



Johnson City Board of Education Special Meeting

February 3, 2025

The Johnson City Board of Education met in regular session on February 3, 2025, at 5:00 PM in the Board Room at the Central Office.

Attendance Taken at 5:00 PM.

Dr. Ginger Carter: Present

Mr. Tom Hager: Present

Mrs. Kathy Hall: Present

Mr. Jonathan Kinnick: Present

Celia Martin: Present

Rick Smith: Present

Mrs. Paula Treece: Present

Present: 7.

1. CALL TO ORDER AND PURPOSE OF MEETING

A. Policy Review

1. 1.407 - School Board Record
2. 2.100 - Fiscal Management Goals and Objectives
3. 2.201 - Line-Item Transfer Authority
4. 2.300 - Comparability of Services
5. 2.401 - Gifts and Bequests to the School System
6. 2.403 - Surplus Property Sales
7. 2.404 - School Support Organizations
8. 2.600 - Commercial Crime Insurance
9. 2.700 - Accounting System
10. 2.802 - Payroll Procedures
11. 2.803 - Salary Deductions
12. 2.807 - Requisitions
13. 2.810 - Payment Procedures
14. 4.404 - Use of Copyrighted Materials
15. 4.603 - Promotion and Retention
16. 5.100 - Personnel Goals
17. 5.101 - Lines of Authority and Staff Relations
18. 5.102 - Classification and Qualifications
19. 5.104 - Equal Opportunity Employment

20. 5.105 - Recruitment of Employees
21. 5.106 - Application and Employment
22. 5.108 - Supervision
23. 5.110 - Compensation Guides & Contracts
24. 5.113 - In-Service and Professional Learning Opportunities
25. 5.114 - Personnel Records
26. 5.115 - Assignment / Transfer
27. 5.116 - Staff Positions
28. 5.118 - Background Investigations
29. 5.119 - Employment of Retirees
30. 5.202 - Separation Practices for Non-Certified Employees
31. 5.307 - Physical Assault Leave
32. 5.400 - Personnel Health Examinations / Communicable Diseases
33. 5.401 - Acquired Immune Deficiency Syndrome (AIDS)
34. 5.403 - Drug & Alcohol Testing of Employees
35. 5.501 - Employee Complaints and Grievances
36. 5.502 - Complaints About School Personnel
37. 5.607 - Non-System Employment
38. 5.609 - Use of School System Technology
39. 5.701 - Substitute Teachers
40. 5.801 - Superintendent of Schools Recruitment and Selection
41. 5.803 - Evaluation of the Superintendent of Schools
42. 5.902 - Board Collaborative Conferencing Agent
43. 2.6011 - Fundraising Activities
44. 5.1141 - Teacher Effect Data
45. 5.8001 - Employment of Non-Certified Administrative and Supervisory Personnel

2. ADJOURNMENT

5:31 PM

Chairman

Board Secretary

Johnson City Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Board Records	Descriptor Code: 1.407	Issued Date: 01/05/24
		Rescinds: 1.407	Issued: 01/03/22

1 The Superintendent of Schools shall maintain all school system records required by law, regulation and
2 Board policy. Any citizen of Tennessee, state official or other authorized person shall be permitted, upon
3 written request, at a reasonable time, to inspect all records maintained by the school system unless
4 otherwise prohibited by law, regulation or board policy. A person who has the right to inspect a record
5 may request in writing and receive copies of the documents subject to the payment of reasonable
6 cost.^{1,2,3,4}

7 No records pertaining to individual students will be released for inspection by the public or any
8 unauthorized persons. In addition, information, records and plans related to security and safety will not
9 be released for public inspection.⁵

10 All requests to inspect or receive copies of records shall be submitted to the Human Resources
11 Department, the system's public records request coordinator and records custodian.⁶

12 Prior to producing any record, the records custodian shall ensure confidential information is redacted.
13 Original documents shall remain intact and confidential information in copies produced for a requestor
14 shall be redacted. The Superintendent of Schools shall develop a procedure to redact confidential
15 information.

16 **REQUESTS FOR INSPECTION²**

17 Citizens requesting to inspect public records shall submit their request and a government issued photo
18 identification card with the citizen's address to the system's public records request coordinator during
19 normal business hours. Requests may be made in person, in writing, **by telephone, fax, mail**, or by
20 electronic mail (email). The coordinator shall submit the information to the appropriate records
21 custodian. The records custodian will contact the citizen and indicate when the records will be available
22 to inspect.

23 If the records cannot be made available within seven (7) business days, the records custodian shall
24 provide a records production letter indicating the time needed to complete the request.

25 If the request to inspect is denied, the records custodian shall provide the citizen with a records request
26 denial letter indicating the basis for the denial.

27 **REQUESTS FOR COPIES²**

28 Citizens requesting copies of public records shall complete and submit the Records Request Form and a
29 government issued photo identification card with the citizen's address to the district's public records
30 request coordinator during normal business hours. The coordinator shall submit the Records Request
31 Form to the appropriate records custodian.

1 The records custodian shall provide an estimate of the reasonable costs to produce the requested records.
2 The Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable
3 Charges found at <https://www.comptroller.tn.gov/openrecords/forms.asp> shall be used to determine the
4 reasonable cost.

5 The records custodian will provide the citizen with an invoice detailing the charges. The citizen shall
6 pay the estimated reasonable costs by cash or check prior to the district producing the copies.

7 If the records cannot be made available within seven (7) business days, the records custodian shall
8 provide a records production letter indicating the time needed to complete the request.

9 If the request for copies is denied, ~~the records~~ the records custodian shall provide the citizen with a
10 records request denial letter detailing the basis for the denial.

11 **FREQUENT AND MULTIPLE REQUESTS**

12 When the total number of requests for copies made by a requestor within a calendar month exceeds
13 four (4), the requestor may be charged a fee for any and all labor that is reasonably necessary to
14 produce copies of the requested records. Prior to charging a reasonable fee, the requestor shall be
15 notified of this policy and provided with a Notice of Aggregation of Multiple Requestors form. The
16 Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable
17 Charges found at <https://www.comptroller.tn.gov/openrecords/forms.asp> shall be used to determine the
18 reasonable cost. Further, the names of persons inspecting records and the date of inspection shall be
19 recorded.

20 **DENYING REQUESTS FOR NONCOMPLIANCE⁷**

21 *Requests to Inspect a Public Record*

22 The system shall deny a request to inspect a public record from any citizen that has:

- 23 a. Made two (2) or more requests to view a public record within a six-month period; and
- 24
- 25 b. For each request failed to view the record within fifteen (15) business days of receiving
- 26 notification that the record was available.

27 Requests from this citizen shall be denied for up to six (6) months from the date of the second records
28 request. The district's public records request coordinator may waive this denial if they determine that
29 failure to view the record was for good cause.

30 *Requests for Copies of Public Records*

31 The system shall deny a request for copies of a public record from any citizen that has:

- 32 a. Been provided with an estimate of the reasonable cost to produce the requested records;
- 33 b. Agrees to pay such estimated reasonable cost prior to production of the records; and
- 34 c. Fails to pay the actual cost after the records have been produced.

1 Additional requests from this citizen shall be denied until the original cost is paid.

2 **RECORDS RETENTION**

3 The Superintendent of Schools and/or their designee(s) shall retain and dispose of school system
4 records in accordance with the following guidelines:^{2,4}

- 5 1. The Superintendent of Schools and/or their designee(s) will determine if a particular record is of
6 permanent or temporary value in accordance with regulations promulgated by County Public
7 Records Commission and the Tennessee Institute for Public Services records manual;^{8,9}
- 8 2. Temporary value records which have been kept beyond the required time may be recommended
9 to the Public Records Commission for destruction;^{10,11}
- 10 3. The records that the State Librarian and Archivist desire to preserve in their facilities will be
11 transferred to the State Library and Archives. The temporary value records rejected by the State
12 Library and Archives may be transferred to another institution or destroyed;^{10,11,12}
- 13 4. Permanent records will be kept in some usable form (digital, printed, microfilm, etc.). If the
14 Superintendent of Schools desires to destroy the original permanent record, these records must
15 be reproduced by microfilming or some other permanent reproduction method. Permission to
16 destroy any original permanent record after microfilming follows the same procedure noted
17 above for temporary records;^{9,11} and
- 18 5. The Superintendent of Schools shall establish procedures to safeguard against the unlawful
19 destruction, removal or loss of records.¹³

20 **DISTRICT PUBLIC RECORDS REQUEST COORDINATOR¹⁴**

21 Name: Amber Forbes

22 Title: Supervisor of Human Resources

23 Contact Information: 423-549-4274 **232-5384**; forbesa@jcschools.org **hr-info@jcschools.org**

Legal References

1. TCA 49-2-301(b)(1)(Z)
2. TCA 10-7-503
3. TCA 10-7-506(a)
4. TCA 49-2-104
5. TCA 10-7-504(p)
6. *Policy Related to Reasonable Charges a Records Custodian May Charge for Frequent and Multiple Requests for Public Records*, Tennessee Comptroller of the Treasury, available at <https://www.comptroller.tn.gov/content/dam/cot/orc/documents/oorc/policies-and-guidelines/ScheduleofReasonableCharges.pdf>; TCA 10-7-503(a)(1)(B),(C)
7. TCA 10-7-503(a)(7)(A)(vii)
8. TCA 10-7-401
9. TCA 10-7-406
10. TCA 10-7-404
11. TCA 10-7-413
12. TCA 10-7-414
13. TCA 39-16-504
14. TCA 10-7-503(g)(1)(D)

Cross References

Financial Reports and Records 2.701
Personnel Records 5.114
Student Records 6.600

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Fiscal Management Goals and Objectives	Descriptor Code: 2.100	Issued Date: 06/04/24
		Rescinds: 2.100	Issued: 04/03/23

1 The Board of Education shall practice sound fiscal management procedures which guarantee maximum
2 use of all resources provided.¹

3
4 In fiscal management, the Board seeks to achieve the following goals:

- 5 1. To engage in advance planning, with broad-based staff and community involvement;
- 6
- 7 2. To establish levels of funding which will provide quality education for the system's students;
- 8
- 9 3. To use the available techniques for budget development and management;
- 10
- 11 4. To provide timely and appropriate information to all staff with fiscal management
- 12 responsibilities; and,
- 13

14 To establish efficient procedures for accounting, reporting, purchasing and delivery, payroll, payment
15 of vendors and contractors, and all other areas of fiscal management.

16 RESERVE FUNDS

17 The Board recognizes the need to maintain an operating reserve in the General Purpose School fund
18 for the following purposes:

- 19 • Hold adequate working capital to meet cash flow needs during the fiscal year
- 20 • Reduce the need for short term borrowing
- 21 • Serve as a safeguard for unanticipated expenses
- 22 • Show fiscal responsibility to maintain a high credit rating which will help reduce future
- 23 borrowing costs
- 24

25 The Board of Education shall place emphasis on maintaining an unrestricted fund balance in the
26 General Purpose School Fund to an amount equal to approximately 16 percent of the General Fund
27 Operating budget expenditures. This represents approximately two (2) months of operating
28 expenditures.

29
30 At the close of each budget year any excess of revenues over expenditures that will increase the
31 cumulative unrestricted fund balance above the established target amount will be recorded as a

- 1 restricted reserve account available for appropriation by the Board of Education for one-time
- 2 expenditures.

Legal References

1. [Internal School Funds Manual, Section 3-1](#)

Cross References

School District Goals 1.700

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Line-Item Transfer Authority	Descriptor Code: 2.201	Issued Date: 04/13/20
		Rescinds: 2.201	Issued: 02/04/02

- 1 Line-item transfers within major categories shall be made upon the recommendation of the Director of
- 2 Finance and approved by the Superintendent of Schools with information provided to the Board **of**
- 3 **Education** in the monthly financial report.
- 4 Transfers between major budget categories shall be made with the approval of the Board ~~of Education~~
- 5 and notification of the City Commission.¹
- 6 Monies provided by the city for educational purposes shall be under the direct control of the Board
- 7 which shall designate the expenditure of such funds.

Legal Reference:

1. OP Tenn. Atty. Gen. 83-464 (Oct 26, 1983);
Bandy v. State ex. rel. Sullivan County Board;
186 TN 11, 207 S. W. 2d 1011 (1948)

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Comparability of Services	Descriptor Code: 2.300	Issued Date: 04/06/15
		Rescinds: 2.300	Issued: 07/01/00

- 1 In order to ensure comparability of services¹ from local and state funds in all of its schools, the Board
2 **of Education** shall ensure that:
- 3
 - 4 1. A system-wide salary schedule is adopted annually;
 - 5
 - 6 2. Teachers, principals, and support personnel are assigned to schools on an equivalent
7 basis according to grade levels and need; and
 - 8
 - 9 3. Curriculum materials and instructional supplies are provided to schools on an
10 equivalent basis according to grade levels and need.

Legal References

1. TCA 49-3-353

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Gifts and Bequests to the School System	Descriptor Code: 2.401	Issued Date: 04/03/23
		Rescinds: 2.401	Issued: 04/04/19

1 The Board **of Education** shall establish and or identify a non-profit corporation to be known as the
2 Johnson City Schools Foundation, Inc. to receive and administer private grants, gifts, bequests and
3 endorsements for student aid, scholarships and other purposes.¹

4 The Board shall request that gifts which are not available for immediate school use be made to the
5 Johnson City **Public** Schools Foundation, Inc., which will use them for the designated purpose.

6 The Board shall request that the Johnson City **Public** Schools Foundation, Inc. manage its funds ~~with~~
7 ~~limited risk~~ **actively and responsibly**, and that gifts in a form other than cash shall be converted to
8 cash in a reasonable time and manner, unless it is to be held in kind for a designated period or for a
9 designated reason.

10 The Board shall request that the Foundation provide a financial report to the Board annually no later
11 than May 30. The report shall include information on grants awarded and contributions received.

12 Gifts of money, property, or securities immediately usable in the schools which may serve to enhance
13 and extend the work of the schools may be received by the system.

14 The system shall not be obligated to accept gifts.

15 It shall be the general policy of the system to direct those who desire to make contributions to consider
16 equipment or services that are not likely to be acquired from public fund expenditures.

17 The following guidelines will apply to gifts to the system:

- 18 1. Equipment contributed to the schools becomes the property of the system and is subject to the
19 same controls and regulations that govern the use of other school-owned property.
20
- 21 2. Contributions of equipment or services that may involve major costs for installation or
22 maintenance, or initial or continuing financial commitments from school funds, shall be
23 presented by the Superintendent of Schools' office for Board consideration and approval.
24
- 25 3. The purchases of equipment on a matching fund basis, (part of cost provided by an individual
26 or organization and part by the Board of ~~Education~~ from public funds) may be allowed.
27
- 28 4. Individuals or organizations desiring to contribute supplies or equipment will be encouraged to
29 counsel with school officials regarding the acceptability of such contributions in advance of the
30 solicitation of funds or the making of budgetary appropriations.
31

- 1 5. A list of supplies and equipment contributed primarily for school use shall be reported to the
- 2 Board by the Superintendent of Schools' office at least annually.
- 3 6. The Board shall not be obligated to accept property which is subject to any charge or
- 4 encumbrance.

Legal References

1. TCA 49-6-2006(a)

Cross References

Staff Conflicts of Interest 5.601
Staff Gifts and Solicitations 5.605
Gifts 6.710

Johnson City Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Surplus Property Sales	Descriptor Code: 2.403	Issued Date: 04/03/23
		Rescinds: 2.403	Issued: 04/04/22

1 The Superintendent of Schools shall prepare a list of unusable items for Board **of Education** approval.¹
2 The list shall contain the following information: name of item, date of purchase, and reason for disposal.

3 All unusable items shall be sold to the highest bidder after advertising in a newspaper of general
4 circulation at least seven (7) days prior to the sale. Additional forms of advertising may also be utilized.

5 Surplus property which has no value or has a value of less than five hundred dollars (\$500) may be
6 disposed of without the necessity of bids. In order for such disposal without bids, the Superintendent of
7 Schools and the Board Chair shall agree in written form that the property is of no value or is of less value
8 than five hundred dollars (\$500).²

9 If reasonable attempts to dispose of surplus properties fail to produce monetary return to the district, the
10 Board shall approve other methods of disposal.³

11 Surplus equipment will be auctioned off by the district at the end of the school year. The Board shall
12 approve all surplus equipment prior to the materials being disposed of at the end of the school year.

13 **DISPOSITION OF EQUIPMENT PURCHASED WITH FEDERAL DOLLARS⁴**

14 When equipment that was purchased with federal dollars is no longer needed for the original project or
15 program or for other activities currently or previously supported by a federal agency, disposition of the
16 equipment shall be made as follows:

- 17 1. Items of equipment with a current per-unit fair market value of less than \$5,000 may be
18 retained, sold, or otherwise disposed of with no further obligation to the awarding agency; or
19
20 2. Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained
21 or sold, and the awarding agency shall have a right to an amount calculated by multiplying the
22 current market value or proceeds from sale by the awarding agency's share of the equipment.
23

Legal References

1. TCA 49-6-2006(b)(3); TCA 49-6-2208
2. TCA 49-6-2007
3. TCA 12-2-403(a)
4. 2 CFR § 200.313

Cross References

- Duties of Officers 1.201
Inventories 2.702
Textbooks 4.401

Johnson City Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: School Support Organizations	Descriptor Code: 2.404	Issued Date: 05/07/24
		Rescinds: 2.404	Issued: 04/13/20

1 Only a group or organization that has entered into a written cooperative agreement with the Board of
2 Education may use the name, mascot or logo of a school or the school district to solicit or raise money,
3 materials, property, securities, services, or other things of value.¹

4 A civic organization operating concessions or parking at school-sponsored events is not a school
5 support organization subject to this policy.

6 **REPORTING AND RECORDS**

7 The Superintendent of Schools ~~or~~/designee shall annually post a list of organizations that are
8 recognized as school support organizations on the school district's web site.

9 Any forms, annual reports, or financial statements submitted shall be open to public inspection as a
10 public record.

11 **PROCEDURES**

12 The Superintendent **of Schools** shall create procedures to oversee the relationship between the Board
13 and any school support organization. These procedures shall include, at a minimum, the following:

14 1. Any agreement between the Board and a school support organization shall be in writing and
15 signed by the Superintendent of Schools or designee and an authorized agent of the school
16 support organization seeking authorization. This agreement shall contain, at a minimum, the
17 following provisions:

18 a. An agreement to abide by any policies and procedures regarding school support
19 organizations;

20 b. An agreement to indemnify the Board, the Superintendent and all other agents of the
21 local education agency for the actions of the school support organization; and

22 c. An agreement to maintain an adequate comprehensive liability insurance policy that
23 names the Johnson City School System as an additional insured.

24 2. Prior to entering into any agreement, a school support organization shall submit the following
25 to the Superintendent of Schools or designee:

26

- 1 a. Documentation confirming the school support organization's status as a nonprofit
2 organization, foundation, or a chartered member of a nonprofit organization or
3 foundation;
- 4 b. A written statement of the goals and objectives of the group or organization;
- 5 c. The principal contact telephone and address, as well as the telephone number, address,
6 and position of each officer of the group or organization; and,
- 7 d. A copy of the school support organization's written policy specifying reasonable
8 procedures for accounting, controlling, and safeguarding any money, materials,
9 property, securities, services, or other things of value collected or disbursed by it.
- 10 3. The Superintendent shall designate a date prior to the beginning of the regular school year for
11 the school support organization to submit a form to the Superintendent **of Schools** ~~or the~~
12 ~~Superintendent's~~ /designee which verifies the information previously provided by the school
13 support organization is correct or, if the information is no longer correct, that date shall be the
14 deadline for any corrections.
- 15 4. The school support organization will participate in annual training on all Federal, State and
16 local laws, ordinances, regulations, and Board policies regarding the operation of the
17 organization.
- 18 5. The school support organization shall abide by all applicable Federal, State and local laws,
19 ordinances, regulations and Board of Education policies in its activities.
- 20 6. The school support organization shall maintain a copy of its charter, bylaws, minutes, and
21 documentation of its recognition as a nonprofit organization.
- 22 7. The school support organization shall maintain financial records for a period of at least four (4)
23 years.
- 24 8. The school support organization shall operate within the applicable standards and guidelines set
25 by a related state association, if applicable, and shall not promote, encourage or acquiesce in
26 any violation of student or team eligibility requirements, conduct codes or sportsmanship
27 standards.
- 28 9. The school support organization's officers shall ensure that school support organization funds
29 are safeguarded and are spent only for purposes related to the stated goals and objectives of the
30 organization.
- 31 10. The school support organization shall obtain the approval of the Superintendent **of Schools** ~~or~~
32 ~~the Superintendent's~~ /designee before undertaking any fundraising activity. The Superintendent
33 or the Superintendent's designee shall consider, at a minimum, the following when approving
34 or denying a request by a school support organization to engage in a fundraising activity:

- 1 a. Whether the fundraising activity, as scheduled, conflicts with the fundraising activity of
2 the school district or an individual school within that district; and,
- 3 b. Whether the fundraising activity is consistent with the goals and mission of the school
4 or school district.
- 5 11. The school support organization shall provide access to all books, records, and bank account
6 information for the school support organization to officials of the local school board, local
7 school principal, or auditors of the office of the comptroller of the treasury upon request. In
8 order for the Board of Education, including any school, to accept monetary contributions in an
9 amount greater than \$15,000 per year from a school support organization the organization must
10 conduct a full financial review of all books and records relating to finances once each year by a
11 public accountant or public accounting firm or a committee of members versed in accounting
12 procedures and supply a financial statement to the Board and to their members. Such auditors
13 or committee members may not be related to the treasurer of the school support organization;
- 14 12. A school representative cannot act as a treasurer or bookkeeper for a school support
15 organization or be a signatory on the checks for a school support organization. A majority of
16 the voting members of any school support organization board should not be composed of
17 school representatives.
- 18 13. The school support organization must clearly indicate that any activity undertaken by such
19 organization is not sponsored by the School System or any school and supervise any
20 organization activity.

21 The Superintendent of Schools may enact procedures to suspend or revoke the authorization of any
22 school support organization for a failure to abide by the policies and procedures regarding school
23 support organizations.

24 **OPERATION OF A SCHOOL BOOKSTORE**

25 The principal of a school may enter into an agreement with a recognized school support organization
26 for the operation of a bookstore located on school grounds, which makes direct sales to students and
27 faculty, pursuant to procedures promulgated by the Superintendent of Schools. These procedures shall
28 provide, at a minimum, the following:

- 29 1. One hundred percent (100%) of the profits of the operation of the bookstore are used for
30 support of the school; and
- 31 2. The school support organization provides the school with the relevant collection documentation
32 that would have been required pursuant to the provisions of the manual produced under TCA
33 49-2-110 for student activity funds.
- 34

35 The Superintendent may provide such other procedures and forms as he deems necessary.

1 CONCESSIONS AND PARKING

2 The principal of a school may agree to allow an authorized school support organization to operate and
3 collect money for a concession stand or parking at a related school academic, arts, athletic, or social
4 event on school property without the prior approval of the Superintendent **of Schools** or
5 Superintendent's /designee. Any money payable to the school pursuant to the agreement with the
6 principal will be considered school support group funds and not student activity funds if the school
7 support organization provides the school with the relevant collection documentation required by the
8 student activity funds manual produced by the State.

9 Contracts Between the Board of Education and school support organization

- 10 1. A school support organization may contract with the **School** System to fund curriculum-based
11 classes. These classes may be scheduled during such times at the Superintendent deems
12 appropriate for student benefit. Such classes may not be a replacement for services currently
13 provided by any school employee. Such classes can be scheduled during normal school hours
14 for activities that are not available after school, are not funded by the System's budget and are
15 an enhancement to current programs. Funds for such classes must be paid to the System and
16 must be in an amount sufficient to cover salaries for staffing and any other needs related to the
17 class. The school support organization that funds such classes will be allowed to have a
18 representative participate in the hiring of any staff needed for the class and will be allowed to
19 participate in the design of curriculum, if necessary. Any staff hired pursuant to this provision
20 will be subject to the same policies and procedures as other similarly situated staff.
21
- 22 2. The school support organization may contract with professional individuals through personal
23 services contracts approved by the Superintendent of Schools for the staff hired to provide
24 enhancement. The Board will not be responsible for the compensation of any staff or the
25 payment of any sums under such personal services contracts and the Superintendent of Schools
26 will have final authority to terminate such personal services contracts.

Legal References

1. [TCA 49-2-601, et seq](#)

Cross References

Use of Copyrighted Materials, Mascots and
Logos 4.404

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Commercial Crime Insurance	Descriptor Code: 2.600	Issued Date: 05/07/24
		Rescinds: 2.600	Issued: 02/05/07

- 1 Johnson City School sSystem employees with direct access or signature authority to available school
- 2 system funds shall be covered by a Commercial Crime Insurance Policy purchased by the
- 3 system.¹ Coverage shall be for a minimum of \$200,000.

Legal References:

1. [TCA 8-19-101, 102, 103](#); [TCA 49-2-110\(a\)\(1\)](#)

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Accounting System	Descriptor Code: 2.700	Issued Date: 05/07/24
		Rescinds: 2.700	Issued: 04/03/23

1 CENTRAL OFFICE

2 The Superintendent of Schools shall maintain a system of accounting, arranged according to the
3 regulations prescribed by the Commissioner of Education, which provide a detailed and accurate
4 account of all receipts and disbursements of the schools.¹

5 GENERAL FUNDS

6 Through appropriations by the City **of Johnson City** Commission, the school system annually receives
7 budgeted funds for operation purposes. Those funds shall be accounted for in accordance with the City
8 of Johnson City Finance Department Regulations and in accordance with the State of Tennessee
9 finance accounting codes. The Annual Public School Financial Report shall be filed and certified in
10 accordance with Department of Education regulations and submitted to the State.

11 All school accounts shall be audited on an annual basis by an independent auditor selected by the City
12 **of Johnson City**. The auditor shall be required to provide to the Board of Education a detailed
13 breakdown of audit adjustments.

14
15 When administering the budget, the Superintendent of Schools shall strive to hold expenditures within
16 the budgeted amounts thus making the actual financial report comply as much as possible with the
17 budget which was approved by the Johnson City Board of Education. The total budgeted amount shall
18 not be exceeded without the approval of an amended budget by the Board and the City **of Johnson**
19 **City** Commission. The undesignated fund balance cannot be expended without prior approval of the
20 Board.

21 FEDERAL FUNDS

22 Each individual federal fund will have a supervisor appointed by the Superintendent of Schools. That
23 supervisor will be responsible for assuring that the fund is administered according to the following:

- 24 1. Fund application as approved;
- 25 2. Purchasing procedures of the Johnson City School System;
- 26 3. Expense accounts not exceeding the federal funds budgeted;
- 27 4. The Federal Government Educational Department of General Administrative Regulations; and
- 28 5. Year-end completion reports completed accurately and submitted in a timely manner.

29 INTERNAL ACTIVITY FUNDS

30 The Board authorizes each respective school under its jurisdiction to receive activity and other internal
31 funds, such as athletic ticket money, school lunch funds and school class funds.²

- 1 The Board shall hold each principal responsible for the management of all internal accounts under his
- 2 jurisdiction in accordance with the *Internal School Funds Manual*.²
- 3

Legal References

1. [TCA 49-2-301\(b\)\(1\)\(D\); TCA 49-3-316\(a\)\(1\)](#)
2. [TCA 49-2-110\(a\)](#)
3. [TCA 49-2-110\(d\)](#)

Cross References

- Expenditure of Funds 2.800
- Petty Cash Accounts 2.801
- Student Activity Funds Management 2.900

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Payroll Procedures	Descriptor Code: 2.802	Issued Date: 04/03/23
		Rescinds: 2.802	Issued: 04/01/13

- 1 All employees shall be paid twice monthly.
- 2 ~~No advance payments of salary shall be made.~~ **Individual requests for advanced payments of**
- 3 **salary shall not be considered.** Upon resignation or retirement of school personnel, final salary
- 4 payment shall be withheld until all records and assets in custody of the employee are satisfactorily
- 5 transferred to his successor or another designated person.

Cross References

Compensation Guides and Contracts 5.110
Resignation 5.204
Retirement 5.205
Overtime Pay 5.604

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: <h2 style="text-align: center;">Salary Deductions</h2>	Descriptor Code: 2.803	Issued Date: 05/07/24
		Rescinds: 2.803	Issued: 05/07/18

- 1 The Board of Education shall approve all payroll deduction categories. Upon appropriate written
- 2 authorization, the Director of Finance shall make deductions from the salary of the employee.

- 3 Tax-sheltered annuity deductions will be made only after the employee and annuity company
- 4 representative complete appropriate School System ~~F~~forms.

- 5 An employee may change or terminate any salary deduction by following the procedures set by the
- 6 Finance Department. Changes to deductions for pre-tax items must meet IRS regulations.

- 7 It may take up to one calendar month for changes to deductions to become effective.

Cross References

Tuition 2.400
 Insurance Management 3.600

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Requisitions	Descriptor Code: 2.807	Issued Date: 04/05/16
		Rescinds: 2.807	Issued: 10/06/08

1 The Board **of Education** shall designate personnel to be responsible for making requisitions.

2
3 All approved requisitions will be submitted to the purchasing agent (Superintendent of Schools,
4 principals,
5 department heads or federal programs supervisor) on forms provided by the Superintendent of Schools.
6

7 The principal or designee in each school must sign all requisitions for purchases. This applies to all
8 instructional purchases including physical education, special education, music, all academic subject
9 areas, and all departments including athletics and vocational.

10
11 The number of each purchase order shall be recorded on the requisition.

12
13 After processing, the original copy of the requisition will be filed in the appropriate purchasing office.
14
15

Cross Reference:
Purchase Orders 2.808

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Payment Procedures	Descriptor Code: 2.810	Issued Date: 02/02/09
		Rescinds: 2.810	Issued: 02/04/02

- 1 The purchasing agent (Superintendent of Schools, department head, federal projects supervisor or
2 principal) shall approve all claims for payment prior to their submission to the Board **of Education**.¹
3
4 Schools may obligate themselves for the purchase of equipment, supplies, or services, provided
5 payments are completed by June 30 of the current school year or a plan for future payments has been
6 made by the principal and approved by the Board

Legal References

1. TCA 49-2-206(b)(3)

Click here to choose a school board.

Monitoring: Review: Annually, in November	Descriptor Term: Use of Copyrighted Materials	Descriptor Code: 4.404	Issued Date:
		Rescinds:	Issued:

1 **To define the fair and reasonable use of copyrighted work for educational purposes without the**
2 **permission of the copyright owner and reduce the risk of copyright infringement the following**
3 **guidelines are in effect:**

- 4 1. **All employees shall adhere to the provisions of the United States Code regarding the**
5 **copying and/or the use of copyrighted materials;¹**
6 2. **In the case of computer software, the ethical and practical problems caused by computer**
7 **software piracy shall be taught in all computer courses;**
8 3. **The Director of Schools shall establish specific procedures regarding the copying,**
9 **distribution, and use of copyrighted materials for instructional purposes;¹ and**
10 4. **The principal of each school shall establish practices which will enforce this policy at the**
11 **school level.**

Legal References

1. [17 USCA §§ 106, 107, 110](#)

Cross References

School and System Websites 4.407
Use of Multimedia 4.408
Student Publications 6.704

Johnson City Board of Education

Monitoring: Review: Annually, in December	Descriptor Term: Promotion and Retention	Descriptor Code: 4.603	Issued Date: 01/06/25
		Rescinds: 4.603	Issued: 04/03/23

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

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

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

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

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

29 VOLUNTARY RETENTION

30 A parent/guardian of a student enrolled in kindergarten through second grade may choose to retain
31 his/her student in the current grade level if:

1
2 1. The student has a documented academic or behavioral delay; and

3
4 2. The parent/guardian believes that retention may benefit the student.⁵

5 **This information shall be submitted in writing within thirty (30) days of the end of the school**
6 **year. The district shall send written notice to the parent/guardian confirming whether the**
7 **student is eligible for retention under state law.**

8 **PROMOTION PLANS**⁶

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

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

22 A student who demonstrates sufficient academic progress according to his/her promotion plan shall be
23 promoted to the next grade level unless retention is required per additional requirements for students in
24 third and fourth grade.⁷

25 If a student has not demonstrated sufficient academic progress according to their promotion plan by the
26 end of the school year, the student shall be eligible to enroll in a summer reading or learning program,
27 if available. Parent(s)/guardian(s) shall be notified of a decision for retention at least ten (10) calendar
28 days prior to the start of the next school year if the student was enrolled in a summer program.
29 However, if the student wasn't enrolled in a summer program, the parent(s)/guardian(s) shall be
30 notified of a decision for retention at least thirty (30) calendar days prior to the start of the next school
31 year.⁸

32 **RETENTION**⁷

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

35 *Decision of Retention – General*⁹

36 If a student is retained, the Superintendent of Schools/designee shall develop an individualized
37 academic remediation plan within thirty (30) calendar days after the beginning of the next school year.

1 A copy of the plan shall be provided to the student’s parent(s)/guardian(s) within ten (10) calendar
2 days of its development. The plan shall include at least one of the following strategies:

- 3 1. Adjustment to the current instructional strategies or materials;
- 4
- 5 2. Additional instructional time;
- 6
- 7 3. Individual tutoring;
- 8
- 9 4. Modification to the student’s classroom assignment to ensure the student receives
10 instruction from a teacher with a level of overall effectiveness of above expectations (level
11 4) or significantly above expectations (level 5); or
- 12
- 13 5. Attendance or truancy interventions.

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

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

19 Third grade students shall not be promoted to the next grade unless they are determined to be
20 proficient (i.e., receive a performance level rating of “on track” or “mastered”) in English language arts
21 (ELA) based on the student’s most recent TCAP test.

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

- 23 1. A student in third grade receiving a performance level rating of “approaching” on the ELA
24 portion of the student’s most recent TCAP test may be promoted if:
 - 25
 - 26 a. The student is an English language learner and has received less than two (2) full years
27 of ELA instruction;
 - 28 b. The student was previously retained in grades K-3;
 - 29 c. The student is retested before the next school year and scores proficient in ELA;
 - 30 d. The student attends a learning loss bridge camp before the next school year, maintains a
31 ninety percent (90%) attendance rate, and demonstrates adequate growth on the post-
32 test at the end of the camp; or
 - 33 e. The student receives tutoring for the entirety of the next school year in accordance with
34 state law.
 - 35 f. The student demonstrates proficiency in ELA standards by scoring at or above the
36 fiftieth (50th) percentile on the most recently administered state-provided benchmark
37 assessment and the district provides tutoring services to the student during the entire
38 fourth grade school year and notifies the student’s parent/guardian, in writing, of the
39 benefits of enrolling the student in summer programming.
 - 40 g. Parent/guardian or authorized school personnel appeals retention decision, documenting
41 a score at or above the fortieth (40th) percentile on the TN-URS or approved URS

(ECBM) and an academic remediation plan and unanimous recommendation for promotion from the ELA teacher and principal, and receives tutoring services during the entire fourth grade school year.

2. A student in third grade receiving a performance level rating of “below” on the ELA portion of the student’s most recent TCAP test may be promoted if:
 - a. The student is an English language learner and has received less than two (2) full years of ELA instruction;
 - b. The student was previously retained in grades K-3;
 - c. The student is retested before the next school year and scores proficient in ELA; or
 - d. The student attends a learning loss bridge camp before the next school year, maintains a ninety percent (90%) attendance rate, and receives tutoring for the entirety of the next school year in accordance with state law.

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

Decision of Retention – Fourth Grade¹⁰

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

1. A student who is promoted to the fourth grade due to receiving tutoring for the entirety of the next school year in accordance with state law or because of attending a learning loss bridge camp must maintain a ninety percent (90%) attendance rate; and
2. A student receiving tutoring for the entirety of the next school year in accordance with state law shall be required to show adequate growth on the fourth grade ELA portion of TCAP before the student may be promoted to fifth grade.
3. If a student does not show adequate growth, as determined by the department, on the fourth grade ELA portion of the TCAP test, then the student’s LEA or public charter school shall convene a conference that must be attended by the following categories for participants: the student’s parent(s)/guardian(s), the student’s ELA teacher, and the student’s principal. The recommendation made by the majority of the categories of participants in the conference determines whether the student must be:
 - a. Promoted to the fifth grade and assigned a tutor to provide tutoring services to the student for the entirety of the student’s fifth grade year based on tutoring requirements established by the department; or
 - b. Retained in the fourth grade.

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

1 **Decision of Retention – Students with Disabilities** ¹¹

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

6 **APPEALS** ^{8,12}

7 When a student is identified for retention, the parent(s)/guardian(s) shall be notified about the decision
 8 to retain the student and provided with information on the right to appeal the decision. Appeals shall be
 9 made to a committee appointed by the principal within ten (10) school days. The student and their
 10 parent(s)/guardian(s) shall be provided written or actual notice of the appeal hearing and shall be given
 11 the opportunity to address the committee. The committee shall conduct a hearing within ten (10) school
 12 days to determine if the student will be promoted and issue such decision within five (5) calendar days.
 13 Upon notification of the committee decision, the principal shall send written notification to the Director
 14 of Schools/designee and the parent(s)/guardian(s). The notification shall advise parent(s)/guardian(s) of
 15 their right to appeal such action within ten (10) calendar days to the Superintendent of Schools/designee.

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

18 Within five (5) business days of the Superintendent of Schools/designee rendering a decision, the
 19 student's parent(s)/guardian(s) may request a hearing by the Board, and the Board shall review the record.
 20 Following the review, the Board may affirm or overturn the decision of the Superintendent of
 21 Schools/designee. The action of the Board shall be final.

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

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. Public Acts of 2024, Chapter No. 829
6. TRR/MS 0520-01-03-.16(6)
7. TRR/MS 0520-01-03-.16(6)(f)
8. TRR/MS 0520-01-03-.16(6)(e)
9. TRR/MS 0520-01-03-.16(6)(g)
10. TRR/MS 0520-01-03-.16(7)
11. 29 U.S.C. § 794 (Section 504); 20 USCA § 1400 *et seq.*; TRR/MS 0520-01-03-.16(7)(e)
12. TRR/MS 0520-01-03-.16(3); TRR/MS 0520-01-02-.17(7); TCA 49-6-3102(e)(1)
13. 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 February	Descriptor Term: <h2 style="text-align: center;">Personnel Goals</h2>	Descriptor Code: <h3 style="text-align: center;">5.100</h3>	Issued Date: <h3 style="text-align: center;">04/03/23</h3>
		Rescinds: <h3 style="text-align: center;">5.100</h3>	Issued: <h3 style="text-align: center;">04/05/21</h3>

1 The Board of Education recognizes that the employment of highly qualified personnel is essential for a
 2 quality education of students of the school system. In order for the Board to provide a well-qualified
 3 staff capable of designing, implementing, and evaluating educational programs, the following goals are
 4 adopted.

- 5 1. Recruitment, selection, employment and retention of the best qualified personnel available;¹
- 6 2. Provision of attractive compensation and benefits as well as other provisions for staff welfare;
- 7 3. Preparation and deployment of personnel in the most effective way to achieve the goals of the
 8 Board of Education;
- 9 4. Provision of professional growth opportunities for all employees designed to contribute both to
 10 the improvement of the educational program and to career development aspirations of staff;
- 11 5. Development of a climate in which optimum staff performance, morale, and satisfaction are
 12 produced;
- 13 6. Involvement of staff in planning, decision making, and evaluation; and
- 14 7. Development and updating of job descriptions by appropriate administrators.

15 The Johnson City School System will use the state evaluation program as a means to provide for the
 16 continuous improvement of **certified** staff performance and educational programs of the school
 17 system.

Legal References

1. State Board of Education Policy 5.700; TCA 49-1-302(g)

Cross References

School District Goals & Objectives 1.700

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Lines of Authority and Staff Relations	Descriptor Code: 5.101	Issued Date: 06/04/24
		Rescinds: 5.101	Issued: 06/01/09

- 1 The Superintendent of Schools shall establish lines of authority which shall be approved by the Board
- 2 of Education.

- 3 All personnel are expected to keep their immediate supervisor informed of their activities and shall
- 4 refer matters requiring administrative action to the administrator to whom they report. That
- 5 administrator shall refer such matters to the next higher administrative authority when necessary.

- 6 Lines of authority do not restrict the ~~cooperative, sensible working together of all~~ **collaboration of**
- 7 staff members at all levels. The established lines of authority represent direction of authority and
- 8 responsibility and avenues for a two-way flow of ideas to improve the program and operations of the
- 9 school system.

Cross References

Assignment/Transfer 5.115
 Complaints and Grievances 5.501

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Classification and Qualifications	Descriptor Code: 5.102	Issued Date: 06/04/24
		Rescinds: 5.102	Issued: 04/05/21

1 ADMINISTRATIVE AND SUPERVISORY PERSONNEL

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

4
5 To be considered for certified administrative or supervisory positions, the applicant must show the
6 following qualifications:¹

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

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

14 CERTIFIED PERSONNEL²

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

17 CLASSIFIED PERSONNEL³

18 Classified staff members are personnel whose regular employment does not require certification in
19 accordance with rules and regulations of the State Department of Education.

Legal References

1. [TCA 49-5-101](#); [TRR/MS 0520-02-03-.10](#); [TRR/MS 0520-02-06-.01](#)
2. [TRR/MS 0520-02-03](#); [TRR/MS 0520-02-06](#)
3. [TRR/MS 0520-02-06-.04](#)

Cross References

Employment of Non-Certified Administrative and Support Personnel 5.8001

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Equal Opportunity Employment</h2>	Descriptor Code: 5.104	Issued Date: 04/03/17
		Rescinds: 5.104	Issued: 07/01/00

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

Legal References

1. U.S. Constitution, Amendment XIV; Title VII, Civil Rights Act of 1964; Title VI, Civil Rights Act of 1964; Title IX, Education Amendments of 1972; Age Discrimination Act of 1967; Section 504 of the Rehabilitation Act of 1973
2. Public Law 101-336; U.S.C. 12112

Cross References

Grievance Procedures for Qualified Individuals with Disabilities 1.802
 Discrimination/Harassment 5.500
 Complaints and Grievances 5.501

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Recruitment of Employees	Descriptor Code: 5.105	Issued Date: 08/05/13
		Rescinds: 5.105	Issued: 06/07/10

- 1 Employment of personnel shall be within the discretion of the Superintendent of Schools.¹
- 2 The Superintendent of Schools is responsible for the development of a program for the recruitment of
- 3 licensed personnel.²
- 4 Identification of personnel needs shall be the responsibility of the Superintendent of Schools,
- 5 supervisors, and building principal. ~~An effort shall be made to include a varied representation of~~
- 6 ~~academic and professional experiences, age, ethnic backgrounds, race and sex.~~
- 7 Vacancies may be advertised. A deadline for applications will be established and disseminated with
- 8 any vacancy notice.

Legal References

1. TCA 49-2-301(b)(1)(EE)
2. ~~TRR/MS 0520 1 2 .14~~

Cross References

Staff Positions 5.116

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 04/03/23
		Rescinds: 5.106	Issued: 04/04/22

1 APPLICATION

2 An individual desiring a position with the Johnson City School System shall make application to the
3 Superintendent of Schools ~~on forms~~ **by methods** approved by the Superintendent of Schools. ~~In a~~
4 ~~continuing effort to further ensure the safety and welfare of students and staff, the school system shall~~
5 ~~require criminal history records checks by fingerprinting of applicants.~~ **Any person applying for a**
6 **position shall supply a fingerprint sample and submit to a criminal history records check**
7 **conducted by the Tennessee Bureau of Investigation and agree to the release of investigative**
8 **records for the purpose of verifying the accuracy of criminal violation information.**¹ **The cost of**
9 **such checks and investigations shall be born by the applicant.**⁴³

10 Knowingly falsifying information shall be sufficient grounds for termination of employment and shall
11 also constitute a Class A misdemeanor which must be reported to the District Attorney General for
12 prosecution.³⁴

13 ~~Any person applying for a position shall supply a fingerprint sample and submit to a criminal history~~
14 ~~records check conducted by the Tennessee Bureau of Investigation and agree to the release of~~
15 ~~investigative records for the purpose of verifying the accuracy of criminal violation information. The~~
16 ~~cost of such checks and investigations shall be born by the applicant.~~⁴

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

19 *Certified Employees*

20 The application must include a transcript of credits earned at the colleges or universities attended,
21 recent evaluations, if available, and reference information from persons such as previous employers,
22 college professors and supervisors of student teachers. Required information shall include whether
23 such applicant has been dismissed for cause from a school system.⁵ If previously employed by a local
24 board of education, the applicant shall provide evidence of acceptable resignation.

25 No person shall be employed:

- 26 1. Who is not eligible for or does not hold a valid license to teach from the State Board of
27 Education;⁶
- 28
- 29 2. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department
30 of Health;⁷
- 31

- 1 3. Who has been identified by the Department of Children’s Services as a perpetrator of child
2 abuse, severe child abuse, child sexual abuse, or child neglect or who poses an immediate threat
3 to the health, safety, or welfare of children;⁷
4
- 5 4. Who does not receive a satisfactory background check;¹⁰
6
- 7 5. Why has not complied with the Immigration Reform and Control Act of 1986;¹¹
8
- 9 6. Who does not present a physician's certificate showing a satisfactory health record or has any
10 contagious or communicable disease in such form that might endanger the health of school
11 children;⁸
12
- 13 7. Who refuses to take and subscribe to an oath to support the Constitution of the State of
14 Tennessee and of the United States of America;⁹ or
15
- 16 8. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
17 employment for cause.

18 *Classified Employees*

19 No person shall be employed:

- 20 1. Who has any contagious or communicable disease in such form that might endanger the health
21 of children;⁸
22
- 23 2. Who has been identified by the Department of Children’s Services as a perpetrator of child
24 abuse, severe child abuse, child sexual abuse, or child neglect or who poses an immediate threat
25 to the health, safety, or welfare of children;⁷
26
- 27 3. Who is listed on the state’s abuse of vulnerable persons registry maintained by the Department
28 of Health;⁷
29
- 30 4. Who has not complied with the Immigration Reform and Control Act of 1986;¹¹ or
31
- 32 5. Who does not receive a satisfactory background check; or¹⁰
33
- 34 6. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
35 employment for cause.

36 **EMPLOYMENT**

37 *Certified Employees*

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

40 *Classified Employees*

- 1 It shall be the responsibility of the principals to select the classified employees for the school served
- 2 and recommend same to the Superintendent of Schools. The Superintendent of Schools is responsible
- 3 for employing all classified personnel.

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

Legal References

1. TCA 49-5-406
2. State Board of Education Policy 5.501
3. ~~TCA 49-5-406(a)(2)(A)~~ **TCA 49-5-413(c)**
4. ~~TCA 49-5-413(e)~~ **TCA 49-5-406(a)(2)(A)**
5. TCA 49-2-131
6. TCA 49-5-403; TCA 49-5-101; Public Acts of 2021, Chapter No. 211
7. TCA 49-5-413(e)
8. TCA 49-5-404
9. TCA 49-5-405
10. TCA 49-5-413(a), (f)
11. Immigration Reform and Control Act of 1986; Pub. L. No. 99-603, 100 Stat. 3359, 8 USCA § 1101 *et seq.*

Cross References

- Orientation and Probation 5.107
Compensation Guides & Contracts 5.110

Background Investigations 5.118

Recommendations and File Transfers 5.203

Interim Employees 5.700
Qualifications and Duties of the Director of Schools 5.802

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="margin: 0;">Supervision</h2>	Descriptor Code: 5.108	Issued Date: 06/04/24
		Rescinds: 5.108	Issued: 04/03/23

- 1 ~~Supervision a~~Administrative and supervisory personnel shall be provided by the Superintendent of
- 2 Schools.

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

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

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

- 9 The immediate supervisor has the responsibility of assigning specific duties and for giving guidance to
- 10 the employee for the satisfactory performance of those duties.

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

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

Legal References

1. [TCA 49-6-3004\(c\)\(2\)](#)

Cross References

- Nepotism 1.108
 Job Descriptions 5.103
 Staff Positions 5.116

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Compensation Guides & Contracts	Descriptor Code: 5.110	Issued Date: 08/04/14
		Rescinds: 5.110	Issued: 07/02/12

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

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

7 All classified employees are employed at the will of the Superintendent.

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

11
12 Any person receiving compensation for work that involves regular, systematic contact with students or
13 work of the type that is normally performed by employees must be ~~under contract~~ **employed** with the
14 Johnson City Board of Education and/or the Johnson City School System and must be on the school
15 system's payroll.

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

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

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

26 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided
27 the revenue is deposited with and salaries paid through the Board. This includes donations or
28 contributions from individual, civic or other non-school related sources of funds from individual
29 school activity funds, such as gate receipts and concessions.^{1,5}

Legal References

1. TCA 49-2-203(a)(1); TCA 49-5-408
2. TCA 49-5-402
3. TCA 49-3-306; TCA 49-5-709; TCA 49-2-2039(a)(1)
4. TCA 49-6-3004
5. TCA 49-6-2006; *Tennessee Internal School Financial Management Manual*, Section 5, Title 6

Cross References

School Calendar 1.800
Revenues 2.400
Payroll Procedures 2.802
Personnel Classification and Qualifications 5.102

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: In-Service and Professional Learning Opportunities	Descriptor Code: 5.113	Issued Date: 04/03/23
		Rescinds: 5.113	Issued: 04/05/21

1 IN-SERVICE EDUCATION

2 In-service education¹ is a program of planned activities designed to increase the competencies needed
3 by all personnel in the performance of their responsibilities. Competencies are defined as the knowledge,
4 skills, and attitudes which enable personnel to perform their tasks with maximum effectiveness to
5 increase student achievement.

6 *Administrative and Supervisory Employees*

7 Administrative and supervisory employees shall show evidence of continual professional growth by
8 attendance at in-service programs and institutes, studying professional literature, meeting with other
9 professionals for discussion, and otherwise keeping abreast of research in methodology, curriculum, and
10 student growth and development.

11 Each principal and administrator shall be required to fulfill all state mandated training.²

12 *Professional Employees*

13 The Superintendent **of Schools** and their staff shall assess system-wide needs, establish priorities,
14 develop objectives, design activities, and evaluate the in-service program.¹

15 In-service credit shall not be given while performing duties which are required as part of regular teaching
16 assignments.

17 *Support Personnel*

18 The immediate supervisors of support personnel shall be responsible for providing in-service trainings.

19 Leaves to attend meetings relating to the employee's job description may be granted by the
20 Superintendent of Schools without loss of pay to the employee.

21 PROFESSIONAL LEARNING PROGRAM

22 Professional learning programs and activities shall reflect the Standards for Professional Learning³ as
23 listed below and shall reflect the needs identified in school improvement plans.

24 The Board may pay expenses of selected personnel who participate in the training sessions conducted
25 by the State Department of Education.

- 1 The Superintendent of Schools shall involve central office personnel and other employees as needed in
- 2 developing the system-wide professional learning program and shall recommend it to the Board for
- 3 approval.

Legal References

1. State Board of Education Policy 5.200; TCA 49-1-214(b); TCA 49-6-3004(c)(1); TCA 49-5-1007
2. TCA 49-5-5703(a)
3. State Board of Education Policy 5.200

Cross References

- School Calendar 1.800
- Curriculum Development 4.200
- Reporting Student Progress 4.601

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Personnel Records	Descriptor Code: 5.114	Issued Date: 06/04/24
		Rescinds: 5.114	Issued: 04/03/23

1 The Superintendent of Schools or /designee(s) shall be authorized to maintain personnel records and to
 2 permit inspection of the same. The following personnel records shall be maintained for all employees
 3 as appropriate:

- 4 1. Employee contracts;
- 5 2. Professional certificates and other documents required by state and federal laws and
6 regulations;¹
- 7 3. Evaluations **for classified personnel (evaluations for certified personnel shall be maintained**
8 **on the state approved website);**
- 9 4. Cumulative information files;³
- 10 5. INS Form I-9;² and
- 11 **6. Disciplinary records; and**
- 12 7. Description of the position held (~~to be written by supervisor~~).

13 The following guidelines shall be followed:

- 14 1. Information contained in personnel records shall be limited to job-related matters;
- 15 2. The Superintendent of Schools shall be responsible for notifying all employees of the types of
16 records kept and uses made of such records;
- 17 3. Employees shall be granted an opportunity to respond in writing to material placed in records;
- 18 4. Employee records, except medical records and other protected information⁵, are public records,
19 and shall be open for inspection during regular business by any citizen of the State of
20 Tennessee.³ Any person making an inspection of such records shall provide such person's
21 name, address, business telephone number, home telephone number, driver's license number or
22 other appropriate identification prior to inspecting such records. All persons wishing to inspect
23 personnel records must make an appointment with the Human Resources Department at least
24 twenty-four (24) hours in advance of inspection.
- 25 5. In accordance with federal law, the district shall release information regarding the professional
26 qualifications and degrees of teachers and the qualifications of paraprofessionals to parents
27 upon request for any teacher or paraprofessional who is employed by a school receiving Title I
28 funds and who provides instruction to their child at that school.⁴
- 29 6. A record of the person inspecting and the date of inspection shall be recorded;
- 30 7. Copies of records may be made under rules determined by the Superintendent of Schools;⁶
- 31 8. Should the employee be transferred, all the above information on the new position shall be
32 retained in the file;
- 33 9. Reasonable fees may be charged for document preparation which shall include, but is not
34 limited to, personnel time, copying and supervision of inspection; and
- 35 10. Pre-employment information such as applications and related documentation will be kept in a
36 separate pre-employment file.

- 37 11. Any employee may have access at any reasonable time to their personnel file.
38 12. Employee records shall be maintained in accordance with applicable state and federal laws.

Legal References

1. [TCA 49-2-301\(b\)\(1\)\(M\)](#)
2. [Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359](#)
3. [TCA 10-7-503, 504](#)
4. [20 USCA § 6312\(e\)\(1\)](#)
5. [TCA 10-7-504\(f\)\(1\); TCA 10-7-504\(a\)\(23\)](#)
6. [TCA 10-7-506; TCA 49-2-301\(b\)\(1\)\(AA\)](#)

Cross References

Teacher Effect Data 5.1141

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Assignment / Transfer	Descriptor Code: 5.115	Issued Date: 04/04/22
		Rescinds: 5.115	Issued: 04/04/19

1 **ASSIGNMENT**

2 The Superintendent of Schools shall assign personnel to the appropriate school or department, while
3 allowing each principal or immediate supervisor to assign specific responsibilities within each school
4 or department.¹

5 Assignment of employees will be made by the Superintendent of Schools based on the
6 recommendation of the appropriate department supervisor and/or principal. The assignment will be
7 determined by the applicant's training, experience and ability to perform the duties of the position and
8 in the best interest of the students.

9 Extra assignments for which supplements are provided and upon which initial employment was based
10 may not be relinquished by the employee without the approval of the person making the assignment.
11 Other assignments for which supplemental salary is provided shall be made on an annual ~~contract~~
12 basis.

13 **TRANSFER (to move from one school or administrative unit to another)**

14 The Superintendent of Schools shall transfer employees as necessary for efficient operation of the
15 schools.²

16 Transfers shall be non-discriminatory and shall not be arbitrary or capricious. The Superintendent of
17 Schools is responsible for developing and disseminating procedures for transfer.

18
19 All employees transferred shall receive notification of the transfer with reason(s) prior to the transfer.

20 If a transfer is performance-based, the transfer shall be preceded by a written statement of deficiencies
21 and when feasible, a reasonable opportunity to improve.

22 Transfers made in accordance with board policy and state law are final.

23 **REASSIGNMENT (to move to another assignment within the same school or administrative 24 unit)**

25 Reassignments shall be non-discriminatory and shall not be arbitrary or capricious. Employees shall be
26 reassigned as necessary for efficient operation of the schools. The Superintendent of Schools is
27 responsible for developing and disseminating procedures for reassignments.

- 1 Reassignments shall be made by the employee's immediate supervisor with approval by the
- 2 Superintendent of Schools.

Legal References

1. TCA 49-2-301(b)(1)(L); TCA 49-5-401; TCA 49-2-303(b)(3)
2. TCA 49-2-301(b)(1)(CC); TCA 49-5-510

Cross References

Nepotism 1.108
Job Descriptions 5.103
Recruitment of Employees 5.105

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Staff Positions	Descriptor Code: 5.116	Issued Date: 04/03/23
		Rescinds: 5.116	Issued: 04/04/19

1 CREATION OF POSITION

2 All staff positions shall be approved through the budget process in accordance with an organizational
3 plan submitted by the Superintendent of Schools.¹ Before an additional position is established, the
4 Superintendent of Schools will present to the Board **of Education** a description of the job
5 responsibilities, qualifications, performance responsibilities and the method by which the performance
6 of these responsibilities will be evaluated.

7 The Superintendent of Schools may revise the organizational plan as long as budgetary amounts are
8 not exceeded and Board policy is not violated. In the event of reorganization, the Superintendent of
9 Schools will adhere to all applicable reduction in force guidelines and will inform, in a timely manner,
10 the Board of the change and include the change in the Superintendent's report at the next board
11 meeting. If change in personnel creates additional encumbrance on a future budget, prior approval of
12 the Board is required.

13 REDUCTION IN FORCE

14 When it becomes necessary to reduce the number of positions in the system because of a decrease in
15 enrollment or for other good reasons, the Board shall abolish the positions and dismiss such employees
16 as may be necessary.²

17 Certified Personnel

18 Reductions in staff will be made to have the least detrimental effect on students. In general, this
19 objective dictates a staff reduction policy which:

- 20 1. Retains the most effective teachers;
- 21 2. Avoids undue increases in class size; and
- 22 3. Provides consideration for the exceptional teacher without exclusive emphasis on seniority.

25 The elimination of a position does not necessarily mean the person occupying the position will be
26 dismissed. When an employee is released, it is the responsibility of the Superintendent to make a
27 recommendation about which employee shall be released based upon a composite of the following
28 criteria:

- 29 1. Effectiveness in teaching and in related professional responsibilities evidenced by teacher
30 evaluation;

31

- 1 2. Adaptability to other assignments (academic and extracurricular);
- 2 3. Evidence of professional growth as well as specialized or advanced training;
- 3
- 4 4. Previous history of grade levels and subject areas taught; and
- 5
- 6 5. Type, length and quality of service made to the teaching profession and the school system.

7 When a teacher is released because of reduction in staff, the teacher shall be given written notice of
8 release explaining the circumstances or conditions making dismissal necessary.³ A teacher who rated
9 in the three (3) highest categories based on evaluations and is dismissed because of abolition of
10 position shall be placed on a list for reemployment.

11 The fitness of any teacher for re-employment shall be determined on the basis of the teacher's
12 competence, compatibility and suitability to properly discharge the duties required by the position with
13 consideration for the best interests of the students in the school where the vacancy exists. The
14 teacher's most recent evaluations shall be a factor in such determination.³

15 It shall be the responsibility of the separated teacher to notify the Superintendent of Schools in writing
16 of his availability and current address.

17 **Classified Personnel**

18 When a non-licensed employee is released because of a reduction in the number of support positions,
19 the Superintendent of Schools shall give the employee written notice of dismissal explaining the
20 circumstances or conditions making termination of employment necessary.³

21 ~~The contract of each classified employee shall contain a statement regarding the reduction in force~~
22 ~~policy.~~

Legal References

1. OP Tenn. Atty. Gen. 93-66 (November 29, 1993)
2. TCA 49-5-409(c); TCA 49-2-301(b)(1)(EE); TCA 49-5-511(b)(1).
3. TCA 49-5-511(b)(1)—(4)

Click here to choose a school board.

Monitoring: Review: Annually, in January	Descriptor Term: Background Investigations	Descriptor Code: 5.118	Issued Date:
		Rescinds:	Issued:

1 Background checks shall be required for applicants, employees, contract workers, and volunteers.¹
2 Individuals who (1) have been identified by the Department of Children’s Services as perpetrators of
3 child abuse, severe child abuse, child sexual abuse, or child neglect or who pose an immediate threat to
4 the health, safety, or welfare of children; or (2) are listed on the state’s abuse of vulnerable persons
5 registry maintained by the Department of Health shall not be employed.²

6 The Superintendent of Schools/designee shall develop any necessary corresponding procedures.

7 Applicants and current employees shall be entered into the federal RAP back program.³ Notice of the
8 following shall be provided:

- 9 1. Possible fees charged by the Tennessee Bureau of Investigation; and
10
11 2. Fingerprints will be retained by the Tennessee Bureau of Investigation and the Federal Bureau
12 of Investigation for all purposes and uses authorized for fingerprint submission.

13 Any costs incurred to perform these background checks and fingerprinting shall be paid by applicants.
14 The Board shall not reimburse applicants if the position is offered and accepted.

15 The Superintendent of Schools/designee may exclude certain positions from being entered into the
16 federal RAP back program, including, but not limited to, contractors and volunteers. Background
17 checks shall be required of these individuals at least once every five (5) years after the initial
18 background check.¹

19 **USE AND DISSEMINATION**

20 Fingerprints or other approved forms of positive identification shall be submitted with all requests for
21 criminal history record checks for non-criminal justice purposes.⁵ The Superintendent of Schools shall
22 ensure the Originating Agency Identifier number is on file at all times.

23 Tennessee and FBI Criminal History Record Information (CHRI) obtained by the district shall be
24 solely used to verify criminal violations and shall not be disseminated. Results shall be considered
25 confidential and only accessible to district personnel identified by the Superintendent of Schools.
26 CHRI shall only be accessed by authorized personnel in the performance of their duties and shall never
27 be released to the public.

28 All persons directly associated with the accessing, maintaining, processing, dissemination, or
29 destruction of CHRI shall sign an awareness statement and shall indicate that they have been specially
30 trained on the subject. The training shall provide those with access to CHRI with a working knowledge
31 of federal and state regulations and laws governing the security and processing of criminal history

1 information. The Superintendent of Schools is responsible for ensuring that authorized personnel
2 receive such training within sixty (60) days of employment or job assignment and every three (3)
3 years.

4 **RETENTION AND SECURITY**

5 The Director of Schools shall develop procedures to ensure CHRI is stored in a secure location. Areas
6 in which CHRI is processed and handled shall be restricted to authorized personnel identified by the
7 Superintendent of Schools. The area shall be out of the view of the public and unauthorized personnel.
8 The Superintendent of Schools shall maintain a list of all employees who have access to, can process,
9 disseminate, and/or destroy CHRI.

10 **DISPOSAL OF CHRI**

11 When CHRI is no longer needed, it shall be destroyed by burning, shredding, or other methods
12 rendering the information unreadable. Record destruction shall be conducted under the supervision of
13 the Superintendent of Schools.

14 **MISUSE**

15 Employees who misuse CHRI or violate this policy shall be subject to disciplinary action up to and
16 including termination. Any employee with knowledge of misuse shall immediately report a violation to
17 the Superintendent of Schools.

Legal References

1. [TCA 49-5-413](#)
2. [TCA 49-5-406\(a\)\(1\)](#); [TCA 49-5-403](#);
[TCA 49-5-413\(a\)\(2\)](#), (e)
3. [TCA 49-5-413\(f\)](#)
4. [TCA 49-5-413\(c\)](#)
5. [34 USCA § 40316](#)

Cross References

School Volunteers 4.501
Application and Employment 5.106
Substitute Teachers 5.701

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Employment of Retirees	Descriptor Code: 5.119	Issued Date: 01/09/23
		Rescinds:	Issued:

1 *General*

2 The Superintendent of Schools may hire a retired individual if certain conditions are met as provided
3 for in state law.

4 **EMPLOYMENT CONTRACTS FOR UP TO 120 DAYS**

5 Teachers who retire under the Tennessee Consolidated Retirement System (TCRS) may be employed
6 for up to one hundred twenty (120) days per year without loss of retirement benefits. Retired teachers
7 may substitute teach for additional days if the Superintendent of Schools certifies in writing to the
8 Division of Retirement that no other qualified personnel are available to substitute teach.¹

9 **EMPLOYMENT CONTRACTS FOR ONE YEAR**

10 The Superintendent of Schools may employ teachers retired for at least one (1) year for full-time
11 employment as a kindergarten through twelfth (K-12) grade teacher on a year-to-year basis **in an area**
12 **that lacks qualified candidates to serve in this position.** Retirement benefits will not be lost or
13 suspended under certain conditions which include, but are not limited to, the following:²

- 14 1. The Superintendent of Schools of the employing district shall certify in writing that no other
15 qualified individuals are available to fill the position;
- 16
- 17 2. The Commissioner of Education shall certify that the employing school district serves an area
18 that lacks qualified teachers to serve in the position to be filled;
- 19
- 20 3. The retired teacher shall hold a valid license and shall not be entitled to tenure status;
- 21
- 22 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave, or
23 receive medical insurance coverage; and
- 24
- 25 5. The salary paid to the retired teacher shall not be less than the rate of compensation set by the
26 Board for teachers with no experience filling similar positions or more than eighty-five percent
27 (85%) of the rate of compensation set by the Board for teachers with comparable training and
28 years of experience filling similar positions.

1 **ADDITIONAL EMPLOYMENT OPTION FOR RETIREES³**

2 Retired members of TCRS or a similar system may be offered reemployment for up to one (1) year as
3 a kindergarten through twelfth (K-12) grade teacher, substitute teacher, or bus driver under the
4 following conditions:

- 5 1. The retired member has been retired for at least sixty (60) calendar days;
6
- 7 2. The retirement benefit payable to the retired member is reduced to seventy percent (70%) of the
8 retirement allowance;
9
- 10 3. The retired member's employment ~~can't~~ **cannot** be longer than a one (1) year period; however,
11 the retired member can be reemployed for additional one (1) year periods;
12
- 13 4. The retired member is not drawing disability retirement benefits; and
14
- 15 5. The retired member ~~can't~~ **cannot** accrue additional retirement benefits.

16 The Superintendent of Schools shall notify TCRS of the member's reemployment and certify in
17 writing that the retired member has the required experience and training for the position and that no
18 other qualified persons are available to fill the position.

19 Once the retired member is hired by the district, the district shall pay TCRS as prescribed by state law.
20 The school district shall pay to TCRS during the period of reemployment the greater of (1) a payment
21 equal to the amount the school district would have contributed to TCRS; or (2) an amount equal to five
22 percent (5%) of the retired member's pay rate.
23

Legal References

1. TCA 8-36-805
2. TCA 8-36-821
3. Public Acts of 2022, Chapter No. 821

Cross References

Application and Employment 5.106
Substitute Teachers 5.701

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Non- Certified Employees	Descriptor Code: 5.202	Issued Date: 04/03/23
		Rescinds: 5.202	Issued: 04/05/21

1 **SUSPENSION**

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

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

8 **DISMISSAL**

9 All classified employees are employed at the will of the Superintendent. The Superintendent of Schools
10 may dismiss any classified employee during the ~~contract~~ **school** year for any reason.

11 **RESIGNATION**

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

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

18 **RETIREMENT**

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

22 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the
23 responsibility of the retiring employee to provide verification of eligibility in writing from the
24 Tennessee Consolidated Retirement System ("TCRS") to the central office. It shall be the
25 responsibility of the retiring employee to file for benefits.

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

Legal References

1. TCA 49-2-301(b)(1)(EE)—(FF)

Johnson City Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Physical Assault Leave	Descriptor Code: 5.307	Issued Date: 07/29/24
		Rescinds: 5.307	Issued: 04/04/22

1 Employees shall be notified of their right to report a physical assault to the appropriate law
2 enforcement agency.¹

3 An employee who is absent from assigned duties as a result of personal injury caused by physical assault
4 or other violent criminal acts committed in the course of the employee's duties shall receive their full
5 salary and full benefits until the employee is released by ~~his/her~~ **their** physician to return to work or
6 his/her physician determines the employee is permanently unable to return to work. Hourly employees
7 shall receive an amount representing the average number of hours the employee works for the district
8 per pay period along with their full benefits, if available, until the employee is released by ~~his/her~~ **their**
9 physician to return to work, or their physician determines the employee is permanently unable to return
10 to work. An hourly employee is not eligible to receive the continued pay and benefits if they have been
11 employed by the district for less than one (1) full pay period.²

12 If the employee receives workers' compensation or other similar benefits, the district shall pay the
13 difference between that amount and the employee's full salary or average pay, as applicable.² The
14 district shall pay the full salary or average salary, or the difference between the employee's full salary
15 or average pay, as applicable, and the workers' compensation or similar benefits, if any, for up to one
16 (1) year.

17 **PHYSICIAN STATEMENT**

18 A signed statement listing the cause of the absence shall be provided by the employee on forms
19 furnished by the Superintendent of Schools and shall promptly be given to the immediate supervisor in
20 support of all claims. A certificate from the physician on forms furnished by the Superintendent of
21 Schools may also be required to verify the extent of the injury.³

Legal References

1. [Public Acts of 2024, Chapter No. 915](#)
2. [TCA 49-5-714\(a\); Public Acts of 2024, Chapter No. 839](#)
3. [TRR/MS 0520-01-02-.04\(4\)\(b\)](#)

Cross References

Worker's Compensation 3.602
Sick Leave 5.302
Long Term Leaves of Absence 5.304

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: <h2 style="text-align: center;">Personnel Health Examinations / Communicable Diseases</h2>	Descriptor Code: 5.400	Issued Date: 06/04/24
		Rescinds: 5.400	Issued: 04/04/22

1 All employees, prior to entering service, shall present a physician’s certificate showing a satisfactory
 2 health record.¹ Any employee who contracts a contagious/communicable **disease** that may endanger
 3 the health of a student is required to inform the Superintendent of Schools.

4 No employee who has any communicable disease shall perform their duties in any location where such
 5 might endanger the health of school children. The Board of Education shall require any employee to
 6 submit to a physical examination by a physician whenever there is reason to believe that the employee
 7 has any communicable disease.² The Board shall use the physician’s report to determine any
 8 employment limitations, the degree of communicability of the disease and the employment status of
 9 the employee.

10 The Superintendent of Schools shall reassign or suspend any employee who is suspected of having a
 11 communicable disease which might endanger the health of students, pending investigation and final
 12 disposition of the case before the Board.³

13 To assist the Board in making final disposition of the case, the Superintendent of Schools may refer the
 14 case to the County Health Department or other medical experts.

15 In all instances, district personnel shall respect the individual's right to privacy and treat any medical
 16 diagnosis as confidential information.
 17

Legal References

1. [TCA 49-5-404](#)
2. [TCA 49-2-203\(b\)\(2\)](#); [TCA 49-5-710\(a\)\(7\)](#)

Cross References

Section 504 and ADA Grievance Procedures 1.802

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Acquired Immune Deficiency Syndrome (AIDS)	Descriptor Code: 5.401	Issued Date: 04/03/23
		Rescinds: 5.401	Issued: 04/03/17

1 The Board **of Education** has the responsibility to ensure that each school system employee is in a state
2 of physical condition which will not endanger his personal health or the health of others. Concerns
3 regarding health matters shall be approached within the boundaries of confidentiality.

4 Information in regard to the personal health of employees shall be considered confidential. The
5 Superintendent of Schools shall be responsible for developing, revising and implementing the
6 administrative guidelines and procedures for this policy. The Superintendent of Schools shall be
7 responsible for enforcing this policy by communicating it to all personnel and by providing necessary
8 instruction to all administrators.

9 **HIV/AIDS TESTING**

10 No school official can require any employee to undergo an HIV antibody test or other HIV-related test.
11 This does not preclude school officials from requiring an employee to undergo an examination when
12 another communicable illness is suspected.¹

13 **LIABILITY AND NON-DISCRIMINATION**

14 No employee who is diagnosed with HIV infection or AIDS shall be prevented from continuing their
15 employment. No disciplinary action may be taken against an employee solely on the basis of HIV
16 infection or AIDS. Action may be taken against an employee only if they are disabled and the
17 disability interferes with his ability to perform the activities involved in employment duties. The Board
18 shall make reasonable accommodation to enable the employee to perform employment duties as may
19 be required by state or federal law.²

20 **CONFIDENTIALITY**

21 If information is received regarding an employee's HIV status, the Superintendent of Schools may
22 consult with the school board attorney on the appropriate course of action to pursue, bearing in mind
23 the school system's potential liability for defamation, employment discrimination, and breach of
24 confidentiality requirements.³

25 Information about an employee's HIV status is not to be documented in the employee's personnel file
26 and shall not be faxed.^{1,3}

27 Information regarding an employee's HIV status is confidential and may not be released to anyone
28 except:³

29 1. Persons named on an Authorization for Release of Confidential HIV-Related Information Form
30

- 1 2. Persons listed on a court order, and
2
3 3. Persons authorized to receive such information without a release or court order according to
4 TCA 68-10-113.

5 Under no circumstances shall information identifying an employee with AIDS be released to the
6 public.

7 **INFECTION CONTROL**

8 To prevent and manage exposure in the workplace, all school system employees will receive in-service
9 training and education annually regarding HIV/AIDS and OSHA's Blood-borne Pathogens Standard.
10 The board shall follow the most current Centers for Disease Control and Prevention (CDC) Universal
11 Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and
12 Other Blood-borne Pathogens in Health Care Settings.¹

13 **EDUCATION AND TRAINING**

14 Annually, the Superintendent of Schools shall ensure that all employees, including newly hired staff,
15 receive current HIV training. These programs can utilize the educational/training resources of agencies
16 or private institutions with personnel trained in the areas of HIV/AIDS prevention education.¹ The
17 Superintendent shall be responsible for developing, revising and implementing the administrative
18 guidelines and procedures for this policy.

19 **COMMUNICATIONS AND PUBLIC RELATIONS**

20 The Superintendent shall designate an individual who will be responsible for coordinating
21 educational/training programs for all personnel, parents and board members. These programs can
22 utilize the educational/training resources of agencies or private institutions with personnel trained in
23 the areas of HIV/AIDS prevention education.

Legal References

1. 29 CFR § 1630.13(b)
2. State Board of Education Policy 5.300
3. TCA 68-10-113

Cross References

- Grievance Procedures for Qualified Individuals with
Disabilities 1.802
Promoting Student Welfare 6.400

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Drug & Alcohol Testing of Employees	Descriptor Code: 5.403	Issued Date: 06/04/24
		Rescinds: 5.403	Issued: 04/04/22

1 REASONABLE SUSPICION DRUG TESTING FOR ALL EMPLOYEES

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

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

- 9 1. Observed use, possession or sale of illegal drugs and/or use, possession, sale, or abuse of
10 alcohol and/or prescription drugs.
- 11 2. Apparent physical state of impairment of motor functions.
- 12 3. Marked changes in personal behavior not attributed to other factors.
- 13 4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is
14 reasonably suspected or employee involvement in a pattern of repetitive accidents whether or
15 not they involve actual or potential injury.
- 16 5. Violation of criminal statutes involving the use of illegal drugs, alcohol or prescription drugs
17 and/or violations of drug statutes.
- 18
- 19
- 20
- 21

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

24 PRE-EMPLOYMENT DRUG SCREENING

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

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

1 Refusal to sign the acknowledgment or to submit to substance screening will be considered as
2 withdrawal
3 of the individual's application for employment. The applicant will not be considered for employment
4 for at least twelve (12) months.

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

8 **DRUG DISCLOSURE**

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

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

15 **TESTING FOR CDL EMPLOYEES**

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

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

29 **Procedures**

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

36

37

1 **Implementation**

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

7 **Dissemination**

8 The Superintendent of Schools shall be responsible for communicating this policy and the procedures
9 to all employees affected by this policy and shall be accountable for its consistent enforcement.² The
10 Superintendent of Schools or designee is designated to answer questions about this policy, procedures
11 and all other matters involved in alcohol and controlled substance testing of CDL drivers and the
12 reasonable suspicion testing of all other employees.

Legal References

1. Omnibus Transportation Employee Testing Act of 1991, 49 USCA § 5331
2. 49 CFR § 382.601

Cross References

Alcohol & Drugs in the Workplace 1.804

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Employee Complaints and Grievances	Descriptor Code: 5.501	Issued Date: 06/04/24
		Rescinds: 5.501	Issued: 04/03/23

1 EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES

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

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

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

13 HARASSMENT/DISCRIMINATION GRIEVANCES

14 The Superintendent of Schools shall appoint at least two (2) Complaint Managers, one of each gender,
15 to administer complaints of harassment or discrimination. Employees should notify a Complaint
16 Manager if they believe the Board of Education, its employees or agents have violated rights
17 guaranteed by the State or Federal Constitution, State or Federal Statutes or Board policy,
18 including:^{1,2,3}

- 19
- 20 1. Title II of the Americans with Disabilities Act;⁴
- 21 2. Title IX of the Education Amendments of 1972;⁵
- 22 3. Section 504 of the Rehabilitation Act of 1973;²
- 23 4. Title VII of the Civil Rights Act of 1964;⁶
- 24 5. The Age Discrimination Act;¹
- 25 6. The Equal Pay Act;² or
- 26 7. The Immigration Reform and Control Act.³
- 27

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

- 30 1. *Filing a Grievance* - An employee who wishes to avail themselves of the grievance procedure
31 may do so by filing a formal grievance, either orally or in writing, with the Complaint Manager
32 of their choice. The Complaint Manager may assist the employee in filing the formal

1 grievance.

- 2
- 3 2. *Investigation* - The Complaint Manager will investigate the allegations contained in the formal
- 4 grievance or appoint a qualified person to undertake the investigation on their behalf. The
- 5 nature of the allegations and the identity of the complainant will not be disclosed except: (1) as
- 6 required by law or policy; or (2) as necessary to fully investigate the grievance; or (3) as
- 7 authorized by the complainant. The Complaint Manager shall, within ten (10) days of the filing
- 8 of the grievance, file a written report of their findings with the Superintendent of Schools. If a
- 9 formal grievance contains allegations involving the Superintendent of Schools, the written
- 10 report shall be filed with the Complaint Manager who has not been involved in the
- 11 investigation and who shall inform the Board of the allegations.
- 12
- 13 3. *Decision and Appeal* - The Superintendent of Schools shall render a written decision, and
- 14 provide the complainant with a copy of that decision, within five (5) days of the receipt of the
- 15 Complaint Manager's report. If the grievance contains allegations involving the
- 16 Superintendent of Schools, the written decision will be rendered by the Complaint Manager not
- 17 in charge of the investigation. The complainant will be provided a copy of that decision within
- 18 five (5) days of the receipt of the original Complaint Manager's report. If the employee is not
- 19 satisfied with the decision, they may appeal the decision to the Board by making a written
- 20 request for Board review to the Complaint Manager. The Complaint Manager shall be
- 21 responsible for promptly forwarding all materials relative to the complaint and appeal to the
- 22 Board. The Board shall render a decision within thirty (30) days from the date the appeal was
- 23 received. The Board may report and affirm, overrule or modify the decision. A written
- 24 finding shall be provided to the complainant. This grievance procedure shall not be construed
- 25 to create an independent right to a Board review.

26 The right of an employee to prompt and equitable resolution of a complaint or grievance shall not be

27 impaired by the employee's pursuit of other remedies. Use of this grievance procedure is not a

28 prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any

29 filing deadline related to the pursuit of other remedies.

30 **APPOINTING COMPLAINT MANAGERS**

31 The Superintendent of Schools shall appoint at least two Complaint Managers. The Federal Rights

32 Coordinator may be appointed as a Complaint Manager. The Superintendent of Schools shall insert

33 into this policy the names, addresses and telephone numbers of current Complaint Managers.

34

- 35 1. Amber Forbes 2. Dr. Roger Walk
- 36 Johnson City Schools Johnson City Schools
- 37 P.O. Box 1517 P.O. Box 1517
- 38 Johnson City, TN 37605-1517 Johnson City, TN 37605-1517
- 39 (423) 434-5200 (423) 434-5200

Legal References

1. [Age Discrimination Employment Act, 29 USCA § 621; 42 USCA § 6101; 34 CFR § 110.25](#)
2. [Equal Pay Act, 29 USCA § 206\(d\)](#)
3. [Immigration Reform and Control Act, 8 USCA § 1324](#)
4. [Americans with Disabilities Act, 42 USCA § 12101](#)
5. [Title IX of the Education Amendments, 20 USCA § 1681](#)
6. [Section 504 of the Rehabilitation Act, 29 USCA § 701](#)
7. [Title VII of Civil Rights Act, 42 USCA § 2000e](#)

Cross References

Section 504 and ADA Grievance Procedures 1.802
Equal Opportunity Employment 5.104
Discrimination/Harassment of Employees 5.500
Title IX & Sexual Harassment 6.3041

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Complaints About School Personnel	Descriptor Code: 5.502	Issued Date: 04/03/23
		Rescinds: 5.502	Issued: 04/04/22

- 1 Whenever a complaint about an employee is made to the Superintendent of Schools, it will be referred
2 to the school administrator or principal for resolution unless Board policy requires other action. The
3 employee involved will be advised if the complaint is deemed valid. The employee will be given
4 opportunity for explanation, comment, and presentation of the facts as they see them.
- 5 If, after such procedure is followed there is still a question or complaint, the matter shall then be
6 referred to the Superintendent of Schools.
- 7 Individuals or groups desiring to speak to the Board about school personnel ~~shall follow the same~~
8 ~~procedures as outlined in board policy dealing with public participation at board meetings~~ **may contact**
9 **Board members directly through contact information provided on the School System website.**

Cross References

Appeals To & Appearances Before the Board 1.404

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Non-System Employment	Descriptor Code: 5.607	Issued Date: 04/03/23
		Rescinds: 5.607	Issued: 04/05/21

1 PROFESSIONAL PERSONNEL

2 An employee will not perform any duties related to any non-system position during their regular
3 working hours or during the additional time that the responsibilities of the position require, nor will an
4 employee use any Board of Education facilities, equipment or materials, including the Board's
5 technology/computer system and networks and any configuration of hardware and/or software, in
6 performing outside work without the permission of the Superintendent of Schools or designee. The
7 Board's technology resources will be used only for learning, teaching and administrative purposes
8 consistent with the Board's mission and its goals. Commercial use of the Board's resources is strictly
9 prohibited.

10 A professional position may require additional hours during evenings or other times when schools and
11 offices may be closed. Non-system employment is regarded as employment for compensation which is
12 not within the duties and responsibilities of the employee's regular position with the school system.

13 When the periods of work are such that certain evenings, days or vacation periods are duty-free, the
14 employee may use such off-duty time for the purposes of employment outside of Johnson City
15 Schools, provided all the following conditions are met:

- 16 1. The work in no way interferes with their work in the school system;
- 17 2. The work in no way reflects detrimentally upon the school system or its image;
- 18 3. If the work is for ~~another~~ **another** educational institution, the work may not exceed fifteen (15)
19 clock hours beyond their regular employment per week and may not exceed four hundred (400)
20 clock hours out of any nine (9) month period.
- 21 4. If the additional part-time work is or includes teaching in an institution of higher education,
22 such teacher shall be limited to teaching no more than two (2) courses per quarter or semester.
- 23 5. Such outside obligations do not prevent the individual from assuming duties required by the
24 regular position; and
- 25 6. The individual does not receive remuneration for work which is customarily within their
26 regular position.¹

27 CLASSIFIED PERSONNEL

28 Classified personnel shall not be prohibited from holding employment outside the school system so
29 long as such employment does not interfere with regular and overtime scheduled duties for the school
30 system.

31 Employees who are on leave (paid or unpaid, other than military service) from the system continue to
32 be employed by the system and are subject to the above conditions.

Legal References

1. TCA 49-5-410

Cross Reference

Staff Conflicts of Interest 5.601

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Use of School System Technology	Descriptor Code: 5.609	Issued Date: 04/03/23
		Rescinds: 5.609	Issued: 04/05/21

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

3 Before any employee is allowed use of the school system's network, the employee shall sign a written
4 agreement, developed by the Superintendent/designee that sets the terms and conditions of such use.
5 Any employee who accesses the district's computer system for any purpose agrees to be bound by the
6 terms of that agreement, even if no signed written agreement is on file.

7 Prohibited and illegal activities include but are not limited to the following:¹

- 8 1. Sending or displaying offensive messages or pictures;
- 9
- 10 2. Using obscene language;
- 11
- 12 3. Harassing, insulting, defaming, bullying or attacking others;
- 13
- 14 4. Hacking or attempting unauthorized access to any computer or server;
- 15
- 16 5. Violation of copyright laws;
- 17
- 18 6. Trespassing in another's folders, work, or files;
- 19
- 20 7. Using another's password or other identification (impersonation) or creating a false persona;
- 21
- 22 8. Excessive or inappropriate use of the network for commercial purposes;
- 23
- 24 9. Excessive or inappropriate buying or selling on the Internet for personal use; and
- 25
- 26 10. Excessive or inappropriate using school or system computers for personal business.

27 Additionally, employees shall not use school system technology for purposes prohibited by law or for
28 accessing sexually explicit materials. The Board retains the right to regularly monitor the on-line
29 activities conducted on school system technology.

30 E-Mail

31 **All school system employees shall use the email address assigned by the School System for all**
32 **communication related to school system business and students.** Users with network access shall not

1 utilize School System resources to establish electronic mail accounts through third-party providers or
2 any other nonstandard electronic mail system. All data, including e-mail communications stored or
3 transmitted on school system equipment, shall be monitored. Employees have no expectation of
4 privacy with regard to such data. E-mail correspondence may be a public record under the public
5 record's law and may be subject to public inspection.² E-mail and attachments transmitted via the
6 school system's network will be archived for a minimum period of one (1) year.

Legal References

1. TCA 39-14-602
2. TCA 10-7-512

Cross References

Use of Electronic Mail (e-mail) 1.805
Web pages 4.407
Use of the Internet 4.406

Johnson City Board of Education			
Monitoring: Review: Annually, in February	Descriptor Term: Substitute Teachers	Descriptor Code: 5.701	Issued Date: Click here to enter a date.
		Rescinds:	Issued:

1 **Substitute teachers are those teachers used to replace teachers on leave or to fill temporary**
2 **vacancies until a licensed teacher is available.^{1,2} Substitute teachers may be employed and paid**
3 **directly by the Board of Education or by a third-party employer through an agreement between**
4 **such third-party employer and the Board.**

5 **Substitute teachers employed by third party entities shall be subject to the same unemployment**
6 **benefit eligibility conditions as substitute teachers employed directly by the Board.²**

7 **APPLICATION/QUALIFICATIONS**

8 **Criminal history record checks and fingerprinting of applicants for substitute teaching are**
9 **required.³**

10 **Applicants with revoked or suspended licenses or certificates according to the State Board of**
11 **Education shall not be hired.⁴**

12 **Qualifications for substitute teachers shall be determined by the Superintendent of Schools in**
13 **compliance with board policy, state laws, and State Board of Education rules and regulations.**

14 **A list of substitute teacher(s) will be prepared by the Human Resources Department who will**
15 **maintain file(s) which may include transcripts, credentials, recommendations, and other pertinent**
16 **information.**

17 **COMPENSATION**

18 **If employed directly by the district, the compensation of substitute teachers shall be determined**
19 **annually by the Board.**

20 **Retired teachers serving as substitutes who do not have an active teaching license shall be paid the**
21 **same as a retired substitute teacher with an active teaching license. This only applies to teachers**
22 **who retired after July 1, 2011 through July 1, 2016.⁵**

23 **CERTIFICATION**

When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a
substitute teacher shall possess a teaching certificate with endorsement in the discipline(s) to be
taught or shall be a retired teacher that held the appropriate endorsement.⁶ When substituting for

a teacher without sick leave, the substitute shall be certified and paid according to the state salary schedule.¹

1 **EMERGENCY NEEDS**

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

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

8 **TRAINING AND ORIENTATION**

9 **The Superintendent of Schools shall be responsible for ensuring that there are appropriate**
 10 **training and development programs for substitute teachers that includes the annual school safety**
 11 **training required by state law.⁷**

12 **RESPONSIBILITIES**

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

15 **RE-EMPLOYMENT/TERMINATION**

16 **On an annual basis, the Superintendent of Schools, with input from the Human Resources**
 17 **Department and principals, shall determine which substitute teachers performed at an acceptable**
 18 **level. Substitute teachers who performed below an acceptable level shall not be re-employed.**

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

19

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\(a\)\(14\)\(C\)](#)
5. [TCA 49-3-312\(b\)](#)
6. [TCA 49-3-312\(a\); TRR/MS 0520-01-02-.04\(5\)\(b\)](#)
7. [Public Acts of 2024, Chapter No. 735; TCA 49-6-805\(7\)](#)

Cross References

Background Investigations 5.118
 Employment of Retirees 5.119

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Superintendent of Schools Recruitment and Selection	Descriptor Code: 5.801	Issued Date: 04/04/19
		Rescinds: 5.801	Issued: 06/01/09

1 When a vacancy occurs, the appointment of a Superintendent of Schools is a function of the Board of
2 Education.¹ The Board is responsible for hiring the person it believes can most effectively translate
3 into action the policies of the Board and the goals of the community and the professional staff.
4

5 **The Superintendent of Schools shall be employed by the Board under written contract for a**
6 **maximum of four (4) years, which may be renewed. No school board, however, may either**
7 **terminate, without cause, or enter into a contract with any director of schools during a period**
8 **extending from forty-five (45) days prior to the general school board election until thirty (30) days**
9 **following such election. Any vacancy in the office of the director which occurs within this period**
10 **shall be filled on temporary basis, not extending beyond sixty (60) days following the general school**
11 **board election.**² **No school board shall extend the contract of a Superintendent of Schools without**
12 **giving notice of the intent to do so at least fifteen (15) calendar days prior to the scheduled meeting**
13 **at which action shall be taken**³

14 The Board may employ a consultant to advise and assist the Board in the search and selection process.
15 However, final selection shall rest with the Board after a thorough consideration of qualified
16 applicants. An interim Superintendent of Schools appointed during the time of a search shall not
17 become a candidate unless the Board expressly permits such inclusion in the selection procedures. A
18 board member may not apply for or in any other way be considered for the position of Superintendent
19 of Schools.²

20 Prior to conducting a search to fill the position, the Board shall approve:

- 21 * a job description
- 22 * a timeline
- 23 * a process for accepting and reviewing applications
- 24 * selection procedures which may include, but not be limited to, the following:³⁴

- 25 1. The Board may invite the community, including Board employees, to participate in the process
26 of selecting a Superintendent of Schools. Resumes of persons interviewed by the Board shall
27 be available in the central office for public inspection.
- 28 2. The interview process for each finalist may include meetings with various staff and community
29 groups and an interview with the entire board.
- 30 3. Candidates may be interviewed by the Board in an open session. Only Board Members will be
31 allowed to ask questions during the interview.
- 32 4. The Board will attempt to select a Superintendent by unanimous vote, but a majority vote of the
33 membership of the Board shall be required for the appointment of a Superintendent of Schools.
34

Legal References

1. TCA 49-2-203(a)(14)
2. TCA 49-2-203(a)(1)(D)
3. ~~TCA 49-2-203(a)(14)(B)~~ **TCA 49-2-203(a)(13)(C)**
4. **TCA 49-2-203(a)(14)(B)**

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Evaluation of the Superintendent of Schools	Descriptor Code: 5.803	Issued Date: 06/04/24
		Rescinds: 5.803	Issued: 04/03/23

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

- 3 1. Clarify the role of the Superintendent of Schools according to a job description as agreed upon
4 by the Board and the Superintendent;
5
- 6 2. Develop harmonious working relationships between the Board and the Superintendent of
7 Schools; and
8
- 9 3. Develop improvements in the administrative leadership of the school system.

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

13 The Board **shall** evaluate the performance of the Superintendent of Schools annually.

14 The following guidelines will be used in the evaluation process:

- 15 1. The Superintendent of Schools will know the standards upon which they will be evaluated and
16 will be involved in the development of those standards.
17
- 18 2. A part of the evaluation may be a composite of the evaluation by individual board members, but
19 the Board, as a whole, may meet with the Superintendent of Schools to discuss the composite
20 evaluation.
21
- 22 3. The evaluation shall include a discussion of strengths as well as weaknesses.
23
- 24 4. Both the Board and Superintendent of Schools will prepare for the evaluation; the Superintendent
25 will conduct a self-evaluation and board members will document the evidence used in rating the
26 Superintendent of School's performance.
27
- 28 5. All documentation will be supported by objective evidence.

Legal References

1. [TCA 49-2-203\(a\)\(15\)](#)

Cross References

Board-Superintendent Relations 1.205

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Board Collaborative Conferencing Agent	Descriptor Code: 5.902	Issued Date: 04/03/23
		Rescinds: 5.902	Issued: 05/07/18

1 If the Board of Education and Professional Employees enter into Collaborative Conferencing, the
2 Board of Education shall appoint at least seven (7), but not more than eleven (11) persons, to serve as
3 management personnel.

4 The collaborative conferencing panel is appointed for a three (3) year term. The Board shall designate
5 one of the persons as spokesperson.

6 The spokesperson shall have the following responsibilities:

- 7 1. To serve as the Board's spokesperson during conferencing;
- 8
- 9 2. To report to the Board and work in consultation with the Superintendent of Schools;
- 10
- 11 3. To make progress reports and news releases as approved by the Superintendent of Schools; and
- 12
- 13 4. To make available information regarding negotiations as required by law.¹

14 Annually, the Board will determine an additional amount of compensation for members of the
15 collaboration team.

16 *Superintendent Of Schools' Role In Collaborations*

17 The Superintendent of Schools is a member of management personnel.²

18 The Superintendent of Schools or designee shall serve as a member of the Board's conferencing team.

19 The Superintendent of Schools or designee duties shall be:

- 20 1. To consult with the Board on all proposals presented to the Board's conferencing team; and
- 21
- 22 2. To coordinate the collective efforts of the central office staff and the Board's conferencing
- 23 team.

Legal References

1. TCA 8-44-101 through 106
2. TCA 49-5-608

Johnson City Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Fundraising Activities	Descriptor Code: 2.6011	Issued Date: 05/07/24
		Rescinds: 2.6011	Issued: 04/03/23

1 *General*

2 The following guidelines shall be followed:¹

- 3 1. Fundraising activities shall be authorized by the Board **of Education** and shall be for the purpose
4 of supplementing funds for established school programs and not for replacing funds which are
5 the responsibility of the Board.
6
- 7 2. Fundraising companies and other salespersons shall obtain permission in writing from the
8 Superintendent of Schools' office in order to visit the schools.
- 9 3. Any commission payable by companies shall be paid in the form of reduced prices to the students
10 or paid into the activity fund of the school for use by the school. No school employee shall
11 personally benefit from any fundraising activity.
- 12 4. The principal shall obtain written approval from the Superintendent of Schools/designee for all
13 fundraising activities, including online fundraising activities, which involve the participation of
14 the general student population in the marketing process of the fundraising effort. All other
15 fundraising activities, including online fundraising activities, shall have written approval from
16 the principal and comply with all administrative procedures issued by the Superintendent of
17 Schools. The authorization request shall contain the following information:²
- 18 a. A list of the proposed fundraising activities;
19
- 20 b. Type of fundraising activity;
- 21 c. Purpose of the fundraising activity;
- 22 d. Proposed uses of funds raised;
- 23 e. Expected student involvement in fundraising activity (school-wide, individual class, or
24 club); and
- 25 f. Margin of profit and how it is to be paid to the school.
- 26
- 27 5. The Superintendent of Schools shall determine whether or not the activity will benefit the school,
28 contribute to the welfare of the student body, and supplement, not replace, funds necessary to
29 fulfill the Board's required contributions.

1 6. Students shall not be excused from a regular class to participate in a fundraising activity. No
2 grade in a subject or course shall be affected by a student's participation in a fundraising activity.

3 7. No quotas shall be imposed on students involved, and their efforts shall be voluntary. Students
4 who do not participate in fundraising activities shall not be punished or discriminated against in
5 any way.

6 This policy shall not be construed as preventing a teacher from using instructional or informational
7 materials even though the materials might include reference to a brand, a product, or a service.

8 **LOTTERIES**

9 Any fundraising activity which distributes prizes or makes awards to winners from among purchasers of
10 chances by means of tickets through a random selection process must comply with all relevant laws.³

11 **CROWDFUNDING¹**

12 Crowdfunding is the practice of fundraising via the internet. Individual schools may establish school-
13 wide online fundraising accounts. The number of crowdfunding vendors and the number of authorized
14 users should be limited. The accounts shall meet all fundraising requirements established by the Board
15 and the *Internal School Funds Manual*. The principal/designee of each school shall have access to the
16 established fundraising account to ensure all funds are properly accounted for, and the information is
17 recorded in the school's accounting records by the designated personnel. Donations are property of the
18 school and should be directly deposited into the school's bank account. Online fundraising shall not be
19 used on behalf and for the benefit of an outside party.

20 An employee shall not engage in online fundraising for educational purposes in ~~his/her~~ **their** official
21 capacity as a district employee or make any reference to non-school sponsored fundraisers, online or
22 otherwise, that would lead another to believe such activity is an approved school fundraiser.

Legal References

1. [Internal School Funds Manual, Section 4-28 through 4-31](#)
2. [Internal School Funds Manual, Section 4-29](#)
3. [Tenn. Att'y Gen. Op. No. 03-049 \(Apr. 22, 2003\)](#)

Cross References

Revenues 2.400
School Support Organization 2.404
Audits 2.703
Vendor Relations 2.809
Student Activity Funds Management 2.900
Staff Gifts and Solicitations 5.605

Johnson City Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Teacher Effect Data</h2>	Descriptor Code: 5.1141	Issued Date: 04/04/22
		Rescinds: 5.1141	Issued: 05/07/18

1 The estimates of specific teacher effects on the educational progress of students shall not be a public
 2 record and will be made available only to the specific teacher, the teacher’s appropriate
 3 administrator(s) as designated by the **Board of Education** and to Board members.¹ The Board appoints
 4 the Superintendent **of Schools**/designee as the designated appropriate administrator. A list of
 5 designated administrators will be sent to the Executive Director Office of Accountability, State of
 6 Tennessee, before October 1 of each year.

7 The guidelines for distribution, security and application of the teacher effect data shall be kept on file
 8 in the central office and will be given to the teacher, the designated administrator, and all Board
 9 members and shall become an administrative procedure to be updated as needed by the Superintendent
 10 of Schools.

Legal References

1. TCA 49-1-606(b); TCA 10-7-504(a)(23)

Cross References

Personnel Records 5.114

Johnson City Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: <h2 style="text-align: center;">Employment of Non-Certified Administrative and Supervisory Personnel</h2>	Descriptor Code: <h3 style="text-align: center;">5.8001</h3>	Issued Date: <h3 style="text-align: center;">05/01/06</h3>
		Rescinds:	Issued:

- 1 Non-certified administrative and supervisory personnel shall possess sufficient training and experience
- 2 to perform the services required and such additional qualifications as the Board **of Education** and/or
- 3 the Superintendent of Schools shall determine.

- 4 Such personnel shall be allowed the same sick leave, personal leave, short term leave, long term leave
- 5 and vacation as certified administrative personnel.

- 6 Years of service awarded will be determined by the Superintendent of Schools after an evaluation of
- 7 the employee's qualifications, experience, degree(s) and skills.

Legal References

1. ~~TCA 49-2-301(a)~~