. 34 USCA 12291(a)(36); TCA 39-17-315; TCA 36-3-601(11)
11. 34 CFR § 106.44
12. 34 CFR § 106.44(h)
13. 34 CFR § 106.44(i)
14. TRR/MS 0520-02-03-.09(2); TCA 49-5-417(c)
15. 34 CFR § 106.45(c)
16. 34 CFR § 106.45(d)
17. 34 CFR § 106.45(f); 34 CFR § 106.45(b)(4)
18. 34 CFR § 106.45(b)(7)
19. 20 USCA § 1232g
20. 34 CFR § 106.45(h)
21. 34 CFR § 106.45(b)(3)
22. 34 CFR § 106.45(h)(1)
23. 34 CFR § 106.45(i)
24. 34 CFR § 106.71

Cross References

Section 504 and ADA Grievance Procedures 1.802
Discrimination/Harassment of Employees (Sexual, Racial, Ethnic, Religious) 5.500
Complaints and Grievances 5.501
Staff-Student Relations 5.610
Code of Conduct 6.300
Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
Student Concerns 6.305
Reporting Child Abuse 6.409

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in March	**Title IX & Sexual Harassment**	**6.3041**	**11/09/20**
		Rescinds:	Issued:

General

In order to maintain a safe, civil, and supportive learning environment, all forms of sexual harassment and discrimination on the basis of sex are prohibited.[1] This policy shall cover employees, employees' behaviors, students, and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop in accordance with federal law. This policy shall be disseminated annually to all school staff, students, and parent(s)/guardian(s).[2] The Title IX Coordinator, as well as any personnel chosen to facilitate the grievance process, shall not have a conflict of interest against any party of the complaint.[3] These individuals shall receive training as to how to promptly and equitably resolve student and employee complaints.[3]

All employees shall receive training on complying with this policy and federal law.[4]

TITLE IX COORDINATOR[5]

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. He/She shall be kept informed by school-level personnel of all investigations and shall provide input on an ongoing basis as appropriate.

Any individual may contact the Title IX Coordinator at any time using the information below:

Julie Thomas, Special Populations Supervisor
700 Jones Circle
Lewisburg, TN 37091
931-359-1581, ext. 12010
julie.thomas@mcstn.net

Jennie Carroll, Human Resource Supervisor
700 Jones Circle
Lewisburg, TN 37091
931-359-1581, ext. 12028
jennie.carroll@mcstn.net

DEFINITIONS[4]

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

"Respondent" is an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual harassment" is conduct on the basis of sex that satisfies one or more of the following:[3]

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or
3. Sexual assault,[6] dating violence[7], domestic violence,[8] or stalking[9] as defined in state and federal law.

Behaviors that constitute sexual harassment may include, but are not limited to:

1. Sexually suggestive remarks;
2. Verbal harassment or abuse;
3. Sexually suggestive pictures;
4. Sexually suggestive gesturing;
5. Harassing or sexually suggestive or offensive messages that are written or electronic;
6. Subtle or direct propositions for sexual favors; and
7. Touching of a sexual nature.

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

"Supportive measures" are non-disciplinary, non-punitive, individualized services and shall be offered to the complainant and the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;
2. Course modifications;
3. Schedule changes; and
4. Increased monitoring or supervision.

The measures offered to the complainant and the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

GRIEVANCE PROCESS

Upon learning of an intance of alleged sexual harassment, even if no formal complaint is filed, the Title IX Coordinator shall:

1. Promptly contact the complainant to discuss the availability of supportive measures;
2. Consider the complainant's wishes with respect to supportive measures;
3. Inform the complainant of the availability of supportive measures; and
4. Explain the process for filing a formal complaint.[10]

While the school district will respect the confidentiality of the complainant and the respondent as much as possible, some information may need to be disclosed to appropriate individuals. All disclosures shall be consistent with the school district's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action.

Disciplinary consequences or sanctions shall not be initiated against the respondent until the grievance process has been completed. Unless there is an immediate threat to the physical health or safety of any student arising from the allegation of sexual harassment that justifies removal, the respondent's placement shall not be changed.[11] If the respondent is an employee, he/she may be placed on administrative leave during the pendency of the grievance process.[12] The Title IX Coordinator shall keep the Director of Schools informed of any employee respondents so that he/she can make any necesssary reports to the State Board of Education in compliance with state law.[13]

Complaints

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall immediately report such information to the Title IX Coordinator; however, nothing in this policy requires a complainant to either report or file a formal complaint within a certain timeframe. If the complaint involves the Title IX Coordinator, the complaint shall be filed with the Director of Schools.

If a complaint involves allegations of child abuse, including child abuse on school grounds, appropriate notification shall be made per the board policy on reporting child abuse.

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:[14]

1. Provide written notice of the allegations, and the grievance process to all known parties to give the respondent time to prepare a response before an initial interview;
2. Inform the parties of the prohibition against making false statement or knowingly submitting false information;
3. Inform the parties that they may have an advisor present during any subsequent meetings; and
4. Offer supportive measures in an equitable manner to both parties.

Investigations[16]

The Support Services Supervisor and Student Services Supervisor shall serve as the investigators and be responsible for investigating complaints in an equitable manner that involves an objective evaluation of all relevant evidence. The burden for obtaining evidence sufficient to reach a determination regarding responsibility rests on the school district and not the complainant or respondent.

Once a complaint is received, the Investigator shall initiate an investigation within forty-eight (48) hours of receipt of the complaint. If an investigation is not initiated within forty-eight (48) hours, the investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.

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

All investigations shall:

1. Provide an equal opportunity for the parties to present witnesses and evidence;
2. Not restrict the ability of either party to discuss the allegations under investigation or gather and present relevant evidence;
3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;[17]
4. Provide the parties with the same opportunities to have others present during any grievance proceeding;
5. Provide to parties whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
6. Provide both parties an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint; and
7. Result in the creation of an investigative report that fairly summarizes relevant evidence.
    1. Prior to the completion of the investigative report, the investigator shall send to each party the evidence subject to inspection and review. All parties shall have at least ten (10) days to submit a written response which shall be taken into consideration in creating the final report.

Within the parameters of the federal Family Education Rights and Privacy Act,[18] the Title IX Coordinator shall keep the compainant and the respondent informed of the status of the investigation process. At the close of the investigation, a written final report on the investigation will be delivered to the parent(s)/guardian(s) of the complainant, parent(s)/guardian(s) of the respondent, and to the Director of Schools.

Determination of Responsibility[19]

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.[20] The clear and convincing evidence standard shall be used in making this determination.[21]

The Director of Schools shall act as the decision-maker. He/She shall receive the final report of the investigation and allow each party the opportunity to submit written questions that he/she wants asked of any party or witness prior to the determining responsibility.

The decision-maker shall make a determination regarding responsibility and provide the written determination to the parties simultaneously along with information about how to fine an appeal.

A substantiated charge against a student may result in corrective or disciplinary action up to an including expulsion. A substantiated charge against an employee shall result in disciplinary action up to and including termination.

After a determination of responsibility is made, the Title IX Coordinator shall work with the complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall also determine if further supportive measures are necessary. The Title IX Coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the harassment.

APPEALS[22]

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

Upon receipt of an appeal, the Title IX Coordinator shall:

1. Assign an impartial hearing officer within five (5) days of receipt of the appeal; and
2. Notify the parties in writing.

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

RETALIATION[23]

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

Legal References:

1. 34 CFR § 106.1
2. 34 CFR § 106.8(b),(c)
3. 34 CFR § 106.45(b)(1)(iii); 34 CFR § 106.45(b)(10)(D)
4. 34 CFR § 106.30(a)
5. 34 CFR § 106.8(a)
6. 20 USCA 1092(f)(6)(A)(v); TCA 36-3-601(10); TCA 71-6-302
7. 34 USCA 12291(a)(10)
8. 34 USCA 12291(a)(8); TCA 40-14-109
9. 34 USCA 12291(a)(30); TCA 39-17-3151 TCA 36-3-601(11)
10. 34 CFR § 106.44(a)
11. 34 CFR § 106.44(c)
12. 34 CFR § 106.44(d)
13. TRR/MS 0520-02-03-.09(2); TCA 49-5-417(c)
14. 34 CFR § 106.45(b)(2)
15. 34 CFR § 106.45(b)(3)
16. 34 CFR § 106.45(b)(5); 34 CFR § 106.45(b)(1)(v)
17. 34 CFR § 106.45(b)(1)(x)
18. 20 USCA § 1232g
19. 34 CFR § 106.45(b)(7)
20. 34 CFR § 106.45(b)(1)(iv)
21. 34 CFR § 106.45(b)(1)(vii)
22. 34 CFR § 106.45(b)(8)
23. 34 CFR § 106.71

Cross References:

Section 504 and ADA Grievance Procedures 1.802
Discrimination/Harassment of Employees (Sexual, Racial, Ethnic, Religious) 5.500
Staff-Student Relations 5.610
Code of Conduct 6.300
Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
Child Abuse and Neglect 6.409

Marshall County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in March	**Title IX & Sexual Harassment**	**6.3041**	**10/19/26**
		Rescinds:	Issued: **11/09/20**

General

In order to maintain a safe, civil, and supportive learning environment, all forms of sexual harassment and discrimination on the basis of sex are prohibited.[1] Sex shall be defined as the "immutable characteristics of the person's reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth."[2] This policy shall cover employees, employees' behaviors, students, and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop in accordance with federal law. This policy shall be disseminated annually to all school staff, students, and parent(s)/guardian(s).[3] The Title IX Coordinator, as well as any personnel chosen to facilitate the grievance process, shall not have a conflict of interest against any party of the complaint.[4] These individuals shall receive training as to how to promptly and equitably resolve student and employee complaints.[4]

All employees shall receive training on complying with this policy and federal law.[5]

TITLE IX COORDINATOR[6]

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. He/She shall be kept informed by school-level personnel of all investigations and shall provide input on an ongoing basis as appropriate.

Any individual may contact the Title IX Coordinator at any time using the information below:

Julie Thomas, ~~Special Populations Supervisor~~ Federal Programs Supervisor
700 Jones Circle
Lewisburg, TN 37091
931-359-1581, ext. 2011
julie.thomas@mcstn.net

Jennie Carroll, Human Resource Supervisor
700 Jones Circle
Lewisburg, TN 37091
931-359-1581, ext. 12028
jennie.carroll@mcstn.net

DEFINITIONS[5]

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

"Respondent" is an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual harassment" is conduct on the basis of sex that satisfies one or more of the following:[4]

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or
3. Sexual assault,[7] dating violence[8], domestic violence,[9] or stalking[10] as defined in state and federal law.

Behaviors that constitute sexual harassment may include, but are not limited to:

1. Sexually suggestive remarks;
2. Verbal harassment or abuse;
3. Sexually suggestive pictures;
4. Sexually suggestive gesturing;
5. Harassing or sexually suggestive or offensive messages that are written or electronic;
6. Subtle or direct propositions for sexual favors; and
7. Touching of a sexual nature.

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

"Supportive measures" are non-disciplinary, non-punitive, individualized services and shall be offered to the complainant and the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;
2. Course modifications;
3. Schedule changes; and
4. Increased monitoring or supervision.

The measures offered to the complainant and the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

GRIEVANCE PROCESS

Upon learning of an intance of alleged sexual harassment, even if no formal complaint is filed, the Title IX Coordinator shall:

1. Promptly contact the complainant to discuss the availability of supportive measures;

2. Consider the complainant's wishes with respect to supportive measures;
3. Inform the complainant of the availability of supportive measures; and
4. Explain the process for filing a formal complaint.[11]

While the school district will respect the confidentiality of the complainant and the respondent as much as possible, some information may need to be disclosed to appropriate individuals. All disclosures shall be consistent with the school district's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action.

Disciplinary consequences or sanctions shall not be initiated against the respondent until the grievance process has been completed. Unless there is an immediate threat to the physical health or safety of any student arising from the allegation of sexual harassment that justifies removal, the respondent's placement shall not be changed.[12] If the respondent is an employee, he/she may be placed on administrative leave during the pendency of the grievance process.[13] The Title IX Coordinator shall keep the Director of Schools informed of any employee respondents so that he/she can make any necesssary reports to the State Board of Education in compliance with state law.[14]

Complaints

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall immediately report such information to the Title IX Coordinator; however, nothing in this policy requires a complainant to either report or file a formal complaint within a certain timeframe. If the complaint involves the Title IX Coordinator, the complaint shall be filed with the Director of Schools.

If a complaint involves allegations of child abuse, including child abuse on school grounds, appropriate notification shall be made per the board policy on reporting child abuse.

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:[15]

1. Provide written notice of the allegations, and the grievance process to all known parties to give the respondent time to prepare a response before an initial interview;
2. Inform the parties of the prohibition against making false statement or knowingly submitting false information;
3. Inform the parties that they may have an advisor present during any subsequent meetings; and
4. Offer supportive measures in an equitable manner to both parties.

If the Title IX Coordinator dismisses a complaint, written notice, including the reasons for dismissal, shall be provided to both parties simultaneously.[16]

Investigations[17]

The Support Services Supervisor and Assistant Director of Schools ~~Student Services Supervisor~~ shall serve as the investigators and be responsible for investigating complaints in an equitable manner that involves an objective evaluation of all relevant evidence. The burden for obtaining evidence sufficient to reach a determination regarding responsibility rests on the school district and not the complainant or respondent.

Once a complaint is received, the Investigator shall initiate an investigation within forty-eight (48) hours of receipt of the complaint. If an investigation is not initiated within forty-eight (48) hours, the investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.

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

All investigations shall:

1. Provide an equal opportunity for the parties to present witnesses and evidence;
2. Not restrict the ability of either party to discuss the allegations under investigation or gather and present relevant evidence;
3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;[18]
4. Provide the parties with the same opportunities to have others present during any grievance proceeding;
5. Provide to parties whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
6. Provide both parties an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint; and
7. Result in the creation of an investigative report that fairly summarizes relevant evidence.
    1. Prior to the completion of the investigative report, the investigator shall send to each party the evidence subject to inspection and review. All parties shall have at least ten (10) days to submit a written response which shall be taken into consideration in creating the final report.

Within the parameters of the federal Family Education Rights and Privacy Act,[19] the Title IX Coordinator shall keep the compainant and the respondent informed of the status of the investigation process. At the close of the investigation, a written final report on the investigation will be delivered to the parent(s)/guardian(s) of the complainant, parent(s)/guardian(s) of the respondent, and to the Director of Schools.

Determination of Responsibility[20]

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.[21] The clear and convincing evidence standard shall be used in making this determination.[22]

The Director of Schools shall act as the decision-maker. He/She shall receive the final report of the investigation and allow each party the opportunity to submit written questions that he/she wants asked of any party or witness prior to the determining responsibility.

The decision-maker shall make a determination regarding responsibility and provide the written determination to the parties simultaneously along with information about how to fine an appeal.

A substantiated charge against a student may result in corrective or disciplinary action up to an including expulsion. A substantiated charge against an employee shall result in disciplinary action up to and including termination.

After a determination of responsibility is made, the Title IX Coordinator shall work with the complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall also determine if further supportive measures are necessary. The Title IX Coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the harassment.

APPEALS[23]

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

Upon receipt of an appeal, the Title IX Coordinator shall:

1. Assign an impartial hearing officer within five (5) days of receipt of the appeal; and
2. Notify the parties in writing.

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

RETALIATION[24]

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

Legal References:

1. 34 CFR § 106.1
2. Public Acts of 2026, Chapter No. 938
3. 34 CFR § 106.8(b),(c)
4. 34 CFR § 106.45(b)(2); 34 CFR § 106.8(d)
5. 34 CFR § 106.2
6. 34 CFR § 106.8(a)
7. 20 USCA 1092(f)(6)(A)(v); TCA 36-3-601(12); TCA 71-6-302
8. 34 USCA 12291(a)(11)
9. 34 USCA 12291(a)(12); TCA 40-14-109
10. 34 USCA 12291(a)(36); TCA 39-17-315; TCA 36-3-601(11)
11. 34 CFR § 106.44
12. 34 CFR § 106.44(h)
13. 34 CFR § 106.44(i)
14. TRR/MS 0520-02-03-.09(2); TCA 49-5-417(c)
15. 34 CFR § 106.45(c)
16. 34 CFR § 106.45(d)
17. 34 CFR § 106.45(f); 34 CFR § 106.45(b)(4)
18. 34 CFR § 106.45(b)(7)

Cross References:

Section 504 and ADA Grievance Procedures 1.802
Discrimination/Harassment of Employees (Sexual, Racial, Ethnic, Religious) 5.500
Complaints and Grievances 5.501
Staff-Student Relations 5.610
Code of Conduct 6.300
Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
Student Concerns 6.305
Child Abuse and Neglect 6.409

19. 20 USCA § 1232g
20. 34 CFR § 106.45(h)
21. 34 CFR § 106.45(b)(3)
22. 34 CFR § 106.45(h)(1)
23. 34 CFR § 106.45(i)
24. 34 CFR § 106.71