



Policies Required by Federal or State Laws and Regulations

Subject	Statute / Regulation	Summary	TSBA Policy Number
Acquired Immune Deficiency Syndrome (AIDS) (<i>employee</i>)	TRR/MS 0520-1-3-.08(2)(g)	Each local school board shall adopt policies which address appropriate education programs, confidentiality, liability, personnel, safety, curriculum, education, communications, and public relations.	5.401
Acquired Immune Deficiency Syndrome (AIDS) (<i>student</i>)	TRR/MS 0520-1-3-.08(2)(g)	Each local school board shall adopt policies which address appropriate education programs, confidentiality, liability, personnel, safety, curriculum, education, communications, and public relations.	6.404
Adrenal Insufficiency	TRR/MS 0520-01-12; State Board of Education Policy 4.205	Each local board of education shall adopt policies that provide for the administration of medications that treat adrenal insufficiency.	6.405
Advanced Coursework Weighting (<i>if applicable</i>)	State Board of Education Policy 3.301; TRR/MS 0520-01-03-.05(3)	Each local school board that offers honors courses and early postsecondary opportunities shall adopt policies providing for additional weighting for these courses. LEAs shall annually approve the list of such courses and provide this information to the public.	4.600
Age Discrimination Act	49 USCA § 621 et seq.; 34 CFR § 110.25	Each local school board shall adopt a grievance procedure and designate at least one employee to coordinate investigative and compliance.	5.501
Alcohol and Drug Use (<i>student</i>)	TRR/MS 0520-1-3-.08(2)(d)	Each local school board shall adopt a policy for handling drug/alcohol issues.	6.307
Alcohol and Drug Use (<i>employees</i>)	Omnibus Transportation Employee Testing Act, 49 USCA §§ 5331, 31306	Each local school board shall adopt a policy for employees engaged in safety sensitive positions to be tested for drugs/alcohol. Testing for bus drivers is required for local school boards that provide transportation.	5.403



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Alternative School Programs	State Board of Education Policy 2.302; TCA 49-6-3402; TRR/MS 0520-01-02-.09	Each local board of education shall adopt a policy that defines and provides appropriate educational opportunities for all students assigned to an alternative education program.	6.319
Asbestos Management	Asbestos Management Plans, 40 C.F.R § 763.93 (plan); 40 CFR § 763.92 (training)	Each local school board is required to have an asbestos management plan for each school including all buildings that they lease, own, or otherwise use as school buildings, and to maintain and update the plan to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, re-inspection, and response action activities. At least once each school year, school districts must notify parents, teachers, and employee organizations of the availability of management plans. All members of the custodial staff who may work in a building with asbestos-containing building materials must have awareness training. All new custodial staff must be trained within 60 days of hire.	3.208
Americans with Disabilities Act (ADA)	28 CFR § 35.107	Each local school board that employs 50 or more persons shall designate at least one employee to coordinate its compliance efforts and carry out its responsibilities under the ADA. These responsibilities include investigating any complaint communicated to the public entity alleging noncompliance or actions that would be prohibited by Title II of the ADA. Each local school board shall make available to all interested individuals the name, office address, and telephone number of the designated employee(s). Each local school board shall adopt a grievance procedure and disseminate it to employees, students, and the community.	1.802
Attendance	TRR/MS 0520-1-3-.08(1)(a); TRR/MS 0520-1-2-.17(1)(c); TCA 49-6-3007; TCA 49-6-3009; Public Acts of 2018, Chapter No. 958	Each local school board shall adopt a policy detailing its attendance services program. The policy shall address the excusing of absences for reasons including but not limited to the following: injury, illness, pregnancy, hospitalization, homebound, summons, subpoena, court order, military, college visits, school-sponsored activities, school endorsed activities, death of a family member, and extenuating circumstances determined on a case-by-case basis. Each local school board shall also adopt a progressive truancy intervention plan.	6.200



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Board Member Electronic Attendance	TCA 49-2-203(c)	Each local board of education shall adopt a policy regarding board member electronic attendance of meetings, if the board offers this as an option.	1.400
Child Abuse and Neglect	TRR/MS 0520-1-3-.08(2)(e); TCA 37-1-403; TCA 49-6-1601	Each local school board shall adopt procedures for reporting suspected cases of child abuse and neglect.	6.409
Communicable Diseases	TRR/MS 0520-1-3-.08(2)(c)	Each local school board shall adopt a written policy for excluding students with communicable diseases and for readmitting them after they recover.	6.403
Comparability of Services	20 USCA § 6321(c)	School districts shall file with the State a written assurance that it has established and implemented: (1) a school district-wide salary schedule; (2) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and (3) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. School districts shall maintain records that are updated biennially of which document complies with this requirement.	2.300
Concussion	TCA 68-55-502; TCA 68-55-501	Each local school board shall adopt a policy that establishes guidelines for schools sponsoring youth athletic activities to inform and educate coaches, youth athletes, and other adults involved in youth athletics about the nature, risk, and symptoms of concussion and head injury.	6.413
Confidentiality of Student Records	TCA 10-7-504(a)(4)(A); TRR/MS 0520-1-3-.03(13)(c)	Each local school board shall adopt a policy that specifically mandates that student records be treated as confidential.	6.600
Copyright Act	17 USCA §§ 106, 107, 110	Each local school board shall adopt a policy regarding the fair use doctrine and the face-to-face teaching exemption that allows educators to use copyrighted materials in narrowly defined teaching situations.	4.404



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Corporal Punishment	TCA 49-6-4104	Each local school board shall adopt such rules and regulations as it deems necessary to implement and control any form of corporal punishment in the schools in its district.	6.314
Course Credit	TRR/MS 0520-01-03-.06; TRR/MS 0520-01-03-.03(6)	Each local school board shall adopt a policy addressing the minimum and maximum units in any course or subject area for which a student may earn credit toward graduation.	4.605
Credit Recovery	State Board of Education Policy 2.103	Each local school board shall adopt credit recovery policies that address standards for admission and removal, instruction, content and curriculum, and grades and place them online.	4.210
Director of Schools: Recruitment and Selection	TCA 49-2-203(a)(14)(B)	Each local school board shall adopt a policy regarding the method of accepting and reviewing applications and interviewing candidates for the position of director of schools.	5.801
Discipline	Safe and Drug Free Schools and Communities Act, 20 USCA § 7114, 7118; TCA 49-6-4002, 4009	Local school boards that are recipients of Safe and Drug-Free Schools and Communities Act (SDFSCA) grants shall adopt school discipline policies that prohibit disorderly conduct, the illegal possession of weapons, and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students. Each local school board shall adopt a code of conduct that contains the type of behavior expected from each student, the consequences of failure to obey the standards, and the importance to maintain a safe learning environment. Each policy must also indicate what misbehaviors are considered a zero tolerance offense. Each local school board shall include in its student discipline policy a provision prohibiting students from wearing clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment during the school day.	6.300



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Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation (<i>student</i>)	TCA 49-6-4501; TCA 49-6-4503	Each local school board shall adopt policies prohibiting harassment, intimidation, bullying, and cyber-bullying. Boards are encouraged to seek parental and staff input when creating such policies.	6.304
Discrimination/ Harassment (<i>employee</i>)	Title VII, Civil Rights Act of 1964; 29 CFR § 1604.11	Each local school board shall adopt policies that prohibit any employee or student from discriminating against or harassing an employee through disparaging conduct or communication that is sexual, racial, ethnic, or religious in nature.	5.500
District Water Testing	Public Acts of 2018, Chapter No. 977	Each local board of education shall develop a policy to implement a program to reduce the potential sources of lead contamination in drinking water in public schools.	3.212
Drug-Free Workplace	Drug Free Workplace Act of 1988, 41 USCA § 8103; 34 CFR § 84.205-84.215	Each local school board shall adopt a policy highlighting its commitment to maintain a drug-free workplace and stating that controlled substances are prohibited in the workplace, and that specific actions will be taken against the employee for violating the prohibition; and that as a condition of employment, the employee will abide by the terms of the policy and must notify the district in writing no more than five calendar days after the conviction if he or she is convicted for a violation of a criminal drug statute occurring in the workplace. Each local school board shall provide a copy of the policy to each employee.	1.804
E-mails	TCA 10-7-512	Any agency of the state that operates or maintains an electronic mail communications system shall adopt a written policy on any monitoring of electronic mail.	1.805

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Subject	Statute / Regulation	Summary	TSBA Policy Number
Enrollment Period	TCA 49-2-128	Each local school board shall develop a policy that provides for an open enrollment period during which parents or guardians may choose from a list of system schools.	6.206
Equal Access; Limited Public Forum	TCA 49-6-1803	Each local school board shall develop a policy ensuring that the LEA does not discriminate against a student’s publicly stated voluntary expression of a religious viewpoint, if any, and eliminates any actual or perceived affirmative school sponsorship or attribution to the LEA of a student’s expression of a religious viewpoint, if any. The policy shall include the establishment of a limited public forum for student speakers at school events.	4.802
Equal Opportunity Employment	Title VII, 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	Each local school board shall adopt policies that promote equal opportunities for employment and advancement for 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 positions involved.	5.104
Ethics	TCA 8-17-101, et seq.	Each local school board shall adopt a code of ethical standards and file such standards with the Tennessee Ethics Commission.	1.106
Fee Waivers	TCA 49-2-114; TRR/MS 0520-1-3-.03(14)	Each local school board shall adopt specific policies and procedures by which to waive school fees for verified students.	6.709
Promotion and Retention	TRR/MS 0520-1-3-.05(3); State Board of Education Policy 3.300	Each local school board shall adopt grading, promotion, and retention policies K-8. The policies shall be communicated annually to students and parents.	4.603

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Subject	Statute / Regulation	Summary	TSBA Policy Number
Grading	TRR/MS 0520-01-03-.05(3)	Each local board of education shall adopt a policy regarding grading.	4.600
Graduation	TRR/MS 0520-01-03-.06(1)(c); State Board of Education Policy 2.103	Each local school board shall adopt a policy prescribing how a variety of student awards and achievements will be noted and recognized at graduation (i.e. students that voluntarily complete at least ten (10) hours of community service each semester, state distinction, etc.).	4.606
Guidance Services	TRR/MS 0520-1-3-.08(1)(b)	Each local school board shall adopt a policy the highlights the standards for its guidance services program.	6.400
Gun-Free Schools	Gun-Free Schools Act, 20 USCA § 7961	Each local school board shall adopt a policy requiring the expulsion of any student for at least one year who is found to have brought a weapon to school.	6.309
Hazing	TCA 49-2-120	Each local school board shall adopt a written policy prohibiting hazing by any student or organization operating under the sanction of the local school board.	4.301, 6.304
Health Services	TRR/MS 0520-1-3-.08(1)(e)	Each local school board shall adopt a policy that highlights the guidelines for its health services program.	6.400
Hepatitis B	29 CFR § 1910.1030	Each local school board shall adopt policies which address the risk of occupational exposure to Hepatitis B.	5.402
Homeless Students	McKinney-Vento Homeless Assistance Act, 42 USCA § 11432-11435	Each local school board must have policies that remove barriers to enrollment and retention of homeless children and youths, including transportation, and prevent homeless children and youths from being stigmatized or segregated on the basis of their status as homeless.	6.503

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Subject	Statute / Regulation	Summary	TSBA Policy Number
Instructional Materials	TCA 49-6-7003; 20 USCA § 1232h; 34 CFR § 98.3	Each local school board shall implement an official policy on parental inspection of school instructional materials.	4.400
Insurance	Health Insurance Portability and Accountability Act (HIPAA), 42 USCA § 1320d-1; 45 CFR § 164.316	Schools sponsoring group health plans must implement reasonable and appropriate policies and procedures to comply with HIPAA's security standards and implementation specifications for electronic protected health information including but not limited to administrative, physical, and technical safeguards and organizational requirements. All employees must be made aware of the law and the consequences of it.	3.600
Internet Safety	Children's Internet Protection Act (CIPA), 47 USCA § 254(h)(5)(B)-(C), 254(l) Every Student Succeeds Act, 20 USCA § 6311, also requires internet safety policies for schools receiving money under the Enhancing Education through Technology Act of 2001, 20 USCA § 7131	CIPA requires that an Internet safety policy of a district or school using E-Rate discounts include a technology protection measure that protects against Internet access by both adults and minors to visual depictions that are obscene, child pornography, or, with respect to use of the computers by minors, harmful to minors. The Internet safety policy must also include monitoring of the online activities of minors and must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response. The Internet safety policy must also address all of the following issues: (1) access by minors to inappropriate matter on the Internet and World Wide Web; (2) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic Communications; (3) unauthorized access, including so-called "hacking," and other unlawful activities by minors online; (4) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (5) the measures designed to restrict minors' access to materials harmful to them.	4.406
Opioid Antagonist	State Board of Education Policy 4.205	Each local board of education shall adopt a policy on opioid antagonists, if maintained in the district.	6.4052
Parent and Family Engagement	TCA 49-2-305; TCA 49-6-7001 to 7003; 20 USCA § 6318	Each local school board shall adopt a policy that encourages the involvement of parents in their children's education and that describes how the board will provide support for schools in planning and implementing parent involvement activities, build schools' and parents' capacities for parental involvement, coordinate and integrate parental involvement strategies, and conduct an annual evaluation of the content and effectiveness of the policy. The parental involvement policy must also include provisions for sharing between the parents, school staff, and students the responsibilities for improved student academic achievement, building capacity for involvement, and be accessible.	4.502

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Personnel Policies <i>(County Systems only)</i>	TCA 5-23-101, et seq.; TCA 49-5-714; TRR/MS 0520-01-02-.04(5)(b)	County systems are required to file personnel policies regarding leave (sick, paid vacation, or annual leave and family & medical leave), compensatory/overtime, non-discrimination/sexual harassment, and employees who are required by law to be tested for drugs/alcohol.	5.301, 5.302, 5.303, 5.304, 5.305, 5.306, 5.307, 5.310
Physical Examinations	TRR/MS 0520-01-03-.08(2)(a); TRR/MS 0520-01-03-.08(2)(b); 20 USCA § 1232h(c)	Each local school board shall adopt policies mandating a physical examination of every child entering school for the first time and for students who participate in interscholastic athletics as well as a policy regarding administration of the physical examinations of students.	4.301, 6.203, 6.402
Psychological Services	TRR/MS 0520-1-3-.08(1)(c)	Each local school board shall adopt a policy detailing all available psychological services.	6.400
Public Records	TCA 10-7-503	Each local school board shall adopt a policy on accessing public records. The policy must include: the process for making requests to inspect public records or receive copies of public records and a copy of any required request form; the process for responding to requests, including redaction practices; a statement of any fees charged for copies of public records and the procedures for billing and payment; and the name or title and the contact information of the individual or individuals within such governmental entity designated as the public records request coordinator.	1.407
Recommendations and File Transfers	20 USCA § 7926	Each local school board shall adopt a policy that prohibits employees from assisting others to obtain new employment if the individual knows or has probable cause to believe that the employee engaged in sexual misconduct regarding a minor.	5.203
Religious Content of Courses	TCA 49-6-1005(a)	Each local school board shall adopt a policy regarding the appropriate inclusion of religion in local curriculum and instructional materials.	4.804

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Subject	Statute / Regulation	Summary	TSBA Policy Number
Safe Relocation of Students	TCA 49-6-4008	Each local school board shall adopt a complete policy regarding a teacher's ability to relocate a student from the student's present location to another location for the student's safety or the safety of others. This policy shall also cover teachers' authorization to intervene in a physical altercation between two (2) or more students, or between a student and board employees using reasonable or justifiable force upon a student, if necessary to end the altercation by relocating the student to another location.	6.4081
School Safety Plan	TCA 49-6-804	Each local school board shall adopt a comprehensive policy addressing their district wide school safety plan regarding crisis intervention, emergency response, and emergency management.	3.201, 3.202, 3.203, 3.205
Section 504 of the Rehabilitation Act	29 USCA § 794	Each local school board that employs 15 or more persons shall designate at least one employee to coordinate compliance efforts and adopt and publish grievance procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504.	1.802
Smoke-Free Environment	Section 1042, Environmental Tobacco Smoke/Pro-Children Act of 1994, 20 USCA § 6083	Each local school board shall adopt a policy prohibiting smoking in all indoor facilities used to provide regular or routine K-12 education services.	1.803
Social Services	TRR/MS 0520-1-3-.08(1)(d)	Each local school board shall adopt a policy detailing its social services.	6.400
Sports-Related Concussions	TCA 68-55-502	Each local school board shall adopt a policy on the immediate removal of any youth athlete who shows signs consistent with a concussion from the activity or competition. Each board shall also include a provision regarding return to play.	6.413

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Student Records Policy	Data Accessibility, Transparency and Accountability Act of 2014 (TCA 49-1-701, et seq.)	Each local school board shall adopt a student records policy that gives parents or guardians the right to inspect and review their children's education records maintained by the school and the right to request student data specific to their children's educational records. In addition, each local school board shall provide parents or guardians with a copy of their children's educational records upon request. Each local school board shall annually notify parents or guardians of their right to request student information. Each local school board shall ensure security when providing student data to parents or guardians and ensure student data is provided only to authorized individuals. Finally, each local school board shall set the timeframe within which record requests must be provided.	6.600, 6.601, 6.602
Substitute Teachers	TCA 49-2-203 (a)(15)	Each local school board shall adopt policies addressing the employment of substitute teachers that shall, at a minimum, address qualifications and training and background in investigations.	5.701
Sudden Cardiac Arrest	TCA 68-6-101, et seq.	Each local school board shall adopt a policy addressing the Prevention and Treatment of Sudden Cardiac Arrest.	6.414
Suicide Prevention	TCA 49-6-1901, et seq.	Each local school board shall adopt a policy on student suicide prevention. At a minimum, the policy must address procedures relating to suicide prevention, intervention, and postvention.	6.415
Student Surveys, Analyses, and Evaluations	TCA 49-2-211; 20 USCA § 1232h(c)	Each local school board shall develop a policy setting forth the rights of parents and students and guidelines for teachers and principals with respect to the administration of surveys, analyses, or evaluations of students.	6.4001
Testing Programs	TCA 49-1-617; State Board of Education Policy 2.103; TRR/MS 0520-01-03-.06(1)(c)(2); TCA 49-6-6007	Each local board of education shall develop a policy that details the required weighting for incorporating student scores on TN Ready examinations and EOC examinations into student grades. Each local board of education shall develop assessment policies that include methodology information for TN Ready exams, as well as EOC exams. Assessment policies shall also include information related to state and board mandated tests that will be administered during the school year.	4.700

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Title IX of the Education Amendments of 1972	20 USCA §§ 1681-1688; 34 CFR § 106.8; 45 CFR § 86.8	Each LEA shall adopt a policy designating at least one employee to coordinate its compliance efforts under Title IX and shall adopt a grievance procedure providing for prompt and equitable resolution of student and employee complaints alleging any discrimination on the basis of sex in education programs or activities receiving federal financial assistance.	5.501; 6.304
Transcript Alterations	Public Acts of 2018, Chapter No. 557	Each LEA that allows an employee to alter a student’s transcript shall adopt a policy governing student transcript alterations and require any alterations be supported by documentation.	4.608
Transportation <i>(student)</i>	TCA 49-6-2118; TCA 49-6-2116	Each local school board shall adopt policies addressing the transportation of students including provisions regarding the appointment of a transportation supervisor; the procedures on submitting and investigating a complaint; the requirement of buses being equipped with phone numbers to report complaints; the process to provide annual notice to students and parents; and the collection and maintenance of certain records.	3.400
Transportation <i>(student)</i>	TCA 49-6-2118	Each local school board shall adopt policies addressing the transportation of students including provisions regarding students exiting the school bus at a stop other than his/her regular bus stop.	3.401
Wellness <i>(student)</i>	TCA 49-6-1022; State Board of Education Policy 4.204; 7 CFR § 210.31	Each local school board shall adopt a policy addressing student wellness that includes (1) specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness; (2) standards and nutrition guidelines for all foods available on campus during the school day that meet minimum nutritional requirements, and promote student health and reduce childhood obesity; (3) a description of the manner in which parents, students, representatives of the school food authority, physical education teachers, school health professionals, the school board, school administrators, and the general public are provided an opportunity to participate in the development, implementation, and periodic review and update of the wellness policy; (4) identification of the position of the LEA or school official(s) responsible for implementation and oversight of the local school wellness policy to ensure each school’s compliance with the policy; and (5) description of the plan for measuring the implementation of the local school wellness policy and for reporting local school wellness policy content and implementation issues to the public.	6.400, 6.411

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Work Based Learning Program	State Board of Education Policy 2.103	Each local school board will adopt a process for evaluation and assessment to ensure work based learning experiences are of high quality for the student.	4.211
Zero Tolerance	TCA 49-6-4216; TCA 49-6-3401(g)	Each local school board shall adopt a zero tolerance policy to ensure the safety and security of the learning environment which is free of drugs, drug paraphernalia, violence, and dangerous weapons. Each local school board is statutorily required to annually file their zero tolerance policy and procedures with the commissioner of education.	6.309

DISCLAIMER: *TSBA provides legal information as a general service to TSBA members. TSBA provides this listing for informational purposes only. TSBA makes no representation that this listing contains every required policy that a school system must have to comply with federal and state laws and regulations. This listing should not be used as a substitute for legal advice. School systems are encouraged to seek legal advice from a school attorney in order to determine all required policies by federal and state laws or regulations.*

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