

April 6, 2009

The Johnson City Board of Education met in special session on Monday, April 6, 2009, at 5:00 p.m., in the Maple Room at the Columbus Powell Center. The following members

were in attendance:

- Mrs. Kathy B. Hall, Chair
- Mrs. Sheila B. Cox, Vice-Chair
- Mrs. Jenny L. Brock, Secretary
- Mr. Timothy S. Belisle
- Dr. Ralph J. Van Brocklin
- Dr. Robbie Anderson, Director of School Improvement
and Accountability

I. CALL TO ORDER AND PURPOSE OF MEETING

Hall called the meeting to order and welcomed those in attendance. The purpose of the meeting was to review Section 5 of Board Policy.

II. POLICY REVIEW

- Policy 5.101 – Lines of Authority and Staff Relations
 - Line 4, delete “are responsible” and add “report”
- Policy 5.106 – Application and Employment
 - Page 1, line 6, delete “employees” and add “applicants offered employment”
 - Page 2, line 9, delete “hire” and add “fill positions”
- Policy 5.108 – Supervision
 - Line 6, add sentence: “All teachers shall be supervised by the principal of their home school or their supervising administrator.”
- Policy 5.114 – Personnel Records
 - Page 1, line 18, delete “licensed employee or other person considered a professional”
- Policy 5.1141 – Teacher Effect Data
 - Line 3, delete “each” and add “defined as the”
 - Line 5, add “State of Tennessee”
- Policy 5.116 – Staff Positions
 - Page 2, line 4, add “which opens” before
 - Page 2, line 6, add “vacant”
- Policy 5.200 – Suspension/Dismissal of Tenured Teacher
 - Rescinds Policies 5.201, 5.204, and 5.205
 - Page 1, line 3, add “designee”
 - Page 2, line 36, change “may” to “shall”
 - Page 2, line 45, add “kindergarten through twelfth grade”
- Policy 5.201 – Suspension/Dismissal of Non-Tenured Teachers
 - Rescinds Policies 5.201, 5.203, 5.204, and 5.205
 - Change title to “Separation Practices for Non-Tenured Teachers
 - Page 1, line 3, add “designee”
 - Page 1, line 4, add “reasons for the suspension” and delete “notice of the charge(s)”
 - Page 1, line 5, add “respond” and delete “a hearing”

- Page 1, line 6, delete “within ten (10) working days of the close of the hearing”
- Page 1, line 8, add “Under no circumstances shall” and delete “may”
- Page 1, line 8, delete “or without”
- Page 1, line 16, delete “as defined in TCA 49-5-501”
- Page 1, line 17, add “before an impartial hearing officer” and delete “in accordance with the laws of the State of Tennessee”
- Page 1, line 22, add “The Board will appoint an impartial Personnel Hearing Officer to conduct such hearing. The Personnel Hearing Officer shall hear the case during which ...”
- Page 3, line 15, change “may” to “shall”
- Page 3, line 24, add “kindergarten through twelfth grade” before “teacher”
- Policy 5.202 – Suspension/Dismissal of Classified Employees
 - Rescinds Policies 5.202, 5.204, and 5.205
 - Change title to Separation Practices for Classified Employees
 - Page 1, Line 3, delete: “If it becomes necessary to terminate an employee, the supervisor of the employee shall furnish the Director of Schools with the name of the employee, location of employment, title of position, reason for the action of dismissal, and period of notice appropriate to the cause recommended be given to the employee.”
 - Page 1, line 6, add: “/designee” after “Schools”
 - Page 1, line 7, delete “immediately with or without pay”
 - Page 1, line 10, add: “Under no circumstances shall a Director of Schools 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.”
 - Page 1, line 16, add “DISMISSAL”
 - Page 1, line 18, add: “The Director of Schools may dismiss any classified employee during the contract year for incompetence, inefficiency, insubordination, improper conduct or neglect of duty.”
 - Page 1, line 21, add: “The Director of schools shall provide the employee with written notice of the charge or charges against the employee and a pre-termination hearing before the Director of the Director’s designee.”
 - Page 1, lines 24-30, delete: “The following shall be considered grounds for dismissal of classified personnel:
 1. Willful violation of school rules and regulations;
 2. Misconduct causing adverse reflection on the employee or the system;
 3. Incompetence;
 4. Excessive or unreasonable absences or tardiness;
 5. Failure to obey a legitimate system directive or order of a supervisor;
 6. Willfully falsifying a report;
 7. Willfully making a false statement, written or oral; and
 8. Breach of contract.”

- Page 1, line 42-Page 2, line 2, delete: “If an employee wishes to leave the Johnson city School System, he shall give at least two (2) weeks notice, or less if agreeable with the immediate supervisor. It will be noted in personnel records if insufficient notice is given.”
- Page 2, line 22, change “may” to “shall”
- Policy 5.203 – Non-Tenured Teachers
 - Lines 7-10, delete: “Upon completion of the non-tenure period, any teacher who is re-employed in the system is entitled to tenure status for which the teacher is qualified by college training and certification; provided that the Director of Schools shall recommend to the Board that the teacher be re-elected and the Board elects to grant tenure, thereby attaining tenure status.”
 - After line 21, the remainder of the policy was moved to the new 5.201.
- Policy 5.204 – Resignation
 - Parts of this policy were moved to the new 5.200; 5.201; and 5.202
- Policy 5.205 – Retirement
 - Line 33, delete: “The retiree will not accumulate any additional retirement credits during the period of reemployment.”
 - Parts of this policy were moved to the new 5.200; 5.201; and 5.202
- Policy 5.301 – Emergency and Legal Leave
 - Line 12, delete: “When a teacher is summoned for jury duty he shall appear in court and specify a seven (7) day period within twelve months that he will be available for jury duty.”
 - Delete Legal Reference: “TCA 22 1 103 (a)(3)”
- Policy 5.306 – Military Leave
 - Lee Herrin will check wording in this policy regarding the proposed change from “not exceeding fifteen (15) working days” to “not exceeding twenty (20) working days” to make sure the paid salary or compensation clauses match what is in the current Master Teacher Contract
- Policy 5.400 – Personnel Health Examinations/Communicable Diseases
 - Line 3, change “encouraged” to “required”
- Policy 5.500 – Discrimination/Harassment of Employees (Sexual, Racial, Gender, Ethnic, Religious)
 - Page 1, line 10, add “images” after “gestures”
 - Page 1, line 10, delete “either” and add “whether”
 - Page 1, line 10, delete “or” before “spoken”
 - Page 1, line 10, add “or transmitted electronically”
- Policy 5.602 – Staff Time Schedules
 - Page 1, line 22 – Page 2, line 16 – delete because it is incorporated in 5.604
 - Delete Legal Reference: “29CFR § 553.20; TCA 5 23 101; 104
- Policy 5.607 – Non-School Employment
 - Line 30, after “paid or unpaid” add “other than military service”

- Policy 5.801 – Director of Schools Recruitment and Selection
 - Line 18, delete” “by suggesting criteria, participating in sessions with and asking questions of the candidates and by attending Board interviews with the candidates”
- Policy 5.804 – Compensation, Benefits and Expenses
 - Change title to: “Director of Schools’ Compensation, Benefits, and Expenses”

III. ADJOURNMENT

There will be no meeting at 5:00 p.m. on May 4. The inauguration ceremonies will be held that afternoon at City Hall for the new School Board and City Commission members and there will be a group photo session for Board members at 5:45 p.m.

The meeting was adjourned at 5:25 p.m.

Chairman

Secretary

ed