

Board of Education
March 10, 2022 1:00 PM
Central Services Board Room

BOARD MEMBERS:

1. Call to Order - Mr. Tony Brock
2. Moment of Silence / Pledge of Allegiance - Mr. Tony Brock
3. Approval of Committee Minutes
4. Policy 1.102
5. Policy 6.202
6. Other Discussion
7. Adjournment

Policy Committee Meeting
February 9, 2022
Central Services Board Room

The Policy Committee met on Wednesday, February 9, 2022, in the Central Services Board Room where Mr. Tony Brock called the meeting to order at the approximate hour of 10:00 a.m. He welcomed everyone to the meeting and appreciated everyone for attending.

PRESENT:

Mr. Tony Brock, Chairman of Policy, District 5
Mr. Jim Inman, District 1
Mrs. Stephanie Barnes, CAO
Heather Mullinax, Media

Mr. Chris King, District 6
Ms. Angela Randolph, Federal Programs Director
Ms. Sandy Helton, Title III

Absent: Mrs. Rebecca Hamby, District 7
Mrs. Anita Hale, District 4
Mrs. Ina Maxwell, DOS

1. **Call to Order** – Mr. Tony Brock
2. **Moment of Silence/Pledge of Allegiance** – Mr. Tony Brock
3. **Approval of Minutes** – Mr. Tony Brock

VOICE VOTE: King moved to approve.
Brock (seconder-yes)

MOTION: Carried unanimously

4. Policy 5.301 Emergency Leave, Bereavement and Legal Leave

Mr. Brock introduced the policy.

Brock: Essentially, minor changes with big results. We are suggesting that this policy be expanded to include all school employees, not just teachers so that our employees would benefit from being able to use emergency leave or bereavement leave. Jury Duty, court appearances and be given the same benefit. And that is the only change.

King: Mr. Chair I move to approve 5.301 as amended.

Brock: Thank you. I too, agree with that and so this committee will pass that policy on to the full board.

VOICE VOTE: King(mover-yes)
Brock (seconder-yes)
All Ayes

MOTION: Carried unanimously

5. Policy 5.303 Personal and Professional Leave

Mr. Brock introduced the policy.

Brock: This is about Personal and Professional Leave. There is only one addition. It will be on page 2, line 18. This slight change, again, is the result of some maybe misunderstanding of intent of the policy in the past. All it's saying is that anyone who is an employee of the school district, if they are elected or appointed, to various council position and elected positions, they would be able to use professional leave

when necessary. Especially for training.

King: Mr. Chair, I've got one question.

Brock: Yes sir.

King: On page 2, number 2 it says the approval of Principal shall be required. Then it gives 5 different things. Principal already has to approve leave anyway. I think what we're trying to say here is something else. I'm not sure that's worded the way we want it to be.

Brock: Any suggestions to clear that up?

King: I think the intent here was initially to say that it would come under special scrutiny if these came before the Principal. But it doesn't say that. I think guidance for the Principal to say a little closer than what you're approving here for these circumstances. There again, that's not what it says. Am I wrong in that?

Barnes: As a school Principal, I just remember when they can request, I had to take in consideration how many teachers were already out that day and things like that before I actually approved it.

King: Based on this policy?

Barnes: That was based on personal leave. You looked at with professional leave as well cause you're obviously helping plan and continue their training. With personal leave, is really when we would look at this piece of it.

King: So, is there a better way to say that? Than what we've got here? Because the Principal has to approve all leave anyway. Is this to call the attention to the Principal, that under these circumstances to watch out and not get over 10%?

Barnes: I think so. This is more for the Principals guidance as to when they approve it.

King: So, I guess my question goes back to, should we write it differently and say Principals should be aware of these situations before approving leave?

Brock/Barnes: I see your point.

Brock: On that, to me it kind of reads like more of a reminder to a teacher who might be wanting to take that approval is not automatic, if one of these conditions exist.

Barnes: Right. The approval of the Principal/Supervisor of the school is required, could you say something about based on, or as long as?

King: With the following considerations.

Barnes: With the following considerations, great.

Brock: Shall be required...

King: The approval of Principal/supervisor of the school shall consider the following when approving leave.

Barnes: Yes.

Brock: Consider the following?

King: Mmm Hmmm.

Barnes: When approving leave.

Brock: When approving...

King: I think that will tell who (inaudible) that we're looking at these things. There will be other parameters considered before you say you're good to go.

Barnes: Ok, I'm going to read it out loud for us, so we hear it all at once. The approval of the Principal/Supervisor of the school shall consider the following when approving leave.

Brock: That's what I have.

King: And so, with that Mr. Chair, with that addition and revision that's shown, move to approve.

Brock: And I agree with that as well. So, we shall make that change and pass it on the board for their consideration. Thank you. Well done.

VOICE VOTE: King (mover-yes)
Brock (seconder-yes)
All Ayes

MOTION: Carried unanimously

6. Policy 5.701 Substitute Teacher

Mr. Brock introduced the policy.

Brock: Stephanie, you can help me on this. This change or removal came as the result of a law that at some point was inserted into Tennessee Code. I don't think that we don't need to cite it and I certainly don't think we need that second sentence, if you will look under the highlighted parts, lines 21-23. This only applies to teachers who retired after July 1, 2011 through July 1, 2016. I absolutely think that sentence can be removed. I don't even know why it was there to begin with really, unless somebody was concerned about a law. I have no problem with leaving or taking out the first portion of that. Lines 21-to end of line 22. Retired teachers serving as substitutes who do not have an active teaching licenses shall be paid the same as a retired substitute teacher with one. Is there any thinking there from the Central Office as far as filling positions? Are we going to pay a certified sub, whether that's an active license that they might have, the same, regardless? Is that the intent?

Barnes: Certified substitutes are paid \$75 per day where a non-certified is \$60. If any of you all, being retired Cumberland County school teachers, if you sub, we do pay retired Cumberland County school teachers \$100 a day.

Brock: Some?

Barnes: I'm not sure if they have to have their license.

Brock: I guess my question is, are we going to make a distinction about if that license is still active or not?

Inman: Mr. Chairman, may I put in 2-cents worth? To be honest with you, I like having that in there because there are some retired teachers that have let their certification run out and if we're splitting hairs that means that if we don't leave that in there, then technically we could pay a retired teacher that their license has expired \$75 a day whereas somebody that's got their license. There's not going to be any difference in them because they know how to teach. Another thing I'd like for us to look at is the \$100 a day for Cumberland County retired teachers. I think we're probably going to have to look at extending that to any retired teacher. I've talked to retired teachers that have come in here from other states or other counties and they would like to sub but they aren't going to do it for \$75 a day. That's a completely different subject.

Barnes: I agree. But, there's nothing in this policy that says we have to make a distinction about whether they are a retired Cumberland County teacher. That is not a policy question at this time. That seems to be a procedure being followed by payroll or HR or somewhere out of this office. So, there's nothing in this policy from preventing you or this office from doing that. Whether, again, it's a retired Cumberland County teacher or not. I too think we should pay a retired license teacher, whether that license is active still or not. I think we ought to pay them the same. They are very valuable. Especially with all of the problems we had staffing a classroom with an experienced, certified teacher who's actually going to be productive. Anything we can do to entice, I'm all for. Mr. King?

King: Just one thing, this doesn't affect the number of days they can work. It changes the amount of money they can make, but they can work up to 120 days and still be retired.

Brock: Yes. Recent study law changes expanded that too. If somebody is substituting 120 days out of the year, that's a pretty valuable substitute. They might ought to consider dropping that sub.

Inman: Just go back.

Brock: I would like to suggest that we leave the retired teachers serving as substitutes who do not have an active teaching licenses shall be paid the same as a retired substitute teacher with an active license. And just get rid of the sentence this only applies to teachers...but leave the other.

Barnes: Just take out that last sentence.

Brock: Take out that last highlighted sentence.

King: Leave 21 and first part of 22.

Brock: Correct.

Barnes: Ok.

Brock: I would suggest that Central Office takes a look at if there's any reason that we would make a difference in pay for, whether a teacher retired from Cumberland County or they retired from another

district.

Inman: I think that was basically done, was it last year, as a way to try to get some more people to sign up and get them involved.

Barnes: As we look at that, obviously they will have to show proof that they have a current license. So, they have a current license and they retired from, whether it's from the state of Florida or Davidson County in Tennessee, anywhere they are a licensed retired teacher, they would possibly draw the \$100 a day just as Cumberland County teachers. We want to take that back and look at implementing that, correct?

King: By leaving line 21, we can do that. That says active.

Barnes: Ok.

Brock: And that's the reference to the Tennessee Code, or Public Acts, sorry. That just needs more of the day to day decision making and up to those of you who are on the front lines everyday. Does that make sense? Compensation and what's it's going to take to get a qualifying teacher in a classroom.

Barnes: I want to also just be clear, we do have employees that we do have substitutes for who may not be in the teaching positions, for example, they might be an assistant for certain classrooms, we have the assistants that we do get subs for. The substitute pay is the \$100 a day if they are substituting for the teacher, not the assistant, correct?

Brock: Correct. I think that's only fair, from where I sit. But again...

Barnes: It's not that we mean they are less important, by any means but as the classroom teacher, they are responsible, if they are subbing for the classroom teacher, they are responsible for the entire class and everything that's going on.

Brock: I think that's the key word-responsible.

King: Mr. Chair, I move to approve 5.701 as amended to remain with line 21 and part of 22, striking only the last portion of the last sentence, line 22-23.

Brock: I agree with that and will second that we'll pass that on the full board. Well done. Thank you all.

7. Other Discussion

Brock: Any other discussion of this meeting? Any questions?

8. Adjournment

King: Move to adjourn.

Brock: I will agree with that. Thank you all for being here. This meeting is adjourned.

VOICE VOTE: King (mover-yes)
Brock (seconder-yes)
All Ayes

MOTION: Carried unanimously

The meeting was adjourned at approximately 10:18 a.m.

Dr. Ina Maxwell
Director of Schools

Mr. Tony Brock
Chairman of the Policy Committee

Diane McCartney
Executive Assistant for the Director of Schools and BOE

Cumberland County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: Board Members Legal Status	Descriptor Code: 1.102	Issued Date: 07/27/17
		Rescinds: 1.102	Issued: 04/07/05

1 The legal status of board members shall be as follows:¹

2 **NUMBER OF MEMBERS**

3 The Board is composed of nine (9) members, ~~which includes the one (1) member from each legislative~~
4 ~~district.~~

5 **QUALIFICATIONS**

6 Members of the Board shall be residents ~~of and~~ elected ~~on a non-partisan basis~~ from districts of
7 substantially equal population, ~~by resolution of the local legislative body,~~⁴ and shall be citizens of
8 recognized integrity, intelligence, and ability to administer the duties of the office.^{1,2} To qualify as a
9 candidate, an individual must show proof of graduation from high school or receipt of a G.E.D or
10 **HiSET**³. No member of the county legislative body nor any other county governmental official shall be
11 eligible for election as a member of the county Board of Education.⁴

12 **TERMS OF OFFICE**

13 Members of the Board shall serve four (4) year terms.¹

14 **VACANCIES**

15 Vacancies shall be declared to exist on account of death, resignation, ~~change of residence from the~~
16 ~~district, which elected him/her,~~ removal or through due process proceedings.^{4 5}

17 When a vacancy occurs, the unexpired term shall be filled at the next regular or special meeting of the
18 local legislative body.^{5 6} Such appointment shall continue until the next regular election.

Legal References

1. TCA 49-2-201(a)(1)
2. TCA 49-2-202(a)(1);
3. TCA 49-2-202(a)(4)
4. TCA 49-2-202(a)(2);
5. ~~TCA 49-2-202(a)(4)~~
5. TCA 8-47-101; TCA 49-1-611 **TCA 49-2-202(e)(2)**
6. TCA 49-2-202(e)(1)

Cumberland County Board of Education

Monitoring: Review: Annually, in December	Descriptor Term: Transfers Within the System	Descriptor Code: 6.206	Issued Date: 02/22/18
		Rescinds: 6.206	Issued: 01/22/15

1 *General*¹

2 Each year, the Director of Schools/designee shall review the number of spaces available in each school
3 by grade, class and program levels. This information shall be posted on the district's website along
4 with the dates of the district's open enrollment period. The open enrollment period shall last for thirty
5 (30) days and information about the number of seats available shall be posted for at least fourteen (14)
6 days prior. The Director of Schools/designee shall reserve a reasonable number of enrollment spaces at
7 each school to account for the enrollment of zoned students, siblings of students, and students who
8 have a parent/guardian employed at the school.² ~~Open enrollment is designed to offer students and
9 parents a choice in the selection of schools other than the zoned school and to give families the
10 opportunity to select the best education experience available for their children. From April 1st through
11 the tenth school day in August of each school year, a parent/guardian may request that his/her child
12 attend a school within the system other than the one to which the child is zoned.** The Director of
13 Schools or his/her designee along with the principal shall review such requests and, if adequate space
14 is available, grant such transfers unless a transfer would be adverse to the best interests of the child or
15 the school system. If granted, the student must provide his/her own transportation to and from the
16 school.⁺~~

17 During the district's open enrollment period each year, a parent/guardian may request that his/her child
18 attend a school within the district other than the one to which the child is zoned. The Director of
19 Schools/designee shall review such requests, and if adequate space is available, grant such transfers. If
20 the number of requests exceeds the number of available spaces, the Director of Schools/designee shall
21 implement a lottery to fill the available spaces. ~~Except within the first ten (10) days of a school year
22 where a parent/guardian may appeal the assignment of a student to the Board,² after a student has
23 enrolled in one (1) school within the system, he/she shall not be permitted to transfer to another unless
24 there is a change in residence of the student's parents or guardian outside the area in which the student
25 enrolled. Any exception to this policy must be brought before the Director of Schools for evaluation
26 and decision.~~

27 The open enrollment process shall be completed before other nonresident transfers are approved.

28

29 **POST ENROLLMENT**¹

1 Once accepted, the student shall provide his/her own transportation to and from the school. The student
 2 must maintain satisfactory attendance, behavior, and effort to remain in the new school.

3

4 CHANGE IN RESIDENCE¹

5

6 Students whose families transfer their residence to another school area after the first month of school
 7 may complete the school year at their former school. Students who present evidence that they will
 8 move during the school year and who desire to enroll in a new school in the new area may do so with
 9 prior written request for a change of school area. The Director of Schools or his/her designee may
 10 grant other exceptions to this policy for good and sufficient reasons.

11 ~~Principals shall allow credit for work transferred from other schools only when substantiated by~~
 12 ~~official transcripts or successful completion of comprehensive written examinations approved,~~
 13 ~~administered, and graded by the principal or his/her designated representative.³~~

14 ~~Requests for transfer must be submitted annually and acceptance will be based on available space,~~
 15 ~~attendance, and behavior.~~

16 **NOTE: Not effective in the event of a federally mandated desegregation order.³**

Legal References

1. TCA 49-2-128
2. TCA 49-6-3201 3113
3. ~~TRR/MS 0520 01 03 .03(11)(a) (e)~~ 34 C.F.R.
100.4

Cross References

- Student Assignments 6.205
 Homeless Students 6.503
 Students in Foster Care 6.505