**RUTHERFORD COUNTY BOARD OF EDUCATION**
2240 Southpark Drive
Murfreesboro, TN 37128

Special Called Policy Committee Meeting
August 8, 2019

**Board Members Present**
**Jim Estes, Chairman**
**Coy Young, Vice Chairman**
**Terry Hodge**
**Tiffany Johnson**
**Jeff Jordan**
**Lisa Moore**
**Tammy Sharp**
**Bill C. Spurlock, Director of Schools**

**Committee Members Present**
**Bill Tollett**
**Dr. Kay Martin**
**Rhonda Lackey**
**Joan Scales Simmons**
**Mike Walls**
**Margaret Moore**
**Regina Harvey**

**Others Present**
**Sara Page**
**Jeff Reed**
**Pierrecia Lyons**
**Dr. James Sullivan**

The Board Chairman, Mr. Estes, called the meeting to order at 5:00 p.m. All stood and recited the pledge, which was led by Jim Estes. Motion was made by Coy Young with a second by Tammy Sharp to approve the agenda; motion passed. Chairmen Estes introduced new Committee member, Mike Walls, who replaced former member Kenneth Curlee.

The policy committee began with a review of Policy 1.101: Role of the Board of Education. Proposed amending with a full rewrite to reflect the TSBA's suggested language. The TSBA noted frequent questioning from Boards and the community regarding the Board's legal authority. This rewrite specifically clarifies the legal

authority the Board possesses rather than listing generalized powers. New policy specifies and clearly expresses powers.

Motion to recommend to the Board for approval was made by Lisa Moore seconded by Regina Harvey, to approve Policy 1.101.

**VOTE:** All Yes

The policy committee Policy 1.406 Minutes. The policy has been updated to add a reference to Public Acts of 2019, Chapter No. 248, which clarified that minutes may be posted online.

Tammy Sharp suggested that the new policy may potentially help save money. Mr. Estes opined, "hopefully."

Motion made by Tammy Sharp seconded by Joan Simmons to approve Policy 1.406.

**VOTE:** All Yes

The policy committee discussed revising Policy 1.803 Tobacco and Vape-Free Schools proposes amending to clarify that school employees and members of the public cannot smoke or vape on school grounds under Tennessee law.

Old policy prohibited smoking within 100 feet of a school door, and the new policy now clarifies/requires no smoking within 100 feet of school grounds. Thus, the policy revision will prevent smoking from loading docks/areas and in personal vehicles on school grounds. Tammy Sharp asked about CBD oil possession. Sara Page explained that have amended medical procedures to include CBD products in the alternative medicines category, which

are not allowed in schools. Students can also be disciplined if CBD is possessed with an accompanying vaping devices.

Motion was made by Jeff Jordan, second by Tiffany Johnson to approve Policy 1.803.

**VOTE:** All Yes

The policy committee discussion moved to recommended policy change to update Policy 1.804 Alcohol & Drugs in the Workplace to reflect the TSBA's proposed policy. This adds definitions of "workplace," "illegal drugs," "unauthorized drugs," and "alcohol." It also clarifies the authority the Director of Schools has in determining discipline for employees that violate the policy.

Motion was made by Terry Hodge, second by Tammy Sharp to approve Policy 1.804.

**VOTE:** All Yes

The policy committee discussed revising Policy 2.403 Surplus Property Sales. Policy 2.403 proposed to update to reflect a law change raising the threshold for items that may be declared surplus property from $250 to $500, and removing the requirement the property be sold in ninety days.

Motion was made by Lisa Moore, second by Terry Hodge to approve Policy 2.403.

**VOTE:** All Yes

The policy committee discussed revising Policy 2.805 Purchasing. Policy 2.805 has been updated to reflect the use of a designee for purchasing, add guidance on online purchasing, and update terminology.

Motion was made by Terry Hodge to adopt Policy 2.805 with a second by Coy Young to approve Policy 2.805 as proposed.

**VOTE:** All Yes

The policy committee discussed revising Policy 2.8051 Credit Cards/Credit Lines. Policy 2.8051 is proposed as a full replacement for the previously-existing policy. The previous edition has not been updated since 2012. The new proposed language is the TSBA model language. The previous guidance has been moved to a proposed procedure where details about internal operation are more appropriate.

Old policy addressed how we operate internally. New one reflects more modern technology.

Motion was made by Regina Harvey to adopt Policy 2.8051 with a second by Lisa Moore to approve Policy 2.8051 as proposed.

**VOTE:** All Yes

The policy committee discussed revising Policy 3.202 Emergency Preparedness. Policy 3.202 is updated to reflect a law change that clarified that all schools must have an AED. The requirement to produce written copies of emergency procedures to all staff, students, and parents is removed because it is not required, and the procedures can be made available online. Language requiring principals regularly check fire extinguishers was moved under the correct section header. Language

directing procedures be created related to AED and CPR training has been added to mirror TSBA policy suggestions.

Motion was made by Coy Young to adopt Policy 3.202 with a second by Tammy Sharp to approve Policy 3.202 as proposed.

**VOTE:** All Yes

The policy committee discussed revising Policy 3.206 Community Use of Facilities. Policy 3.206 has been amended to expand the category of groups that may be considered for a fee waiver.

New policy considers two options: Option A and Option B, listing groups, clarifying methods of exemption approval, and adds requirement of a Memorandum of Understanding for exempted uses. Jeff Reed explained that some states had codified lists listing exempted organizations. Tennessee has turned to Title 36 for guidance as to which groups should be exempted for the payment of fees in light of their student-driven initiatives and/or community ties. Certain groups like Boy & Girl Scouts, Boys & Girls Club, Little League Baseball, and Military Groups have not only been granted access but free access. The Board can decide how broad it should be: Option A requires the organization entering a Memorandum of Agreement (MOA) that is approved by the Director of Schools; Option B adopts a list of exempted organizations without the requirement of a MOA.

Lisa Moore asked his legal opinion if this would insulate RCS from lawsuits claiming discrimination/exclusion? He offered that Tennessee had looked to Title 36 as a guide, which is a good indicator of how the issue is broadly handled objectively. He cautioned that there is nothing that can protect RCS 100% from

being sued. He further explained how the MOA could require that the organization offer an in-kind contribution or other terms in lieu of the calculated fees for use; thus, providing another layer of protection from excessive, destructive, fiscally irresponsible use. Sara Page clarified and reiterated that federal law only requires RCS to allow access, not "free/unfettered" access. Lisa Moore stated her understanding of a federal court ruling supporting a non-secular organization's right to free access of facilities. Sara Page stated that the federal law was clear, and one should not confuse the meaning of "free access." The law provides that you can not exclude a non-secular organization from use of a facility and allow other organizations civic, secular, or otherwise to use the facility, meaning access to all. However, the law does not burden the district financially and require that such organizations receive all requested use without the payment of fees.

Director Spurlock stated that the MOA would be in line with what the district has been doing for government entities and would like to see that it be included in any policy revisions. Chairman Estes, offered that requests for one-time use should remain at the Director's discretion, and the MOAs could address the frequent/continual uses that have the most potential for fiscal abuse. Regina Harvey agreed with the MOA being a better option to clarify what the expectations are for exempted uses for the listed groups. Terry Hodge asked, "if each Scout troop would enter its own MOA?" Jeff Reed replied, "Yes." Mr. Hodge stated it should depend on the type of use, whether it should be exempted: meeting vs. use providing a service or contributes to the school or its students.

Motion was made by Coy Young to adopt Policy 3.206 with Option A requiring the Memorandum of Understanding with a second by Terry Hodge to approve Policy 3.206 as discussed.

**VOTE:** Majority Yes; with 2 No, members Lisa Moore & Regina Harvey

The policy committee discussed revising Policy 4.602 Grade Point Average (GPA) and Class Rank (9-12). Policy 4.602 has been updated to add back the method in which students from the graduating classes of 2020 to 2022 can earn valedictorian/salutatorian designations. This is the same method previously applicable to all classes. The graduating class of 2023 will need to meet the new method adopted by the Board in June 2019. The change is proposed to eliminate confusion on which standard applies. The language was added back in at the Principals' request.

Motion was made by Coy Young to adopt Policy 4.602 with a second by Terry Hodge to approve Policy 4.602 as proposed.

**VOTE:** All Yes

The policy committee discussed revising Policy 4.605 Graduation Requirements. Policy 4.605 has been updated to reflect the new law that requires all students pass the US civics test prior to graduation. The Special Education section has been updated to structure the requirements clearly, and added information about the Alternative Academic Diploma. Specific testing benchmarks are removed from the Early Graduation section. Duplicative language is deleted, and small organizational changes have been made.

Motion was made by Director Spurlock to adopt Policy 4.605 with a second by Coy Young to approve Policy 4.605 as proposed.

**VOTE:** All Yes

Policy 4.700 Testing Programs. Policy 4.700 is updated to include TNReady and EOC grade percentages for the 2019-2020 school year and beyond. Interest Inventory and Career Assessment guidance is added in light of a recent law change. Small language changes and headers are added to align the policy to the TSBA model policy and to add clarity.

Motion was made by Terry Hodge to adopt Policy 4.700 with a second by Director Spurlock to approve Policy 4.700 as proposed.

**VOTE:** All Yes

Policy 5.200 Separation Practices for Tenured Teachers. Policy 5.200 is amended by adding a third ground to when it is permissible to break a contract, and updated the requirement to report breaches from the Commissioner of the Department of Education to the State Board of Education based on a new law.

Motion was made by Regina Harvey to adopt Policy 5.200 with a second by Jeff Jordan approve Policy 5.200 as proposed.

**VOTE:** All Yes

Policy 5.201 Separation Practices for Non-Tenured Teachers. Policy 5.201 is amended by adding a third ground to when it is permissible to break a contract, and updated the requirement to report breaches from the Commissioner of the Department of Education to the State Board of Education based on a new law.

Motion was made by Tammy Sharp to adopt Policy 5.201 with a second by Coy Young to approve Policy 5.201 as proposed.

**VOTE:** All Yes

Policy 5.302 Sick Leave. Policy 5.302 is amended to reflect the changes agreed upon in the Memorandum of Understanding formed by the collaborative conferencing process. Bereavement leave is increased from two to three days, and the familial relationships are expanded to include step family and foster children. One day may be taken for deaths of cousins, aunts, uncles, nieces, nephews, and additional days may be taken as sick days with principal permission.

Motion was made by Tiffany Johnson to adopt Policy 5.302 with a second by Director Spurlock approve Policy 5.302 as proposed.

**VOTE:** All Yes

Policy 5.303 Personal and Professional Leave. Policy 5.303 is amended to reflect the changes agreed upon in the Memorandum of Understanding formed by the collaborative conferencing process. A process for allowing personal days to accrue based on a certified employee's years of service is added.

Motion was made by Terry Hodge to adopt Policy 5.303 with a second by Lisa Moore to approve Policy 5.303 as proposed.

**VOTE:** All Yes

Policy 6.2011 Voluntary Pre-K Attendance. Policy 6.2011 is updated to reflect contact information for the new District Voluntary Pre-K Contract.

The policy has been revised to reflect Ms. Jamie Hubbard as the new contact.

Motion was made by Tammy Sharp to adopt Policy 6.2011 with a second by Director Spurlock to approve Policy 6.2011 as proposed.

**VOTE:** All Yes

Policy 6.308 Bus Safety and Conduct. Policy 6.308 is updated to reflect a change in the law requiring adoption of a policy establishing a retention period for, and mechanism for parents/guardians to view, bus videos.

Tammy Sharp asked if we keep the recordings daily or recording over them. Sara Page explained that it is current practice to keep the footage for three (3) days, this includes audio and visual, and stills. Coy Young expressed his understanding of procedures currently in place not allowing parents/guardians from entering onto school buses. His concern was that the new policy opened the door to unlimited entry onto buses by parents. Director Spurlock suggested tightening the language to limit parents/ legal guardians to expressly written permitted entry for specific purposes. The policy as proposed includes very broad language. Sara Page said we can rewrite it to clarify and protect from excessive/inappropriate entry. Sara Page said that she would further research before changing the language that may divert from the language in the TSBA model. Proposed to change the language to reflect inclusion of clause stating, "or parent(s)/guardian(s)/other persons previously granted permission by the district to be on the bus," and striking the last sentence.

Motion was made by Coy Young to adopt Policy 6.308 with amended language with a second by Tiffany Johnson to approve Policy 6.308 as discussed.

**VOTE:** All Yes

The meeting moved on to the Policies for Consideration:

Policy 3.218 Service Animals in District Facilities. Policy 3.218 adds procedures for service animals on school properties. The policy is directly in line with the regulations of the Americans with Disabilities Act, and it is verbatim the model policy of the TSBA.

Mr. Estes asked if we currently have any service animals in our schools? Sara Page answered, "Yes." Coy Young followed with a question of whether they are allowed to ride on RCS buses? Sara Page again answered in the affirmative. She explained that we currently work with parents of students requiring the use of service animals and any parents of students who may have allergies or other sensitivities to service animals and ask them to waive FERPA rights, in order to obtain vital information for the need of 504 services or other accommodations. Tammy Sharp asked if we operate with an Airline-like list of approved animals. Sara Page explained the difference between Emotional Support Animals vs. Service Animals. RCS is only required to permit the use of Service Animals on school property, limited to service dogs or trained miniature horses. The law does not address required licensed training and there are not any federally recognized certifications. Dr. Kay Martin asked if the owners of the service animals have to produce any shot records/vaccinations? Sara Page explained that we cannot legally ask for any records on the service animals, but once again we attempt to work cooperatively with parents so that they will be forthcoming with any documentation they have. Lisa Moore said that she felt it was concerning that we require proof of shots/immunizations for our students and not service animals. Regina Harvey said she is a consistent advocate of ADA students having the resources that are available; so if it's a need, they should be properly trained service animals limiting the potential for outlying problems. And she believes the addition of the proposed paragraph to the policy helps. Sara explained that there is the argument that an ADA aide can replace the service animal in some instances. The language can be amended to include

"trained" dogs. And, the policy allows for the exclusion of any service animal that may not be "housebroken" preventing unclean/disruptive classroom issues.

Motion was made by Lisa Moore to adopt Policy 3.218 with a second by Jeff Jordan to approve Policy 3.218 as proposed.

**VOTE:** All Yes

Policy 4.206 Homebound Instruction. Policy 4.206 sets out the basic requirements for homebound instruction. RCS already offers homebound services, but it has not formally adopted a policy. This is the TSBA's model policy.

Tammy Sharp asked if a student has asthma or some other chronic illness, and therefore, misses a lot of school, does this policy apply? Sara Page explain that Ms. Sharp has presented a health plan situation, not Homebound Instruction. The latter requires formal review and is recommended by a physician or healthcare administrator.

Motion was made by Tammy Sharp to adopt Policy 4.206 with a second by Jeff Jordan to approve Policy 4.206 as proposed.

**VOTE:** All Yes

Policy 5.308 Sabbatical Leave. Policy 5.308 was created to reflect a proposal agreed upon in the Memorandum of Understanding formed by the collaborative conferencing process. This policy creates an opportunity for employees to take up to one year of sabbatical leave for full-time educational purposes.

Motion was made by Tammy Sharp to adopt Policy 5.308 with a second by Terry Hodge to approve Policy 5.308 as proposed.

**VOTE:** All Yes

Policy 6.506 Service Students from Military Families. Policy 6.506 is a newly-proposed policy from the TSBA. The policy creates one central location for provisions that apply to students from military families. The attendance policy is restated from Policy 6.200 Attendance, and language related to a new law requiring enrollment of students being relocated through the military to the district.

Motion was made by Lisa Moore to adopt Policy 6.506 with a second by Tiffany Johnson to approve Policy 6.506 as proposed.

**VOTE:** All Yes

There being no further business, the meeting adjourned at approximately 5:56 p.m.

**Jim Estes, Chairman** — **Date** 8/15/19

**Bill C. Spurlock, Director of Schools** — **Date** 8/14/19