

**November 6, 2017**

The Johnson City Board of Education met in special session on Monday, November 6, 2017, at 5:00 p.m., in the Maple Room at the Columbus Powell Center. The following members were in attendance:

Mr. Timothy Belisle, Chair  
Mrs. Kathy Hall, Vice Chair  
Mr. Thomas Hager, Jr., Secretary  
Mr. John Hunter, II  
Mr. Jonathan Kinnick  
Dr. Richard Manahan  
Mrs. Stacie Torbett  
Dr. Steve Barnett, Superintendent of Schools

**I. CALL TO ORDER AND PURPOSE OF MEETING**

- Belisle called the meeting to order and welcomed those in attendance
- The purpose of the meeting was to review Board Policies.

**II. SECTION ONE – SCHOOL BOARD OPERATIONS**

- Policy 1.108 – Nepotism
  - Page 1, delete line 1, delete “The Superintendent of Schools will not employ any teacher or other employee if such teacher or other 1 employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, 2 sister-in-law, or brother-in-law of the Superintendent of Schools or any member of the Board.”
  - Line 5, add accepted changes from TSBA.
  - Line 21, add accepted changes from TSBA.
- Policy 1.400 – School Board Meetings
  - Line 3, delete “Meetings of the Board will be open to the public except in the following situations:<sup>1</sup>
    - 1. When meeting with its attorney to discuss pending or threatened litigation;
    - 2. When meeting with its collaborative conferencing team to discuss strategy or planning;
    - 3. When meeting to discuss school security; or
    - 4. When conducting a student disciplinary hearing, unless the student, the student’s parent, guardian or representative requests the hearing be conducted as an open meeting.
  - Line 10, delete “Open meetings will be physically accessible to all students, employees, and interested citizens.<sup>2</sup>
  - Line 12, delete “The Board has the right to prohibit the use of a camera, camcorder or other photographic equipment at Board 12 meetings.<sup>3</sup>
  - Line 12, add accepted changes from TSBA.
  - Add Electronic Attendance<sup>5</sup>, Line 9, accepted changes from TSBA.
- Policy 1.405 – Rules of Order
  - Line 8, add accepted changes from TSBA.

**III. SECTION TWO – FISCAL MANAGEMENT**

- Policy 2.703 – Audits
  - Add Audit Findings<sup>3</sup>, accepted changes from TSBA.

**IV. SECTION THREE – SUPPORT SERVICES**

- Policy 3.202 – Emergency Preparedness Plan
  - Add Fire and Safety Drills, accepted changes from TSBA.
  - Line 10, delete “The principal or his designee shall be responsible for ensuring that a sufficient number of drills is conducted in order to give instruction and practice in proper actions by staff and students. One fire drill requiring full evacuation shall be given every month during the school year, with an additional fire drill to be conducted within the first thirty (30) days of operation. Three (3) additional safety drills shall be given during the school year. These drills may include inclement weather, earthquake, armed intruders or other emergency drills that do not require full evacuation. A record of all fire and safety drills, including time and date, shall be kept in each school’s office.<sup>2</sup>”
  - Line 18, delete “When less than one hour of warning time is given in the event of an emergency of the type discussed in this policy and the continued presence of students does not present an eminent danger, students will be retained at school.”
  - Line 22, delete “Any school with an AED shall conduct a CPR and AED drill to ensure students are aware of the steps that must be taken in the event of a medical emergency. The principal shall be responsible for ensuring the drill occurs.<sup>3</sup>”
  - Line 26, delete “The principal or his designee shall regularly check the quantity, locations, and conditions of fire extinguishers and fire alarms and shall give all school personnel instructions in their use.”
- Policy 3.205 – Security
  - Line 7, delete “and”
  - Line 9, “The principal”
- Policy 3.400 – Student Transportation Management
  - Line 4, add accepted changes from TSBA.
- Policy 3.3001 – Use of System Issued Cellular Phones
  - Line 11, add accepted changes from TSBA, delete “execute an agreement outlining the terms of use.”

**V. SECTION FOUR – INSTRUCTIONAL PROGRAMS**

- Policy 4.100 – Instructional Goals and Objectives
  - Line 4, delete “To continue to improve” add “Advance”
  - Line 5, delete “To” add “internal and external”
  - Line 6, delete “To”
  - Line 7, delete “To enhance,” add “Improve,” delete “with all families and other stakeholders”
  - Line 9, delete “To secure and effectively integrate technology,” add “Champion innovation and the effective use of technology” add accepted changes from TSBA.

- Policy 4.101– Philosophy
  - Add accepted changes from TSBA
  - Line 9, delete “in learning, to accept social responsibility, and to develop self-worth.”
- Policy 4.2031 – Enrollment in Jump Start Classes
  - Line 7, delete “or have earned a 19 on the Compass tests”
- Policy 4.209 – Alternative Credit Options
  - Line 7, after delete “unavoidable”
  - Add accepted changes from TSBA
- Policy 4.211 – Credit Recovery
- Policy 4.212 – Work Based Learning Program
- Policy 4.301 – Interscholastic Athletics
  - Add accepted changes from TSBA
- Policy 4.302 – Field Trips
  - Line 7, add “educational”
  - Line 8-9, add “Withholding attendance at field trips should not be used for discipline;”
- Policy 4.402 – Selection of Instructional Materials (Other than Textbook)
  - Line 29, delete “The principal of each school shall annually appoint a committee of teachers to determine how to spend the pooled amount of the second \$100 of the \$200 given to each classroom teacher in the school for instructional materials.<sup>2</sup>”
- Policy 4.404 - Use of Copyrighted Materials/Trademarks, Mascots and Logos
  - Add accepted changes from TSBA
- Policy 4.406 - Use of the Internet
  - Add accepted changes from TSBA
- Policy 4.600 - Grading System
  - Add accepted changes from TSBA
  - Line 14, delete “SECONDARY SCHOOL”
  - Line 15, delete “Uniform Grading System”
- Policy 4.604 - Accelerated and Advanced Credit
  - Add accepted changes from TSBA
  - Line 4, delete “or middle school”
- Policy 4.606 - Graduation Activities
  - Line 9 – delete “The school shall not be responsible for the expenses of graduation apparel if it consists only of the student's personal clothing. All other graduation expenses shall be the responsibility of the Board.”
  - Add accepted changes from TSBA
- Policy 4.700 - Testing Programs
  - Add accepted changes from TSBA
  - Line 25, delete “When available from the state, student scores on state mandated comprehensive in grades three through eight (3-8) shall comprise fifteen percent (15%) of the student’s final grade in the spring semester in the subject areas of mathematics, reading /language arts, science and social studies.<sup>3</sup> Any high school student who misses a scheduled end-of-course examination will be allowed to make up the test only on the dates specified by the State Department of Education. Any student who misses a scheduled examination shall receive an “Incomplete” (I) for a course grade until the examination is taken.

At that time, the course grade shall be computed and recorded on the student's permanent record. Any test directly concerned with measuring student ability or achievement through individual or group psychological or sociometric tests shall not be administered by or with the knowledge of any employee of the system without first obtaining written consent of the parents or guardians. <sup>2</sup> Results of all group tests shall be recorded on the students' permanent records and shall be made available to appropriate personnel in accordance with established procedures.<sup>4</sup>

- Policy 4.802 - Student Equal Access (Limited Public Forum)
  - Line 22, delete "Beginning with the 2015/2016 school year,"
- Policy 5.200 - Separation Practices for Tenured Teacher
  - Add accepted changes from TSBA
  - Line 6, delete "SUSPENSION, The Superintendent of Schools/designee may suspend a tenured teacher at any time when deemed necessary.<sup>1</sup> Under no circumstances shall a Superintendent of Schools suspend an employee with pay. If vindicated or reinstated, the employee shall be paid full salary for the period of suspension,<sup>2</sup> unless suspension without pay is deemed to be an appropriate penalty.
  - Line 13, delete "Suspensions Of Three Days Or Less, The Superintendent of Schools shall provide written notice of suspension and the reasons for the suspension to the tenured teacher, along with an explanation of the evidence supporting the decision to suspend and copies of any documents relied upon by the Superintendent in reaching the decision. 13 Upon request made in writing within five (5) days from the date of the suspension letter or the date it was received, whichever is later, the Superintendent shall meet with the teacher at which time the teacher may offer rebuttal to the charges or any information the teacher wishes the Superintendent to consider. Both the school system and the teacher may be represented by an attorney or other representative at this meeting. The meeting shall be recorded by the Superintendent of Schools, and a copy shall be provided to the teacher upon request. The Superintendent shall issue a written decision within ten (10) days from the date of the meeting. The Superintendent may not impose any additional punishment beyond that described in the notice of suspension. The teacher, if dissatisfied with the decision of the Superintendent may pursue an appeal.<sup>3</sup>"
  - Line 33, delete "Suspensions Of More Than Three Days And Dismissal, When a tenured teacher is charged with offenses which may justify dismissal, the charges shall be made in writing, specifically stating the offenses which are charged and the party or parties making the charges must sign the charges. If, in the opinion of the Board, the charges are of such nature as to warrant the release of the teacher, the Superintendent of Schools shall give the teacher a written notice of this decision, a copy of the charges against the teacher, and a copy of a form provided by the Commissioner of Education advising the teacher of his legal duties, rights and recourse. A tenured teacher who has been given notice of charges against him may within thirty (30) days after receipt of notice give written notice to the Superintendent of Schools of his request for a hearing before an impartial hearing officer. The Superintendent of Schools shall within five (5) days after receipt of the request, name an impartial hearing officer who shall be responsible for notifying the parties of the hearing officer's assignment.

The hearing officer shall also schedule the hearing, which in no event shall be set later than thirty (30) days following receipt of the notice demanding a hearing. If the affected teacher desires to appeal from a decision rendered in whole or in part in favor of the school system, the teacher shall first exhaust the administrative remedy of appealing the decision to the board of education within ten (10) working days of the hearing officer's delivery of the written findings of fact, conclusions and decisions to the affected teacher. The Superintendent of Schools shall also have the right to appeal any adverse ruling by the hearing officer to the board of education under the same conditions the affected teacher. An "impartial hearing officer" is a person who has no history of employment with the board or Superintendent of Schools, no relationship with any board member and no relationship with the teacher or representatives of the teacher.<sup>4</sup>

- Line 8, delete "an, ninety (90)"
- Policy 5.201 - Separation Practices for Non-Tenured Teachers
  - Line 1, delete "SUSPENSION, The Superintendent of Schools/designee may suspend a non-tenured teacher at any time when deemed necessary.<sup>1</sup> Before an employee is suspended he shall be: (1) provided with reasons for the suspension; (2) given an opportunity to respond; and (3) given a written decision of the suspension. Under no circumstances shall the Superintendent of Schools suspend a non-tenured teacher with pay. If reinstated, the non-tenured teacher shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an appropriate penalty."
  - Line 11, delete "DISMISSAL, The Superintendent of Schools may dismiss any non-tenured teacher during the contract year for incompetence, inefficiency, insubordination, unprofessional conduct or neglect of duty after giving the non-tenured teacher, in writing, due notice of the charges. The Superintendent of Schools shall give the non-tenured teacher an opportunity for a full and complete hearing before an impartial hearing officer.<sup>2</sup>"
  - Line 18, delete "PERSONNEL HEARINGS, The Board will appoint an impartial Personnel Hearing Officer to conduct such hearing. The Personnel Hearing Officer shall hear the case during which the employee shall have the right to: 1.be represented by counsel; 2.call and subpoena witnesses; 3. examine all witnesses; and 4. require that all testimony be given under oath. Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the affected employee within ten (10) working days following the close of the hearing. The employee may appeal the decision to the Board within ten (10) working days of the Personnel Hearing Officer rendering the written decision to the employee. Written notice of appeal to the Board shall be given to the Superintendent of Schools. Within twenty (20) days on receipt of notice, the Superintendent shall prepare a copy of the proceedings, transcript, documentary and other evidence presented and provide the Board a copy of the same. The Board shall hear the appeal. No new evidence shall be introduced. The non-tenured teacher may appear in person or be represented by counsel and argue why the decision should be modified or reversed."

The Board shall take one of the following actions: 1. sustain the decision; 2. send the record back if additional evidence is necessary; or 3. revise the penalty or reverse the decision. Before any decision to dismiss is made, a majority of the membership of the Board shall concur in sustaining the charges. The Board shall render a decision on the appeal within ten (10) working days after the conclusion of the hearing.

The Superintendent of Schools shall also have the right to appeal any adverse ruling by the Personnel Hearing Officer in same manner as the non-tenured teacher. Within twenty (20) days after receipt of notice of the decision of the Board, either party may appeal to the chancery court in the county where the school system is located. The Board shall provide the entire record of the hearing to the court.

- Add accepted changes from TSBA
- Policy 5.501 – Complaints and Grievances
  - APPOINTING COMPLAINT MANAGERS – Change Dr. David Chupa to Dr. Roger Walk

**VI. SECTION SIX – STUDENTS**

- Policy 6.305 – Student Concerns, Complaints and Grievances
  - APPOINTING COMPLAINT MANAGERS – Change Dr. David Chupa to Dr. Roger Walk
- Policy 6.409 - Child Abuse and Neglect
  - Add accepted changes from TSBA
    - Line 0, delete “Services in a manner specified by the department, either by contacting a local representative of the department or by utilizing the departments centralized intake procedure where applicable.”<sup>17</sup>

**VII. ADJOURNMENT**

The meeting was adjourned at 5:57 p.m.

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Chairman

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Secretary

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