

Johnson City Board of Education Special Meeting
April 1, 2024 5:00 PM
Central Office

1. CALL TO ORDER AND PURPOSE OF MEETING

1.A. Policy Review - Sections Four and Five

1.A.1. 4.100 - Instructional Goals and Philosophy

1.A.2. 4.101 - Instructional Standards

1.A.3. 4.201 - Basic Program

1.A.4. 4.202 - Special Education

1.A.5. 4.210 - Educational Research

1.A.6. 4.300 - Extracurricular Activities

1.A.7. 4.302 - Field Trips

1.A.8. 4.400 - Instructional Resources and Materials

1.A.9. 4.4031 - Library Materials

1.A.10. 4.406 - Use of the Internet

1.A.11. 4.407 - Web Pages

1.A.12. 4.603 - Promotion and Retention

1.A.13. 4.604 - Accelerated and Credit

1.A.14. 4.605 - Graduation Requirements

1.A.15. 4.606 - Graduation Activities

1.A.16. 4.801 - Controversial Materials

1.A.17. 5.102 - Classification and Qualifications

- 1.A.18. 5.103 - Job Descriptions
- 1.A.19. 5.104 - Equal Opportunity Employment
- 1.A.20. 5.106 - Application and Employment
- 1.A.21. 5.108 - Supervision
- 1.A.22. 5.110 - Compensation Guides & Contracts
- 1.A.23. 5.117 - Procedure for Granting Tenure
- 1.A.24. 5.202 - Separation Practices for Non-Certified Classified Employees
- 1.A.25. 5.302 - Sick Leave
- 1.A.26. 5.303 - Personal and Professional Leave
- 1.A.27. 5.402 - Hepatitis B (HBV) & Other Blood-Borne Pathogens
- 1.A.28. 5.403 - Drug & Alcohol Testing of Employees
- 1.A.29. 5.500 - Discrimination/Harassment of Employees(Sexual, Racial, Gender, Ethnic Religious)
- 1.A.30. 5.403 - Employee Complaints and Grievances
- 1.A.31. 5.502 - Complaints About School Personnel
- 1.A.32. 5.604 - Overtime Pay of Non-Exempt Personnel
- 1.A.33. 5.701 - Substitute Teachers & Interim Teachers
- 1.A.34. 5.803 - Evaluation of the Superintendent of Schools
- 1.A.35. 5.305 - Family and Medical Leave
- 1.A.36. 6.3071- Student Drug and Alcohol Testing
- 1.A.37. 6.500 - Special Education Students

2. ADJOURNMENT

Johnson City Board of Education

Monitoring: Review Annually, in November	Instructional Goals and Philosophy	Descriptor 4.100	Issue Date 1/9/2023
		Rescinds 4.100	Issued 1/4/2018

The Board **of Education** approves the following broad-based instructional goals:

- Advance student achievement, participation, and support in all curricular and extra-curricular programs
- Strengthen stakeholder communication and community connections
- Recruit, support, and retain a high-quality workforce.
- Create and enhance safe, effective learning environments.
- Promote physical, social, and mental wellness.

The current Five -Year Strategic Plan can be viewed **at: on the district website.**

<https://www.jcschools.org/docs/district/final%20-%202022%20five%20year%20strategic%20plan.pdf?id=2783>

VISION STATEMENT

The Board of Education’s vision for Johnson City Schools is to be a progressive school system that is globally competitive in all areas. All students have equal opportunity to learn and be successful while meeting high expectations and are provided the resources to be healthy, productive citizens and lifelong learners.

MISSION STATEMENT

The mission of Johnson City Schools is to enable all students to achieve excellence in learning, social responsibility and self worth.

BELIEFS

To be successful, Johnson City Schools must

- Provide the highest quality public education to all students
- Attract, develop, and retain the very best teachers and staff
- Engage families, business, community, and government
- Stay on the cutting edge of educational leadership and practice
- Foster a caring, safe, and inclusive environment

Cross Reference:

School District Goals & Objectives 1.700

Johnson City Board of Education

Monitoring: Review: Annually, in December	Descriptor Term: Instructional Standards	Descriptor Code: 4.101	Issued Date: 01/09/23
		Rescinds: 4.101	Issued: 12/07/20

1 *General*

2 The Board **of Education** is charged with selection of the curriculum. No subjects or topics prohibited
3 by state or federal law shall be taught.¹ The **Director Superintendent** of Schools shall develop
4 administrative procedures to implement this policy.

5 **STATE STANDARDS²**

6 Only Tennessee state standards shall be taught within the school district. The following are prohibited:

- 7 1. Instructional materials, textbooks, or supplemental materials created to align exclusively with
8 Common Core; or
9
- 10 2. Instructional materials, textbooks, or supplemental materials that are marketed or otherwise
11 identified as Common Core textbooks or instructional materials.

12 Any complaints regarding the above shall be submitted per board policy **4.402. 4.403,**
13 **Reconsideration of Instructional Materials and Textbooks.**

14 **CURRICULUM AND INSTRUCTIONAL PROGRAMMING**

15 All curriculum and instructional programming implemented in the school district shall adhere to state
16 and federal laws. District employees shall not include or promote any concepts that would violate state
17 law when providing instruction, using instructional or supplemental materials, or when implementing
18 the instructional program and curriculum.¹

19 The Superintendent shall develop procedures to ensure that the district's instructional program
20 complies with state law.

21 Complaints regarding teaching prohibited concepts in violation of state law shall be submitted per the
22 regulation developed by the Tennessee Department of Education.³

Legal References

1. TCA 49-6-2202; TCA 49-6-1304; TCA 49-6-2206;
TCA 49-6-1019
2. TCA 49-1-302(a)(8); TCA 49-1-314; Public Acts of
2022, Chapter No. 1085
3. TRR/MS 0520-12-04

Cross References

- Reconsideration of Textbooks and Instructional Materials
4.402
Controversial Issues 4.800
Controversial Materials 4.801

Johnson City Board of Education

Monitoring: Review Annually, in February	Classification and Qualifications	Descriptor 5.102	Issue Date 4/5/2021
		Rescinds 5.102	Issued 8/3/2015

ADMINISTRATIVE AND SUPERVISORY PERSONNEL

All administrative and supervisory positions in the school system are established initially by the Board, by state law, or by State Board Rules, Regulations, and Minimum Standards.

To be considered for ~~certificated~~ **certified** administrative or supervisory positions, the applicant must show the following qualifications:

1. Professional teaching certification; and
2. Administrative or supervisory certification and experience in accordance with state law and State Board Rules and Regulations in the appropriate area based on the minimum of a master's degree.

Non-certified administrative and supervisory personnel shall possess sufficient training and experience to perform the services required and such additional qualifications as the Board and Superintendent of Schools shall determine.

CERTIFIED PERSONNEL

Certified staff members are the personnel whose employment status requires certification in accordance with the rules and regulations of the State Board of Education.¹

CLASSIFIED PERSONNEL

Classified staff members are personnel whose regular employment does not require certification in accordance with rules and regulations of the State Department of Education. ~~Classified personnel include, but are not limited to, the following employees: bookkeepers, secretaries, clerks, technology and maintenance employees, custodial employees, cafeteria employees, instructional assistants, educare employees, academic tutors and security guards.~~

Legal References:

1. TCA 49-5-501(10); TCA 49-5-606(11)

Johnson City Board of Education

Monitoring: Review Annually, in February	Equal Opportunity Employment	Descriptor 5.104	Issue Date 4/3/2017
		Rescinds 5.104	Issued 7/1/2000

1 Opportunity for employment, as well as continuation and advancement in employment, shall be afforded
2 equally to members of all races, creeds, colors, sexes, genders, religions, ages, national origins, and
3 individuals with disabilities or veteran status with regard only for qualifications for the positions involved.^{1,2}
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28 Legal References:

- 29 1. U.S. Constitution, Amendment XIV; Title VII,
30 Civil Rights Act of 1964;
31 Title VI, Civil Rights Act of 1964; Title IX,
32 Education Amendments of 1972; Age Discrimination Act of
33 1967; Section 504 of Rehabilitation Act of 1973
34 2. Public Law 101-336; 42 U. S.C. 12112
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Cross References:

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

Johnson City Board of Education

Monitoring: Review Annually, in February	Application and Employment	Descriptor 5.106	Issue Date 4/3/2023
		Rescinds 5.106	Issued 4/4/2022

APPLICATION

An individual desiring a position with the Johnson City school system shall make application to the Superintendent of Schools on forms approved by the Superintendent of Schools.¹ In a continuing effort to further ensure the safety and welfare of students and staff, the school system shall require criminal history records checks by fingerprinting of applicants.

Knowingly falsifying information shall be sufficient grounds for termination of employment and shall also constitute a Class A misdemeanor which must be reported to the District Attorney General for prosecution.

Any person applying for a position shall supply a fingerprint sample and submit to a criminal history records check conducted by the Tennessee Bureau of Investigation and agree to the release of investigative records for the purpose of verifying the accuracy of criminal violation information. The cost of such checks and investigations shall be born by the applicant.²

Disciplinary action will be taken against personnel in the event of the misuse, improper disclosure or dissimulation of criminal history records.

Certified Employees

The application must include a transcript of credits earned at the colleges or universities attended, recent evaluations, if available, and reference information from persons such as previous employers, college professors and supervisors of student teachers. Required information shall include whether such applicant has been dismissed for cause from a school system. If previously employed by a local board of education, the applicant shall provide evidence of acceptable resignation.¹

No person shall be employed:

1. Who is not eligible for or does not hold a valid license to teach from the State Board of Education;³
2. Who is listed on the state’s abuse of vulnerable persons registry maintained by the Department of Health;⁷
3. Who has been identified by the Department of Children’s Services as a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect or who poses an immediate threat to the health, safety, or welfare of children;⁷
4. Who does not receive a satisfactory background check;
5. ~~Why~~ **Who** has not complied with the Immigration Reform and Control Act of 1986;
6. Who does not present a physician's certificate showing a satisfactory health record or has

any contagious or communicable disease in such form that might endanger the health of school children;⁴

7. Who refuses to take and subscribe to an oath to support the Constitution of the State of Tennessee and of the United States of America;⁵ or

8. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause.¹

Classified Employees

No person shall be employed:

1. Who has any contagious or communicable disease in such form that might endanger the health of children;⁴
2. Who has been identified by the Department of Children's Services as a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect or who poses an immediate threat to the health, safety, or welfare of children;⁷
3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department of Health;⁷
4. Who has not complied with the Immigration Reform and Control Act of 1986;⁶
5. Who does not receive a satisfactory background check;⁷ or
6. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause.

EMPLOYMENT

Certified Employees

After checking references and recommendations, the Superintendent of Schools shall fill positions and assign qualified applicants.⁷

Classified Employees

It shall be the responsibility of the principals **or supervisor** to select the classified employees for the school served and recommend same to the Superintendent of Schools. The Superintendent of Schools is responsible for employing all classified personnel.

Central office, cafeteria, and maintenance and other system wide personnel shall be interviewed and employed by the Superintendent of Schools or designee.

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Legal Reference:

1. TCA 49-5-406
2. TCA 49-5- 406(a); TCA 49-5-413(b)
3. TCA 49-5-403; TCA 49-5-101
4. TCA 49-5-404;TRR/MS 0520-1-3-.08(2)(f)
5. TCA 49-5-405
6. Immigration Reform and Control Act of 1986
7. TCA 49-2-301(b)(1),(J),(L)&(EE); TCA 49-2-303(b)(3)

Johnson City Board of Education

Monitoring: Review Annually, in February	Supervision	Descriptor 5.108	Issue Date 4/3/2023
		Rescinds 5.108	Issued 4/5/2021

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Supervision of administrative and supervisory personnel shall be provided by the Superintendent of Schools.

All teachers shall be supervised by the principal of their home school or their supervising administrator.

Support personnel shall be supervised by the person designated on the approved job description.

The immediate supervisor and Superintendent of Schools' ~~office~~ **or designee** share the responsibility for providing orientation experience for newly hired employees. Periodic training sessions will be provided for employees or employee groups as deemed necessary.

The immediate supervisor has the responsibility of assigning specific duties **as described in the job description** and for giving guidance to the employee for the satisfactory performance of those duties.

The Superintendent of Schools/designee shall assign hours of work for all positions.

Apprentice teachers shall be assisted by supervising teachers in the development of competencies required by the Board **of Education**.¹

Legal Reference:

1. TCA 49-6-3004(c)(2)

Cross References:

Nepotism 1.108
Line and Staff Relations 5.101
Job Descriptions 5.103
Staff Positions 5.116

Johnson City Board of Education

Monitoring: Review Annually, in February	Compensation Guides & Contracts	Descriptor 5.110	Issue Date 8/4/2014
		Rescinds 5.110	Issued 7/2/2012

1 All personnel must make a written contract with the Board **of Education** at a fixed salary per month before
 2 entering upon their duties.¹ This contract may be re-issued each fiscal year (July 1-June 30) indicating salary
 3 and term changes. A salary schedule, based on job classification and years of experience, shall be established.
 4

5 The Superintendent of Schools shall establish the salary rating of each person employed and shall recommend
 6 such salary rating to the Board for its approval.²
 7

8 All classified employees are employed at the will of the Superintendent.
 9

10 Salaries of all employees, including substitute and supplemental pay, shall be paid by the Board. No payment
 11 to any employee for service performed on behalf of the school system shall be made from any source other
 12 than the Board.³
 13

14 Any person receiving compensation for work that involves regular, systematic contact with students or work
 15 of the type that is normally performed by employees must be under contract with the ~~Johnson City Board of~~
 16 ~~Education and/or the~~ Johnson City School System and must be on the school system's payroll.
 17

18 Contracts for (non-administrative) ten month teachers shall include two-hundred (200) days of responsibility,
 19 plus twenty (20) days for each additional month assigned by the Board. Each contract shall provide:⁴
 20

- 21 1. A minimum of one hundred and eighty (180) days for classroom instruction;
- 22 2. A minimum of five (5) days for in-service education;
- 23 3. One (1) day for teacher-parent conferences;
- 24 4. Four (4) administrative days as designated by the Board upon recommendation of the Superintendent
 25 of Schools; and
- 26 5. Ten (10) vacation days.
 27

28 The school calendar adopted by the Board each year shall become part of each employee's contract.
 29

30 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided the
 31 revenue is deposited with and salaries paid through the Board. This includes donations or contributions from
 32 individual, civic or other non-school related sources of funds from individual school activity funds, such as
 33 gate receipts and concessions.^{1,5}
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36 Legal References:

- 37 1. TCA 49-2-203(a)(1); TCA 49-5-408
- 38 2. TCA 49-5-402
- 39 3. TCA 49-3-306; TCA 49-5-709; TCA 49-2-203(a)(1)
- 40 4. TCA 49-6-3004
- 41 5. TCA 49-6-2006; *Tennessee Internal School Financial Management Manual*,
 42 Section 5, Title 6
 43
 44

Cross References:

- School Calendar 1800
- Revenues 2.400
- Payroll Procedures 2.802
- Personnel Classification and
 Qualifications 5.102

Johnson City Board of Education

Monitoring:

Review Annually, in February

Procedure for Granting Tenure

Descriptor
5.117

Issue Date
4/4/2022

Rescinds
5.117

Issued
4/13/2020

The Board of Education will grant tenure only to those teachers who have documentation of a record of excellence as a teacher. The Superintendent of Schools is responsible for documenting and presenting the recommendation for tenure to the Board of Education.¹

Documentation of a record of excellence in teaching must include:

Evaluations demonstrating an overall performance effectiveness of “above expectations” or “significantly above expectations” during the last 2 years of the teacher’s probationary period.²

Documentation of a record of excellence in teaching may include:

1. Specific evidence of effectiveness in teaching students (if appropriate):
 - (a) test scores, including the annual estimate of teacher effect on student progress²
 - (b) narrative descriptions of specific examples of effectiveness with students
2. Record of attendance
3. Letters from parents
4. Documentation of strongly favorable student response
5. Other indicators of effectiveness may be included

The following additional guidelines will apply:

1. The decision to grant tenure is solely within the discretion of the Board of Education.³
2. Only those teachers who receive a majority vote of the membership of the Board will be granted tenure.
- 3. Recommendations for tenure will be made to the Board in May of the year after the eligibility requirements are met.**
- 34.** No person eligible for tenure who has been denied tenure by the Board of Education shall be employed in the school system in any position which requires a teaching license.

A person who has attained tenure with the Johnson City School System and who resigns from the system must serve a two year probationary period upon reemployment by the system before becoming eligible for tenure, unless the probationary period is waived by the Board upon the request of the Superintendent of Schools.² Upon completion of the two year probationary period the teacher shall be eligible for tenure and

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shall either be recommended by the Superintendent of Schools for tenure or nonrenewed; provided no teacher who has been denied tenure by the Board of Education shall be employed in the school system in any position which requires a license.

Legal References:

1. TCA 49-2-301(f)(1)(J)
2. TCA 49-5-504
3. TCA 49-6-606(a); TCA 49-2-203 (1)

Johnson City Board of Education

Monitoring: Review Annually, in February	Separation Practices for Non-Certified <u>Classified</u> Employees	Descriptor 5.202	Issue Date 4/5/2021
		Rescinds 5.202	Issued 7/2/2012

1 **SUSPENSION**

2
3 The Superintendent of Schools/designee is authorized to suspend an employee at any time when deemed
4 necessary.¹ Before an employee is suspended/dismissed, they shall be: (1) provided with reasons for the
5 suspension; (2) given an opportunity to respond; and (3) given a written decision.

6
7 Under no circumstances shall a Superintendent of Schools suspend an employee with pay. If reinstated, the
8 employee shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be
9 an appropriate penalty.

10
11 **DISMISSAL**

12
13 All classified employees are employed at the will of the Superintendent. The Superintendent of Schools may
14 dismiss any classified employee during the contract year for any reason.

15
16 **RESIGNATION**

17
18 Classified personnel shall give the immediate supervisor written notice of resignation at least two (2) weeks
19 (ten (10) working days) in advance of the effective date of voluntary termination. The ten (10) working days
20 may be waived by the Superintendent of Schools for justifiable reason.

21
22 The immediate supervisor shall forward copies of the written notice of resignation the day received to the
23 Superintendent of Schools' office. The payroll office will prepare final payment for the next appropriate
24 scheduled pay day.

25
26 **RETIREMENT**

27
28 Retirement shall mean a termination of services under conditions which will allow the employee to draw
29 benefits from retirement plans and/or social security benefits. Employees eligible for retirement benefits may
30 elect to retire at any age according to the provisions of the retirement system.

31
32 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the
33 responsibility of the retiring employee to provide verification of eligibility in writing to the central office. It
34 shall be the responsibility of the retiring employee to file for benefits.

35
36 Employees who retire under TCRS may be employed up to one-hundred twenty (120) days per year without
37 loss of retirement benefits.

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40 Legal Reference:

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42 1. TCA 49-2-301(b) (1) (EE)(FF)

Johnson City Board of Education

Monitoring: Review Annually, in February	Sick Leave	Descriptor 5.302	Issue Date 4/4/2019
		Rescinds 5.302	Issued 6/7/2010

CERTIFIED PERSONNEL

The time allowed for sick leave for professional personnel shall be one (1) day for each month employed and shall accumulate for an unlimited number of days.¹

Sick leave shall be defined as: illness of a teacher from natural causes or accident, quarantine, or illness or death of a member of the immediate family of a teacher, including the teacher's wife or husband, partner, parents, grandparents, children, stepchildren, grandchildren, brothers, sisters, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law.²

~~A signed statement listing the cause of absence shall be provided by the employee on forms furnished by the Superintendent of Schools and shall promptly be given to the immediate supervisor in support of all claims for sick leave pay. A falsified statement shall be grounds for dismissal.~~

A certificate statement from the physician on forms approved by the Board may be required in support of any claim for sick leave pay.¹ **A falsified statement shall be grounds for dismissal.**

The principal shall notify the Superintendent of Schools' office at once if an employee is sick beyond the limit of ~~his~~ **their** sick leave accumulation.

Permanent, cumulative sick leave records for each active professional employee shall be kept in the Superintendent of Schools' office **electronic personnel database designated by the Superintendent of Schools.**

A teacher, upon employment, may transfer his accumulated sick leave from another Tennessee school system, provided that the Superintendent of Schools of the system in which the accumulated leave was held provides notarized verification.¹

Sick leave for maternity purposes may be taken as set forth by TCA or other appropriate law.

CLASSIFIED PERSONNEL

Sick leave shall be the same for classified personnel as for certified employees.

At the termination of the employment of any employee, all unused sick leave accumulated by the employee shall be applied to retirement service credit.

Legal References:

1. TCA 49-5-710
2. TRR/MS 0520-1-2-.04(2)

Cross References:

Family and Medical Leave 5.305

Johnson City Board of Education

Monitoring: Review Annually, in February	Personal and Professional Leave	Descriptor 5.303	Issue Date 4/13/2020
		Rescinds 5.303	Issued 5/7/2018

Personal and professional leave shall be granted in accordance with laws of the State of Tennessee and rules and regulations of the State Board of Education.

Personal Leave

Certified employees shall earn personal leave at the rate of three (3) days per year. Up to three (3) personal leave days remaining unused at the end of a year shall be credited to sick leave.¹

If, at the termination of services, any employee has been absent for more days than leave has been earned, an amount sufficient to cover the excess days used shall be deducted from the employee's final salary payment.

Subject to the following conditions, personal leave may be taken at the discretion of the employee:

1. Except in emergency, each employee shall give the principal at least one (1) day's notice in writing of intent to take leave;
2. The approval of the principal of the school shall be required:
 - a. If more than ten percent (10%) of the teachers in any given school request its use on the same day;
 - b. If requested during any prior established student examination period;
 - c. If requested on the day immediately preceding or following a holiday or vacation period;¹
 - d. All personal leave requests in this category must also have the approval of the Superintendent of Schools.

Classified personnel shall be able to earn two (2) days of personal leave per year. If more than ten percent (10%) of the classified staff in any given school request its use on the same day the approval of the principal shall be required.

Professional Leave

Professional leave is a short, temporary absence for the purpose of attending workshops, sports travel for coaches and other meetings relating to school business or serving on boards and commissions which meet during daytime hours when appointed by a mayor, city council, county executive or county commission.²

~~Requests shall be submitted to the principal at least five (5) days prior to requested leave of absence.~~

In addition, certified employees shall be granted leave to serve on any board or commission of the state when the appointment is made by the Governor or General Assembly. Such leave shall not be counted against any other accumulated leave credits.

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~~The employee shall notify the~~ **Requests shall be submitted to the** principal at least five (5) days prior to leave being taken.²

Legal References:

1. TCA 49-5-711; TRR/MS 0520-1-2-.04(3)
2. TCA 49-5-205

Johnson City Board of Education

Monitoring: Review Annually, in March	Hepatitis B (HBV) & Other Blood-Borne Pathogens	Descriptor 5.402	Issued Date 4/13/2020
		Rescinds 5.402	Issued 4/3/2017

1 All schools shall provide a sanitary environment and shall establish routines for handling body fluids that are
2 recommended by appropriate health professionals and OSHA.¹

3
4 All school personnel shall be ~~advised of~~ **trained on** routine procedures to follow in handling body fluids.
5 These procedures shall provide simple and effective precautions against transmission of diseases to persons
6 potentially exposed to the blood or body fluids of another. These procedures shall be standard health and
7 safety practices. No distinction shall be made between body fluids from individuals with a known disease and
8 individuals without symptoms or with an undiagnosed disease. (Universal Standards)

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10 The administration shall develop, in consultation with medical personnel, a regulation to be distributed
11 to all staff. Training and appropriate supplies shall be available to all personnel including those involved
12 in transportation and custodial services.

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14 In addition to insuring that these health and safety practices are carried out on a system-wide basis, special
15 emphasis shall be placed in those areas of school operation that potentially present a greater need for these
16 precautions. The Exposure Control Plan shall be reviewed annually and the manual shall be available at
17 all school sites.

18 **CONFIDENTIALITY AND NON-DISCRIMINATION²**

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20
21 In all instances, district personnel shall respect the individual's right to privacy and treat any medical diagnosis
22 as confidential information. The Superintendent of Schools shall initiate procedures to insure that all medical
23 information will be held in strict confidence. Any school staff member who violates confidentiality shall be
24 subject to appropriate disciplinary measures.

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26 Under no circumstances shall information identifying an employee with a bloodborne pathogen be
27 released to the public.

28 **SAFETY**

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31 Employees who are at high risk of occupational exposure shall be identified and provided with personal
32 protective equipment, and provided access to HBV vaccination as designated by OSHA. Employees
33 considered to be at high risk shall be identified in the system's Exposure Control Plan. Expansion of the "at
34 risk" group of positions will be considered/decided by the Superintendent of Schools and the Human
35 Resources ~~Director~~ **office** following a request from an employee or a recommendation from the school
36 nurses/other medical authorities.

37
38 When an employee is exposed to a bloodborne pathogen on the job, the steps outlined in the Exposure Control
39 Plan Manual shall be followed as required by OSHA and by the Board of Education. The employee will be
40 notified immediately by a supervisor, and the board shall provide vaccinations.

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2 The principal will ensure that an accident report is filed for all injuries/accidents. The report will
3 include the individual's name, whether the individual is a student, employee or visitor, date of the
4 accident, an explanation of the accident, the care used in treating the individual, and other details requested on
5 the accident form. The report will be kept on file in the principal's office and a copy sent to the office of the
6 Superintendent of Schools.

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8 Copies shall be kept a minimum of three (3) years. The Superintendent of Schools will be advised of the
9 exposure immediately at the discretion of the principal. In the event of a serious accident or calls to
10 911, the office of the Superintendent shall be notified as soon as possible.

11 **EDUCATION AND UNIVERSAL PRECAUTIONS**

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14 HBV education, including universal precautions on handling blood and other body fluids, will be
15 provided to all school personnel, substitute teachers, and volunteers.

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17 (see Exposure Control Plan Manual)
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42 **Legal References:**

- 43 1. 29 CFR Part 1910.1030
 - 44 2. TCA 69-8-10-113
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Johnson City Board of Education

Monitoring: Review Annually, in March	Drug & Alcohol Testing of Employees	Descriptor 5.403	Issued Date 4/4/2022
		Rescinds 5.403	Issued 4/13/2020

REASONABLE SUSPICION DRUG TESTING FOR ALL EMPLOYEES

Trained supervisors have the responsibility to observe and document the cause for reasonable suspicion **of drug or alcohol use** and ~~when appropriate~~, refer the matter to the Superintendent of Schools/designee. It is not the supervisor's responsibility to attempt diagnosis. All information, facts and circumstances leading to and supporting this suspicion should be included in a written report detailing the basis for the suspicion. After the report is filed, the employee should be notified.²

Any employee may be required to submit to substance screening if the following conditions exist: (list is not inclusive)

1. Observed use, possession or sale of illegal drugs and/or use, possession, sale, or abuse of alcohol and/or prescription drugs.
2. Apparent physical state of impairment of motor functions.
3. Marked changes in personal behavior not attributed to other factors.
4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is reasonably suspected or employee involvement in a pattern of repetitive accidents whether or not they involve actual or potential injury.
5. Violation of criminal statutes involving the use of illegal drugs, alcohol or prescription drugs and/or violations of drug statutes.

An employee's failure to submit to reasonable suspicion drug testing may result in discipline, up to and including suspension or dismissal.

PRE-EMPLOYMENT DRUG SCREENING

Prior to employment, as a condition of any job offer, substance screens will be required for individuals applying for positions which require a Commercial Drivers License ("CDL"): transportation employees, school mini-bus drivers, mechanics, driver assistants, maintenance employees who drive vehicles during the performance of their duties, food service employees who drive vehicles during performance of their duties,¹ and any other employees who drive vehicles during the performance of their duties, collectively "CDL Employees".

Applicants will sign an acknowledgment prior to substance screening, permitting the summary result to be sent to the Superintendent of Schools/designee.

Refusal to sign the acknowledgment or to submit to substance screening will be considered as withdrawal of the individual's application for employment. The applicant will not be considered for employment for

1 at least twelve (12) months.
2

3 If substance screening shows a confirmed positive result for which there is no current physician's prescription,
4 any job offer will be revoked. The applicant will not be considered for employment for at least twelve (12)
5 months.²
6

7 **DRUG DISCLOSURE**

8

9 All CDL Employees shall report to the Superintendent of Schools or designee the use of any prescription drug
10 that could affect the central nervous system or one that would impair reaction time. Further, all CDL
11 Employees shall give notice of nonprescription (over-the-counter) drugs being taken on a regular basis. The
12 notice shall include the duration of ingestion and the possible side effects.
13

14 All CDL Employees and applicants for positions who are required to hold a CDL to perform their job function
15 must adhere to the requirements of this policy and all procedures relating to this policy.¹
16

17 **TESTING FOR CDL EMPLOYEES**

18

19 The use, possession, sale, purchase or transfer of any controlled substances except the lawful use of medically
20 prescribed drugs on school property, while on school business or while operating school vehicles and
21 equipment is prohibited. Drinking alcoholic beverages during working hours, four (4) hours before reporting
22 to work or having any measurable amount of alcohol in their system during working hours is prohibited,
23 whether on or off school property. Working hours include all breaks. Off-duty use of drugs and alcohol is
24 prohibited to the extent that it affects driver's attendance or performance and their ability to pass required
25 DOT alcohol and controlled substance tests. Any violation of this policy is grounds for termination as
26 employee of the Board and possible legal prosecution.
27

28 The use of any prescription drug that could affect the central nervous system or one that would impair
29 reaction time shall be reported to the Superintendent of Schools. Notice shall be given of non-prescription
30 (over-the-counter) drugs being taken on a regular basis. The notice shall include the duration of ingestion and
31 the possible side effects.
32

33 **Procedures**

34

35 The execution and enforcement of this policy will follow set procedures to screen bodily fluids, conduct
36 breath testing, and/or search of employee/applicants for alcohol and drug use, and those employees
37 suspected of violating this policy who are involved in a reportable accident or who are periodically or
38 randomly selected. The procedures are designed not only to detect violations of this policy, but also to
39 ensure fairness to each employee. Disciplinary action will be taken as necessary as outlined below.
40

41 **Implementation**

42

43 The Superintendent of Schools is authorized to implement this policy and procedures for the drug testing
44 program, including a periodic review of the program to address any problems, changes and/or revisions of it,
45 maintenance of all records required by the federal regulations, and determination upon Board approval of how
46 the program will be accomplished, whether in-house, contracted or by consortium.
47

48 **Dissemination**

49

50 The Superintendent of Schools shall be responsible for communicating this policy and the procedures to all
51 employees affected by this policy and shall be accountable for its consistent enforcement.² The

1 Superintendent of Schools/designee is designated to answer questions about this policy, procedures and all
2 other matters involved in alcohol and controlled substance testing of CDL drivers and the reasonable suspicion
3 testing of all other employees.
4
5

6
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8 _____
9 Legal References:

- 10 1. 49 U.S.C. § 2717, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991)
11 2. 49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled
12 Substance and Alcohol Use and Testing), and 395 (Hours of Service of Drivers).
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Johnson City Board of Education

Monitoring: Review Annually, in March	Discrimination/Harassment of Employees (Sexual, Racial, Gender, Ethnic, Religious)	Descriptor 5.500	Issued Date 4/3/2023
		Rescinds 5.500	Issued 6/1/2009

Employees shall be provided a work environment free from ~~sexual, racial, gender, ethnic, age, creed, disability and religious~~ **racial, religious, sexual, gender, disability, national origin, age** discrimination/harassment.

Work environment includes school district facilities and premises, and non-school property if the employee is at any school sponsored, school approved or school related activity or function, such as field trips or athletic events where the employee is engaged in school business. It shall be a violation of this policy for any employee or any student to discriminate against or harass an employee through disparaging conduct or communication that is sexual, racial, gender, ethnic or religious in nature. The following guidelines are set forth to protect employees from discrimination/harassment.

Employee discrimination/harassment will not be tolerated.¹ Discrimination/harassment is defined as conduct, advances, gestures, images or words whether written, spoken or transmitted electronically, of a sexual, racial, gender, ethnic or religious nature which:

1. Unreasonably interfere with the individual's work or performance; or
2. Create an intimidating, hostile or offensive work environment; or
3. Imply that submission to such conduct is made an explicit or implicit term of employment; or
4. Imply that submission to or rejection of such conduct will be used as a basis for an employment decision affecting the harassed employee.

Alleged victims of sexual, racial, ethnic and/or religious discrimination/harassment shall report these incidents immediately.² This report should be made to the immediate supervisor except when the immediate supervisor is the offending party. If the immediate supervisor is the offending party, the report may be made to a Complaint Manager. Allegations of discrimination/harassment shall be fully investigated (as set forth in *Employee Complaints and Grievances 5.501*). An oral complaint may be submitted; however, such complaint must be made in writing to ensure a more complete investigation.

The privacy and anonymity of all parties and witnesses to complaints will be respected. However, because 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 action to resolve a complaint, the identity of parties and witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

A substantiated charge against an employee shall result in disciplinary action up to and including termination.

There will be no retaliation against any person who reports discrimination/harassment or participates in an investigation. However, any employee who refuses to cooperate or gives false information during the course of any investigation may be subject to disciplinary action. The willful filing of a false report will itself be considered harassment and will be treated as such.

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An employee disciplined for violation of this policy may appeal the decision by contacting the ~~Director of~~ Human Resources' office.

Legal References:

- 1. Title VII; 29 CFR §1604.11
- 2. Title IX (20 U.S.C. §1681-1686)

Cross References:

- Appeals To & Appearances Before the Board 1.404
- Employee Complaints and Grievances 5.501

Johnson City Board of Education

Monitoring: Review Annually, in March	Employee Complaints and Grievances	Descriptor 5.501	Issued Date 4/3/2023
		Rescinds 5.403	Issued 4/4/2022

EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES

Differences of opinions arising in the course of employment should be resolved as quickly as possible and at the lowest supervisory level.

If a staff member has questions concerning the interpretation of policies and procedures, administrative practices within their particular school, and/or relationships with other employees, the staff member must consult their immediate supervisor. If a satisfactory resolution of the question cannot be reached after consultation with the immediate supervisor, the staff member concerned may discuss the matter with the next level of supervision, up to and including the Superintendent of Schools.

In instances where an individual staff member feels that they cannot discuss a problem with their immediate superior, they may take the problem directly to the Superintendent of Schools. After review of the case, the Superintendent of Schools shall take action as he deems appropriate and within a reasonable time shall notify all parties concerned of the decision.

HARASSMENT/DISCRIMINATION GRIEVANCES

The Superintendent of Schools shall appoint at least two (2) Complaint Managers, one of each gender, to administer complaints of harassment or discrimination. Employees should notify a Complaint Manager if they believe the Board **of Education**, its employees or agents have violated rights guaranteed by the State or Federal Constitution, State or Federal Statutes or Board policy, including:

1. Title II of the Americans with Disabilities Act¹;
2. Title IX of the Education Amendments of 1972²;
3. Section 504 of the Rehabilitation Act of 1973³;
4. Title VII of the Civil Rights Act of 1964⁴;
5. The Age Discrimination Act⁵;
6. The Equal Pay Act⁶; or
7. The Immigration Reform and Control Act⁷.

The Complaint Manager shall, whenever possible, attempt to resolve all complaints in a timely and equitable manner before a formal grievance is filed:

1. *Filing a Grievance* - An employee who wishes to avail themselves of the grievance procedure may do so by filing a formal grievance, either orally or in writing, with the Complaint Manager of his choice. The Complaint Manager may assist the employee in filing the formal grievance.
2. *Investigation* - The Complaint Manager will investigate the allegations contained in the formal grievance or appoint a qualified person to undertake the investigation on their behalf. The nature of the allegations and the identity of the complainant will not be disclosed except: (1) as required by law or policy; or (2) as necessary to fully investigate the grievance; or (3) as

1 authorized by the complainant. The Complaint Manager shall, within ten (10) days of the filing
 2 of the grievance, file a written report of his findings with the Superintendent of Schools. If a formal
 3 grievance contains allegations involving the Superintendent of Schools, the written report shall be filed
 4 with the Complaint Manager who has not been involved in the investigation and who shall inform the
 5 Board of the allegations.
 6

7
 8 3. *Decision and Appeal* - The Superintendent of Schools shall render a written decision, and provide
 9 the complainant with a copy of that decision, within five (5) days of the receipt of the Complaint
 10 Manager’s report. If the grievance contains allegations involving the Superintendent of Schools, the
 11 written decision will be rendered by the Complaint Manager not in charge of the investigation. The
 12 complainant will be provided a copy of that decision within five (5) days of the receipt of the original
 13 Complaint Manager’s report. If the employee is not satisfied with the decision, they may appeal the
 14 decision to the Board by making a written request for Board review to the Complaint Manager. The
 15 Complaint Manager shall be responsible for promptly forwarding all materials relative to the complaint
 16 and appeal to the Board. The Board shall render a decision within thirty (30) day from the date the
 17 appeal was received. The Board may report and affirm, overrule or modify the decision. A written
 18 finding shall be provided to the complainant. This grievance procedure shall not be construed to create
 19 an independent right to a Board review.
 20

21 The right of an employee to prompt and equitable resolution of a complaint or grievance shall not be
 22 impaired by the employee’s pursuit of other remedies. Use of this grievance procedure is not a prerequisite
 23 to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline
 24 related to the pursuit of other remedies.
 25

26 **APPOINTING COMPLAINT MANAGERS**

27
 28 The Superintendent of Schools shall appoint at least two Complaint Managers. The Federal Rights
 29 Coordinator may be appointed as a Complaint Manager. The Superintendent of Schools shall insert into this
 30 policy the names, addresses and telephone numbers of current Complaint Managers.
 31

- | | |
|--|--|
| <p>32 1. Dr. Robbie Anderson <u>Amber Forbes</u>
 33 Johnson City Schools
 34 P.O. Box 1517
 35 Johnson City, TN 37605-1517
 36 (423) 434-5200</p> | <p>37 2. <u>Dr. Roger Walk</u>
 38 Johnson City Schools
 39 P.O. Box 1517
 40 Johnson City, TN 37605-1517
 41 (423) 434-5200</p> |
|--|--|

42 Legal References:

- 43 1. 42 U.S.C. § 621 et seq.
 44 2. 20 U.S.C. § 1681 et seq.
 45 3. 29 U.S.C. § 791 et seq.
 46 4. 42 U.S.C. § 2000e et seq.
 47 5. 29 U.S.C. § 621 et seq.
 48 6. 29 U.S.C. § 206(d)
 49 7. 8 U.S.C. §1324a et. seq.
 50

Cross References:

- Appeals To and Appearances Before the Board 1.609
 Grievances & the Americans w/ Disabilities Act 1.802
 Equal Opportunity Employment 5.104
 Discrimination/Harassment of Employees 5.503

Johnson City Board of Education

Monitoring: Review Annually, in March	Complaints About School Personnel	Descriptor 5.502	Issued Date 4/3/2023
		Rescinds 5.502	Issued 4/4/2022

1 Whenever a complaint about an employee is made to the Superintendent of Schools, it will be referred to the
2 school administrator or principal for resolution unless Board **of Education** policy requires other action. The
3 employee involved will be advised if the complaint is deemed valid. The employee will be given opportunity
4 for explanation, comment, and presentation of the facts as they sees them.
5

6 If, after such procedure is followed there is still a question or complaint, the matter shall then be referred
7 to the Superintendent of Schools.
8

9 ~~Individuals or groups desiring to speak to the Board about school personnel shall follow the same procedures~~
10 ~~as outlined in board policy dealing with public participation at board meetings.~~
11

12 **If, after speaking with the Superintendent of Schools there is still a question or complaint, individuals or**
13 **groups can reach out to the Board through the contact information provided on the Johnson City**
14 **Schools website.**
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23 Cross Reference:

24 ~~Appeals To & Appearances Before the Board 1.404~~
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Johnson City Board of Education

Monitoring: Review Annually, in March	Overtime Pay of Non-Exempt Personnel	Descriptor 5.604	Issued Date 4/3/2023
		Rescinds 5.604	Issued 4/5/2021

The Board **of Education** expects that when requested, employees will work in excess of standard hours. When work in excess of standard hours is required, non-exempt employees will be compensated for the unscheduled additional hours worked.

Overtime is defined as hours physically worked in excess of forty (40) hours per week. **The Superintendent of Schools and the immediate supervisor must approve hours worked over the scheduled hours prior to the work being performed, except in an emergency situation.** When a non-exempt employee is requested to work over regularly scheduled hours, the following shall apply¹:

~~The Superintendent of Schools and the immediate supervisor must approve hours worked over the scheduled hours prior to the work being performed, except in an emergency situation.~~

Compensation for Unscheduled Additional Hours

1. All payment of overtime shall be processed through the payroll office, and must be approved in advance by the employee's immediate supervisor, Superintendent of Schools, or the Director of Finance.
2. Overtime compensation (either overtime pay or compensatory time off) shall be provided for all hours worked over forty (40) hours per week.
3. All hours physically worked in excess of forty (40) hours in a week shall be compensated at a rate of time and one-half (1.5).

Compensatory Time

1. Whenever possible, compensatory time off shall be used in preference to overtime pay.
2. If it is determined by the immediate supervisor that compensatory time cannot be granted within a reasonable period or without unduly disrupting the operation of the facility, overtime pay may be authorized.²
3. Compensatory time shall be provided at the rate of time and one-half for all hours worked in excess of forty (40) hours in a week.

Payroll Provisions

1. An authorization for overtime pay must be submitted by the immediate supervisor.
2. Payment for overtime will be included in the paycheck for the period immediately following the one in which it was earned, or the period immediately following the determination that compensatory time would not be possible.

Discipline

1. Persons who have been assigned to work overtime unscheduled hours, whether voluntary or mandatory, shall be expected to report to work as assigned.

- 1 2. Failure to report shall subject an employee to disciplinary procedures as specified for any other
2 non-appearance for a regularly scheduled work time.
3 3. Employees shall be released from mandatory overtime, without fear of discipline, when they can
4 provide a reasonable excuse such as the following:
5
6 a. Personal family emergency;
7 b. Previously scheduled personal or family health maintenance appointments;
8 c. Important family function, weddings, graduations, etc as approved.
9

10 If there is doubt concerning the employee's sincerity in offering such an excuse, the burden of proof will
11 rest with the employee.
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20 Legal References:

- 21
22 1. 29 CFR § 553.20-23; TCA 5-23-101; 104
23 2. Fair Labor Standards Act (FSLA) 29 U.S.C. § 207 (o)(5)
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25
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Johnson City Board of Education

Monitoring: Review Annually, in March	<u>Substitute Teachers & Interim Teachers</u>	Descriptor 5.701	Issued Date 4/3/2023
		Rescinds 5.701	Issued 1/9/2023

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.^{1,2} All
2 substitute teachers shall be employed by the Superintendent of Schools and paid by the Board.² In order to be
3 approved as a substitute, a candidate must hold, at a minimum, a valid high school diploma or a GED. Unless
4 an exception is warranted and granted by the Superintendent, all candidates must attend a training session. All
5 candidates must have a current background check.

6
7 A list of qualified, eligible substitutes will be maintained by the Human Resources Department on an active
8 substitute list.

9
10 All substitute teachers shall be responsible for providing correct addresses and phone numbers, for having
11 fingerprints for TBI/FBI background checks, and for notifying the Human Resources office if they wish to
12 terminate their service as substitutes.

13
14 Applicants whose records with the State Department of Education indicate a license or certificate currently in
15 revoked status shall not be hired.³

16
17 On a regular basis, the Superintendent of Schools, with input from the Human Resources Department and the
18 principals, shall determine which substitute teachers performed at an acceptable level. Substitute teachers who
19 are determined to have performed below an acceptable level shall be removed from the active substitute list.

20
21 When a teacher is unable to meet classes for any reason, the teacher shall call or log in to the online substitute
22 finder and register their absence.

23
24 At the beginning of each day of their teaching assignment, all substitute teachers shall report to the office of
25 the school in which they are to substitute. Each substitute is responsible for signing in and out each day and
26 for securing a “substitute” badge. Substitute teachers will be given a copy of the individual school’s
27 guidelines and procedures on the first day they substitute in the school.

28
29 ~~Substitute teachers shall assume the same hours as the regular teacher, including bus duty and playground~~
30 ~~supervision. Substitute teachers will have those responsibilities and authority as directed by the building~~
31 ~~principal.~~

32 33 **CERTIFICATION FOR INTERIM TEACHER**

34
35 When substituting for a regular teacher who has been absent for twenty (20) consecutive days for any
36 reason, a teacher licensed in the discipline will be used **as an interim teacher**. ~~When a substitute teacher has~~
37 ~~substituted in the same position for forty (40) consecutive days,~~ **and** pay will be in accordance with the
38 regular teacher salary schedule based upon the education and experience of the substitute.
39
40

1
2 When substituting for a teacher without sick leave, the substitute shall be certified and paid according to the
3 state salary schedule.[†]

4 **EMERGENCY NEEDS**

5 All teacher aides, secretaries, and clerks are approved substitute teachers for use in emergency situations.
6 Emergency use shall be defined as less than a full day due to the regular or substitute teacher being unable to
7 arrive on time or remain for the full day.

8 Said substitutes shall receive the proportionate equivalent salary regular substitute teachers would receive
9 under similar circumstances or their regular salary, if higher; however, they shall not receive pay for both
10 positions at the same time.

11 **TRAINING AND ORIENTATION**

12 The Superintendent of Schools shall be responsible for ensuring that there are appropriate training and
13 development programs for substitute teachers.

14 **RESPONSIBILITIES**

15 Substitute teachers shall assume the same responsibilities as the regular teacher, including but not limited to,
16 bus duty and playground supervision.

17 **RE-EMPLOYMENT/TERMINATION**

18 On an annual basis, the Superintendent of Schools, with input from the principals, shall determine which
19 substitute teachers performed at an acceptable level. Substitute teachers who performed below an acceptable
20 level shall not be re-employed.

21 All substitutes shall be responsible for providing correct addresses and phone numbers and for notifying the
22 principal and/or third-party employer if they wish to terminate their service as substitutes.

Legal References

1. TRR/MS 0520-01-02-.04(5)
2. TCA 49-5-709
3. TCA 49-5-413(a)(2)
4. TCA 49-2-203(a)(14)
5. TCA 49-3-312(b)
6. TCA 49-3-312(a); TRR/MS 0520-01-02-.04(5)(b)

Cross References

- Background Investigations 5.118
Employment of Retirees 5.119

Johnson City Board of Education

Monitoring: Review Annually, in March	<h2 style="margin: 0;">Evaluation of the Superintendent of Schools</h2>	Descriptor 5.803	Issued Date 4/3/2023
		Rescinds 5.803	Issued 8/3/2015

Through an annual evaluation of the Superintendent of Schools,¹ the Board **of Education** will strive to accomplish the following:

1. Clarify the role of the Superintendent according to a job description as agreed upon by the Board and the Superintendent;
2. Develop harmonious working relationships between the Board and the Superintendent; and
3. Develop improvements in the administrative leadership of the school system.

The Board will develop, with the Superintendent, a set of performance objectives based on the needs of the system. The performance of the Superintendent will be reviewed in accordance with these specified goals.

~~At a time agreed to by the Board and the Superintendent, the Board will meet as a body to evaluate the Superintendent's performance.~~ **The Board will evaluate the performance of the Superintendent of Schools annually.**

The following guidelines will be used in the evaluation process:

1. The Superintendent will know the standards upon which they will be evaluated and will be involved in the development of those standards.
2. A part of the evaluation may be a composite of the evaluation by individual board members, but the Board, as a whole, may meet with the Superintendent to discuss the composite evaluation.
3. The evaluation shall include a discussion of strengths as well as weaknesses.
4. Both the Board and Superintendent will prepare for the evaluation; the Superintendent will conduct a self-evaluation and board members will document the evidence used in rating the Superintendent's performance.
5. All documentation will be supported by objective evidence.

Legal Reference:

1. TRR/MS 0520-2-1-.01

Cross Reference:

Board-Superintendent Relations 1.205
Superintendent of Schools Duties 5.805

Click here to choose a school board.			
Monitoring: Review: Annually, in January	Descriptor Term: Family and Medical Leave	Descriptor Code: 5.305	Issued Date: Click here to enter a date.
		Rescinds:	Issued:

1 **ELIGIBILITY**

2 Anyone who has been employed for at least twelve (12) months by the school district and anyone who
 3 has at least 1,250 hours of service (hours used for leave, even FMLA leave, shall not be credited for
 4 service for purposes of FMLA eligibility¹) during the previous twelve (12) month period shall be
 5 eligible to use FMLA leave.²

6 **GENERAL PRINCIPLES**

7 An eligible employee shall be granted, upon request, up to twelve (12) weeks unpaid leave during a
 8 fixed calendar year for the following reasons:

- 9 1. The birth of a child;
- 10 2. The placement of a child with the employee for adoption or foster care;
- 11 3. A serious health condition of the employee that makes the employee unable to perform the
 12 essential functions of their job position;
- 13 4. The care of a spouse, child, or parent of the employee who has a serious health condition; and
 14 15
- 16 5. Any qualifying circumstances arising out of the fact that a spouse, child, or parent of the
 17 employee is on covered active duty or has been notified of an impending call or order to
 18 covered active duty in the Armed Forces.
 19 20

21 An employee may substitute accrued paid leave for unpaid time. Use of accrued paid leave shall run
 22 concurrently with and be counted toward the employee’s total period of FMLA leave.

23 **MATERNITY/PATERNITY LEAVE**

- 24 1. *Relationship between FMLA leave and Tennessee Maternity Leave Act* – FMLA leave shall run
 25 concurrently with leave provided under the Tennessee Maternity Act, which affords eligible
 26 employees leave for a period not to exceed four (4) months for the adoption, pregnancy,
 27 childbirth, and nursing of a newborn child.³
 28
- 29 2. *Teachers’ Leave* – In accordance with state law, any teacher who goes on maternity or paternity
 30 leave shall be allowed to use all or a portion of the teacher's accumulated sick or annual leave
 31 for maternity leave purposes. In order to be eligible to use sick leave, written request of the

1 teacher accompanied by a statement from the teacher's physician verifying pregnancy shall be
2 submitted. Upon verification by a written statement from an adoption agency or other entity
3 handling an adoption, a teacher may also be allowed to use accumulated leave for adoption of a
4 child. If both adoptive parents are teachers employed by the district, however, only one (1)
5 parent is entitled to use such leave.⁴
6

- 7 3. Spouses who are both eligible employees of the school district are limited to a combined total
8 of twelve (12) workweeks of FMLA leave in a single twelve (12) month period if the leave is
9 taken for the birth and care of a newborn child, for the placement of a child for adoption or
10 foster care, or to care for a parent who has a serious health condition. Under certain
11 circumstances, spouses who share leave for the birth or adoption of a child may be eligible for
12 limited amounts of additional leave for other qualifying FMLA reasons.⁵
13

- 14 4. *Paid Parental Leave* – Under state law, an additional six (6) work weeks of paid leave is
15 available to eligible employees after a birth, stillbirth, or adoption of a newly placed minor
16 child. An eligible employee taking leave under this provision shall not be required to utilize any
17 other type of accrued leave during this period. Eligible employees include teachers, principals,
18 supervisors, or other individuals required by law to hold a valid license of qualification for
19 employment who have been employed with a school district full time for at least twelve (12)
20 consecutive months.
21

22 Employees shall provide notice to the school district thirty (30) days prior to the intended use
23 of the leave. If the employee learns about the need for leave less than thirty (30) days in
24 advance, the employee shall give notice as soon as reasonably possible in order to be eligible
25 for the paid leave. This paid leave does not need to be taken consecutively; however, the paid
26 leave shall be used within twelve (12) months of the qualifying event. The leave shall run
27 concurrently with FMLA leave.⁶

28 LEAVE FOR A SERIOUS HEALTH CONDITION⁷

29 Eligible employees, upon request, shall be granted up to twelve (12) weeks of unpaid leave when they
30 are unable to work because of a serious health condition or to care for an immediate family member
31 with a serious health condition. Employees shall contact Human Resources to determine if the reason
32 for leave qualifies as FMLA leave. If the leave is foreseeable, the employee shall give thirty (30) days'
33 notice. If the leave is not foreseeable, the employee shall notify Human Resources as soon as
34 practicable, generally, either the same or next business day.

35 LEAVE FOR MILITARY FAMILY MEMBERS

- 36 1. *Qualifying Exigency Leave*⁸ - Eligible employees are entitled to up to twelve (12) workweeks
37 of leave because of any qualifying exigency arising out of the fact that the spouse, son,
38 daughter, or parent of the employee, as defined under the FMLA, is on active duty, or has been
39 notified of an impending call to active duty, or has been notified of an impended call to active
40 duty status in the Armed Forces. Qualifying exigencies may include:

- 41
42 a. Issues arising from the service member's short notice deployment;
43 b. Military events and related activities (e.g., official ceremonies, support programs);

- c. Making or updating financial and legal arrangements;
- d. Attending counseling;
- e. Taking up to fifteen (15) days leave to spend time with a covered service member who is on short-term rest and recuperation leave during deployment; or
- f. Attending post-deployment activities.

2. *Military Caregiver Leave*⁹ - An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member or covered veteran with a serious injury or illness is entitled to up to twenty-six (26) workweeks of leave in a single twelve (12) month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in out-patient status, or is otherwise on the temporary disability retired list for a serious injury or illness.

A covered veteran is an individual who was a member of the Armed Forces at any time during the period of five (5) years preceding the date of the medical treatment, recuperation, or therapy that has a serious injury or illness who is currently receiving medical treatment, recuperation, or therapy.

The single twelve (12) month period for military caregiver leave begins on the first day the employee takes leave for this reason and ends twelve (12) months later. An eligible employee is limited to a combined total of twenty-six (26) workweeks of leave to provide care for a covered service member. The maximum of twenty-six (26) workweeks may include no more than twelve (12) workweeks of leave that is taken for the birth and care of a newborn child, for the placement of a child for adoption or foster care, for care of a parent who has a serious health condition, or for the employee's own serious health condition.

INTERMITTENT LEAVE¹⁰

Eligible employees may take FMLA leave intermittently when medically necessary to care for a seriously ill family member, because of the employee's own serious health condition, or for the care for a newborn, a newly adopted child, or a newly placed foster care child. When an employee requests foreseeable leave for planned medical treatment and the employee would be on leave for greater than twenty percent (20%) of the total number of working days in the period during which the leave would extend, the school district may require that such employee elect either to take the leave for periods of a particular duration, not to exceed the duration of the planned medical treatment, or to transfer temporarily to an available alternative position offered by the school district for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave.

RESTRICTIONS

1. Notice Requirements

- a. *Employee Notice*¹¹ - For foreseeable leave, the employee shall provide the Superintendent of Schools with at least thirty (30) days written notice before the beginning of the anticipated leave.

- 1 b. *District Notice* - Once it has been established that the leave requested qualifies for
2 FMLA, the Superintendent of Schools/designee shall notify the employee within three
3 (3) business days (absent extenuating circumstances) that any leave taken pursuant to
4 state leave statutes (paid vacation leave, personal leave, sick leave, or workers'
5 compensation) shall run concurrently with FMLA leave.¹² The notice may be given
6 orally or in writing. If the notice is oral, it shall be confirmed in writing, no later than
7 the following pay day.¹³
8

9 2. Certification Requirement¹⁴

- 10 a. The Superintendent of Schools may require that a request for leave be supported by
11 certification issued by a health care provider with the following information:
12
13 i. The date on which the serious health condition commenced;
14 ii. The probable duration of the condition;
15 iii. The appropriate medical facts within the knowledge of the health care provider
16 regarding the condition; and
17 iv. A statement that the eligible employee is needed to care for the son, daughter,
18 spouse, or parent and an estimate of the amount of time that such employee is
19 needed.
20
21 b. If there is any reason to doubt the validity of the certification provided, the
22 Superintendent of Schools may require, at the expense of the school district, an opinion
23 of a second health care provider.
24

25 3. Period Near the End of an Academic Term (Professional Employees)¹⁵

- 26 a. If leave is taken more than five (5) weeks prior to the end of the term, the
27 Superintendent of Schools may require the employee to continue taking leave until the
28 end of the term if the leave is at least three (3) weeks of duration and the return of
29 employment would occur during the three (3) week period before the end of the term.
30
31 b. If the leave is taken five (5) weeks prior to the end of the term, the Superintendent of
32 Schools may require the employee to continue taking leave until the end of the term if
33 the leave is greater than two (2) weeks duration and the return to employment would
34 occur during the two (2) week period before the end of the term.
35
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37 **REQUIREMENTS OF THE BOARD OF EDUCATION¹⁶**

- 38 1. The employee shall be restored to the same position of employment or an equivalent position
39 with no loss of benefits, pay, or other terms of employment.
40 2. The employee shall be kept under any group health plan for the duration of the leave.
41 3. The Board may recover the premium paid under the following conditions:
42 a. The employee fails to return from leave after the period of leave has expired; and
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- b. The employee fails to return to work for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the control of the employee.

Legal References

1. [Hinson v. Tecumseh Products Co., 2000 U.S. App. LEXIS 26778, at *1—10 \(6th Cir. Oct. 17, 2000\)](#)
2. [29 USCA § 2601, 2611—2619](#)
3. [TCA 49-5-702; TCA 4-21-408](#)
4. [TCA 49-5-710\(a\)\(2\); TCA 8-50-802\(a\)\(4\)](#)
5. [29 CFR § 825.120\(a\)\(3\)](#)
6. [Public Acts of 2023, Chapter No. 399](#)
7. [29 CFR § 825.113](#)
8. [29 CFR § 825.126](#)
9. [29 CFR § 825.124; 29 CFR § 825.127](#)
10. [29 CFR § 825.202](#)
11. [29 CFR § 825.302-825.304](#)
12. [29 CFR § 825.207](#)
13. [OP Tenn. Atty Gen 94-006 \(Jan 13, 1994\); Plant v. Morton International, Inc., 212 F. 3d 929, 932 \(6th Cir. 2000\)](#)
14. [29 CFR § 825.305-825.313](#)
15. [29 CFR § 825.602](#)
16. [29 USCA § 2614](#)

Cross References

Sick Leave 5.302
Long-Term Leaves of Absence 5.304

Johnson City Board of Education

Monitoring: Review Annually, in April	Student Alcohol and Drug Testing	Descriptor 6.3071	Issued Date 4/3/2023
		Rescinds 6.3071	Issued 4/4/2022

Students will be notified in writing at the beginning of each school year or at the time of enrollment that they are subject to testing for drugs and alcohol during the school year.¹ Principals are authorized to order drug tests for individual students when there is a reasonable cause to believe that:

1. The school board policy on alcohol and drug use has been violated;
2. A search of lockers, vehicles, persons, and/or containers will produce evidence of the presence of drugs and/or alcohol;
3. Through observation or other reasonable information reported by a teacher, staff member or other student that a student is using drugs and/or alcohol on school property.

Upon receiving reasonable information, the principal shall take the following steps:

1. Call the student into the principal's office or another private place;
2. Summon an appropriate witness to the proceeding and to assist in furtherance of the proceeding;
3. Inform the student of the information available to them which is the basis for the determination that a test is necessary;
4. Inform the student of the procedures which are followed in administering the test;
5. Give the student an opportunity to decline the test and inform the student that if the test is not taken the penalty is suspension from school;
6. Notify the parent or guardian of the student of the impending test.

~~The appropriate witness shall take the student to a designated place where a specimen will be collected from the student. The specimen shall be collected in a manner which will protect the privacy rights of the students and which will assure that the integrity of the specimen itself is not compromised.~~

~~The type of specimen taken shall depend on the substance in question and the test performed on the specimen shall be appropriate for accurate detection of the substance in question. Once taken, the specimen shall be given an identifying number which in no way will reveal the identity of the student.~~

Upon parental notification, the student will have 24 hours to complete the drug screening at the designated location. Drug screens will be provided free of charge. Failure to complete the drug screen within 24 hours or refusal to test will result in 180 day suspension.

The specimen shall be forwarded for analysis to a laboratory accredited by the Tennessee Department of Health and Environment and designated by the Board **of Education**.

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Upon receiving a written, certified copy of the analysis from the laboratory, the principal shall do one of the following:

1. If the results of the analysis are negative, all evidence of the individual test, including all records in the school that the test was ordered and the reasons, therefore, shall be destroyed.
2. If the results of the analysis are positive, the student and parents or guardian shall be given the written notice of the result. In addition, they shall receive referral information which shall include in-patient, out-patient, and community-based drug and alcohol treatment programs.

In the case of positive results of the analysis, the principal shall suspend the student and take further action, as necessary.

RANDOM DRUG TESTING

Participation in athletics, extra-curricular activities and driving on campus are privileges and not rights. High School students taking part in such activities may be subject to random drug testing as long as they participate in the activity.

Testing procedures will be approved by the Board of Education. It is the intent of the Board that the procedures be carried out uniformly, fairly and confidentially to ensure the reliability and validity of the plan. Regulations and procedures developed to carry out this policy will be on file at the school and at the Superintendent of School's office.

Legal Reference:

TCA § 49-6-4213

Johnson City Board of Education

Monitoring: Review Annually, in November	Instructional Goals and Philosophy	Descriptor 4.100	Issue Date 1/9/2023
		Rescinds 4.100	Issued 1/4/2018

The Board **of Education** approves the following broad-based instructional goals:

- Advance student achievement, participation, and support in all curricular and extra-curricular programs
- Strengthen stakeholder communication and community connections
- Recruit, support, and retain a high-quality workforce.
- Create and enhance safe, effective learning environments.
- Promote physical, social, and mental wellness.

The current Five -Year Strategic Plan can be viewed **at: on the district website.**

<https://www.jcschools.org/docs/district/final%20-%202022%20five%20year%20strategic%20plan.pdf?id=2783>

VISION STATEMENT

The Board of Education’s vision for Johnson City Schools is to be a progressive school system that is globally competitive in all areas. All students have equal opportunity to learn and be successful while meeting high expectations and are provided the resources to be healthy, productive citizens and lifelong learners.

MISSION STATEMENT

The mission of Johnson City Schools is to enable all students to achieve excellence in learning, social responsibility and self worth.

BELIEFS

To be successful, Johnson City Schools must

- Provide the highest quality public education to all students
- Attract, develop, and retain the very best teachers and staff
- Engage families, business, community, and government
- Stay on the cutting edge of educational leadership and practice
- Foster a caring, safe, and inclusive environment

Cross Reference:

School District Goals & Objectives 1.700

Johnson City Board of Education

Monitoring: Review: Annually, in December	Descriptor Term: Instructional Standards	Descriptor Code: 4.101	Issued Date: 01/09/23
		Rescinds: 4.101	Issued: 12/07/20

1 *General*

2 The Board **of Education** is charged with selection of the curriculum. No subjects or topics prohibited
3 by state or federal law shall be taught.¹ The **Director Superintendent** of Schools shall develop
4 administrative procedures to implement this policy.

5 **STATE STANDARDS²**

6 Only Tennessee state standards shall be taught within the school district. The following are prohibited:

- 7 1. Instructional materials, textbooks, or supplemental materials created to align exclusively with
8 Common Core; or
9
10 2. Instructional materials, textbooks, or supplemental materials that are marketed or otherwise
11 identified as Common Core textbooks or instructional materials.

12 Any complaints regarding the above shall be submitted per board policy **4.402. 4.403,**
13 **Reconsideration of Instructional Materials and Textbooks.**

14 **CURRICULUM AND INSTRUCTIONAL PROGRAMMING**

15 All curriculum and instructional programming implemented in the school district shall adhere to state
16 and federal laws. District employees shall not include or promote any concepts that would violate state
17 law when providing instruction, using instructional or supplemental materials, or when implementing
18 the instructional program and curriculum.¹

19 The Superintendent shall develop procedures to ensure that the district's instructional program
20 complies with state law.

21 Complaints regarding teaching prohibited concepts in violation of state law shall be submitted per the
22 regulation developed by the Tennessee Department of Education.³

Legal References

1. TCA 49-6-2202; TCA 49-6-1304; TCA 49-6-2206; TCA 49-6-1019
2. TCA 49-1-302(a)(8); TCA 49-1-314; Public Acts of 2022, Chapter No. 1085
3. TRR/MS 0520-12-04

Cross References

- Reconsideration of Textbooks and Instructional Materials 4.402
Controversial Issues 4.800
Controversial Materials 4.801

Johnson City Board of Education

Monitoring: Review Annually, in November	Basic Program	Descriptor 4.201	Issue Date 1/9/2023
		Rescinds 4.201	Issued 6/3/2002

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The Board **of Education** shall not discriminate nor shall it condone discrimination on the basis of ~~sex, race, color, national origin, gender, creed, handicapping condition or age~~ **race, color, religion, sex, gender, disabilities, national origin, or age** in its educational programs or activities.

Curriculum material utilized shall reflect the cultural and racial diversity present in the United States and Johnson City and the variety of careers, roles, and life experiences open to all members of 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 gender, race, ethnicity, religion and disability. The curriculum shall foster respect and appreciation of the cultural diversity found in our country and an awareness of the rights, duties and responsibilities of each individual as a member of a community and our society¹

The course of study in the schools shall include those subjects required by the Legislature and Tennessee State Board of Education. ^{2,3}

The Board reserves the right to add additional courses and to amend the content of prescribed courses as experience and the process of curriculum development indicate the desirability of such change.

Legal References:

1. 42 U.S.C. 12101; CFR §106.34
2. TCA 49-6-1001 through 49-6-1205; TCA 49-6-1301
3. TRR/MS 0520-1-3-.05(1)(c)

Cross References:

- Student Goals and Objectives 6.100
- Complaints and Grievances 6.305
- Controversial Materials 4.801

Johnson City Board of Education

Monitoring: Review Annually, in November	Special Education	Descriptor 4.202	Issue Date 4/5/2021
		Rescinds 4.202	Issued 10/12/2020

1. The Board **of Education** shall provide access to a free appropriate public education to all IDEA (Individuals with Disabilities Education Act) Eligible children ages 3-21, inclusive, residing within the jurisdiction of the school system. The plan for implementation of appropriate instruction and special education services shall be in accordance with the current Rules, Regulations, and Minimum Standards of the State Board of Education,¹ and state² and federal³ law.

The Board shall develop and periodically update a local plan for providing special education services for ~~disabled students~~ **students with disabilities** (IDEA and other students with IEPs). Specifically, the Board shall assure that:

1. Reasonable effort will be made to identify all children ages three (3) through twenty-two (22) who reside within the jurisdiction of the school system, including those in private schools, or are homeless and are suspected of having a disability; and
2. All ~~disabled children~~ **children with disabilities** living within the school district have available to them a free, appropriate public education which emphasizes special education and related services to meet their unique needs; and
3. Children with disabilities are are given appropriate accommodations and modifications for state and district-wide assessment programs, are included in the admisitation of thoses assessments and the reporting of the assessment data; and
4. The rights of ~~disabled children~~ **children with disabilities** and their parents/guardians are protected.

The plan shall address the following objectives:

1. To carry out a comprehensive screening and assessment plan emphasizing the early identification and evaluation of disabled students;
2. To provide each ~~disabled child~~ **child with a disability** with an Individualized Educational Program (IEP) specifically designed to meet his unique needs;
3. When appropriate to provide Individualized Family Service Plans (IFSP);
4. To use the Individualized Education Program (IEP) for reviewing assessment, formulating programming, and determining placement for every ~~disabled student~~ **student with a disability**, including review of proposed suspensions when appropriate, in accordance with the State Board of Education Rules, Regulations, and Minimum Standards;
6. To ensure that placements are made which educate ~~disabled children~~ **children with disabilities** with ~~non-disabled age appropriate peers~~ **the general student population** in the schools these children would normally attend if not disabled and to the **maximum** extent appropriate;
7. To provide continuing evaluation of each ~~disabled child's~~ progress, including at least annual review of his IEP and re-evaluation at least every three (3) years;
8. To ensure that procedural safeguards required by state and federal laws are adhered to;
9. To involve parents of disabled children in a meaningful dialogue with school

1 personnel which will begin with initial referral and continue throughout the student’s
2 educational career;

3 10. To follow all required confidentiality laws and procedures;

4 11. Include goals for the performance of children with disabilities in school improvement
5 plans;

6 12. To include children with disabilities in required assessments with appropriate
7 accommodations and modifications and to report assessment data;

8 13. To collaborate with outside agencies as needed to provide supports for students with
9 disabilities; and

10 14 To budget at least the same total or per-capita amount for special education from the
11 combination of state and local funds as spent for the same purpose from the prior year
12 (Maintenance of Effort.)
13

14 Students receiving special education services shall not be restrained except as permitted by **state law and**
15 **regulations**.^{4,5} The Superintendent/designee will develop procedures for isolation and restraint of students
16 with disabilities.
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19 _____
20 Legal References:

20 _____
21 Cross Reference:

21 1. TRR/MS 0520-1-3-.09(3)(b)

21 Special Education Students 6.500

22 2. TCA 49-10-101 et. seq.

23 3. Education of Individuals with Disabilities 20 U.S. C. Sections 1400-1485. Section 504 of the Rehabilitation Act of 1973.
24 (Note: 504 of the Rehabilitation Act of 1973 has been interpreted by the courts to include individuals with contagious
25 diseases)

26 4. TCA 49-10-1301 et. seq.

27 5. TRR/MS 0520-01-09-.23(4)

Johnson City Board of Education

Monitoring: Review Annually, in November	Educational Research	Descriptor 4.210	Issue Date 3/7/2011
		Rescinds 4.210	Issued 1/2/2006

1 The Johnson City School System is supportive of the development of new educational knowledge through
2 research within the local school community. The Johnson City Schools shall cooperate to the extent possible
3 with colleges, universities, and other agencies in promoting educational research. The Superintendent of
4 Schools shall develop administrative procedures for approving requests for educational research projects.
5

6 Any research project must be well planned and supervised to provide the least interruption possible to the
7 instructional program.
8

9 The Superintendent of Schools must give final approval prior to the initiation of any research project.

10 Any research proposal must meet the following criteria in order to be considered for approval.

- 11 1. The research should be designed so that it can be expected to produce valid and reliable results.
- 12 2. The research shall be of a nature to expect a result that will be of value to the improvement of
- 13 education.
- 14 3. The research may not materially interrupt or disrupt the work of students, teachers or other
- 15 employees.
- 16 4. The research shall have the approval of the appropriate college, university or agency supervising
- 17 the research.
- 18 5. Prior permission of research subjects is required.
- 19 6. Detailed proposal must be submitted identifying the nature of the research, the research subjects
- 20 (i.e. students or employees), the research method, and use of the results.
- 21 7. Confidentiality of subjects must be maintained at all times.
- 22 8. Questionnaires, surveys, and/or interview questions must be submitted for review in advance of
- 23 distribution and must not include items which invade the areas of personal rights.
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28 Cross References:

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30 Student Surveys, Analyses, and Evaluations 6.4001
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Johnson City Board of Education

Monitoring: Review Annually, in November	Extracurricular Activities	Descriptor 4.300	Issue Date 1/9/2023
		Rescinds 4.300	Issued 1/3/2022

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

1. The Superintendent or Designee 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 approval of the Superintendent of Schools, shall determine which clubs and organizations will be permitted;
3. Student activities must be under the guidance and direction of a staff member;
4. Student activities occurring before or after regularly scheduled school hours must be under the supervision of the principal or their designee;
5. Secret organizations shall not be operated in any school;
6. A student shall not be required to attend a school-sponsored student activity that is scheduled at a time which conflicts with ~~his~~ **their** religious practices;
7. School-sponsored student 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 regional accrediting associations or state and national principals' associations without the approval of the Superintendent of Schools;
9. A student on out-of-school suspension/expulsion or a health related quarantine shall not be permitted to participate in school-sponsored activities;
10. Activities which restrict participation because of race, color, religion, sex, gender, disabilities, or national origin are forbidden;¹ and
11. Activities sponsored by outside groups or agents will be approved only if they are co-ordinated with by the school.
- 12. Written parental consent shall be required to participate in any extracurricular activity.**

Legal Reference:

1. 20 U.S.C. § 1703

Cross References:

Interscholastic Athletics 4.301
Field Trips and Excursions 4.302
Student Clubs and Organizations 6.702

Johnson City Board of Education

Monitoring: Review Annually, in November	Field Trips	Descriptor 4.302	Issue Date 10/3/2022
		Rescinds 4.302	Issued 1/3/2022

1 Field trips designed to stimulate student interest and inquiry and to provide opportunities for social growth and
2 development are considered appropriate extensions of the classroom.
3

4 The Board may grant conditional approval of field trips contingent upon financial provisions being made
5 for all students. The funds necessary to accommodate all students must be available by a certain date
6 approved by the Superintendent/designee or the conditional approval will be revoked.
7

8 Procedures and forms for all school related trips will be developed and distributed by the
9 Superintendent/Designee.
10

11 To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation of
12 the class, and opportunities for students to summarize the experience at the conclusion of the trip. To this end,
13 teachers and principals will be expected to consider the following factors in selecting field trips:
14

- 15 1. Value of the activity to the particular class group or groups;
- 16 2. Relationship of the field trip activity to a particular aspect of classroom
17 instruction;
- 18 3. Suitability of the activity and distance traveled in terms of the age level;
- 19 4. Mode and availability of transportation; and
- 20 5. Cost.
21

22 The following guidelines shall be followed in planning and conducting field trips:
23

- 24 1. Any teacher desiring to take a group of students on an educational field trip must
25 obtain advance approval of the principal and must complete a Field Trip Request Form (4.302);
26
- 27 2. The trip must have a definite educational purpose and reflect careful planning.
28 Students should be prepared by general class discussion and/or research. Withholding attendance at
29 field trips should not be used for discipline;
30
- 31 3. Parents may be allowed to transport students on field trips when all of the
32 following conditions are met:
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34 a. Proof of a valid driver's license;
35 b. Proof of vehicle liability insurance coverage in the form of an insurance certificate issued to
36 the insured indicating liability limits of at least \$100,000/300,000/50,000 will be necessary.^{1,2}
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- 1 c. Prior written approval of the principal; and
 2 d. Prior written permission of the parent(s) of the child(ren) to be transported,
 3 which will be specific to the named parent driver, and.
 4 e. Volunteer Personal Vehicle Authorization Use Form (3.404.2).

5
 6 Students may be transported in employee vehicles when all requirements for such
 7 transportation are met. School system employees requesting the use of a Johnson City
 8 Transit vehicle will comply with all Johnson City Transit field trip guidelines and procedures;
 9

- 10 4. A completed parental Student Field Trip Permission Form (3.404) must be on file for every
 11 student making an off-campus trip. The principal shall ensure that these forms are kept on file
 12 for the remainder of the school year. This information is to be completed by the school before
 13 the form is signed by the parent;
 14
 15 5. Overnight trips and chaperones must be approved by the Board in advance. These groups must
 16 be accompanied by at least one regular staff member and others from the school who are
 17 appropriate for adequate supervision and shall be responsible for student conduct while away;
 18
 19 6. Students shall not be penalized for participating in approved school-sponsored trips and
 20 activities. Teachers shall permit students to make up class assignments missed because of
 21 an approved school-sponsored trip or activity;
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 23 7. All accidents that occur on a school-sponsored trip must be reported by the teacher to the
 24 principal immediately upon returning to school. Serious accidents involving personal injury
 25 must be reported immediately to the principal and/or the Superintendent of Schools. An
 26 emergency shall be dealt with promptly by the teacher or other members of the school staff by
 27 taking appropriate action, including sending the student to the hospital or summoning medical
 28 aid or ambulance. In cases where it is necessary to send the student to the hospital, reasonable
 29 effort must be made to notify the parents;
 30
 31 8. Any school-sponsored field trip not meeting the "educationally beneficial" criteria as defined in
 32 this section must have prior approval of the Superintendent of Schools/designee;
 33
 34 9. Any overnight field trip must be approved by the Board of Education prior to the initiation of
 35 fund-raising activities; and
 36
 37 10. The Board may cancel an approved field trip at any time that the Board feels that the security
 38 or safety of students may be in jeopardy.
 39

40 **NON-SANCTIONED TRIPS**

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 42 Non-sanctioned trips organized by employees acting as independent contractors/agents involving students
 43 on a volunteer, self-supporting basis are not approved by the Board and are not considered a part of the
 44 curriculum. Total responsibility for privately planned trips or tours rests with the individual(s) and
 45 agencies sponsoring them. The Board assumes no legal or financial responsibilities for non-sanctioned
 46 trips.
 47

48 If an employee organizing a non-sanctioned trip wishes to recruit students through the school(s), the
 49 request for recruitment shall be made in the same manner as a request from a private citizen. Recruitment
 50 efforts shall not occur during class time or the employee's work day.

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Legal Reference:

1. TCA 55-12-101 et.seq.

Cross References:

- Extracurricular Activities 4.300
Attendance 6.200
Private Vehicles 3.404

Johnson City Board of Education

Monitoring: Review Annually, in November	Instructional Resources and Materials	Descriptor 4.400	Issue Date 4/3/2107
		Rescinds 4.400	Issued 12/4/2006

1 All classrooms and learning centers shall be equipped with a variety of teaching tools. All instructional
2 materials should be selected to provide quality learning experiences for students.

3
4 A list of textbooks and instructional materials used by the schools shall be revised annually by the principal/
5 designee under the direction of the Superintendent of Schools and shall be made available to the Board **of**
6 **Education** and professional staff **on the district and/or individual school's website** as a reference. Upon
7 request, parents/guardians shall have the ability to inspect the following items: instructional materials;
8 teaching materials; teaching aids; handouts; and tests that are developed by and graded by their child's
9 teacher.¹ The Superintendent of Schools shall develop procedures for inspection of materials and distribute
10 these procedures to each principal.
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19 Legal References:

20 USCA § 1232h(a); TCA 49-6-7003

Cross References:

Textbook Selection, Distribution, and Care 4.401
Selection of Instructional Materials (Other than Textbooks 4.402
Reconsideration of Instructional Textbooks and Materials 4.403

Johnson City Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Library Materials	Descriptor Code: 4.4031	Issued Date: 01/09/23
		Rescinds:	Issued:

1 *General*

2 The Secondary Supervisor shall be responsible for library collection development. Library materials
3 shall be reviewed to ensure the content aligns with state law.¹ The library collection shall adhere to the
4 following criteria:

- 5 1. Materials shall be suitable for and consistent with the educational mission of the school;
6
- 7 2. Materials shall be appropriate for the age and maturity levels of the students who may access
8 them. The determining factor will be based on an assessment of any mature themes or content
9 (i.e., violence, sexual content, vulgar language, substance abuse);
10
- 11 3. Materials shall contain literary, historical, and/or artistic value and merit; and
12
- 13 4. The collection as a whole shall offer a variety of viewpoints.

14 The Secondary Supervisor shall be responsible for periodically reviewing the district's library collection
15 in line with these established standards.

16
17 The current Library Media handbook can be viewed at: **on the district and/ or**
18 **individual school's website.**

19 [https://www.jcschools.org/docs/district/pdf/2022-](https://www.jcschools.org/docs/district/pdf/2022-23%20jcs%20library%20manual1.pdf?id=2852)
20 [23%20jcs%20library%20manual1.pdf?id=2852](https://www.jcschools.org/docs/district/pdf/2022-23%20jcs%20library%20manual1.pdf?id=2852)

21 **COMPLAINTS**

22 If a complaint is made by an employee, student, or parent/guardian, this process is to be followed:

- 23 1. Inform the complainant of the selection procedures and make no commitments.
24
- 25 2. Request the complainant to submit a Citizen's Request for Reconsideration of Library
26 Materials form.
27
- 28 3. Inform the principal (and other appropriate personnel).
29

- 1 4. Keep challenged materials available for use during the reconsideration process.
- 2
- 3 5. Upon receipt of the completed form, the principal shall notify the Superintendent of Schools.
- 4
- 5 6. The principal shall request review of the challenged materials by an ad hoc materials review
- 6 committee within fifteen (15) days. The review committee is appointed by the principal and
- 7 includes certified library media personnel, representatives from classroom teachers, one or
- 8 more parents, and may include one or more students. The principal will inform the
- 9 Superintendent of Schools of the review committee's progress.
- 10
- 11 7. The review committee shall take the following steps after receiving the challenged materials:
- 12
- 13 a. Read, view, or listen to the contested material in its entirety;
- 14 b. Check general acceptance of the material by reading recognized and evaluative reviews;
- 15 c. Determine the extent to which the material is appropriate for the age and maturity levels
- 16 of the students who have access to the materials and whether the material is suitable for,
- 17 and consistent with, the educational mission of the school;
- 18 d. Complete the appropriate Checklist for Reconsideration of Library Materials, judging
- 19 the material for its strength and value; and
- 20 e. Present a recommendation to the ~~Director~~ **Superintendent** of Schools and the Board.
- 21
- 22 8. The Board **of Education** shall review the recommendation presented by the review committee
- 23 and make the determination whether the material is appropriate for the age and maturity levels
- 24 of the students who have access to the materials and whether the material is suitable for, and
- 25 consistent with, the educational mission of the school.
- 26
- 27 9. If it is determined that the material is not appropriate for the age and maturity levels of the
- 28 students who have access to them or is not suitable for, and consistent with, the educational
- 29 mission of the school, the Board shall require the school to remove the material from the library
- 30 collection.

Legal References

1. *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, 102 S. Ct. 2799 (1982); Public Acts of 2022, Chapter No. 744

Cross References

Textbooks and Instructional Materials 4.400
School and System Websites 4.407
Controversial Materials 4.801

Johnson City Board of Education

Monitoring: Review Annually, in November	Use of the Internet	Descriptor 4.406	Issue Date 1/9/2023
		Rescinds 4.406	Issued 12/7/2020

1 The Board supports the right of staff and students to have reasonable access to various information
2 formats and believes it incumbent upon staff and students to use this privilege in an appropriate and
3 responsible manner.

4 **Employees**

5
6
7 Before any employee is allowed use of the district's Internet ~~or intranet access~~, the employee shall sign
8 a written agreement, developed by the Superintendent/designee that sets out the terms and conditions
9 of such use. Any employee who accesses the district's computer system for any purpose agrees to be
10 bound by the terms of that agreement, even if no signed written agreement is on file.

11
12 The Superintendent of Schools shall develop and implement appropriate procedures to provide
13 guidance for teacher use of the Internet. Procedures shall address the following:

- 14 1. Development of the Technology Responsible Use Agreement.
- 15 2. General rules and ethics of Internet access.
- 16 3. Guidelines regarding appropriate instruction and oversight of student Internet use.
- 17 4. A uniform signature block for use by all system employees.
- 18 5. Prohibited and illegal activities, including but not limited to the following:¹
 - 19 * Sending or displaying offensive messages or pictures
 - 20 * Using obscene language
 - 21 * Harassing, insulting, bullying or attacking others
 - 22 * Damaging computers, computer systems or computer networks
 - 23 * Hacking or attempting unauthorized access to any computer
 - 24 * Violation of copyright laws
 - 25 * Trespassing in another's folders, work or files
 - 26 * Intentional misuse of resources
 - 27 * Using another's password or other identifier (impersonation)
 - 28 * Use of the network for commercial purposes
 - 29 * Revealing the personal address or phone number of another person

30 **Students**

1 The Superintendent of Schools shall develop and implement procedures for appropriate Internet use by
2 students.

3
4 Procedures shall address the following:

5
6 1. General rules and ethics of Internet use.

7
8
9 2. Prohibited or illegal activities, including, but not limited to:¹

- 10
11 * Sending or displaying offensive messages or pictures
12 * Using obscene language
13 * Harassing, insulting, bullying or attacking others
14 * Damaging computers, computer systems or computer networks
15 * Hacking or attempting unauthorized access
16 * Violation of copyright laws
17 * Trespassing in another's folders, work or files
18 * Intentional misuse of resources
19 * Using another's password or other identifier (impersonation)
20 * Use of the network for commercial purposes
21 * Buying or selling on the internet
22 * Revealing the personal address or phone number of another person
23

24 **INTERNET SAFETY MEASURES**

25
26 Internet safety measures shall be implemented that effectively address the following:

- 27
28 * Controlling access by students to inappropriate matter on the Internet and World
29 Wide Web
30 * Educating students about appropriate online behavior, such as interacting with other
31 individuals on social networking websites and in chatrooms and cyberbullying
32 awareness
33 and response
34 * Safety and security of students when they are using electronic mail, chat rooms, and
35 other forms of direct electronic communications
36 * Preventing unauthorized access, including "hacking" and other unlawful activities by
37 students on-line
38 * Unauthorized disclosure, use and dissemination of personal information regarding
39 students
40 * Restricting students' access to materials harmful to them
41

42 The Superintendent of Schools/designee shall establish a process to ensure the district's education
43 technology is not used for purposes prohibited by law or for accessing sexually explicit materials. The
44 process shall include, but not be limited to:

- 45
46 * Utilizing technology that blocks or filters Internet access (for both students and

- 1 adults) to material that is obscene, pornographic or harmful to students
2 * Maintaining and securing a usage log
3 * Monitoring on-line activities of students ²
4

5 The Board shall provide reasonable public notice of, and at least one (1) public hearing or meeting
6 to address and communicate its Internet safety measures. ²
7

8 A written parental consent shall be required prior to the student being granted access to electronic
9 media involving district technological resources. The required permission/agreement form, which
10 shall specify acceptable uses, rules of on-line behavior, access privileges and penalties for policy/
11 procedural violations, must be signed by the parent/legal guardian of minor students (those under 18
12 years of age) and also by the student. This document shall be kept on file as a legal, binding
13 document.

14 In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at
15 least 18 years old) must provide the Superintendent of Schools with a written request.
16

17 School officials shall apply the same criterion of educational suitability used to review other
18 educational resources when questions arise concerning access to specific databases or other electronic
19 media. Complaints alleging a violation of the internet safety measures shall be submitted to the
20 Superintendent/designee. All complaints shall be reviewed to determine how to appropriately respond.
21

22 E-MAIL

23
24 Because all computer hardware and software belong to ~~the Board~~ **Johnson City Schools**, all data
25 including e-mail communications stored or transmitted on school system computers shall be
26 monitored. Employees/students should have no expectation of privacy with regard to such data.
27 Confidentiality of e-mail communication cannot be assured. E-mail correspondence may be a public
28 record under the public records law and may be subject to public inspection. ³
29

30 INTERNET SAFETY INSTRUCTION⁴

31
32 Students will be given appropriate ongoing instruction at least annually in Internet safety as a part of
33 regular instruction utilizing computer resources. The Superintendent/designee shall provide adequate
34 in-service instruction on internet safety. Parents and students will be provided with material to raise
35 awareness of the dangers posed by the Internet and ways in which the Internet may be used safely.
36

37 SOCIAL NETWORKING

- 38
39 1. School system staff who have a presence on social networking websites are prohibited from
40 posting data, documents, photographs or inappropriate information that is likely to create a
41 material and substantial disruption of classroom activity or which violates the privacy of other
42 staff or students or which violates FERPA.
43
44 2. School system staff are prohibited from accessing personal social networking sites on school
45 computers during school hours except for legitimate instructional purposes.
46

- 1 3. The Board discourages school system staff from socializing with students on social networking
2 websites. The same relationship, exchange, interaction, information or behavior that would be
3 unacceptable in a non-technological medium is unacceptable when done through the use of
4 technology.

5
6 The Superintendent will publish guidelines on appropriate social media use by employees.

7
8 **VIOLATIONS**

9
10 Violation of this policy or a procedure promulgated under its authority shall be handled in accordance
11 with the existing disciplinary procedures of the Johnson City School System.

12
13 **VENDOR CONTRACTS³**

14 Prior to entering into any contract for the provision of digital or online materials created or marketed
15 for kindergarten through grade twelve (K-12), the district shall obtain an assurance that the vendor
16 shall adhere to state law. This determination includes ensuring that the vendor filters, blocks, or
17 otherwise prevents access to pornography or obscenity and verifying that the technology prevents a
18 user from sending, receiving, viewing, or downloading materials that are harmful to minors.

19

Legal References

1. TCA 39-14-602
2. 47 USCA § 254 (h)(5)(A) – (C), 254(1); 47 CFR § 54.520(c)(1)(i); 20 USCA § 7131
3. Public Acts of 2022, Chapter No. 1002
4. TCA 39-17-901; Public Acts of 2022, Chapter No. 1002
5. TCA 10-7-512
6. TCA 49-1-221

Cross References

- Use of Email 1.805
- School and System Websites 4.407
- Controversial Materials 4.801
- Student Publications 6.704

Johnson City Board of Education

Monitoring: Review Annually, in November	Web Pages	Descriptor 4.407	Issue Date 1/4/2016
		Rescinds 4.407	Issued 12/4/2006

CONTENT STANDARDS

In order to take advantage of the opportunities the Internet provides, the Board authorizes the creation of school and/or district web pages on the Internet. Only those web pages maintained in accordance with Board policy and established procedures shall be recognized as official representations of the district or individual schools. All information posted on school web pages must have the approval of the principal/designee. In addition, all information on a school or district web page must accurately reflect the mission, goals, policies, program and activities of the school and district. The web page must have a purpose which falls within at least one of three categories:

1. Support of curriculum and instruction - intended to provide links to Internet resources for students, parents, and staff in the district;
2. Public information - intended to communicate information about the schools and district to students, staff, parents, community and the world at large; and
3. District technology support - intended to provide and respond to instructional and administrative technology needs of students and staff.

All material on a school web site shall be either original to the school, in the public domain or posted with the express permission of its rightful owner. This includes, but is not limited to, text, graphics, pictures, video, sounds, music, characters, logos and trademarks. Web page publications shall follow all applicable copyright laws and guidelines.

Web sites developed under contract for the school district or within the scope of employment by district employees are the property of the school district.

PRIVACY STANDARDS

1. Because Internet publications are available to the entire world, special care shall be taken to protect the privacy of students and staff. Web pages may not include personally identifying information regarding a student¹ such as: telephone numbers, addresses, names of other family members, names of friends, e-mail addresses, specific location of a student at any given time, grades or any other academic information. No confidential information shall be published on or linked to the web site.
2. Student work may be published on web pages only with written consent of the student's legal guardian or the eligible student before each incident of publication. The authoring student shall also sign a copyright consent form.

3. Links to student e-mail accounts are prohibited.

4. Pictures of students may be included only under the following conditions:

- o Individual student pictures may be published on the web site only with written consent of the student's legal guardian or eligible student.
- o Pictures of groups of students involved in a school-related activity may be published without consent; however, the students shall only be identified by the group name.
- o Students shall not be individually identified in pictures unless there is a special reason for doing so, such as recognition for receiving an award. In such cases, the student's legal guardian or eligible student must give written consent.

ADVERTISING/SPONSORSHIPS

Any use of advertising or sponsorships that appears on a school web site must be approved by the school web administrator, the principal and the Superintendent of Schools/designee. Guidelines for approval shall be established by the Superintendent of Schools/designee and must be consistent with the Board's policies and guidelines used in other school and district publications.

ADMINISTRATIVE PROCEDURES

The Superintendent of Schools shall develop administrative procedures for development of web pages including content, quality, and consistency standards and shall designate an individual(s) to be responsible for maintaining the official district web page and monitoring all district web page activity. A principal shall make such designation for an individual school. Schools or departments that wish to publish a web page must provide a means to contact the webmaster.

CONCERNS/COMPLAINTS

As with any instructional materials or publication used by or representing the school or district, the principal or Superintendent of Schools, respectively, is ultimately responsible for accuracy and appropriateness of the information made available on the web site. Concern about the content of any page(s) created by students or staff should be directed to the principal or the Superintendent of Schools' office when related to the district web site. If the concern is not resolved, persons who wish to file a formal complaint shall submit a written request on a Citizen's Request for Alternative Instructional Materials Form.

Legal Reference:

- 1. 20 U.S.C.A. 1232 g (a)(5)(A)(B)

Cross References:

- Reconsideration of Instructional Materials 4.403
- Use of Copyrighted Materials 4.404
- Employee-Developed Materials 4.405

Johnson City Board of Education

Monitoring: Review: Annually, in December	Descriptor Term: Promotion and Retention	Descriptor Code: 4.603	Issued Date: 04/03/23
		Rescinds: 4.603	Issued: 01/09/23

1 **General**

2 All promotion and retention decisions shall be made on a case-by-case basis and comply with state and
3 federal law. All decisions shall be made in consultation with a student's IEP and/or 504 team, if
4 applicable.¹

5 Students who have difficulty in achieving the requirements for promotion may be considered for
6 retention. Schools shall identify these students by February 1st. Factors used to identify students for
7 retention shall include:²

- 8 1. Ability to perform at the current grade level;
- 9
- 10 2. Results of local assessments, screening, or monitoring tools;
- 11
- 12 3. State assessments, as applicable;
- 13
- 14 4. Home Literacy Reports;³
- 15
- 16 5. Overall academic achievement of the student;
- 17
- 18 6. Likelihood of success with more difficult material if promoted to the next grade;
- 19
- 20 7. Attendance record; and
- 21
- 22 8. The student's maturity.

23 Students may be identified for retention after the February 1st deadline if the delay in identifying a
24 student is due to:⁴

- 25 1. Date of enrollment;
- 26
- 27 2. Additional information acquired after results of local assessment, screening, or monitoring are
28 released; or
- 29

30 **PROMOTION PLANS⁵**

1 When a student is identified for retention, the student's parent(s)/guardian(s) shall be notified within
2 fifteen (15) calendar days, and an individualized promotion plan shall be developed to help the student
3 avoid retention. The plan shall be developed in coordination with the student's teachers, IEP or 504
4 team, if applicable, and may also include input from the student's parent(s)/guardian(s), school
5 counselor, or other appropriate school personnel.

6 Promotion plans shall incorporate evidence-based strategies, including expectations and measurements
7 that will verify whether a student has made sufficient progress to be promoted to the next grade level,
8 and be tailored to the student's learning needs. Promotion plans for students in third and fourth grade
9 will include additional requirements for promoting students in these grades. A copy of the plan will be
10 provided to the student's parent(s)/guardian(s), and the school shall offer the opportunity for a parent-
11 teacher conference to discuss the plan. If a student is not making progress on the promotion plan, then
12 the strategies shall be modified. Parent(s)/guardian(s) shall be provided with any changes to the
13 promotion plan.

14 A student who demonstrates sufficient academic progress according to his/her promotion plan shall be
15 promoted to the next grade level unless retention is required per additional requirements for students in
16 third and fourth grade.⁶

17 If a student has not demonstrated sufficient academic progress according to their promotion plan by the
18 end of the school year, the student shall be eligible to enroll in a summer reading or learning program,
19 if available. Parent(s)/guardian(s) shall be notified of a decision for retention at least ten (10) calendar
20 days prior to the start of the next school year if the student was enrolled in a summer program.
21 However, if the student wasn't enrolled in a summer program, the parent(s)/guardian(s) shall be
22 notified of a decision for retention at least thirty (30) calendar days prior to the start of the next school
23 year.⁷

24 **RETENTION⁶**

25 A student may be retained when such retention is in the best interests of the student or when retention
26 is required per additional requirements for students in third and fourth grade.

27 *Decision of Retention – General⁸*

28 If a student is retained, the ~~Director~~ **Superintendent** of Schools/designee shall develop an
29 individualized academic remediation plan within thirty (30) calendar days after the beginning of the
30 next school year. A copy of the plan shall be provided to the student's parent(s)/guardian(s) within ten
31 (10) calendar days of its development. The plan shall include at least one of the following strategies:

- 32 1. Adjustment to the current instructional strategies or materials;
- 33
- 34 2. Additional instructional time;
- 35
- 36 3. Individual tutoring;
- 37

- 1 4. Modification to the student's classroom assignment to ensure the student receives
2 instruction from a teacher with a level of overall effectiveness of above expectations (level
3 4) or significantly above expectations (level 5); or
4
- 5 5. Attendance or truancy interventions.

6 A student shall not be retained more than once in any grade. The progress of students who are retained
7 shall be closely monitored and reported to parent(s)/guardian(s) at least three (3) times during the
8 school year in which the student is retained. The ~~Director~~ **Superintendent** of Schools shall develop
9 procedures to ensure appropriate recordkeeping of students who are retained.

10 ***Decision of Retention – Third Grade***⁹

11 Third grade students shall not be promoted to the next grade unless they are determined to be
12 proficient (i.e., receive a performance level rating of “~~on-track~~ **met expectations**” or “~~mastered~~
13 **exceeds expectations**”) in English language arts (ELA) based on the student's most recent TCAP test.

14 Students who are not proficient in ELA may still be promoted if the following conditions are met:

- 15 1. A student in third grade receiving a performance level rating of “approaching **expectations**” on
16 the ELA portion of the student's most recent TCAP test may be promoted if:
17
 - 18 a. The student is an English language learner and has received less than two (2) full years
19 of ELA instruction;
 - 20 b. The student was previously retained in grades K-3;
 - 21 c. The student is retested before the next school year and scores proficient in ELA;
 - 22 d. The student attends a learning loss bridge camp before the next school year, maintains a
23 ninety percent (90%) attendance rate, and demonstrates adequate growth on the post-
24 test at the end of the camp; or
 - 25 e. The student receives tutoring for the entirety of the next school year in accordance with
26 state law.
- 27
28 2. A student in third grade receiving a performance level rating of “below **expectations**” on the
29 ELA portion of the student's most recent TCAP test may be promoted if:
30
 - 31 a. The student is an English language learner and has received less than two (2) full years
32 of ELA instruction;
 - 33 b. The student was previously retained in grades K-3;
 - 34 c. The student is retested before the next school year and scores proficient in ELA; or
 - 35 d. The student attends a learning loss bridge camp before the next school year, maintains a
36 ninety percent (90%) attendance rate, and receives tutoring for the entirety of the next
37 school year in accordance with state law.

38
39 Students who fall into the criteria for required attendance in summer programming in order to be
40 promoted to the fourth grade must attend with a 90% rate. Of the 20 days required for summer school
41 attendance, students must attend 18 days. These days will be documented and options for make-up
42 days will be provided by the summer programming committee.

1 ***Decision of Retention – Fourth Grade***⁹

2 Students in the following categories shall show adequate growth in the following ways before being
3 promoted to the fifth grade:

- 4 1. A student who is promoted to the fourth grade due to receiving tutoring for the entirety of the
5 next school year in accordance with state law or because of attending a learning loss bridge
6 camp must maintain a ninety percent (90%) attendance rate; and
7
8 2. A student receiving tutoring for the entirety of the next school year in accordance with state law
9 shall be required to show adequate growth on the fourth grade ELA portion of TCAP before the
10 student may be promoted to fifth grade.

11 A student shall not be retained more than once in fourth grade.

12 ***Decision of Retention – Students with Disabilities***¹⁰

13 Retention and promotion decisions shall be made on a case-by-case basis and in consultation with the
14 student's IEP and/or 504 team to determine whether the student's performance on the ELA portion of
15 TCAP was due to the student's disability. The school district shall not retain a student with a disability
16 or a suspected disability that impacts their ability to read.

17 **APPEALS**^{7,11}

18 When a student is identified for retention, the parent(s)/guardian(s) shall be notified about the decision
19 to retain the student and provided with information on the right to appeal the decision. Appeals shall be
20 made to a committee appointed by the principal within ten (10) school days. The student and their
21 parent(s)/guardian(s) shall be provided written or actual notice of the appeal hearing and shall be given
22 the opportunity to address the committee. The committee shall conduct a hearing within ten (10) school
23 days to determine if the student will be promoted and issue such decision within five (5) calendar days.
24 Upon notification of the committee decision, the principal shall send written notification to the ~~Director~~
25 **Superintendent** of Schools/designee and the parent(s)/guardian(s). The notification shall advise
26 parent(s)/guardian(s) of their right to appeal such action within ten (10) calendar days to the ~~Director~~
27 **Superintendent** of Schools/designee.

28 The appeal shall be heard no later than ten (10) business days after the request for appeal is received. A
29 decision shall be issued within five (5) days.

30 Within five (5) business days of the ~~Director~~ **Superintendent** of Schools/designee rendering a decision,
31 the student's parent(s)/guardian(s) may request a hearing by the Board, and the Board shall review the
32 record. Following the review, the Board may affirm or overturn the decision of the ~~Director~~
33 **Superintendent** of Schools/designee. The action of the Board shall be final.

34 For students where retention is required per the additional requirements for students in third and fourth
35 grade, parent(s)/guardian(s) may appeal this decision directly to the Department of Education in
36 accordance with state law.¹²

37

Legal References

1. 20 USCA § 1400 *et seq.*; 29 U.S.C. § 794 (Section 504); TRR/MS 0520-01-03-.16; TCA 49-6-3115
2. TRR/MS 0520-01-03-.16(5)
3. TCA 49-1-905(e)
4. TRR/MS 0520-01-03-.16(4)
5. TRR/MS 0520-01-03-.16(6)
6. TRR/MS 0520-01-03-.16(6)(f)
7. TRR/MS 0520-01-03-.16(6)(e)
8. TRR/MS 0520-01-03-.16(6)(g)
9. TRR/MS 0520-01-03-.16(7)
10. 29 U.S.C. § 794 (Section 504); 20 USCA § 1400 *et seq.*; TRR/MS 0520-01-03-.16(7)(e)
11. TRR/MS 0520-01-03-.16(3); TRR/MS 0520-01-02-.17(7); TCA 49-6-3102(e)(1)
12. TRR/MS 0520-01-03-.16(7)(f)

Cross References

Credit Recovery 4.210
Grading System 4.600
Reporting Student Progress 4.601
Attendance 6.200
Student Assignments 6.205
Homeless Students 6.503
Student Records 6.600

Johnson City Board of Education

Monitoring: Review Annually, in November	Accelerated and Advanced Credit	Descriptor 4.604	Issue Date 1/3/2022
		Rescinds 4.604	Issued 12/9/2019

Elementary/Intermediate/Middle Schools Students:

Students may be allowed to take advanced levels of selected courses to count as prerequisites to higher level courses offered in grades 9-12. No credit earned in elementary school may be used toward high school graduation. Credits earned in middle school may be used as elective high school credits.¹

High School Students

All high school students shall be eligible to enroll in Advanced, Honors, and/or Advanced Placement (AP) classes in accordance with the recommendations and requirements set forth in the Program of Studies.

Dual Enrollment/Dual Credit:

Students in grades ~~11~~ **9-12** may be allowed to participate in a dual enrollment program with local colleges/universities/technical schools according to guidelines established by the Superintendent of Schools.

Early Graduation:

No student shall be allowed to graduate with a Science Hill diploma more than one ~~session~~ **semester** early without the approval of the principal and the Superintendent of Schools.

Legal References:

1. TRR/MS 0520-1-3-.06(2)
2. TCA 49-6-1202

Cross References

Accelerated College Admission 4.203
Enrollment in College Level Courses 4.205
Alternative Credit Options 4.209

Johnson City Board of Education

Monitoring: Review Annually, in November	Graduation Requirements	Descriptor 4.605	Issue Date 1/3/2022
		Rescinds 4.605	Issued 4/13/2020

To meet the requirements for graduation, a student shall have attained an approved attendance, conduct and subject matter record which covers a planned program of education, and this record shall be kept on file in the high school.

The program of studies shall include areas and content in these areas within State Board of Education Regulations and shall be flexible enough to facilitate progress from one stage of development to another, thus providing for more effective student achievement.

The pattern of courses which shall be required of all students in grades nine (9) through twelve (12) shall be in accordance with the Rules and Regulations of the State Board of Education and the Board of Education.

Except in the instance identified in policy 4.203, a student must attend high school during the school year in which he intends to graduate. Exceptions to this may be approved by the principal or Superintendent subject to an effective program being planned in advance with parent concurrence.

Before graduation, every student shall:

1. Achieve specified units of credit;
2. Take the required end-of-course exams;²
3. Have satisfactory records of attendance and conduct;
4. Take either the SAT or the ACT;³
5. Pass a United States Civics test⁴; and
6. Complete the required community service.

SPECIAL EDUCATION STUDENTS.⁵

A regular high school diploma will be awarded to students who:

1. Earn the specified 22 units of credit;
2. Have satisfactory records of attendance and conduct.

A special education diploma shall be awarded to students have not met the requirements for a regular high school diploma⁵ but have:

1. Completed four (4) years of high school;
2. Satisfactorily completed an individualized education program; and
3. Satisfactory records of attendance and conduct.

Occupational Diploma

Special education students who do not meet the requirements for a regular high school diploma may be awarded an occupational diploma if the student has:^{2,5}

1. Completed at least four (4) years of high school;
2. Made satisfactory progress on their IEP;

3. Maintained satisfactory records of attendance and conduct;
4. Completed the occupational diploma Skills, Knowledge, and Experience Mastery Assessment (SKEMA); and
5. Has two (2) years of paid or non-paid work experience.

The decision to attain an occupational diploma shall be made at the conclusion of the student's 10th grade year or two (2) academic years prior to the expected graduation date.

Alternate Academic Diploma

Special education students who do not meet the requirements for a regular high school diploma may be awarded an alternate academic diploma if the student has:⁵

1. Completed at least four (4) years of high school;
2. Participated in the high school alternate assessments;
3. Earned the prescribed twenty-two (22) credit minimum;
4. Made satisfactory progress on their IEP;
5. Maintained satisfactory records of attendance and conduct; and
6. Completed a transition assessment that measures postsecondary education and training, employment, independent living, and community involvement.

CREDUT REQUIREMENTS

Students must earn a minimum of twenty-eight (28) credits for graduation with a Johnson City School's Diploma. Students earning only the state required twenty two (22) credits will receive a Tennessee State Diploma. Hardship or gifted cases may be appealed by the student to the Superintendent of Schools with further appeal to the Board.⁷

MOVE ON WHEN READY⁷

High school students shall be permitted to complete an early graduation program. Students intending to graduate early shall inform the school principal of this intent prior to the beginning of 9th grade or as soon thereafter as the intent is known.

In order to graduate early, students shall meet the following requirements:

1. Earn the required seventeen (17) credits;
2. Achieve a benchmark score for each required end-of-course exam;
3. Attain a cumulative GPA of at least 3.2 on a 4.0 scale;
4. Meet the minimum ACT or SAT benchmark score;
5. Obtain a qualifying benchmark score on a world language proficiency assessment; and
6. Complete at least two (2) types of the following courses:
 - a. AP;
 - b. IB;

- c. Dual enrollment; or
- d. Dual credit.

The Superintendent of Schools shall develop administrative procedures to ensure that the early graduation program is conducted in accordance with state law.

COMMUNITY SERVICE REQUIREMENT

Students who graduate from Johnson City Schools with a traditional high school diploma must have completed forty (40) hours of community service prior to graduation **unless modified by the Board.** Community service hours will be prorated at ten (10) hours per year for students who do not attend a full four years in Johnson City Schools. The community service hours must be completed outside the regular school day. As hours are completed, students must submit a signed verification form to their counselor so that hours can be logged. A verification form is available at the main high school office and the counseling offices and online.

The choice of organizations used to acquire hours is the responsibility of the student/parent. If a student needs assistance in locating volunteer opportunities, a list of possible organizations is available at each school office.

The Johnson City School System is not liable for students during community service activities. It is the responsibility of the student/parent to select opportunities that will be most beneficial to the individual student and the community

Legal References:

1. Tennessee State Board of Education to Chapter 0520-01-03 "Minimum Requirements for the Approval of Public Schools"
2. TCA 49-6-6001; State Brd of Ed Policy 2.103
3. TCA 49-6-6001(b); State Brd of Ed Policy 2.103
4. TCA 49-6-408
5. TRR/MS 0520-1-3-.03(6)(1)(a)
6. TCA 49-6-6005
7. TRR/MS 0520-01-03-.06(1)(a)(7)
8. TCA 49-6-8303

Cross References:

- Basic Curriculum Program 4.201
- Class Ranking 4.602
- Accelerated and Advanced Credit 4.604
- Accelerated College Admission 4.207

Johnson City Board of Education

Monitoring: Review Annually, in November	Graduation Activities	Descriptor 4.606	Issue Date 1/3/2022
		Rescinds 4.606	Issued 12/7/2020

High school graduation day will be the first Saturday following the last scheduled day of school unless otherwise approved by the Board of Education.

Students who have met all graduation requirements on the day of graduation may participate in graduation activities.

Students are expected to participate in all graduation activities. Graduation apparel shall be determined by the administration and shall be the personal expense of each student. Any fees required for graduation ceremonies shall be waived for students who are eligible to receive free or reduced price lunches, and in such cases, the school shall assume responsibility for payment of fees.²

Graduation ceremonies shall be handicap accessible to all students, their parents and/or guardians, and other interested citizens.³

Students who do not wish to participate in graduation activities shall notify the school principal in writing at least five (5) days prior to the day of graduation. Non-participating students shall receive their diplomas or certificates from the principal's office within one (1) week after the day of graduation.

There shall be no sponsorship of a baccalaureate service or other activity which is religious in nature by the Board or its employees, and no school funds, including paid staff time, will be used for such activities. The ceremony and all activities shall not be religious in nature. The content of any students' speeches ~~shall~~ **will** not reflect the endorsement, sponsorship, position or expression of the school, employees, or the Board.⁴

Students graduating with distinction and state honors will be recognized at graduation.⁵ Additionally, principals shall ensure that high school students who voluntarily complete at least ten (10) hours of community service each semester are recognized during the graduation ceremony.⁶

Legal References:

1. TCA 49-6-405
2. TCA 49-2-114
3. 28 CFR § 36.201-2
4. *Lee v. Weisman*, 505 U.S. 112 S. Ct. 2649, 120 L. Ed. 2d 467 (1992)
5. TRR/MS 0520-1-3-.06(1)(c); SBOE Policy 2.103; Public Acts of 2017, Chapter No. 7
6. SBOE Policy 2.103

Cross References:

- Grievances & the Americans w/ Disabilities Act 1.802
Student Fees and Fines 6.709

Johnson City Board of Education

Monitoring: Review Annually, in November	Controversial Materials	Descriptor 4.801	Issue Date 1/3/2022
		Rescinds 4.801	Issued 1/2/2006

1 Parent(s) may request that a student not be required to read a book, use certain materials, or participate in an
2 activity. If the request to the teacher is denied then a written request may be submitted on the appropriate
3 form to the principal and the procedure outlined in **Board of Education policy 4.403- Reconsideration of**
4 **Instructional Materials and Textbooks** should be followed.

5
6 No student who is granted such a request shall be penalized academically for their failure to participate in an
7 activity, read a book or use certain materials.

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9 The final decision concerning the use of all materials and textbooks shall rest with the Board.

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Cross References:

Textbook Selection, Distribution and Care 4.401
Selection of Instructional Materials 4.402
Reconsideration of Instructional Materials 4.403
Use of the Internet 4.406

Johnson City Board of Education

Monitoring: Review Annually, in May	Special Education Students	Descriptor 6.500	Issued Date 10/12/2020
		Rescinds 6.500	Issued 5/7/2007

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~~All disabled students with disabilities between the ages of three and twenty one (inclusive) who have not yet received a regular high school diploma shall receive the benefit of a free appropriate public education.~~

~~Disabled students with disabilities will be educated with non-disabled students typically developing peers to the maximum extent appropriate, and should be placed in separate or special classes only when the severity of the handicap is such that education in regular classes cannot be achieved satisfactorily.¹~~

~~Eligibility standards and options of service for special education services will be based upon the criteria for disabling conditions specified in Rules, Regulations, and Minimum Standards, Tennessee State Board of Education, Part II.²~~

~~Program of services offered to disabled students shall include the following:~~

- ~~— 1. Comprehensive screening and assessment including identification and evaluation of disabled students;~~
- ~~— 2. The use of the IEP team for reviewing assessment, formulating program, and determining placement including an individualized educational program appropriate to meet unique needs;~~
- ~~— 3. Appropriate placements including the least restrictive placement with age appropriate peers;~~
- ~~— 4. Continuing evaluation of progress including an annual review of IEP and complete re-evaluation every three years;~~
- ~~— 5. Due process rights and procedural safeguards required by state and federal laws;~~
- ~~— 6. Avenues to involve parents in meaningful dialogue with school personnel throughout the students' educational career.~~

~~The Superintendent/designee will develop procedures for isolation and restraint of students with disabilities.¹~~

Legal References:

1. TCA 49-10-102; TCA 49-10-103
2. TRR/MS 0520-1-3-.09(4)

Cross References:

Special Education 4.202

Johnson City Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Special Education Students	Descriptor Code: 6.500	Issued Date: 10/12/20
		Rescinds: 6.500	Issued: 05/07/07

1 Special education students between the ages of three (3) and twenty-one (21), inclusive, shall receive the
2 benefit of a free appropriate public education. These students shall be educated with the general student
3 population to the maximum extent appropriate and should be placed in separate or special classes only
4 when the severity of the disability is such that education in regular classes, even with the use of
5 supplementary aids and services, cannot be accomplished satisfactorily.¹

6 Eligibility standards and options of service for special education services shall be based upon the criteria
7 specified in state regulations.²

8 Students receiving special education services shall not be restrained except as permitted by state law and
9 regulations.^{3,4} The Superintendent of Schools shall develop administrative procedures to govern the
10 following:⁴

- 11 1. Personnel authorized to use isolation and restraint;
- 12
- 13 2. Training requirements for personnel working with special education students; and
- 14
- 15 3. Incident reporting procedures.

Legal References

1. [TCA 49-10-103\(c\)](#)
2. [TRR/MS 0520-01-09-.01](#)
3. [TCA 49-10-1301 et seq.](#)
4. [TRR/MS 0520-01-09-.23\(4\)](#)

Cross References

Special Education 4.202
Compulsory Attendance Ages 6.201
Alternative Education 6.319
Safe Relocation of Students 6.4081