

<u>Section J:</u> Students	Knox County Board of Education		
	Descriptor Term:	Descriptor Code:	Issued:
	Adjudicated Delinquent Students	J-310	10/08
		Reviewed:	Revised:
	6/17	9/17	

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If a student has at any time been adjudicated delinquent for any offense listed in Tennessee Code Annotated §49-6-3051(b), the parents, guardians, or legal custodians, including the Department of Children’s Services acting in any capacity, and a school administrator of any school having previously received the same or similar notice from the juvenile court or another source shall provide to a school principal, the abstract provided under TCA §37-1-153 or §37-1-154 or other similar written information when any student:

- (1) Initially enrolls in Knox County Schools;
- (2) Resumes school attendance after suspension, expulsion, or adjudication of delinquency; or
- (3) Changes schools within the state of Tennessee.

The parents, guardians, or legal custodians, including the Department of Children’s Services acting in any capacity, shall provide notification if a student has been adjudicated delinquent for:

- (1) An offense involving:
 - a. First degree murder;
 - b. Second degree murder;
 - c. Rape;
 - d. Aggravated rape;
 - e. Rape of a child;
 - f. Aggravated rape of a child;
 - g. Aggravated robbery;
 - h. Especially aggravated robbery;
 - i. Kidnapping;
 - j. Aggravated kidnapping;
 - k. Especially aggravated kidnapping;
 - l. Aggravated assault;
 - m. Felony reckless endangerment;
 - n. Aggravated sexual battery; or

1 (2) A violation of:

- 2 a. Voluntary manslaughter, as defined as in TCA §39-13-211;
- 3 b. Criminally negligent homicide, as defined in TCA §39-13-212;
- 4 c. Sexual battery by an authority figure, as defined in TCA §39-13-527;
- 5 d. Statutory rape by an authority figure, as defined in TCA §39-13-532;
- 6 e. Prohibited weapon, as defined in TCA §39-17-1302;
- 7 f. Unlawful carrying or possession of a firearm, as defined in TCA §39-17-1307;
- 8 g. Carrying weapons on school property, as defined in TCA §39-17-1309;
- 9 h. Carrying weapons on public parks, playgrounds, civic centers, and other public recreational
- 10 buildings and grounds, as defined in TCA §39-17-1311;
- 11 i. Handgun possession, as defined in TCA §39-17-1319;
- 12 j. Providing handguns to juveniles, as defined in TCA §39-17-1320; or
- 13 k. Any violation of TCA §39-17-417 that constitutes a Class A or Class B felony.

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20 When the principal or the principal's designee is notified of the student's adjudication pursuant to
21 subsection (a), the principal or the principal's designee may convene a meeting to develop a plan to set
22 out a list of goals to provide the child an opportunity to succeed in school and provide for school safety, a
23 schedule for completion of the goals and the personnel who will be responsible for working with the child
24 to complete the goals.

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26 The abstract and information shall be shared only with the employees of the school having responsibility
27 for classroom instruction of the child and the school counselor, social worker or psychologist who is
28 involved in developing a plan for the child while in school, and with the school resource officer, and any
29 other person notified. The information is otherwise confidential and shall not be shared by school
30 personnel with any other person or agency, except as may otherwise be required by law. The abstract or
31 other similar information and the student plan shall not become part of the child's student record.

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33 It is an offense for any school personnel to knowingly share information with any person other than those
34 listed by law. A violation of this is a Class C misdemeanor, punishable by a fine.

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36 It is an offense for a parent or guardian to knowingly fail to provide notification as required by law. A
37 violation of this is a Class C misdemeanor, punishable by a fine.

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39 If it becomes apparent that any employee of the Department of Children's Services knowingly failed to
40 notify the school, as required by law, the Commissioner of the Department of Children's Services shall be
41 notified and take appropriate action against such employee.

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43 If school attendance is a condition of probation or if the child is to be placed in the custody of a state
44 agency and is to be placed in school by a state agency or by a contractor of the state agency, the court
45 shall then enter an order directing the youth service officer, probation officer, or the state agency to notify
46 the school principal in writing of the nature of the offense and probation requirements, if any, related to
47 school attendance, within five (5) days of the order or before the child resumes or begins school
48 attendance, whichever occurs first.

1 If an information release is executed in compliance with TCA §33-3-109 that provides the principal or
2 other designated school personnel access to certain information concerning the child, the principal or
3 other school personnel may work with the child’s mental health provider to develop an appropriate plan.
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5 Upon the subsequent enrollment of any such student in any other school district, the parents or custodians
6 of such student, and the administrator of any school having previously the same or similar notice, shall
7 notify the receiving school.
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Legal References:

- 1. T.C.A. § 49-6-3051.
- 2. T.C.A. § 37-1-131(a)(2)(B).
- 3. T.C.A. § 37-1-153.
- 4. T.C.A. § 39-1-154.

Approved as to Legal Form 8/25/2017
By Knox County Law Director
/Gary T. Dupler/Deputy Law Director