

BARTLETT CITY BOARD OF EDUCATION BUSINESS MEETING

**AUDITORIUM
5705 STAGE ROAD
BARTLETT, TN 38134**

**August 27, 2020
7:00 PM**

- I. INVOCATION
- II. PLEDGE OF ALLEGIANCE
- III. CALL TO ORDER & ROLL CALL
 - A. Official Business of the Day
- IV. SPECIAL PRESENTATIONS
- V. PUBLIC COMMENT
- VI. APPROVAL OF AGENDA
- VII. APPROVAL OF MINUTES OF PREVIOUS MEETINGS
 - A. July 23, 2020 Business Meeting Minutes
- VIII. REPORTS
 - A. Chairman's Report
 - B. Superintendent's Report
 - C. General Counsel's Report
 - D. Tennessee Legislative Network (TLN) Representative Report
 - E. Financial Report
- IX. UNFINISHED BOARD BUSINESS
- X. BOARD ACTION ITEMS
 - A. New Board Business
 - 1. Behavior Services of the Midsouth Contract
 - 2. Affiliation Agreement with Tennessee State University for OT/PT/SLP
 - 3. Memorandum of Understanding (MOU) for Dual Enrollment between TN College of Applied Technology and Bartlett City Board of Education
 - 4. Youth Villages Contract for Student Placement
 - 5. Policy 5037: Social Media REVISED FIRST READING
 - 6. Policy 1035: Title IX and Sexual Harassment NEW FIRST READING
 - 7. 2020-2021 Amended Bartlett City Schools Instructional Calendar
 - 8. Approval of the 2020-2021 Disciplinary Hearing Authority (DHA) Members
 - 9. Bartlett High School baseball dugout modification
 - 10. Resolution 8-1 Education Capital Fund Budget Amendment
 - 11. Approval of School Support Organizations (SSO)
- XI. ADJOURNMENT

**BARTLETT CITY BOARD OF EDUCATION
BUSINESS MEETING MINUTES**

**AUDITORIUM
5705 STAGE ROAD
BARTLETT, TN 38134**

**July 23, 2020
7:00 PM**

INVOCATION AND PLEDGE OF ALLEGIANCE

Mrs. Portia Tate said a prayer. The Board and audience members recited the Pledge of Allegiance.

CALL TO ORDER & ROLL CALL

Official Business of the Day

Chairman Cook called the meeting to order at 7:00 p.m. The following Board Members were present:

Ms. Erin Berry
Mr. David Cook
Mrs. Shirley Jackson
Mrs. Portia Tate

Absent: Mr. Bryan Woodruff

SPECIAL PRESENTATIONS

No special presentations.

PUBLIC COMMENT

*Nichole Morhardt, BEA
7045 Canehill, Bartlett
RE: Call for collaboration*

*Angela Goekler
2960 Ruskin Road, Bartlett
RE: Sports and IEP's*

*Joy Health (on behalf of Blount Smith)
2459 Flowering Tree, Bartlett
RE: Re-Opening Plans*

*Jacob Trantum
5034 French Broad Lane, Bartlett
RE: Sanitizing of food surfaces in
classrooms*

*Daniel Cook
6814 Canna Hill Cove, Bartlett
RE: Re-Opening plan concerns*

*Cheryl Gipson, BEA
5231 Jeffrey Keith, Arlington
RE: Policy Items on Agenda*

*Angela Lester
5092 Aspen Woods, Arlington
RE: Teachers duty free lunches*

*Renee Farrell
2448 Pinnacle Point, Bartlett
RE: Suggestions for re-opening schools*

APPROVAL OF AGENDA

Chairman Cook requested that item 11: Policy 5033 - Staff Time Schedules and item 19: Approval of School Support Organizations (SSO) be removed from the agenda. Ms. Erin Berry made the motion to approve the revised agenda. Mrs. Portia Tate seconded the motion. With all ayes, the revised agenda was approved.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

June 25, 2020 Business Meeting Minutes

The approval of the June 25, 2020 Business Meeting Minutes passed with a motion by Mrs. Shirley Jackson and a second by Ms. Erin Berry. With all ayes, the Minutes were approved.

REPORTS

Chairman's Report

Chairman Cook updated the Board that over the past month he had lots of phone calls with Superintendent Stephens and several emails from the public. He did not have any other official duties this past month.

Superintendent's Report

Superintendent Stephens provided the following updates to the Board:

These are challenging and unprecedented times. Even through the merger, de-merger, and opening a school district there was always the constant that kids would show up for school in August.

We have released our back to school plan and our virtual learning plan.

I am proud of the work of our virtual leaning committee that include multiple stakeholder groups in developing a solid virtual option for our families.

As of today, we have received 4,916 submissions regarding virtual or in person learning. With 2023 submissions for virtual learning that is 41% of students. Tomorrow we will contact any parent who has not responded and allow them until Monday to submit. On Monday we will review the data and share with our schools to help with planning.

I was on a call with SCHD and other health official yesterday and they informed us they will release additional guidance for schools. Once we receive this guidance, we will share and make any necessary adjustments to our plan.

We met yesterday and today with Principals and Assistant Principals preparing for the year. Many good questions and lots of information shared. We are working on numerous protocols for the challenges this school year brings.

High School project is moving along. Some slow down on production of some finish items but should not have major impact on us being ready for school. They have a lot to accomplish but they assured me that it will be ready.

General Counsel's Report

No report.

Tennessee Legislative Network (TLN) Representative Report

Mrs. Shirley Jackson let the Board Members know that she will be participating in a TSBA Legislative Luncheon Conference on-line tomorrow.

Financial Report

The June 2019-2020 Financial Reports were accepted by the Board. It is a non-voting item.

UNFINISHED BOARD BUSINESS

No unfinished Board items.

BOARD ACTION ITEMS

New Board Business

Uncollectible cafeteria charges

Uncollectible cafeteria charges in the amount of \$666.44 passed with a motion by Mrs. Portia Tate and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Bartlett City Schools Attendance Plan for Truancy

Bartlett City Schools Attendance Plan for Truancy passed with a motion by Ms. Erin Berry and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Memphis Oral School for the Deaf Contract

Memphis Oral School for the Deaf Contract passed with a motion by Mrs. Shirley Jackson and a second by Mrs. Portia Tate.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Advance Therapy Services, LLC Contract

Advance Therapy Services, LLC Contract passed with a motion by Ms. Erin Berry and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Professional Audiological Services, Inc. Contract

Professional Audiological Services, Inc. Contract passed with a motion by Ms. Erin Berry and a second by Mrs. Portia Tate.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

BCS Coordinated School Health District Application

BCS Coordinated School Health District Application passed with a motion by Mrs. Portia Tate and a second by Ms. Erin Berry.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Mrs. Shirley Jackson made the motion to suspend the rules and allow the approval of policies on one reading. Ms. Erin Berry seconded the motion. With all ayes the motion passed.

Policy 3009 - Mail and Delivery Systems REVISED FIRST READING

Revised Policy 3009 - Mail and Delivery Systems passed with a motion by Ms. Erin Berry and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 5004 Staff Health Exams and Communicable Diseases REVISED FIRST READING

Revised Policy 5004 Staff Health Exams and Communicable Diseases passed with a motion by Mrs. Shirley Jackson and a second by Mrs. Portia Tate.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 5014 - Long-Term Leaves of Absence REVISED FIRST READING

Revised Policy 5014 - Long-Term Leaves of Absence passed with a motion by Ms. Erin Berry and a second by Mrs. Portia Tate.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 5015 - Assignment/Transfer REVISED FIRST READING

Revised Policy 5015 - Assignment/Transfer passed with a motion by Ms. Erin Berry and a second by Mrs. Portia Tate.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 5034 - Substitute Teachers REVISED FIRST READING

Revised Policy 5034 - Substitute Teachers passed with a motion by Mrs. Portia Tate and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 5038 - Families First Coronavirus Response Act (FFCRA) NEW FIRST READING

New Policy 5038 - Families First Coronavirus Response Act (FFCRA) passed with a motion by Ms. Erin Berry and a second by Mrs. Portia Tate.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 6002 - Student Discrimination, Harassment, Intimidation, Bullying, and Cyberbullying REVISED FIRST READING

Revised Policy 6002 - Student Discrimination, Harassment, Intimidation, Bullying, and Cyberbullying passed with a motion by Ms. Erin Berry and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 6004 - School Year REVISED FIRST READING

Revised Policy 6004 - School Year passed with a motion by Ms. Erin Berry and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 6008 - Student Communicable Diseases REVISED FIRST READING

Revised Policy 6008 - Student Communicable Diseases passed with a motion by Mrs. Portia Tate and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 6038 - Discipline Procedures REVISED FIRST READING

Revised Policy 6038 - Discipline Procedures passed with a motion by Ms. Erin Berry and a second by Mrs. Shirley Jackson.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

Policy 6047 - Attendance REVISED FIRST READING

Revised Policy 6047 - Attendance passed with a motion by Ms. Erin Berry and a second by Mrs. Portia Tate.

Ms. Erin Berry: Aye, Mr. David Cook: Aye, Mrs. Shirley Jackson: Aye, Mrs. Portia Tate: Aye, Mr. Bryan Woodruff: Absent

ADJOURNMENT

Meeting adjourned at 7:40 p.m.

David M. Cook II, Chairman

Dr. David A. Stephens, Superintendent

Bartlett City Board of Education		5037
Descriptor Term: SOCIAL MEDIA	Descriptor Code: Personnel	Issue Date: 06/25/2020
	Rescinds:	Revised:

1 The purpose of this policy is to establish guidelines and provide direction for District
2 employees when participating in online social media activities. The Superintendent or
3 his/her designee shall establish procedures to ensure effective administration of this
4 policy.

5 **Definitions**

6 Social media: Includes any and all forms of online publication where individuals engage
7 in conversation or exchange of written information or images (such as blogs, micro-blogs,
8 wikis, podcasts, virtual worlds, user rating services, messaging sites, and social
9 networks). Social media tools include online sites such as Twitter, Facebook, YouTube,
10 Wikipedia, Instagram, Pinterest, Snapchat, and LinkedIn. These examples are included
11 by way of illustration and not limitation; new social media platforms are continually
12 emerging, and the named tools shall not constitute an exhaustive list of social media
13 governed by this Policy.

14 Professional Use: Refers to an employee’s personalized presence on social media to
15 advance a program or function of the Bartlett City Board of Education as part of the
16 employee’s job responsibilities.

17 Personal Use: Refers to an employee’s personalized presence on social media, initiated
18 at will by the employee, to advance a personal objective.

19 Disruption to the school environment: Includes any interference with the school
20 environment or violation of Board policy. Interference includes, but is not limited to,
21 violations of Policy 5024: Ethics, affected job responsibilities, compromised or
22 disharmonious professional working relationships, student or parent complaints, student
23 reassignment, student withdrawal, or a threatened or actual negative impact on the
24 learning environment.

25 **Social Media Guidelines**

26 BCS employees shall refrain from using social media for school-related messaging unless
27 otherwise approved by a school or department administrator. The primary method of
28 school communications shall be District-provided communication tools, such as a school
29 email, the learning management system, voicemail account, webpage, Seesaw, Remind,
30 or related professional platforms.

31 Professionalism should be maintained in all interactions with students, staff, their families,
32 and the community whether engaging in-person or electronically via social media. Failure
33 to do so may place an employee in violation of Board policy and at risk of discipline.

1 By accessing, creating, or contributing to any professional or personal use of social
2 media, BCS employees agree to abide by the expectations incorporated in Policy 5037:
3 Social Media.

4 District employees remain personally responsible for content published by, attributable
5 to, or connected with their presence on social media. Online behavior should reflect the
6 same standards of honesty, respect, responsibility, and consideration required of BCS
7 employees engaged in in-person communications, and social media use should always
8 remain within the bounds of professional discretion. Online conduct resulting in a
9 disruption to the school environment, whether resulting from professional or personal use
10 of social media, may be subject to disciplinary action up to and including dismissal.

11 **Professional Use of Social Media**

12 District employees are prohibited from using personal social media accounts for official
13 school purposes. If a BCS employee wishes to incorporate social media into the
14 curriculum or educational program, he or she must first inform and receive approval from
15 his/her school or department administrator and receive express parental informed
16 consent for third party social media platforms. Social media use in the classroom should
17 be incorporated only in cases where the educational benefit outweighs the potential risks
18 of participation. Upon approval by an administrator, District employees may establish a
19 classroom social media account or page using District contact information, including
20 school email account, address, and voicemail extension.

21 Professional use of social media shall be considered an extension of the classroom, and
22 all content associated with such use shall adhere to classroom and professional
23 expectations. Copyright and fair use guidelines should be maintained, and the school
24 and/or District name, logos, and images may not be used without receiving prior
25 permission pursuant to Board Policy 1028. District employees incorporating social media
26 into the classroom shall maintain the primary responsibility for monitoring such use, and
27 what is inappropriate in the classroom should be deemed inappropriate online. Social
28 media interactions with students should demonstrate the highest levels of professionalism
29 and should adhere to all District policies regarding student records, safety, privacy, codes
30 of conduct, and ethics.

31 Any student information communicated through social media platforms must comply with
32 all District policies on student privacy and student records. In addition to the privacy
33 requirements set forth in Board policy and in the Family Educational Rights and Privacy
34 Act (FERPA), a student's participation in third party social media sites as part of a District
35 activity shall require express parent informed consent. As part of such consent, parents
36 must be made aware, in writing, that the District is unable to control such third party sites,
37 that the activity is optional, and that, should the parent decline to consent, a suitable and
38 educationally-equivalent alternative activity or assignment will be made available.

39 The District recognizes that student or community groups may create social media
40 accounts representing students or groups associated with the District. If and when District
41 employees join or engage with these social networking groups, they do so as
42 representatives of the District and are encouraged to use a professional social media
43 account. In this capacity, whether on or off duty, all employees are responsible for

1 maintaining appropriate employee-student relationships and have further responsibility
2 for reporting and/or addressing inappropriate behavior or activity on these networks. This
3 responsibility includes maintaining student confidentiality, acting to protect the safety of
4 minors online, reporting abuse, bullying, or harassment, and adhering to the Teacher
5 Code of Ethics. Failure to do so could put an employee in violation of existing District
6 policies and at risk of disciplinary action.

7 **Personal Use of Social Media**

8 District employees remain personally responsible for content published by, attributable
9 to, or connected with their social media accounts. Online behavior should always reflect
10 the same standards of honesty, respect, responsibility, and consideration required of BCS
11 employees, and even personal use of social media should remain within the bounds of
12 professional discretion. A BCS employee may be identified as an employee or may
13 otherwise associate themselves with the District through self-identification, display of their
14 name and likeness, school contacts, “follows”, or “likes” and thus must ensure that any
15 associated content is compatible with the mission of the District.

16 District employees are prohibited from using personal social media accounts for official
17 school purposes. Online fraternization between BCS employees and BCS students is
18 strictly prohibited. Employees may not use personal social media to solicit or accept
19 “friend” requests or other social media connections from BCS enrolled students or former
20 students who continue to be minors. This prohibition shall not apply to any “friend”
21 connection between a BCS employee and members of his or her family.

22 District employees are encouraged to remember that intentional messaging and privacy
23 protections help distinguish personal comments from those communicated on behalf of
24 Bartlett City Schools. Consistent with Policy 5029, employees must make clear that the
25 view expressed on his/her social media is not the official view of the Board or BCS.
26 Employees shall never use personal social media in any way purporting to be or speaking
27 for Bartlett City Schools.

28 Even when incorporating the most restrictive privacy settings, employees should assume
29 that all postings are in the public domain. Employees should understand that comments
30 made using certain social media platforms are not protected by privacy settings, and
31 employees must refrain from publishing content that could be deemed unprofessional.
32 Online conduct resulting in a disruption to the school environment, whether resulting from
33 professional or personal use of social media, may be subject to disciplinary action up to
34 and including dismissal.

35 **Reporting Notification, and Training**

36 Improper uses of social media shall be referred to the building administrator and/or BCS
37 Department of Human Resources for investigation. This Policy shall be disseminated
38 annually to District staff, students, and volunteers via the Acceptable Use of Technology
39 form and the BCS website. All District employees and volunteers shall be educated on
40 this Policy, acceptable use of social media platforms, and related administrative
41 procedures.

Policy 1035: Title IX and Sexual Harassment

In order to maintain a safe, civil, and supportive learning and work environment, all forms of sexual harassment and discrimination on the basis of sex are prohibited.¹

This policy shall cover employees and students while engaged in any BCS program or activity.² BCS programs and activities include, but are not limited to, activities located on school property, at school-sponsored activities, or in connection with school-provided equipment or transportation. This policy shall be disseminated annually to all staff, students, and parent(s)/guardian(s).³ The Title IX Coordinator and any staff chosen to facilitate the grievance process shall not have a conflict of interest or bias against any party to the complaint or for or against any complainants or respondents generally.⁴ These individuals shall receive training as to how to promptly and equitably resolve student and employee complaints under this policy.⁵ All employees shall receive training on complying with this policy and federal law.⁶

Title IX Coordinator⁷

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. He or she shall be kept informed by school-level personnel of the status of all investigations and shall provide input on an ongoing basis as appropriate.

Any individual may contact the Title IX Coordinator at any time using the information below:

Director, Student Services and Title IX Coordinator
Bartlett City Schools
5705 Stage Road
Bartlett, TN 38134
(901) 202-0855 ext. #2238
kwhite@bartlettschools.org

Definitions⁸

“Complainant” is an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent” is an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

¹ 34 CFR §106.1

² 34 CFR §106.44(a)

³ 34 CFR §106.8

⁴ 34 CFR §106.45(b)(1)(iii)

⁵ 34 CFR §106.45(b)(1)(iii); 34 CFR §106.45(b)(10)(D)

⁶ 34 CFR §106.30(a)

⁷ 34 CFR §106.8(a)

⁸ 34 CFR §106.30(a)

“Sexual Harassment” is conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking as defined by state and federal law.

Behaviors that constitute sexual harassment may include, but are not limited to:

1. Sexually suggestive remarks;
2. Verbal harassment or abuse;
3. Sexually suggestive pictures;
4. Sexually suggestive gesturing;
5. Harassing or sexually suggestive or offensive messages;
6. Direct or subtle propositions for sexual favor; and
7. Touching of a sexual nature.

Sexual harassment may be directed against a particular person(s) or group whether of the opposite sex or the same sex.

“Supportive measures” are non-disciplinary, non-punitive, individualized services and shall be offered to the complainant and the respondent as appropriate without fee or charge. These measures may include, but are not limited to, the following:

1. Counseling
2. Course modifications
3. Schedule changes; and
4. Increased monitoring or supervision

Supportive measures offered shall remain confidential to the extent that maintaining such confidentiality would not impair the district’s ability to provide supportive measures.

Grievance Process

Upon learning of alleged sexual harassment, even if no formal complaint is filed, the Title IX Coordinator shall:

1. Promptly contact the complainant to discuss the availability of supportive measures;
2. Consider the complainant’s wishes with respect to supportive measures;
3. Inform the complainant of the availability of supportive measures with or without a formal complaint; and
4. Explain the process for filing a formal complaint.⁹

⁹ 34 CFR §106.44(a)

While the district will respect the confidentiality of the complainant and the respondent as much as possible, some information may need to be disclosed to appropriate individuals. All disclosures shall be consistent with the district's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action.

Disciplinary consequences or sanctions shall not be initiated against the respondent until the grievance process has been completed. Unless there is an immediate threat to the physical health or safety of any student or other individual arising from the allegation of a sexual harassment that justifies removal, the respondent's placement shall not be changed.¹⁰ If the respondent is an employee, he/she may be placed on administrative leave during the pendency of the grievance process.¹¹ The Title IX Coordinator shall keep the Superintendent informed of any employee respondents so that he/she can make any necessary reports to the State Board of Education in compliance with state law.¹²

Complaints

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall immediately report such information to the Title IX Coordinator; however, nothing in this Policy requires a complainant to either report or file a formal complaint within a certain timeframe. If the complainant involves the Title IX Coordinator, the complaint shall be filed with the Superintendent.

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:¹³

1. Provide written notice of the allegations and the grievance process to all known parties to give the respondent time to prepare a response before an initial interview;
2. Inform the parties of the BCS prohibition against making false statements or knowingly submitting false information;
3. Inform the parties that they may have an advisor present during any subsequent meetings; and
4. Offer supportive measures in an equitable manner to both parties.

If the Title IX Coordinator dismisses a complaint, written notice, including the reasons for dismissal, shall be provided to both parties simultaneously.¹⁴

Investigations¹⁵

The Principal or his/her designee shall serve as the investigator and be responsible for investigating complaints in an equitable manner that involves an objective evaluation of all

¹⁰ 34 CFR §106.44(c)

¹¹ 34 CFR §106.44(d)

¹² T.C.A. §49-5-417(c); TRR/MS 0520-02-03-.09(2)

¹³ 34 CFR §106.45(b)(2)

¹⁴ 34 CFR §106.45(b)(3)(iii)

¹⁵ 34 CFR §106.45(b)(5); 34 CFR §106.45(b)(1)

relevant evidence. The burden for obtaining evidence sufficient to reach a determination regarding responsibility rests on the district and not the complainant or respondent.¹⁶

Once a complaint is received, the Investigator shall initiate an investigation within forty-eight (48) hours of receipt of the complaint.¹⁷ If an investigation is not initiated within forty-eight (48) hours, the investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.

All investigations shall be completed within twenty (20) calendar days from the receipt of the initial complaint. If the investigation is not complete within twenty (20) calendar days, the investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation has not been completed.

All investigations shall:¹⁸

1. Provide an equal opportunity for the parties to present witnesses and evidence;
2. Not restrict the ability of either party to discuss the allegations under investigation or gather and present relevant evidence;
3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;¹⁹
4. Provide the parties with the same opportunities to have others present during any grievance proceeding;
5. Provide to parties whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate;
6. Provide both parties an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint; and
7. Result in the creation of an investigative report that fairly summarizes relevant evidence.

Prior to completion of the investigative report, the investigator shall send to each party a summary of the facts and the evidence subject to inspection and review. All parties shall have at least ten (10) school days to submit a written response which shall be taken into consideration in creating the final investigative report.²⁰

Within the parameters of the federal Family Educational Rights and Privacy Act, the Title IX Coordinator shall keep the complainant and respondent informed of the status of the investigation process. At the close of the investigation, a final written investigative report will be delivered to the parent(s)/guardian(s) of the complainant, the parent(s)/guardian(s) of the

¹⁶ 34 CFR §106.45(b)(5)

¹⁷ T.C.A. §49-6-4503

¹⁸ 34 CFR §106.45(b)(5)

¹⁹ 34 CFR §106.45(b)(1)(x)

²⁰ 34 CFR §106.45(b)(5)(vi)

respondent, and to the assigned Title IX decision-maker, which shall consist of members of the Disciplinary Hearing Authority. Each party shall have at least ten (10) school days prior to a determination of responsibility to review and respond to such report in writing.²¹

Determination of Responsibility²²

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.²³ The preponderance of the evidence standard shall be applied in making this determination.²⁴

Members of the Disciplinary Hearing Authority shall act as the decision-maker. The DHA shall receive the final investigative report and allow each party the opportunity to submit written, relevant questions that such party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party prior to determining responsibility.

The decision-maker shall make a determination regarding responsibility and provide the written determination to the parties simultaneously along with information about how to file an appeal.

A substantiated charge against a student may result in disciplinary action up to and including expulsion. A substantiated charge against an employee shall result in disciplinary action up to and including termination.

After a determination of responsibility is made, the Title IX Coordinator shall work with the complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the harassment.

Appeals²⁵

Either party may appeal from a determination of responsibility based on a procedural irregularity that affected the outcome, new evidence that was not reasonably available at the time of the determination that could affect the outcome, or an alleged conflict of interest on the part of the Title IX Coordinator or any staff chosen to facilitate the grievance process. Appeals shall be submitted to the Title IX Coordinator within ten (10) school days of a determination of responsibility.

Upon receipt of an appeal, the Title IX Coordinator shall:

²¹ 34 CFR §106.45(b)(5)(vii)

²² 34 CFR §106.45(b)(7)

²³ 34 CFR §106.45(b)(1)(iv)

²⁴ 34 CFR §106.45(b)(1)(vii)

²⁵ 34 CFR §106.45(b)(8)

1. Assign the Superintendent or an impartial hearing officer within five (5) school days of receipt of the appeal; and
2. Notify the parties in writing.

During the appeal process, the parties shall have a reasonable, equal opportunity to submit written statements. Within ten (10) school days, the hearing officer shall issue a written decision describing the result of the appeal and the rationale for the result. The written decision shall be provided simultaneously to both parties.

Retaliation²⁶

Retaliation against any person who makes a report or complaint or assists, participates, or refuses to participate in any investigation of an act alleged in this policy is prohibited.

²⁶ 34 CFR 106.71



2020-2021 Instructional Calendar

Before School Begins

July 27 & 28, 2020
 July 29, 2020
 July 30-31; August 3, 2020
 August 4, 2020
 August 5-6, 2020
 August 7, 2020
 August 10-15

New Teacher Induction
 Administrative Day
 Inservice Days (school-based)
 B Ready (Administrative Day)
 DLD (Inservice Day)
 System-wide address, Administrative Day
 Inservice Days (blend of school and district based)

First Semester				78 Days
Date	Day	Event	Students	Teachers
August 17	Monday	1 st Day for Students 1 st Day 1 st Quarter	In	In
August 18-25	Variable, for 3 hours after the school day	Curriculum Night	In	In (full day + ½ admin)
September 7	Monday	Labor Day	Out	Out
September 24	Thursday	Parent Conferences (3 hours beginning after dismissal)	In	In
October 9	Friday	End of 1 st Quarter	In	In
October 12-16	Monday-Friday	Fall Break	Out	Out
October 19	Monday	1 st Day 2 nd Quarter	In	In
November 11	Wednesday	Veteran's Day	Out	Out
November 23-24	Monday-Tuesday	Inservice Flex Days	Out	Flex
November 25-27	Wednesday-Friday	Thanksgiving Break	Out	Out
December 16-18	Wednesday-Friday	Semester Exams	In	In
December 18	Friday	End of 2 nd Quarter	In (1/2 Day)	In (Full Day)
December 21-22	Monday-Tuesday	Inservice Flex Days	Out	Flex
December 23- January 1	Wednesday-Friday	Winter Break	Out	Out
Second Semester				92 Days
Date	Day	Event	Students	Teachers
January 4	Monday	Inservice Day	Out	In
January 5	Tuesday	Students Return 1 st Day 3 rd Quarter	In	In
January 18	Monday	MLK Jr. Day	Out	Out
January 19-26	Variable, for 3 hours after the school day	Open House/Showcase Night	In	In (full day + ½ admin)
February 11	Thursday	Parent Conferences (3 hours beginning after dismissal)	In	In (Full Day)
March 12	Friday	End of 3 rd Quarter	In	In
March 15-19	Monday-Friday	Spring Break	Out	Out
March 22	Monday	1 st Day 4 th Quarter	In	In
April 2	Friday	Good Friday	Out	Out
May 19-21	Wednesday-Friday	Semester Exams	In	In
May 21	Friday	End of 4 th Quarter	In (1/2 Day)	In (Full Day)

175 Instructional Days

Q 1=39 Days
 Q 2=39 Days
 (S 1=78 Days)

Q 3=48 Days
 Q 4=44 Days
 (S2=92 Days)

Inservice

July 30 (1)
 July 31 (1)
 August 3 (1)
 August 5 (1)
 August 6 (1)

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5 Days

PD Stockpile

August 10-15 (5)
 November 23 (1) *Flex*
 November 24 (1) *Flex*
 December 21 (1) *Flex*
 December 22 (1) *Flex*
 January 4 (1)

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10 Days

Admin

July 29 (1)
 August 4 (1)
 August 7 (1)
 August 18 (.5)
 January 19 (.5)

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4 Days

Conference

September 24 (.5)
 February 11 (.5)

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1 Day

The following individuals are recommended as members of the Disciplinary Hearing Authority (DHA) for the 2020-2021 school year.

Dr. Korrie White (Director of Student Services)

James Aldinger (Director of Human Resources and Federal Programs/Accountability)

Gina Bennett (Human Resources Supervisor)

Dr. Momodou Keita (Student Services Supervisor)

Mark Stephens (Student Services Supervisor)