

Section J:

Knox County Board of Education Policy

Students

Descriptor Term:

**Student Interference with
Classroom**

Descriptor Code:

J-197

Issued:

9/21

Reviewed:

9/24

Revised:

10/24

Absent a special needs situation, a teacher may submit a written request to the principal, or to an assistant principal, to remove a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the class or with the ability of the student's classmates to learn, if the student's behavior is in violation of the student discipline Board Policies.

1. The written request must include documentation that the teacher has previously:
 - a) Taken action to address the student's disruptive behavior;
 - b) Provided consequences for the student's disruptive behavior;
 - c) Conducted an oral conference either by a documented telephone conversation or an in-person discussion with the student's parent or legal guardian regarding the student's disruptive behavior;
 - d) Provided an opportunity for school counseling or other support services deemed appropriate to address the student's disruptive behavior;
 - e) Developed and implemented a plan to improve the student's behavior in a conference with the student; and
 - f) Issued a disciplinary referral under T.C.A. § 49-6-2803 to address the student's disruptive behavior.
2. The principal or assistant principal must give the student oral or written notice of the grounds for the teacher's request to remove the student from the teacher's classroom and, if the student denies engaging in the conduct, then the principal or the assistant principal must explain what caused the teacher to submit a request to remove the student from the teacher's classroom, and give the student an opportunity to explain the situation. If the student's account is deemed to be valid, albeit different from the teacher's account, and changes the principal's, or the assistant principal's, perspective of the incident, then the principal or the assistant principal must render a decision regarding the student's placement.
3. Principals and assistant principals shall respect the professional judgment of a teacher' written request to remove a student from the teacher's classroom and shall take an action consistent with the student discipline Board Policies adopted pursuant to T.C.A § 49-6-4002 in response to the request, which may include:
 - a) Assigning the student to another appropriate classroom for a specified period of time, or for the remainder of the student's assignment to the class from which the student was removed;
 - b) Assigning the student to in-school suspension for a specified period of time, in compliance with T.C.A. § 49-6-3401;
 - c) If warranted under the Board Policies, assigning the student to an alternative school or to an alternative education program for a specified period of time;
 - d) Suspending the student pursuant to Board Policy and T.C.A. § 49-6-3401;

- e) Requiring the parents or legal guardians of a student who is removed from a teacher's classroom and assigned to another appropriate classroom to participate in conferences before the student is permitted to return to the classroom from which the student was removed; or
- f) Denying the teacher's request to remove a student from the teacher's classroom and offering appropriate supports for the teacher to address the student's disruptive behavior.

4. A teacher is able to file an appeal when said teacher's request to remove a student from the teacher's classroom is denied pursuant to this Policy and dissatisfied with the result.

- a) A teacher is to file an appeal with the Director of Schools, or the Student Disciplinary Hearing Authority, when the teacher's request to remove a student from the teacher's classroom is denied. Said appeal is to be in writing and sent via U.S. Mail or email within five (5) days of the receipt of the denial.
- b) All documentation and information used in the original written request to remove the student is to be provided to the Director of Schools or the Student Disciplinary Hearing Authority.
- c) The Director of Schools or the Student Disciplinary Hearing Authority shall review the available records and render a written decision on the appeal within fifteen (15) days of the receipt of the documentation and information used in the original request.

A teacher shall not be terminated, demoted, harassed, or otherwise retaliated against for filing a request for a student to be removed from the teacher's classroom, or for appealing a decision to deny the teacher's request to remove a student pursuant to this Policy.

If a teacher abuses or overuses the student removal process provided in this policy, then the principal or the assistant principal must address the abuse or overuse with the teacher and may require the teacher to complete additional professional development to improve the teacher's classroom management skills.

Any action taken in response to a teacher's request to remove a student from the teacher's classroom must comply, as applicable, with the Individuals with Disabilities Education Act,¹ Section 504 of the Rehabilitation Act,² the Constitution of the United States, the Constitution of the State of Tennessee, and all applicable federal and state civil rights laws.

Each school shall annually report to the Director of Schools by July 1, 2022, and by each July 1 thereafter, the number of requests submitted by the school's teachers during the immediately preceding school year to remove a student from the teacher's classroom. The report must document the actions taken by the teacher's principal, or the assistant principal, in response to each request for a student's removal. The Director of Schools must then compile the data provided in each school's report and issue a district-wide report to this Board by August 1 immediately following the July 1 deadline for school reports.

Legal References:

- 1. See 20 U.S.C. § 1400 et seq.
- 2. See 29 U.S.C. § 794.
- 3. T.C.A. § 49-6-2803.
- 4. T.C.A. § 49-6-2804.

Approved as to Legal Form
 By Knox County Law Department 8/16/2024
 /Gary T. Dupler/Deputy Law Director