

BARTLETT CITY BOARD OF EDUCATION

Bartlett City Board of Education Work Session

Bartlett City Hall Conference Room 6400 Stage Road - Bartlett

PO Box 341148

Bartlett, TN 38134

March 20, 2014

7:00 PM

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER & ROLL CALL

Official Business of the Day

APPROVAL OF AGENDA

REPORTS

Chairman's Report

Superintendent's Report

Legal Report

STAFF ACTION ITEMS

BOARD ACTION ITEMS

Policy 1024: Role of the Board of Education

Policy 1026: News Releases and Interviews

Policy 1027: Appeals to and Appearances before the Board of Education

Policy 5007: Staff Positions

Policy 5008: Classification and Qualifications

Policy 5009: Supervision of Personnel

Policy 5010: Evaluation of Personnel

Policy 5011: In-Service and Professional Learning Opportunities

Policy 5012: Compensation Guides and Contracts

Policy 5015: Assignment and Transfer

Policy 5016: Reduction in Force and Recall

Policy 5018: Suspension and Dismissal of Non-Certificated Personnel

Policy 5019: Non-renewal

Policy 5020: Resignation

Policy 5021: Retirement

Policy 5025: Personnel Records

Policy 5026: Teacher Effect Data

ADJOURNMENT

Policy 1024 – Role of the Board of Education

The Bartlett City Board of Education will be guided by the general mandatory powers and duties of the Board as defined through statute¹ which state or imply that a local Board of Education has full power to operate the local public schools as it deems fit in compliance with state and federal mandates. The Board functions only when in session.

The Board sees these as its required functions:

1. **Policy Oversight:**² The Board shall develop a policy manual and employ a Superintendent who shall carry out its policies through the development and implementation of administrative procedures. The Board shall regularly evaluate the effectiveness of its policies and their implementation.
2. **Educational Planning:**³ The Board shall require reliable information from responsible sources which enable it and the staff to work toward the continuous improvement of the educational program.
3. **Fiscal Planning:**⁴ The Board shall adopt a budget to provide the necessary funding in terms of buildings, staff, materials, and equipment to enable the District to carry out its functions.
4. **Promotion:** The Board shall keep the local community informed about the District, its accomplishments, and its actions and shall build public support for the schools by involving the public in the planning process.

The Board shall strive to provide the best educational opportunities possible for all children.

The Board shall exercise its powers through the enactment of policies for the organization and operation of the District. The Board shall delegate the administration of the schools to the Superintendent.

¹ T.C.A. §49-2-203

² T.C.A. §49-2-203; T.C.A. §49-2-207

³ T.C.A. §49-1-302(a); TRR/MS 0520-2-1-.01

⁴ T.C.A. §49-2-203(10)(A)(i)

Policy 1026 – News Releases and Interviews

The release of official news from the District shall be coordinated as follows:

1. The Board Chairman will be the official spokesman for the Board;
2. The Superintendent or a designated member of the administrative staff will be the official spokesman for Bartlett City Schools; and
3. Official system-wide news releases and interviews pertaining to the implementation of Board policy are the responsibility of the Superintendent.

When individual Board members or the Superintendent express their views on any issue which is in opposition to a view expressed in Board policy, they have the duty to make clear that the view expressed is not the official view of the Board or Bartlett City Schools.

Policy 1027 – Appeals to and Appearances Before the Board of Education

APPEALS TO THE BOARD

Any matter relating to the operation of the school system may be appealed to the Board. However, the Board desires that all matters be settled at the lowest level of responsibility and will not hear complaints or concerns which have not advanced through the proper administrative procedure from the point of origin.

If all steps of the administrative procedure have been pursued and there is still a desire to appeal to the Board, the matter shall be referred in writing to the office of the Superintendent, and the Board shall determine whether to hear the appeal.

APPEARING BEFORE THE BOARD

Individuals wishing to appear before the Board must submit a written request with descriptive materials to the office of the Superintendent seven (7) days before the meeting. If the request is approved by the Executive Committee, the item will be placed on the agenda. Individuals placed on the agenda will be recognized at the beginning of the meeting and given time to speak when their topic of interest is addressed on the agenda.

The Chair may recognize individuals not on the agenda for remarks to the Board if it is determined that such is in the public interest.

If an individual wishes to address the Board, he/she may sign up on the Public Comment Card/Form provided before the beginning of a Board meeting. Organizations must select only one individual to speak on their behalf unless otherwise determined by the Board. Individuals addressing the Board shall adhere to all provisions set forth in Board Policy 1009 – Public Participation at Board Meetings.

Individuals desiring additional information about any item on the agenda shall direct such inquiries to the office of the Superintendent.

POLICY 5007: Staff Positions

All staff positions shall be approved through the budget process and in accordance with an organizational plan submitted by the Superintendent.

The Superintendent may revise the organizational plan from time to time, but no such reorganization may cause budgetary amounts to be exceeded. If changes in personnel create additional encumbrances on a future budget, then prior approval of the Board is required.

POLICY 5008: Classification and Qualifications

ADMINISTRATIVE AND SUPERVISORY PERSONNEL

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

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

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

PROFESSIONAL PERSONNEL

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

SUPPORT PERSONNEL

Support staff members are personnel whose regular employment does not require certification in accordance with the rules and regulations of the State Board of Education.

POLICY 5009: Supervision of Personnel

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

Student teachers shall be assisted by supervising teachers in the development of competencies required by the Board.

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

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

POLICY 5010: Evaluation of Personnel

The Board shall use a state-approved model for evaluating administrative and supervisory personnel and shall approve standard forms to be used in evaluating support personnel. The Superintendent is responsible for ensuring that all administrative and supervisory personnel are evaluated annually.

Evaluations shall be used as an aid in improving an employee's performance and as a basis for continuing employment. Evaluation reports shall be discussed with the evaluated employee. Each employee shall be given a copy of the evaluation and shall sign the supervisor's copy as evidence it has been discussed.

Licensed Teaching Personnel

The Board adopts the State evaluation model. The Superintendent shall draft procedures to ensure that the model is implemented throughout the school system. Additionally, the Superintendent shall provide information to all licensed teaching personnel regarding the nature of the evaluation and the grievance procedures prescribed by the Tennessee State Board of Education.¹

Non-Licensed Personnel

Newly hired non-licensed administrative/support personnel shall be evaluated once during the evaluation period (up to 90 days) and at least one (1) additional time following successful completion of the evaluation period during the first year of employment. Support personnel employed for more than one (1) year shall be evaluated at least once a year.

Local Level Grievance Procedure

The Superintendent shall develop procedures, consistent with state law, for processing evaluation grievances.

¹ TRR/MS 0520-2-1-.01; TRR/MS 0520-2-1-.02

POLICY 5011: In-Service and Professional Learning Opportunities

IN-SERVICE EDUCATION

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

Administrative and Supervisory Employees

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

Each principal and administrator shall be required to attend the principal-administrator academy for instruction at least once every five (5) years.²

Professional Employees

A system-wide in-service committee, composed of membership from a cross-section of other personnel, shall assess system-wide needs, establish priorities, develop objectives, design activities, and evaluate the in-service program.

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

Support Personnel

The immediate supervisors of support personnel shall be responsible for providing in-service trainings. Absences to attend meetings relating to the employee's job description may be granted by the Superintendent without loss of pay to the employee.

PROFESSIONAL LEARNING PROGRAM

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

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

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

¹ State Department of Education Guidelines for Planning Approvable In-Service Education Activities; T.C.A. §49-1-214; T.C.A. §49-6-3004(c)(1)

² T.C.A. §49-5-5703(a)

³ Tennessee State Board of Education Policy 5.200, *Professional Development*

Standards for Professional Learning

LEARNING COMMUNITIES: Professional learning that increases educator effectiveness and results for all students occurs within learning communities committed to continuous improvement, collective responsibility, and goal alignment.

LEADERSHIP: Professional learning that increases educator effectiveness and results for all students requires skillful leaders who develop capacity, advocate, and create support systems for professional learning.

RESOURCES: Professional learning that increases educator effectiveness and results for all students requires prioritizing, monitoring, and coordinating resources for educator learning.

DATA: Professional learning that increases educator effectiveness and results for all students uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning.

LEARNING DESIGNS: Professional learning that increases educator effectiveness and results for all students integrates theories, research, and models of human learning to achieve its intended outcomes.

IMPLEMENTATION: Professional learning that increases educator effectiveness and results for all students applies research on change and sustains support for implementation of professional learning for long term change.

OUTCOMES: Professional learning that increases educator effectiveness and results for all students aligns its outcomes with educator performance and student curriculum standards.

POLICY 5012: Compensation Guides and Contracts

Certified personnel must make a written contract with the Board at a fixed salary per month before entering upon their duties.¹

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

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

Salaries and supplements may be paid from revenue derived from sources other than taxes, provided the revenue is deposited with and salaries paid through the Board. This includes donations or contributions from individual, civic or other non-school related sources of funds from individual school activity funds, such as gate receipts and concessions.³

¹ T.C.A. §49-2-203(a)(1); T.C.A. §49-5-408

² T.C.A. §49-5-402

³ T.C.A. §49-6-2006; *Tennessee Internal School Financial Management Manual*, Section 5, Title 6.

POLICY 5015: Assignment and Transfer

ASSIGNMENT

The Superintendent shall assign personnel to the various schools or departments by June 15 the preceding the school year for which such persons are employed while allowing each principal or immediate supervisor to assign more specific responsibilities within each school.¹

Assignment of employees shall be made by the Superintendent based on the recommendation of the appropriate division director and/or building principal. The assignment shall be determined by the applicant's training, experience, and ability to perform the duties of the position and in the best interest of the schools.

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

TRANSFER (Move from One School or Administrative Unit to Another)

The Superintendent shall transfer employees as necessary for the efficient operation of the schools.² Transfers shall be non-discriminatory and shall not be arbitrary or capricious. The Superintendent is responsible for developing and disseminating procedures for transfers.

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

Transfers shall be made in accordance with Board policy and state law.

REASSIGNMENT (Move to Another Assignment Within the Same School or Administrative Unit)

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

Reassignments shall be made by the employee's immediate supervisor with approval by the Superintendent.

¹ T.C.A. §49-2-301(b)(1)(L); T.C.A. §49-5-401

² T.C.A. §49-2-301(b)(1)(EE); T.C.A. §49-5-510; T.C.A. §49-2-303(b)(3)

POLICY 5016: Reductions in Force and Recall

REDUCTION IN FORCE

When it becomes necessary to reduce the number of positions in the system because of a decrease in enrollment or for other good reasons, the Board shall abolish the positions. The Board or the Superintendent, as appropriate, shall dismiss such employees as may be necessary.¹

Licensed Personnel

Reductions in staff shall be made in an attempt to have the least detrimental effect on children. In general, this objective dictates a staff reduction policy which:

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

The elimination of a position does not necessarily mean the person occupying the position will be dismissed. When an employee is released, the Superintendent shall make the decision based upon a composite of the following criteria:

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

When a teacher is released because of reduction in staff, the teacher shall be given written notice of release explaining the circumstances or conditions making dismissal necessary.

Non-Licensed Personnel

When a non-licensed employee is released because of a reduction in the number of support positions, the Superintendent shall give the employee written notice of dismissal explaining the circumstances or conditions making termination of employment necessary.²

RECALL

The Superintendent shall maintain a preferred re-employment list for tenured teachers whose position is abolished.³ The fitness of any teacher for re-employment shall be determined on the basis of the teacher's competence, compatibility and suitability to properly discharge the duties required by the position with consideration for the best interests of the students in the school where the vacancy exists.

¹ T.C.A. §49-5-409(c); T.C.A. §49-2-301(b)(1)(EE)

² T.C.A. §49-5-511(b)(1)

³ T.C.A. §49-5-511(b)(1)

It shall be the responsibility of the separated teacher to notify the Superintendent in writing of his/her availability and current address. A professional employee who is placed on the preferred re-employment list and subsequently refuses the offer of a comparable position shall be removed from the preferred list.⁴

Any teacher who has been on the preferred list for re-employment for two (2) consecutive years shall, by April 1 of the second consecutive year, receive notice that the teacher's name shall be removed from the list. The Superintendent shall send the notice to the last known address of the teacher. A teacher who wishes to remain on the preferred list for re-employment after the second year shall notify the Superintendent in writing by April 15 of the second year and each subsequent year of his or her desire to remain on the preferred list for re-employment.

Employees returning from lay-off shall have all previously accrued sick leave and years of service reinstated, but they shall not receive benefits for the period of the layoff.

⁴ T.C.A. §49-5-511(b)(4)

POLICY 5018: Suspension and Dismissal of Non-Certified Personnel

SUSPENSION

The Superintendent or his/her designee may suspend an employee at any time when deemed necessary.¹ Under no circumstances shall a Superintendent suspend an employee with pay. If reinstated, the employee shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an appropriate penalty.

DISMISSAL

All non-certified (classified) employees are employed at the will of the Superintendent. The Superintendent may dismiss any non-certified employee during the year for any lawful reason.

¹ T.C.A. §49-2-301(b)(1)(EE); T.C.A. §49-2-301(b)(1)(FF)

POLICY 5019: Nonrenewal

Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of employment enjoyed by tenured teachers except that they have no claim upon continuing employment or tenure protections.

The principal is responsible for discussing deficiencies as part of the evaluation process with the non-tenured teacher and providing assistance for overcoming these deficiencies.

The Superintendent of schools is under no obligation to re-employ non-tenured teachers at the end of their contract period. If the Superintendent of schools determines not to renew the contract of a non-tenured teacher,¹ the following action shall be taken:

1. The Board shall be notified; and
2. Written notice of non-renewal shall be hand delivered or sent to the employee by registered mail so that it will be received by the employee prior to June 15.

¹ T.C.A. §49-5-409(a); OP Tenn. Atty. Gen. 97-123 (September 2, 1997); OP Tenn. Atty. Gen. 99-091 (April 12, 1999).

POLICY 5020: Resignation

Certified Personnel

A teacher shall give the Superintendent notice of resignation at least thirty (30) days before the effective date of the resignation. A tenured teacher who fails to give such notice, in the absence of justifiable extenuating circumstances, shall forfeit all tenure status. The Board may waive the thirty (30) days notice requirement and permit a teacher to resign in good standing.

The conditions under which it is permissible to break a contract with the Board are as follows:

1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement of a physician approved by the Board; or
2. The release by the Board of the teacher from the contract which the teacher has entered into with the Board.¹

Any teacher on leave shall notify the Superintendent of schools in writing at least thirty (30) days prior to the date of return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to render such notice may be considered a breach of contract.²

Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the Commissioner and request the suspension of a teacher's certificate. After the Commissioner has provided the teacher an opportunity for defense during a hearing, the Commissioner may suspend the certificate for no less than thirty (30) and no more than three hundred sixty-five (365) days.³

Classified Personnel

While classified personnel are employed at will, meaning that they may terminate their employment with the Bartlett City Board of Education at any time and for any reason, the Board requires classified employees to give their immediate supervisor written notice of their intent to resign their employment at least ten (10) working days in advance of the effective date of their resignation. Any employee who fails to provide the supervisor with his/her requisite notice shall not be eligible for reemployment in the Bartlett City School system; provided, however, that the Superintendent may waive this notice requirement and the disqualification for good cause.

¹ T.C.A. §49-5-508

² T.C.A. §49-5-706

³ T.C.A. §49-5-411

POLICY 5021: Retirement

Retirement shall mean a termination of services under conditions which will allow the employee to draw benefits from retirement plans and/or social security benefits.

Employees eligible for retirement benefits may elect to retire at any age according to the provisions of the retirement system.

Central office personnel shall assist employees in securing retirement benefits; however, it shall be the responsibility of the retiring employee to obtain verification of eligibility in writing from TCRS to the central office. It shall be the responsibility of the retiring employee to file for eligible benefits.

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

Certified Personnel

Retired teachers may substitute teach for an additional ninety (90) days if the Superintendent certifies in writing to the Board that no other qualified personnel are available to substitute teach.¹

The Superintendent may employ teachers retired for at least one year for full-time employment as a kindergarten through twelfth grade teacher on a year-to-year basis. Retirement benefits will not be lost or suspended under certain conditions, which include but are not limited to the following:²

1. The Superintendent of the employing system must certify in writing that no other qualified individuals are available to fill the position;
2. The Commissioner of Education must certify that the employing school system serves an area that lacks qualified teachers to serve in the position to be filled;
3. The retired teacher must hold a valid license and shall not be entitled to tenure status;
4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or receive medical insurance coverage; and
5. The salary paid to the retired member shall not be less than the rate of compensation set by the Board for teachers with no experience filling similar positions, nor more than eighty-five percent (85%) of the rate of compensation set by Board for teachers with comparable training and years of experience filling similar positions.

¹ T.C.A. §8-36-805

² T.C.A. §8-36-821

POLICY 5025: Personnel Records

The Superintendent or his/her designee(s) shall be authorized to maintain personnel records and to permit inspection of the same, except for matters deemed confidential by law. The following personnel records shall be maintained for all employees as appropriate:

1. Employee applications and contracts;
2. Professional certificates and other documents required by state and federal laws and regulations;¹
3. Evaluations;
4. Cumulative information files; and
5. INS Form I-9²

The following guidelines shall be followed:

1. Information contained in personnel records shall be limited to job-related matters;
2. The Superintendent shall be responsible for notifying all employees of the types of records kept and uses made of such records;
3. Employees shall be granted an opportunity to respond in writing to material placed in records;
4. Employee records are public records, except for matters deemed confidential by law, and shall be open for inspection during regular business hours;³
5. In accordance with federal law, the district shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their child at that school.⁴
6. Members of the public may not obtain the home telephone number, personal cell phone number, bank account information, social security number, residential street address, driver license information (except where driving or operating a vehicle is considered to be a part of the employee's duties), or the results of individual teacher evaluations of an employee or of the immediate family members or household members of an employee, unless release of this information is expressly authorized by the employee.⁵
7. A record of the person inspecting and the date of inspection shall be recorded; and
8. Copies of records may be made under rules determined by the Superintendent of schools.⁶

¹ T.C.A. §49-2-301(b)(1)(M)

² Immigration Reform and Control act of 1986

³ T.C.A. §10-7-503; T.C.A. §10-7-504

⁴ 20 U.S.C. 6311 §1111(6)(A)

⁵ T.C.A. §10-7-504(f)(1)

⁶ T.C.A. §10-7-506; T.C.A. §49-2-301(b)(1)(CC); T.C.A. §8-50-108

POLICY 5026: Teacher Effect Data

The estimates of specific teacher effects on the educational progress of students shall not be a public record and shall be made available only to the specific teacher, School Board members, and the teacher's appropriate administrator(s), as designated by the Board, for the fulfillment of lawful functions.¹

The guidelines for distribution, security, and application² of the teacher effect data shall be kept on file in the central office and shall be given to the teacher, the assigned administrator, and all School Board members and shall become an administrative procedure to be updated as needed by the Superintendent.

¹ T.C.A. §49-1-606(b); T.C.A. §10-7-504(a)(23)

² *Guidelines for the Distribution, Security, and Application of TVAAS Teacher Effect Data*, State Board Guidelines 1996.