



Williamson County Board Policy Committee

January 4, 2021 6:00 PM

Electronically pursuant to Executive Orders #16 and #78 signed by Governor Bill Lee

1.

1. Williamson County Schools is officially meeting electronically as it is necessary to protect public health, safety, and welfare in light of the coronavirus pursuant to Executive Orders # 16 and #71 signed by Governor Bill Lee and Waiver of Williamson County School Board Policy 1.400.

2. **Agenda**

3. **Board Policies First Reading**

a. 1.901 Charter School Applications

b. 5.400 Personnel Health Exams

c. 5.401 Acquired Immune Deficiency Syndrome (AIDS)

d. 5.402 Hepatitis B (HBV)

Monitoring: Review: Annually, in January	Descriptor Term: Charter School Applications	Descriptor Code: 1.901	Issued Date: Click here to enter a date.
		Rescinds:	Issued:

1 *General*

2 This policy shall apply to sponsors and potential sponsors of charter schools. It shall not apply to
3 charter schools converting from existing public schools. Proposals from existing charter school
4 operators or replicators and applicants proposing to contract with educational service providers shall be
5 in accordance with state law.¹

6 **APPLICATION PROCESS²**

7 A prospective charter school sponsor shall send notice to the Superintendent of Schools of its intent
8 sixty (60) calendar days prior to February 1st of the year preceding the year in which the proposed
9 charter school plans to begin operation as a charter school.

10 A sponsor seeking board approval of an initial charter school application shall complete the forms
11 provided by the Department of Education. The application shall provide all the information required by
12 state law. The sponsor shall demonstrate that the proposed charter school meets the purpose prescribed
13 by state law for the formation of a charter school, and the proposed charter school will be able to
14 implement a viable program of quality education for its students.³

15 Applications shall be submitted to the Board and Department of Education on or before 4:30 p.m. on
16 February 1st of the year preceding the year in which the proposed charter school plans to begin
17 operation as a charter school. If the 1st of February falls on a Saturday, Sunday, or holiday on which
18 the school district offices are closed, applications will be accepted on the next business day on or
19 before 4:30 p.m. Late applications will not be accepted, without exception. The sponsor shall pay an
20 application fee of \$2,500.00.²

21 **REVIEW TEAM¹**

22 If necessary, the Board shall appoint a review team to assist in reviewing and evaluating charter school
23 applications. The team shall be comprised of members of the administrative staff for the district,
24 community members, and a member of the Board with relevant educational, organizational, financial,
25 and legal experience. At a public meeting in December of each year, the Superintendent of Schools
26 shall make a recommendation to the Board on which members of his/her administrative staff should be
27 appointed to the team. The Board shall name the members of the team at its meeting in January of each
28 year. The Board shall designate a Chair of the review team as the contact person for answering
29 questions about the application process and receiving applications. The Superintendent of Schools
30 and/or designee shall develop an orientation for the team to ensure consistent evaluation standards and
31 the elimination of real or perceived conflicts of interest.

1 The Board shall require the Superintendent of Schools and/or designee to develop a procedure for
2 receiving, reviewing, and ruling on applications for the establishment of charter schools by the review
3 team. The procedure shall include a timeline for the application and review process. A copy of the
4 procedure, including the review criteria, shall be available to any interested party upon request.

5 The review team shall:

- 6 1. Evaluate all charter school applications based on the review criteria adopted by the Board;
7
- 8 2. Recommend one of the following options to the Board for each application: approve, reject, or
9 reject with stipulations for reconsideration; and
10
- 11 3. Make recommendations for revocation, renewal, or non-renewal of charter school contracts.

12 **APPROVAL/DENIAL OF APPLICATION⁴**

13 The Board shall rule by resolution on the approval or denial of a charter school application within
14 ninety (90) calendar days of receipt of the completed application, or the application shall be deemed
15 approved by state law. The Superintendent of Schools shall report the action taken by the Board to the
16 Department of Education.

17 *Approval*

18 The sponsor of a charter school that is approved by the Board shall enter into a written agreement with
19 the Board which shall be binding on the charter school's governing body. The charter school agreement
20 shall be in writing and signed by the sponsor and the Board.

21 The Board will receive an annual authorizer fee of three percent (3%) of the annual per student state
22 and local allocations or thirty-five thousand dollars (\$35,000), whichever is less.⁵

23 Charter schools approved by the Board are expected to implement the application as submitted and
24 approved. Material variations in operations from the approved application require amendment pursuant
25 to state law and the charter school agreement.⁶

26 The Board shall not provide services to charter schools that are not requested during the application
27 process except for those services that are required under state or federal law. Services agreed to be
28 provided to the charter school by the Board shall be provided at board actual cost. The Board and
29 charter school shall execute a service contract for any additional services.

30 New charter school agreements are approved for a ten (10) year period.⁷ The Board may revoke or
31 deny renewal of a charter school agreement for any of the reasons enumerated in state law.⁸

32 *Denial*

33 Upon written receipt of the grounds for denial, the sponsor shall have thirty (30) calendar days within
34 which to submit an amended application to correct the deficiencies. The Board shall have sixty (60)
35 calendar days either to deny or to approve the amended application, or the application shall be deemed
36 approved by state law.⁴

- 1 Within ten (10) calendar days of final denial, an appeal may be filed with the Tennessee Charter
- 2 School Commission.⁹

Legal References

1. TCA 49-13-106; State Board of Education Policy 6.111
2. TCA 49-13-107; TCA 1-3-102; TCA 49-13-108; TRR/MS 0520-14-01
3. TCA 49-13-110
4. TCA 49-13-108; TRR/MSS 0520-14-01
5. TCA 49-13-128
6. TRR/MS 0520-14-01-06; TCA 49-13-110
7. TCA 49-13-110
8. TCA 49-13-122
9. TCA 49-13-108(b)(5)

Williamson County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Personnel Health Examinations / Communicable Diseases</h2>	Descriptor Code: <h3 style="text-align: center;">5.400</h3>	Issued Date:
		Rescinds: <h3 style="text-align: center;">5.4001</h3>	Issued: <h3 style="text-align: center;">06/18/14</h3>

- 1 All employees, prior to entering service, shall present a certificate showing a satisfactory health record.¹
- 2 Employees shall inform the Superintendent of Schools whenever they contract a contagious or
- 3 communicable disease.

- 4 No employee who has any communicable disease shall perform his/her duties in any location where such
- 5 might endanger the health of school children. The Board shall require any employee to submit to a
- 6 physical examination by a physician whenever there is reason to believe that the employee has any
- 7 communicable disease.²

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

- 11 To assist the Board in making final disposition of the case, the Superintendent of Schools may refer the
- 12 case to the County Health Office or other medical experts.

- 13 The Board shall use the written report to determine the employment status of the employee.

Legal References

1. TRR/MS 0520-01-03-.08(2)(f)
2. TCA 49-2-203(b)(2); TCA 49-5-710(a)(7); TCA 49-5-404
3. TCA 49-5-511(a)(3)

Cross References

Section 504 and ADA Grievance Procedures 1.802

Williamson County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Acquired Immune Deficiency Syndrome (AIDS)	Descriptor Code: 5.401	Issued Date:
		Rescinds:	Issued:

1 **LIABILITY AND NON-DISCRIMINATION**

2 No employee who is diagnosed with HIV infection or AIDS shall be prevented from continuing their
3 employment. No disciplinary action may be taken against an employee solely on the basis of HIV
4 infection or AIDS.

5 Action may be taken against an employee only if the employee is disabled and the disability interferes
6 with their ability to perform their employment duties.

7 The Board shall make reasonable accommodation to enable the employee to perform employment duties
8 as may be required by state or federal law.¹

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.²

13 **CONFIDENTIALITY**

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

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

20 Information obtained is confidential and may not be released to anyone except:³

- 21 1. Persons named on an Authorization for Release of Confidential HIV-Related Information Form;
- 22 2. Persons listed on a court order, and
- 23 3. Persons authorized to receive such information without a release or court order according to state
24 law.

25 **Under no circumstances shall information identifying an employee with AIDS be released to the**
26 **public.**

1 INFECTION CONTROL

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

7 EDUCATION AND TRAINING

8 Annually, the Superintendent of Schools shall ensure that all employees, including newly hired staff,
9 receive current HIV training. These programs can utilize the educational/training resources of agencies
10 or private institutions with personnel trained in the areas of HIV/AIDS prevention education.¹

11 The Superintendent of Schools shall be responsible for developing, revising, and implementing the
12 administrative guidelines and procedures for this policy.⁴ The Superintendent of Schools shall be
13 responsible for enforcing this policy by communicating it to all personnel and by providing necessary
14 instruction to all administrators.
15

Legal References

1. State Board of Education Policy 5.300
2. 29 CFR § 1630.13(b)
3. TCA 68-10-113
4. TRR/MS 0502-01-03-.08(2)(g)

Cross References

Section 504 and ADA Grievance Procedures 1.802

Williamson County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Hepatitis B (HBV)	Descriptor Code: 5.402	Issued Date:
		Rescinds:	Issued:

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

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

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

11 In addition to insuring that these health and safety practices are carried out on a district-wide basis,
12 special emphasis shall be placed in those areas of school district operation that potentially present a
13 greater need for these precautions.

14 **CONFIDENTIALITY AND NON-DISCRIMINATION²**

15 In all instances, district personnel shall respect the individual's right to privacy and treat any medical
16 diagnosis as confidential information. The Director of Schools shall initiate procedures to ensure that all
17 medical information will be held in strict confidence. Any school staff member who violates
18 confidentiality shall be subject to appropriate disciplinary measures.

19 Under no circumstances shall information identifying an employee with HBV be released to the public.

20 **SAFETY**

21 Employees who are at high risk of occupational exposure shall be identified and provided with personal
22 protective equipment, including HBV vaccinations. Employees considered to be at high risk shall include
23 custodians, school nurses, special education teachers and instructional assistants, playground
24 supervisors, coaches, and physical education teachers.

25 When any employee is known to have been exposed to HBV on the job site, the employee will be notified
26 immediately by a supervisor, and the Board shall provide vaccinations.

27 The principal will ensure that an accident report is filed for all accidents. The report will include the
28 employee's name, date of the accident, an explanation of the accident, and the care used in treating the
29 individual. These reports will be kept on file in the principal's office for a minimum of one (1) year.

1 **EDUCATION AND UNIVERSAL PRECAUTIONS**

- 2 HBV education, including universal precautions on handling blood and other body fluids, will be
3 provided to all school personnel and volunteers and may include members of the Board.
4

Legal References

1. 29 CFR § 1910.1030
2. TCA 68-10-113