

Board of Education Regular Meeting

February 12, 2019 6:00 PM

Administrative Offices of MCS

I. CALL TO ORDER BY BOARD CHAIR Procedural Item	Chair Butch Campbell
II. APPROVAL OF AGENDA Action Item	Chair Butch Campbell
III. COMMUNICATIONS Information Item Salem Elementary Presentation	Chair Butch Campbell
IV. CONSENT ITEMS Action Item	Chair Butch Campbell
A. Annual Review of Board Policies for February Action Item	
B. Board Policy 5.100 Personnel Goals Action Item	
C. Board Policy 5.105 Recruitment of Employees Action Item	
D. Board Policy 5.108 Supervision Action Item	
E. Board Policy 5.109 Evaluation Action Item	
F. Board Policy 5.110 Compensation Guides and Contracts Action Item	
G. Board Policy 5.113 Professional Growth and Development Action Item	
H. Board Policy 5.114 Personnel Records Action Item	
I. Board Policy 5.115 Assignment/Transfer Action Item	
J. Board Policy 5.117 Tenure and Non-Tenure Action Item	
K. Board Policy 5.119 Collaborative Conferencing Action Item	
L. Board Policy 5.200 Separation Practices for Tenured Teachers Action Item	
M. Board Policy 5.201 Separation Practices for Non-Tenured Teachers Action Item	
N. Board Policy 5.202 Separation Practices for Non-Certified Employees Action Item	
O. Board Policy 5.301 Emergency and Legal Leave Action Item	
P. Board Policy 5.302 Sick Leave Action Item	
Q. Board Policy 5.303 Personal and Professional Leave Action Item	
R. Board Policy 5.304 Long-Term Leaves of Absence for Certified Personnel Action Item	
S. Board Policy 5.306 Military Leave Action Item	
T. Board Policy 5.307 Physical Assault Leave	

Action Item	
U. Board Policy 5.309 Legislative Leave Action Item	
V. Board Policy 5.310 Vacations and Holidays Action Item	
W. Board Policy 5.6101 Employee Use of Electronic Social Media Action Item	
X. Board Policy 5.701 Substitute Teachers Action Item	
Y. Board Policy 6.416 Accident Reporting (RENUMBERED) Action Item	
V. ACTION ITEMS Action Item	Chair Butch Campbell
A. Open and Closed Zone School Recommendations for 2019-2020 Action Item	Mr. Gary Anderson
VI. OTHER BUSINESS Information Item	Chair Butch Campbell
VII. ADJOURNMENT Action Item	Chair Butch Campbell

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Personnel Goals	Descriptor Code: 5.100	Issued Date: 09/12/17
		Rescinds:	Issued:

- 1 Through its personnel policies, the Board shall establish a school environment that will attract and retain
2 the best qualified personnel whose focus will be to provide the best possible learning opportunities for
3 students. The Board's personnel goals are:
- 4 1. To recruit and employ the best qualified individuals to staff the school system;
 - 5 2. To provide compensation, benefits, and working environments sufficient to attract and retain
6 qualified employees;
 - 7 3. To provide an in-service training program for all employees to improve their performance;
 - 8 4. To conduct an evaluation program that will contribute to the continuous improvement of staff
9 performance; and
 - 10 5. To ensure that personnel are assigned so that they are utilized as effectively as possible.

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Recruitment of Employees	Descriptor Code: 5.105	Issued Date: 09/12/17
		Rescinds:	Issued:

- 1 The authorization of all school system positions rests with the Board while personnel decisions shall be
- 2 within the discretion of the Director of Schools.¹
- 3 The Director of Schools is responsible for the development of a program for the recruitment of licensed
- 4 personnel.²
- 5 Identification of personnel needs shall be the responsibility of the Director of Schools, supervisors, and
- 6 building principals.
- 7 Vacancies shall be advertised on the district website.

Legal References

1. TCA 49-2-301(b)(1)(EE); TCA 49-2-203(a)(1)
2. TRR/MS 0520-01-02-.14

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: <b style="text-align: center;">Supervision	Descriptor Code: 5.108	Issued Date: 09/12/17
		Rescinds:	Issued:

- 1 Supervision of administrative and supervisory personnel shall be provided by the Director of Schools.
- 2 Teachers on a Practitioners License shall be assisted by supervising teachers in the development of
- 3 competencies required by the Board.¹
- 4 Support personnel shall be supervised by the person designated on the approved job description.
- 5 The immediate supervisor has the responsibility of assigning specific duties and for giving guidance to
- 6 the employee for the satisfactory performance of those duties.
- 7 All employees shall report being charged with any criminal offense to their immediate supervisor
- 8 within ~~72 hours~~ **two (2) calendar days** of the offense. The supervisor must report the offense to the
- 9 Director of Schools immediately and the Director of Schools must report the offense to the Board Chair
- 10 as soon as practical.

Legal References

1. TCA 49-6-3004(c)(2)

Cross References

- Nepotism 1.108
Channel of Communication 5.101

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Evaluation	Descriptor Code: 5.109	Issued Date: 09/12/17
		Rescinds: PER 17	Issued: 11/01/12

1 The evaluation of performance and its effectiveness must be a cooperative and shared endeavor on the part
2 of the Director of Schools and administrative and supervisory personnel. The Board shall use a state-
3 approved model for evaluating administrative and supervisory personnel and shall approve standard forms
4 to be used in evaluating support personnel. The Director of Schools is responsible for ensuring that all
5 administrative and supervisory personnel are evaluated annually.

6 **LICENSED TEACHING PERSONNEL**

7 The Board shall use guidelines developed by the State Board of Education for implementation of an approved
8 evaluation system. Additionally, the Director of Schools shall provide information to all licensed teaching
9 personnel regarding the nature of the evaluation and the grievance procedures prescribed by
10 the ~~Tennessee~~-State Board of Education.^{1,2}

11 Evaluations shall use multiple data sources which may include, but not be limited to, position/classroom
12 observations, review of previous evaluations, conferences, examination of professional growth, and review
13 of indicators of student progress.

14 ***Local Level Grievance Procedure***

15 The Director of Schools shall develop procedures, consistent with State law, for processing evaluation
16 grievances.

17 **NON-LICENSED PERSONNEL**

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

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

Legal References

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

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Compensation Guides & Contracts</h2>	Descriptor Code: <h3 style="text-align: center;">5.110</h3>	Issued Date: <h3 style="text-align: center;">09/12/17</h3>
		Rescinds:	Issued:

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

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

5 Contracts for administrators and system-wide professional personnel shall include two hundred (200)
 6 days of responsibility, plus twenty (20) days for each additional month assigned by the Board. Each
 7 contract shall provide:³

- 8 1. A minimum of one hundred and eighty (180) working days;
- 9 2. A minimum of five (5) days for in-service education;
- 10 3. Ten (10) vacation days; and
- 11 4. Five (5) days as designated by the Board (teachers shall use one (1) day for parent-teacher
 12 conferences).

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

15 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided the
 16 revenue is deposited with and salaries paid through the Board. This includes donations or contributions
 17 from individual, civic or other non-school related sources of funds from individual school activity funds,
 18 such as gate receipts and concessions.^{1,4}

Legal References

1. TCA 49-2-203(a)(1); TCA 49-5-408
2. TCA 49-5-402
3. TCA 49-6-3004
4. TCA 49-6-2006; *Tennessee Internal School Financial Management Manual*, Section 5, Title 6

Cross References

- School Calendar 1.800
- Revenues 2.400
- Payroll Procedures 2.802
- Salary Deductions 2.803

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Professional Growth and Development</h2>	Descriptor Code: 5.113	Issued Date: 09/12/17
		Rescinds: BO 19 PER 18 IS 1	Issued:

- 1 The Board encourages professional growth, development and self-improvement to increase the
- 2 competencies needed by all personnel in the performance of their responsibilities. Competencies are
- 3 defined as the knowledge, skills, and attitudes which enable personnel to perform their tasks with
- 4 maximum effectiveness to increase student achievement.

- 5 All in-service education programs shall adhere to the Tennessee State Board of Education guidelines and
- 6 to Tennessee Code Annotated section 49-6-3004.¹

- 7 The Director of Schools shall involve central office personnel, school administrators, teachers, and other
- 8 employees as needed in developing the system-wide professional learning program.

Legal References

1. State Department of Education Guidelines for
 Planning Approvable In-service Education
 Activities; TCA 49-1-214; TCA 49-6-3004(c)(1)

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Personnel Records</h2>	Descriptor Code: <h3 style="text-align: center;">5.114</h3>	Issued Date: <h3 style="text-align: center;">09/12/17</h3>
		Rescinds: <h3 style="text-align: center;">PER 22</h3>	Issued: <h3 style="text-align: center;">06/01/12</h3>

1 The Director of Schools or their designee(s) shall be authorized to maintain personnel records and to permit
 2 inspection of the same, except for matters deemed confidential by law. The following personnel records shall be
 3 maintained for all employees as appropriate:

- 4 1. Employee applications and contracts;
- 5 2. Professional certificates and other documents required by state and federal laws and regulations;¹
- 6 3. Evaluations;
- 7 4. Cumulative information files; and
- 8 5. INS Form I-9.²

9 The following guidelines shall be followed:

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

Legal References

1. TCA 49-2-301(b)(1)(M)
2. Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359
3. TCA 10-7-503, 504
4. 20 USCS 6311 § 1111 (6)(A)
5. TCA 10-7-504 (f)(1)
6. TCA 10-7-506; TCA 49-2-301(b)(1)(CC); TCA 8-50-108

Cross References

School District Records 1.407

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Assignment / Transfer	Descriptor Code: 5.115	Issued Date: 09/12/17
		Rescinds: PER 21	Issued: 09/01/11

1 **ASSIGNMENT**

2 The Director of Schools shall develop a tentative assignment list of licensed personnel to the various schools or
3 departments by June 15 preceding the school year for which such persons are employed while allowing each
4 principal or immediate supervisor to assign more specific responsibilities within each school.¹

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

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

11 **TRANSFER (to move from one school or administrative unit to another)**

12 The Director of Schools shall transfer employees as necessary for the efficient operation of the schools.² The
13 Director of Schools is responsible for developing and disseminating procedures for transfer.

14 All employees transferred shall receive written notification of the transfer prior to the transfer. Transfers shall be
15 non-discriminatory and shall not be arbitrary or capricious.

16 The Board shall be notified of transfers.

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

18 **REASSIGNMENT (to move to another assignment within the same school or administrative unit)**

19 Employees shall be reassigned as necessary for the efficient operation of the schools or departments.

20 Reassignments shall be made by the employee's immediate supervisor with approval by the Director of Schools.

Legal References

1. TCA 49-2-301(b)(1)(L); TCA 49-5-401
2. TCA 49-2-301(b)(1)(EE); TCA 49-5-510; TCA 49-2-303(b)(3)

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Tenure and Non-Tenure	Descriptor Code: 5.117	Issued Date: 09/17
		Rescinds: PER 16	Issued: 4/79; 10/11; 1/05; 8/01

1 As of July 1, 2011, there are two parallel systems of tenure operating in Murfreesboro City
2 Schools for current employees who work in a position which requires a teacher license (hereafter
3 referred to as a “certified employee”).

4
5 The first system applies to any certified employee who obtained tenure prior to July 1, 2011.
6 Tenure was granted to these employees based upon three (3) criteria:

- 7
- 8 1. Successful completion of a probationary period of three (3) school years.
- 9 2. Recommendation by the Director of Schools for granting tenure.
- 10 3. A majority vote of the Murfreesboro City School Board for granting tenure.

11
12 If the certified employee failed to meet any of these criteria, then the certified employee could
13 not be re-employed for a fourth year.

14
15 The second system applies to any certified employee who becomes eligible for tenure after July
16 1, 2011. Tenure will be granted to these employees based on the following criteria:

- 17
- 18 1. A degree from an approved four-year college or any career and technical teacher who has
19 the equivalent amount of training established and licensed by the Tennessee State Board
20 of Education;
- 21 2. A valid teacher license, issued by the State Board of Education, based on training
22 covering the subjects or grades taught;
- 23 3. Completion of a probationary period of five (5) school years or not less than forty-five
24 (45) months within the last seven year period, the last two (2) years being employed in a
25 regular teaching position rather than an interim teaching position;
- 26 4. Evaluations demonstrating an overall performance effectiveness level of “above
27 expectations” or “significantly above expectations” during the last two (2) years of the
28 probationary period as provided in the evaluation guidelines adopted by the State Board
29 of Education pursuant to TCA 49-1-302;
- 30 5. Recommendation by the Director of Schools for granting tenure; and
- 31 6. A majority vote of the Murfreesboro City School Board for granting tenure.

32
33 Tenure is granted only upon the recommendation of the Director of Schools and by approval of
34 the Murfreesboro City School Board and is obtained in the system, not in a specific location or
35 position.

36 A certified employee who does not meet the evaluation requirements set forth by the State Board
37 of Education may continue to remain employed in a position which requires a teacher license on
38 a year-to-year contract as a probationary employee until the employee is eligible for tenure.

39
40 **Previous Tenure in MCS or another System**

41
42 A certified employee who had attained tenure status in Murfreesboro City Schools and later
43 resigned from the system shall serve a two-year probationary period upon re-employment by the
44 system, unless the probationary period is waived by the Murfreesboro City School Board upon
45 the request of the Director of Schools.

46
47 A certified employee who had received tenure in another school system shall serve the regular
48 probationary period in Murfreesboro City Schools, unless the probationary period is waived by
49 the Murfreesboro City School Board upon the request of the Director of Schools.

50
51 **Tenure**

52
53 “Tenure” is the employment status other than probation that a certified employee may be under
54 while employed in the public schools. A certified employee has no property right in the tenure
55 status and must sustain a specified performance effectiveness level required on evaluations to
56 achieve and maintain tenure status. If a certified employee acquires tenure, the teacher shall
57 remain under that status until such time as the certified employee resigns, retires, is dismissed or
58 the certified employee is returned to probationary status. Any certified employee who, after
59 acquiring tenure status, receives two (2) consecutive years of evaluations demonstrating an
60 overall performance effectiveness level of “below expectations” or “significantly below
61 expectations,” as provided by the evaluation guidelines adopted by the State Board of Education
62 pursuant to TCA 49-1-302, shall be returned to probationary status by the Director of Schools
63 until the certified employee has received two (2) consecutive years of evaluations demonstrating
64 an overall performance effectiveness level of “above expectations” or “significantly above
65 expectations.”

66
67 Once a certified employee is eligible for tenure, the Director of Schools shall recommend the
68 certified employee for tenure or non-renewal; provided, however, that the certified employee
69 cannot be continued in employment if tenure is not granted by the Murfreesboro City School
70 Board.

71
72 A certified employee who is non-renewed by the Director of Schools or is not granted tenure by
73 the Murfreesboro City School Board shall be provided notice within five (5) business days
74 following the last instructional day.

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Collaborative Conferencing	Descriptor Code: 5.119	Issued Date: 09/12/17
		Rescinds: BO 51	Issued: 04/22/14

1 The Board of Education believes that a meaningful interest-based dialogue with professional educators is a
2 productive and constructive means to solve problems and enhance the quality of education in the Murfreesboro
3 City Schools. Further, the Board values the strong collaborative relationship that it has traditionally enjoyed with
4 the teachers in our school system. Therefore, the School Board embraces and supports the process of Collaborative
5 Conferencing required in Tennessee under the Professional Educators Collaborative Conferencing Act (PECCA).¹

6 The Board of Education shall engage in the process of Collaborative Conferencing with the duly authorized
7 teacher representative organization(s) and comprehensively meet its responsibilities and obligations under
8 PECCA.

9 The Board shall restrict the scope of professional collaborations to those specific conditions of employment that
10 are designated as mandatory topics for collaborations by PECCA,¹ which are:

- 11 1. Salaries and wages;
- 12 2. Grievance procedures;
- 13 3. Insurance;
- 14 4. Fringe benefits, not including the Tennessee Consolidated Retirement System;
- 15 5. Working conditions;
- 16 6. Leave;
- 17 7. Payroll deductions.

18 The representatives of the Board shall not negotiate proposals contrary to:

- 19 1. Federal or state law, including the Rules, Regulations and Minimum Standards of the State Board of
20 Education and the State Board of Vocational Education;²
- 21 2. Professional Employee rights defined in the PECCA; and
- 22 3. Board rights contained in Title 49 of the Tennessee Code Annotated.

23 The scope of a memorandum of understanding shall extend to those matters of mutual agreement between the
24 Board of Education and the professional employees in those areas allowed by PECCA.¹

25 The Board may enter into a memorandum for a period not to exceed three (3) years. Any items included within
26 the memorandum that require funding shall not be considered effective until such time as the body empowered to
27 appropriate funds (City Council) has approved a budget that includes sufficient funding. If the amount of funds
28 appropriated is less than the amount required to address the matters of collaborative conferencing, then the parties
29 may continue to confer to reach agreement within the amount of funds appropriated.²

30 The memorandum shall be binding on the parties from the date of its approval by the Board of Education as an
31 item on the agenda of a regular or special called Board meeting or at a later effective date that is explicitly stated
32 in the memorandum of understanding.³

33 Absent an agreement and memorandum of understanding on terms and conditions specified for collaborative
34 conferencing, the Board shall have the authority to address such terms and conditions through board policy.⁴

35 The Management Team shall communicate the status of the collaborative conferencing sessions to the Board
36 throughout the process.

Legal References

1. TCA 49-5-601, et seq.
2. TCA 49-5-609
3. TCA 49-5-609(c)
4. TCA 49-5-609(d)

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Tenured Teachers	Descriptor Code: 5.200	Issued Date: 10/24/17
		Rescinds: PER 39	Issued: 05/01/12

1 **REPORTING OF CRIMINAL OFFENSE CHARGES**

2 **All employees shall report being charged with any criminal offense to their immediate supervisor within two (2)**
3 **days of the offense. The supervisor must report the offense to the Director of Schools immediately, and the**
4 **Director of Schools must report the offense to the Board Chair as soon as practical.**

5 **SUSPENSION PENDING AN INVESTIGATION ¹**

6 The Director of Schools may suspend a teacher at any time that may seem necessary, pending investigation or
7 final disposition of a case before the Board or an appeal. If the matter under investigation is not the subject of an
8 ongoing criminal investigation or a Department of Children's Services investigation, and if no charges for
9 dismissal have been made, a suspension pending investigation shall not exceed ninety (90) days in duration. The
10 Director of Schools may suspend a teacher with or without pay. If the suspension is without pay and the teacher
11 is vindicated or reinstated, the teacher shall be paid full salary for the period of suspension.

12 **SUSPENSION OF THREE DAYS OR LESS ^{2,3,4}**

13 A Director of Schools/designee may suspend a teacher for incompetence, inefficiency, neglect of duty,
14 unprofessional conduct and insubordination. Before an employee is suspended they shall be: (1) provided with
15 written notice, including the reasons for the suspension along with an explanation of the evidence; (2) given an
16 opportunity to respond to the Director/designee at a conference, if requested within five (5) days; and (3) given a
17 written decision of the suspension within ten (10) days. Both parties may be represented by counsel at the
18 conference, which shall be recorded.

19 The Director of Schools may suspend a tenured teacher with or without pay. If the suspension is without pay and
20 the teacher is reinstated, the tenured teacher shall be paid full salary for the period of suspension, unless suspension
21 without pay is deemed to be an appropriate penalty.

22 **DISMISSAL OR SUSPENSIONS GREATER THAN THREE DAYS ⁵**

23 The Board shall maintain a list of qualified individuals who have indicated a willingness to act as impartial hearing
24 officers, as defined under Tennessee law.

25 When charges are made against a tenured teacher, charging the teacher with offenses which may justify dismissal
26 or a suspension greater than three (3) days, the charges shall be made in writing, specifically stating the offenses
27 which are charged and shall be signed by the party or parties making the charges.

28 If, in the opinion of the Board, the charges are of such nature as to warrant the release or a suspension greater than
29 three (3) days of the teacher, the Director of Schools shall give the teacher a written notice of this decision, a copy
30 of the charges against the teacher, and a copy of a form provided by the Commissioner of Education advising the
31 teacher of his/her legal duties, rights and recourse.

32 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days after receipt
33 of notice give written notice to the Director of Schools of his/her request for a hearing.

34 The Director of Schools shall, within five (5) days after receipt of request, assign a hearing officer from the list
35 maintained by the Board.

36 The hearing officer shall notify the parties, or their attorney, of the officer's assignment and direct the parties or
37 the attorneys for the parties, or both, to appear before the hearing officer for simplification of issues and the
38 scheduling of the hearing. That hearing shall be set no later than thirty (30) days following receipt of the initial
39 request for a hearing. In the discretion of the hearing officer, all or part of any prehearing conference may be
40 conducted by telephone if each participant has an opportunity to participate, be heard, and to address proof and
41 evidentiary concerns. The hearing officer is empowered to issue appropriate orders and to regulate the conduct of
42 the proceedings.

43 Either party may appeal to the Board of Education an adverse ruling by giving written notice of appeal within ten
44 (10) working days of the hearing officer's delivery of the hearing officer's written findings and conclusions. The
45 Director of Schools shall prepare a copy of the proceedings, including all transcripts and evidence, documentary
46 or otherwise, and transmit the same to the Board within twenty (20) days of the receipt of the notice of appeal.

47 The Board shall hear the appeal on the record, and no new evidence may be submitted by either party. The
48 appealing party may appear before the Board to argue why the adverse ruling should be over- turned. In no event
49 should such argument last more than fifteen (15) minutes, unless the Board should vote to extend additional time.
50 At the conclusion of the hearing, any member of the Board may vote to sustain the decision of the Hearing officer,
51 send the record back for additional evidence, revise the penalty or reverse the decision. The Board shall render
52 its decision within ten (10) working days after the conclusion of the hearing. In the event that the decision of the
53 Board is appealed to the Chancery court, the Board shall transmit the entire record prepared by the Director and
54 reviewed by the Board to the Chancery court for its review.

55 RESIGNATION

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

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

- 61 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement
62 of a physician approved by the Board;
- 63 2. The release by the Board of the teacher from the contract which the teacher has entered into with the
64 Board.⁶

65 Any teacher on leave shall notify the Director of Schools in writing at least thirty (30) days prior to the date of
66 return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to render
67 such notice may be considered a breach of contract.⁷

68 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the
69 Commissioner and request the suspension of a teacher's certificate. After the Commissioner has provided the
70 teacher an opportunity for defense during a hearing, the Commissioner may suspend the certificate for no less than
71 thirty (30) and no more than three hundred sixty-five (365) days.⁸

72 RETIREMENT

- 73 Retirement shall mean a termination of services under conditions which will allow the employee to draw
74 benefits from retirement plans and/or social security benefits. Employees eligible for retirement benefits may elect
75 to retire at any age according to the provisions of the retirement system.
- 76 Central Office personnel shall assist employees in securing retirement benefits; however, it shall be the
77 responsibility of the retiring employee to provide verification of eligibility in writing from the Tennessee
78 Consolidated Retirement System (TCRS) to the Central Office. It shall be the responsibility of the retiring
79 employee to file for benefits.
- 80 Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year without loss
81 of retirement benefits. Retired teachers may substitute teach for additional days if the Director of Schools certifies
82 in writing to the Board that no other qualified personnel are available to substitute teach.⁹
- 83 The Director of Schools may employ teachers retired for at least one year for full-time employment as a
84 kindergarten through twelfth grade teacher on a year-to-year basis. Retirement benefits will not be lost or
85 suspended under certain conditions, which include but are not limited to the following:¹⁰
- 86 1. The Director of Schools of the employing system must certify in writing that no other qualified individuals
87 are available to fill the position;
 - 88 2. The Commissioner of Education must certify that the employing school system serves an area that lacks
89 qualified teachers to serve in the position to be filled;
 - 90 3. The retired teacher must hold a valid license and shall not be entitled to tenure status;
 - 91 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or receive
92 medical insurance coverage; and
 - 93 5. The salary paid to the retired member shall not be less than the rate of compensation set by the Board
94 for teachers with no experience filling similar positions, nor more than eighty-five percent (85%) of the
95 rate of compensation set by Board for teachers with comparable training and years of experience filling
96 similar positions.

Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE), TCA 49-5-512(d)
3. TCA 49-5-511(a)(2)
4. TCA 49-5-511—513
5. TCA 49-5-512, 513
6. TCA 49-5-508
7. TCA 49-5-706
8. TCA 49-5-411
9. TCA 8-36-805
10. TCA 8-36-821

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Non-Tenured Teachers	Descriptor Code: 5.201	Issued Date: 10/24/17
		Rescinds: PER 41	Issued: 04/01/12

1 **REPORTING OF CRIMINAL OFFENSE CHARGES**

2 All employees shall report being charged with any criminal offense to their immediate supervisor within two (2)
3 days of the offense. The supervisor must report the offense to the Director of Schools immediately, and the
4 Director of Schools must report the offense to the Board Chair as soon as practical.

5 **SUSPENSION PENDING AN INVESTIGATION**¹

6 The Director of Schools may suspend a teacher at any time that may seem necessary, pending
7 investigation or final disposition of a case before the Board or an appeal. If the matter under investigation
8 is not the subject of an ongoing criminal investigation or a Department of Children's Services
9 investigation, and if no charges for dismissal have been made, a suspension pending investigation shall
10 not exceed ninety (90) days in duration. The Director of Schools may suspend a non-tenured teacher
11 with or without pay. If the suspension is without pay and the teacher is vindicated or reinstated, the non-
12 tenured teacher shall be paid full salary for the period of suspension.

13 **SUSPENSION OF THREE DAYS OR LESS**²

14 A Director of Schools/designee may suspend a teacher for incompetence, inefficiency, neglect of duty,
15 unprofessional conduct and insubordination. Before an employee is suspended he/she shall be: (1)
16 provided with written notice, including the reasons for the suspension along with an explanation of the
17 evidence; (2) given an opportunity to respond to the Director/designee at a recorded conference, if
18 requested within five (5) days; and (3) given a written decision of the suspension within ten (10) days.
19 Both parties may be represented by counsel at the conference, which shall be recorded.

20 **DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS**

21 The Director of Schools may dismiss or suspend for more than three days any non-tenured teacher
22 **during the contract year** for incompetence, inefficiency, insubordination, improper conduct or neglect
23 of duty after giving the non-tenured teacher, in writing, due notice of the charges.

24 The Director of Schools shall give the non-tenured teacher an opportunity for a full and complete hearing
25 before an impartial hearing officer.²

26 The Board will appoint an impartial hearing officer to conduct such hearings. The hearing officer will
27 hear the case and the employee shall have the right to:

- 28 1. be represented by counsel;
- 29 2. call and subpoena witnesses;
- 30 3. examine all witnesses; and

31 4. require that all testimony be given under oath.

32 Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the
33 affected employee within ten (10) working days following the close of the hearing. The employee may
34 appeal the decision to the Board within ten (10) working days of the hearing officer rendering the written
35 decision to the employee. Written notice of appeal to the Board shall be given to the Director of Schools.
36 Within twenty (20) days of receipt of notice, the Director shall prepare a copy of the proceedings,
37 transcript, documentary and other evidence presented and provide the Board a copy of the same.

38 The Board shall hear the appeal. No new evidence shall be introduced. The non-tenured teacher may
39 appear in person or be represented by counsel and argue why the decision should be modified or reversed.
40 In no event should such argument last ~~no~~ more than fifteen (15) minutes, unless the Board should vote
41 to extend additional time. The Board shall take one of the following actions:

- 42 1. sustain the decision;
- 43 2. send the record back if additional evidence is necessary;
- 44 3. revise the penalty ~~or reverse the decision~~; or
- 45 4. **reverse the decision.**

46 Before any decision to dismiss is made, a majority of the membership of the Board shall concur in
47 sustaining the charges. The Board shall render a decision on the appeal within ten (10) working days
48 after the conclusion of the hearing.

49 The Director of Schools shall also have the right to appeal any adverse ruling by the hearing officer in
50 same manner as the non-tenured teacher.

51 Within twenty (20) days after receipt of notice of the decision of the Board, either party may appeal to
52 the ~~chancery court in the county where the school system is located~~ **Rutherford County Chancery Court.**
53 The Board shall provide the entire record of the hearing to the court.

54 **NONRENEWAL**

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

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

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

- 63 1. The Board shall be notified at the next regular Board meeting; and
- 64 2. Written notice of non-renewal shall be hand delivered or sent to the employee by registered mail
65 so that it will be received by the employee within five (5) business days following the last
66 instructional day for the school year.³

67 RESIGNATION

68 A teacher shall give the Director of Schools notice of resignation at least thirty (30) days before the
69 effective date of the resignation.⁴ The Board may waive the thirty (30) days-notice requirement and
70 permit a teacher to resign in good standing.

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

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

76 Any teacher on leave shall notify the Director of Schools in writing at least thirty (30) days prior to the
77 date of return if the teacher does not intend to return to the position from which he/she has taken leave.
78 Failure to render such notice may be considered a breach of contract.⁵

79 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with
80 the Commissioner and request the suspension of a teacher's certificate. After the Commissioner has
81 provided the teacher an opportunity for defense during a hearing, the Commissioner may suspend the
82 certificate for no less than thirty (30) and no more than three hundred sixty-five (365) days.⁶

83 RETIREMENT

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

86 Employees eligible for retirement benefits may elect to retire at any age according to the provisions of
87 the retirement system. Central Office personnel shall assist employees in securing retirement benefits;
88 however, it shall be the responsibility of the retiring employee to provide verification of eligibility in
89 writing from the Tennessee Consolidated Retirement System (TCRS) to the Central Office. It shall be
90 the responsibility of the retiring employee to file for benefits.

91 Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year
92 without loss of retirement benefits. Retired teachers may substitute teach for additional days if the
93 Director of Schools certifies in writing to the Board that no other qualified personnel are available to
94 substitute teach.⁷

95 The Director of Schools may employ teachers retired for at least one year for full-time employment as a
96 kindergarten through twelfth grade teacher on a year-to-year basis. Retirement benefits will not be lost
97 or suspended under certain conditions, which include but are not limited to the following:⁸

- 98 1. The Director of Schools of the employing system must certify in writing that no other qualified
99 individuals are available to fill the position;
- 100 2. The Commissioner of Education must certify that the employing school system serves an area
101 that lacks qualified teachers to serve in the position to be filled;
- 102 3. The retired teacher must hold a valid license and shall not be entitled to tenure status;

- 103 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or
104 receive medical insurance coverage; and
- 105 5. The salary paid to the retired member shall not be less than the rate of compensation set by the
106 Board for teachers with no experience filling similar positions, nor more than eighty-five percent
107 (85%) of the rate of compensation set by Board for teachers with comparable training and years
108 of experience filling similar positions.

109 *(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and*
110 *does NOT follow the suspension/dismissal procedures outlined in this policy. Rather, nonrenewal of*
111 *non-tenured teachers after the contract year follows the nonrenewal procedures outlined in this policy).*
112

Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(GG); TCA 49-5-512(d)
3. TCA 49-5-409; Public Acts of 2015, Chapter No. 232
4. TCA 49-5-508
5. TCA 49-5-706
6. TCA 49-5-411
7. TCA 8-36-805
8. TCA 8-36-821

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Non-Certified Employees	Descriptor Code: 5.202	Issued Date: 09/12/17
		Rescinds:	Issued: 05/08/18

1 **REPORTING OF CRIMINAL OFFENSE CHARGES**

2 All employees shall report being charged with any criminal offense to their immediate supervisor within two (2)
3 days of the offense. The supervisor must report the offense to the Director of Schools immediately, and the
4 Director of Schools must report the offense to the Board Chair as soon as practical.

5 **DISCIPLINE**

6 The Director of Schools may impose discipline, up to and including termination, of any support employee when
7 necessary.

8 The Director of Schools shall establish procedures for discipline.

9 **SUSPENSION**

10 The Director of Schools/designee may suspend an employee at any time when deemed necessary.¹

11 The Director of Schools may suspend an employee with or without pay. If the suspension was without pay and
12 the employee is reinstated, the employee shall be paid full salary for the period of suspension, unless suspension
13 without pay is deemed to be an appropriate penalty.

14 **DISMISSAL**

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

17 **RESIGNATION**

18 Support personnel shall give the immediate supervisor written notice of resignation at least two (2) weeks (ten
19 (10) working days) in advance of the effective date of voluntary termination. The ten (10) working days may be
20 waived by the Director of Schools for justifiable reason.

21 The immediate supervisor shall forward copies the day received to the Director of Schools' office. The payroll
22 office will prepare final payment for the next appropriate scheduled pay day.

23 **RETIREMENT**

24 Retirement shall mean a termination of services under conditions which will allow the employee to draw
25 benefits from retirement plans and/or social security benefits. Employees eligible for retirement benefits may
26 elect to retire at any age according to the provisions of the retirement system.

27 Central Office personnel shall assist employees in securing retirement benefits; however, it shall be the
28 responsibility of the retiring employee to obtain verification of eligibility in writing from the Tennessee

29 Consolidated Retirement System (TCRS) to the Central Office. It shall be the responsibility of the retiring
30 employee to file for eligible benefits. Employees who retire under TCRS may be employed up to one-hundred-
31 twenty (120) days per year without loss of retirement benefits.
32

Legal References

1. TCA 49-2-301(b)(1)(EE)—(FF)

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Emergency and Legal Leave	Descriptor Code: 5.301	Issued Date: 09/12/17
		Rescinds:	Issued:

1 **EMERGENCY LEAVE**

2 An immediate supervisor may grant an employee emergency leave during the workday for a sudden, unexpected
3 occurrence demanding immediate attention. Leave shall be taken as personal leave,¹ sick leave, or leave without
4 pay. The employee who uses emergency leave shall confirm said leave on appropriate forms the day after
5 returning to work.

6 Principals or administrative supervisors shall keep a tally of the amount of time individual employees are released
7 under this policy and when the total time reaches one (1) day, the employee shall be charged with one (1) day of
8 applicable leave.

9 **JURY DUTY**

10 If an employee is summoned for jury duty, they shall present written evidence that they have been summoned to
11 serve on a jury. The employee shall be entitled to the usual compensation, less the amount paid by the court.²:

12 **COURT APPEARANCES**

13 If an employee appears in court as a plaintiff, defendant, witness³, or voluntarily appears on behalf of family or
14 friends, personal leave or leave without pay shall be granted.

Legal References

1. TCA 49-5-711(c) 08
2. TCA 22-44-106(b)
3. TCA 16-15-

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Sick Leave</h2>	Descriptor Code: <h3 style="text-align: center;">5.302</h3>	Issued Date: 09/12/17
		Rescinds: <h3 style="text-align: center;">PER 25 PER 26</h3>	Issued: <h3 style="text-align: center;">09/01/11</h3>

1 Sick leave shall mean illness of the employee from natural causes or accident or annual wellness
 2 visits; or illness or annual wellness visits or death of the employee's spouse, parent,
 3 grandparent, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, daughter-
 4 in-law, son-in-law, brother-in-law, sister-in-law, step-relatives as listed above, or other
 5 family member with approval of the Director of Schools, which necessitates the absence of
 6 the employee.¹

7 The time allowed for sick leave with pay shall be one day for each month of employment.²
 8 Sick leave shall be cumulative for all earned days not used. At retirement, the unused
 9 accumulated sick leave may be used as retirement credits.

10 Employees may elect to participate in the Murfreesboro City Schools' Sick Leave Bank,
 11 established by the Board pursuant the Teachers' Sick Leave Bank Act, T.C.A. 49-5-801 et.
 12 Seq., to facilitate the voluntary pooling and irrevocable donation of accumulated personal
 13 sick leave for the purpose of providing sick leave to members of the program who have
 14 suffered an unplanned personal illness, injury, disability or quarantine and whose personal sick
 15 leave is exhausted.

16 If an employee uses more sick days than they have earned, the sick days shall be deducted
 17 from the employee's final paycheck for the year. The amount will be based on the
 18 employee's daily rate of pay sufficient to cover any excess sick leave days used by the
 19 employee. If such final check is insufficient for this purpose, the employee shall be liable for
 20 reimbursement of any amount in excess of the employee's final paycheck for the year.

21 When an employee will be absent from work, the employee shall notify the rincipal/supervisor
 22 or the principal's/supervisor's designee as soon as possible before their scheduled time to
 23 report to work.

24 The professional employee shall notify the principal or the principal's designee within a
 25 reasonable length of time before they intend to return to the classroom and not later than one
 26 (1) hour before school opens that morning, so that the principal or the principal's designee
 27 may be able to notify the substitute.

28 An employee, including an employee on pre-approved leave or other type of leave, shall not be
 29 charged with a day of leave for any day on which the employee's school or the school district
 30 is closed due to natural disaster, inclement weather, serious outbreak of contagious illness, or
 31 other unexpected event.

32 A physician’s statement shall be filed with the Principal/Supervisor for each period of illness
33 of five (5) or more consecutive work days. The physician’s statement should include the date
34 of commencement of the illness/injury and an expected date of return to work. The Director
35 of Schools may require a physician’s statement for any sick leave claim.² In the event of the
36 absence of an employee in excess of the sick leave days available to the employee, the
37 Director of Schools may require an examination, paid for by the Board, by a physician
38 certifying the previous absences.

39 If an employee fails to provide appropriate notice or certification for sick leave, forfeiture of
40 the paid leave will result, with the exception of those cases deemed an emergency by the
41 Principal/Supervisor. The Human Resources Department shall keep a record of the
42 accumulated sick leave for each eligible employee ~~in the Board’s employ~~ and shall provide a
43 verified copy to the employee upon request.

44 An employee, upon employment, may transfer any accumulated sick leave from another
45 Tennessee school system, provided that the Director of the system in which any such leave was
46 accumulated provides notarized verification.²

Legal References

1. TRR/MS 0520-01-02-.04(2)
2. TCA 49-5-710

Cross References

- Family and Medical Leave 5.305
Physical Assault Leave 5.307

Murfreesboro City School Board

)Monitoring: Review: Annually, in February	Descriptor Term: Personal and Professional Leave	Descriptor Code: 5.303	Issued Date: 09/12/17
		Rescinds: PER 20	Issued: 09/01/11

1 Personal and professional leave shall be granted in accordance with the laws of the State of Tennessee
2 and the rules and regulations of the State Board of Education.

3 Certified employees shall earn two (2) personal and one (1) professional leave day for a total of three (3)
4 days per year. Any personal and professional leave remaining unused at the end of a year shall be
5 credited to sick leave.¹

6 If, at the termination of services, any employee has been absent for more days than leave has been earned,
7 an amount sufficient to cover the excess days used shall be deducted from the employee's final salary
8 payment.

9 Subject to the following conditions, personal leave may be taken at the discretion of the employee:

10 1. Except in emergency, each employee shall give the principal/supervisor at least one (1) day's
11 notice in writing of intent to take personal leave;

12 2. The approval of the principal/supervisor shall be required:²

13 a. If more than ten percent (10%) of the teachers in any given school request its use on the
14 same day;

15 b. If requested during any prior established student examination period;

16 c. If requested on the day immediately preceding or following a holiday or vacation period;

17 d. If personal leave is requested for days scheduled for professional development or in-
18 service training, according to a school calendar adopted by the local board of education
19 prior to the commencement of the school year; or

20 e. If personal leave is requested for days scheduled for parent-teacher conferences,
21 according to a school calendar adopted by the local board of education prior to the
22 commencement of the school year.

23 Professional leave is a short, temporary absence for the purpose of attending workshops and other
24 meetings relating to school business or serving on boards and commissions which meet during daytime
25 hours when appointed by a mayor, city council, county executive or county commission.³

26 Requests for professional leave shall be submitted to the principal/supervisor at least five (5) days prior
27 to requested leave of absence.
28

Legal References

1. TCA 49-5-711; TRR/MS 0520-01-02-.04(3)
2. TCA 49-5-711(c)(1)
3. TCA 49-5-205

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Long-Term Leaves of Absence for Certified Personnel	Descriptor Code: 5.304	Issued Date: 09/12/17
		Rescinds: PER 19	Issued: 02/01/12

1 All personnel holding a position that requires a teacher's license shall be granted leave for military
2 service, legislative service, maternity, adoption, recuperation of health, or visitation of a spouse, child or
3 parent deployed for military duty out of the country who has been granted rest and recuperation leave.
4 Such personnel may be granted leave for educational improvements or other sufficient reasons as
5 determined by the Director of Schools. If granted, such leave shall not result in the forfeiture of ac-
6 cumulated leave credits, tenure status or other fringe benefits.¹

7 All leaves shall be requested in writing at least thirty (30) days in advance on forms provided by the
8 Director of Schools. The 30-day notice may be waived or reduced by the Director of Schools upon sub-
9 mission of a certified statement by a physician. The application for leave forms shall require:

- 10 1. A description of the type of leave requested;
- 11 2. The requested dates for beginning and ending the leave; and
- 12 3. A statement of intent to return to the position from which leave is granted.¹

13 Each request for leave must be acted upon by the Director of Schools within fifteen (15) days. Each
14 applicant shall be notified in writing of the action of the Director and the beginning and ending dates of
15 the leave which is granted.²

16 All leaves, except military leave, shall be from a specific date to a specific date. However, any leave
17 may be extended by the Director of Schools upon written request from the teacher. Military leave shall
18 be granted for whatever period may be required. The procedure and condition for extending a leave are
19 the same as those used when originally requesting and granting the leave.

20 Leave to visit a spouse, child, or parent deployed for military duty out of the country who has been
21 granted rest and recuperation leave shall be granted for no longer than ten (10) days.³

22 Positions vacated for less than twelve (12) months by teachers on leave shall be filled with an interim
23 teacher while the teacher is on leave. If the teacher returns from leave within 12 months, the interim
24 teacher shall relinquish the position. If the leave exceeds twelve (12) months, the teacher shall be placed
25 in the same or a comparable position upon return.⁴

26 Part-time leaves may be granted by the Director of Schools upon written request for the same conditions
27 as for full-time leave.

28 Any teacher on leave shall notify the Director of Schools at least thirty (30) days prior to the date of
29 return if the teacher does not intend to return to the position from which he/she is on leave. Failure to
30 give such notice shall be considered breach of contract.⁵

31 **PAY AND BENEFITS**

32 All leave granted in conformance with this policy shall be without pay except as may be covered by
33 sick leave in the case of maternity and recuperative leaves. Employees shall have the opportunity to
34 continue participation, at their own expense, in group insurance plans subject to restrictions of the
35 insuring carrier.
36

Legal References

1. TCA 49-5-702
2. TCA 49-5-703
3. TCA 49-5-704
4. TCA 49-5-705
5. TCA 49-5-706

Cross References

Family and Medical Leave 5.305
Military Leave 5.306
Physical Assault Leave 5.307
Sabbatical Leave 5.308
Legislative Leave 5.309
Interim Employees 5.700

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Military Leave</h2>	Descriptor Code: <h3 style="text-align: center;">5.306</h3>	Issued Date: <h3 style="text-align: center;">09/12/17</h3>
		Rescinds:	Issued:

1 Employees who are members of any reserve component of the Armed Forces of the United States shall
 2 be granted leave of absence for all periods of military service during which they are engaged in the
 3 performance of duty or training in the service of the state or the United States. Reservists who anticipate
 4 military duty during the school year must give written notice to the Director of Schools, within thirty
 5 (30) days of the beginning of the school year, of the dates of the anticipated duty. While performing
 6 such duty or training, the employee shall be paid his/her regular salary up to a maximum of twenty (20)
 7 working days in any one (1) calendar year, plus such additional days as may result from any call to active
 8 state duty.¹ An employee called to active duty by the Governor to enforce the laws of the state shall be
 9 paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty, and any
 10 time spent in active state duty shall not count against the twenty (20)-day period of leave allowed for
 11 military service.²

12 Request for leaves and extension of leaves shall conform to state law and board policy governing all
 13 leaves of absence. Failure to comply with applicable laws and policies shall constitute grounds for
 14 dismissal.

15 The employee shall supply a copy of the orders for duty, including the dates of departure and return it to
 16 the Director of Schools prior to, or simultaneous with, requesting leave.

Legal References

1. TCA 8-33-109; TCA 49-5-702(a)
2. TCA 58-1-106(d); TCA 58-1-109

Cross References

Long Term Leaves of Absence 5.304

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Physical Assault Leave</h2>	Descriptor Code: <h3 style="text-align: center;">5.307</h3>	Issued Date: <h3 style="text-align: center;">09/12/17</h3>
		Rescinds:	Issued:

1 An employee who is absent from assigned duties as a result of personal injury caused by physical assault
 2 or other violent criminal acts committed in the course of the employee 's employment duties shall receive
 3 workers' compensation or comparable benefits without loss of accumulated or granted sick, personal or
 4 professional leave.¹

5 The school system shall continue to pay the teacher's full benefits including, but not limited to health
 6 insurance benefits, until the earlier of the date on which the teacher is released by the employee 's
 7 physician to return to work or the date on which the teacher is determined by the employee's physician
 8 to be permanently disabled from returning to work.²

9 A signed statement listing the cause of the absence shall be provided by the employee on forms
 10 furnished by the Director of Schools and shall promptly be given to the immediate supervisor in
 11 support of all claims. A certificate from the physician on forms furnished by the Director of Schools
 12 may also be required to verify the extent of the injury.³
 13

Legal References

1. TCA 49-5-714(a)
2. TCA 49-5-714(b)
3. TRR/MS 0520-01-02-.04(5)(b)

Cross References

Worker's Compensation 3.602

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Legislative Leave	Descriptor Code: 5.309	Issued Date: 09/12/17
		Rescinds:	Issued:

1 Certified employees who have been elected to state or local law-making bodies shall be granted personal
 2 leave or leave without pay for the time those law-making bodies are in official session or while attending
 3 official meetings outside the session.¹

4 In addition, certified employees shall be granted leave to serve on any board or commission of the state
 5 when the appointment is made by the Governor or General Assembly. Such leave shall not be counted
 6 against any other accumulated leave credits. The employee shall notify the principal at least five (5)
 7 days prior to leave being taken.²
 8

Legal References

1. TCA 49-5-702; TCA 49-5-713
2. TCA 49-5-205

Cross References

Long Term Leaves of Absence 5.304

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Vacations and Holidays	Descriptor Code: 5.310	Issued Date: 09/26/17
		Rescinds: PER 29	Issued: 06/01/11

1 **HOLIDAYS**

2

3 Depending on the length of an employee’s contract, paid holidays for employees of the district are:

- 4 New Year’s Eve
- 5 New Year’s Day
- 6 Martin Luther King, Jr.’s Birthday
- 7 President’s Day
- 8 Good Friday
- 9 Memorial Day (11 and 12 month employees only)
- 10 Independence Day (12 month employees only)
- 11 Labor Day
- 12 Thanksgiving
- 13 Day following Thanksgiving
- 14 Christmas Eve
- 15 Christmas Day

16

17 **VACATIONS**

18

19 I. Central Office licensed/classified personnel and other licensed/classified personnel

20 employed on a twelve month, full-time basis shall earn and accrue vacation as follows:

21

22 **Classified/Non-licensed**

- 23 1 thru 5 years 1 day per month
- 24 6 thru 10 years 1 1/4 days per month
- 25 Over 10 years 1 1/2 days per month

26

27 Classified staff do not earn vacation leave during the first ninety (90) days of employment

28 unless waived by the Director of Schools.

29

30 **Licensed Personnel**

- 31
- 32 1 thru 5 years 1 day per month
- 33 6 thru 10 years 1 1/4 days per month
- 34 Over 10 years 1 2/3 days per month

35

36 II. Temporary and part-time employees are not entitled to vacation.

- 37 III. Employees shall utilize their vacation time so as to minimize disruption to school system
38 operations. The Director of Schools, department heads, and supervisors must consider school
39 system business needs prior to approving an employee's vacation request. The use of
40 vacation time during the week before the school year begins through the first week of school
41 and during the week before the school year ends through the first week that school is out is
42 highly discouraged. Vacation time requests during these periods must receive the prior
43 approval of the Director of Schools. During all other parts of the year, vacation requests must
44 receive the prior approval of the employee's supervisor or department head. Except in
45 emergency situations, vacation leave must be requested at least five (5) days in advance.

- 46 IV. No more than ten (10) vacation days may be taken in succession without approval of the
47 Director of Schools; provided, however, this rule shall be waived for medical reasons and
48 family medical leave when an employee has no sick leave available.

- 49 V. Vacation days must be earned before they can be used.

- 50 VI. Vacation may be taken in ½ day increments.

- 51 VII. The Human Resources Department shall maintain all vacation leave records, and be
52 responsible for verifying an employee's eligibility to utilize vacation time.

- 53 VIII. No more than thirty (30) vacation days may be carried over after June 30th of each
54 year. Annual leave accrued in excess of the applicable maximum shall be transferred to sick
55 leave on June 30th of each year. Upon termination of employment, any accrued vacation in
56 excess of the appropriate carry forward amount shall be credited to the sick leave balance of
57 the terminating employee. Payment for accrued vacation shall be paid at the employee's
58 current rate of pay.

- 59 IX. The increased accrual rates are based on the length of service and become effective on the
60 anniversary of the employee's date of hire, provided they have been in continuous service.

- 61 X. Retirees may request lump sum payments of vacation. However, the amount of payment
62 cannot be reported or used as part of the average final compensation. Should a retiree elect
63 not to receive the lump sum payment for vacation, the retiree will be extended on the payroll
64 until all vacation has been used. In such a case, the school system will make retirement
65 contributions on behalf of the employee and creditable service for retirement will be granted.

66
67
68

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Employee Use of Electronic Social Media	Descriptor Code: 5.6101	Issued Date: 10/24/17
		Rescinds: PER 46	Issued: 03/01/13

1 **ELECTRONIC MEDIA**

2 Murfreesboro City Schools realizes the use of electronic media has become increasingly popular. The
3 school district also understands guidelines and procedures must be established and followed in order to
4 ensure such forms of communication are used appropriately.

5 Electronic media includes all forms of social media, such as text messaging, instant messaging,
6 electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video-sharing websites
7 (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook,
8 MySpace, Instagram, Twitter, LinkedIn). Electronic media also includes all forms of
9 telecommunication such as landlines, cell phones, and web-based applications.

10 As role models for the district's students, employees are responsible for their public conduct even
11 when they are not acting as district employees. Employees will be held to the same professional
12 standards in their public use of electronic media as they are for any other public conduct. If an
13 employee's use of electronic media interferes with the employee's ability to effectively perform their
14 job duties, the employee is subject to disciplinary action. If an employee wishes to use a social network
15 site or similar media for personal purposes, the employee is responsible for the content on the
16 employee's page, including content added by the employee, the employee's friends, or members of the
17 public who can access the employee's page, and for web links on the employee's page. The employee
18 is also responsible for maintaining privacy settings appropriate to the content.

19 An employee who uses electronic media for personal purposes shall observe the following:

- 20 • The employee may not set up or update the employee's personal social network page(s) using
21 the district's computers, network, or equipment and/or while performing MCS assigned
22 duties.
- 23 • The employee shall not use the district's, school's, or program's logo or other copyrighted
24 material of the district without express, written consent.
- 25 • The employee continues to be subject to applicable state and federal laws, MCS school board
26 policies, and any administrative regulations, even when communicating regarding personal
27 and private matters, regardless of whether the employee is using private or public equipment,
28 on or off school grounds. These restrictions include:
 - 29 • Confidentiality of student records.
 - 30 • Confidentiality of health or personnel information concerning colleagues, unless
31 disclosure serves lawful professional purposes or is required by law.
 - 32 • Confidentiality of district records, including educator evaluations and private e-mail
33 addresses.
 - 34 • Copyright law

- 35 • Prohibition against harming others by knowingly making false statements about a
36 colleague or the school district

37 **USE OF ELECTRONIC MEDIA WITH STUDENTS**

38 Murfreesboro City Schools is comprised of Pre–K through sixth (6th) grade students. The need for an
39 employee to use electronic media to communicate with elementary students instead of parents requires
40 approval. With written permission from the Director of Schools or designee and parent/guardian, a
41 faculty member may communicate via email only with students. The school principal or designee must
42 be included in the communication. An employee is not subject to these provisions to the extent the
43 employee has a social or family relationship with a student’s parents.

44 The following definitions apply regarding the use of electronic media with students:

- 45 • Electronic media includes all forms of social media, such as text messaging, instant messaging,
46 electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web
47 sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g.,
48 Facebook, MySpace, Instagram, Twitter, LinkedIn). Electronic media also includes all forms of
49 telecommunication such as landlines, cell phones, and Web-based applications.
- 50 • Communicate means to convey information and includes a one-way communication as well as
51 a dialogue between two or more people. A public communication by an employee that is not
52 targeted at students (e.g., a posting on the employee’s personal social network page or a blog)
53 is not a communication; however, the employee may be subject to district regulations on
54 personal electronic communications. Unsolicited contact from a student through electronic
55 means is not a communication.

Murfreesboro City School Board

Monitoring: Review: Annually, in February	Descriptor Term: Substitute Teachers	Descriptor Code: 5.701	Issued Date: 10/24/17
		Rescinds:	Issued:

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.^{1,2}
2 Substitute teachers may be employed and paid directly by the Board or by a third party public or private
3 employer through an agreement between such third party employer and the Board.

4 Substitute teachers employed by third party entities shall be subject to the same unemployment benefit
5 eligibility conditions as substitute teachers employed directly by the Board.²

6 **APPLICATION/QUALIFICATIONS**

7 Criminal history record checks and fingerprinting of applicants for substitute teaching are required.³

8 Applicants with revoked licenses or certificates according to the Department of Education shall not be
9 hired.⁴

10 Qualifications for substitute teachers shall be determined by the Director of Schools in compliance with
11 state laws and regulations.

12 A list of substitute teacher(s) will be prepared by the Assistant Superintendent of Human Resources who
13 will maintain file(s) which may include transcripts, credentials, recommendations, and other pertinent
14 information.

15 **COMPENSATION**

16 If employed directly by the Board, the compensation of substitute teachers shall be determined annually
17 by the Board.

18 **CERTIFICATION**

19 When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a
20 substitute teacher must possess a teaching certificate with endorsement in the discipline(s) to be taught.⁶
21 When substituting for a teacher without sick leave, the substitute shall be certified and paid according to
22 the state salary schedule.¹

23 Retired teachers may substitute one-hundred twenty (120) days per year without loss of retirement ben-
24 efits¹ and may substitute for additional days if the Director of Schools certifies in writing to the **State**
25 **Board of Education Division of Retirement** that no other qualified personnel are available to substitute
26 teach.⁷

27 **EMERGENCY NEEDS**

28 All teacher aides, secretaries, and clerks are approved substitute teachers for use in emergency situations.
29 Emergency use shall be defined as less than a full day due to the regular or substitute teacher being
30 unable to arrive on time or remain for the full day.

31 Said substitutes shall receive the proportionate equivalent salary regular substitute teachers would
32 receive under similar circumstances or their regular salary, if higher; however, they shall not receive pay
33 for both positions at the same time.

34 **TRAINING AND ORIENTATION**

35 The Director of Schools shall be responsible for ensuring that there are appropriate training and
36 development programs for substitute teachers.

37 **RESPONSIBILITIES**

38 Substitute teachers shall assume the same responsibilities as the regular teacher, including, but not
39 limited to, bus duty and playground supervision.

40 **RE-EMPLOYMENT/TERMINATION**

41 On an annual basis, the Director of Schools, with input from the principals, shall determine which
42 substitute teachers performed at an acceptable level. Substitute teachers who performed below an
43 acceptable level shall not be re-employed.

44 All substitutes shall be responsible for providing correct addresses and phone numbers and for notifying
45 the principal and/or third party employer if they wish to terminate their service as substitutes.

Legal References

1. TRR/MS 0520-1-2-.04(6)
2. TCA 49-5-709
3. TCA 49-5-413(a)(2)
4. TCA 49-2-203(a)(15)
5. Public Acts of 2017, Chapter No. 387
6. TCA 49-3-312; TRR/MS 0520-01-02-.04(6)(b)
7. Public Acts of 2017, Chapter No. 287

Murfreesboro City School Board

Monitoring: Review: Annually, in May	Descriptor Term: Student Accident Reports	Descriptor Code: 6.416	Issued Date:
		Rescinds: STU 12	Issued: 05/13/14

- 1 Any accident involving students which occurs on the property of the Murfreesboro City Schools is to
- 2 be reported to the office of the Director of Schools or designee.

- 3 A written report of the accident is to be forwarded to the office of the Director of Schools or designee
- 4 within twenty-four (24) hours after the accident occurs.



MEMO TO: SCHOOL BOARD, DR. GILBERT, ELIZABETH TAYLOR
FROM: GARY ANDERSON
DATE: 1/30/19
SUBJECT: OPEN AND CLOSED ZONE SCHOOL RECOMMENDATIONS FOR 2019-2020

Below is the proposal for the 2019-2020 school year for schools that will be open zoned, controlled choice, test-in and closed zoned. The list is based on our current and future available space in each school with consideration given to our future growth projections in the school zones.

OPEN ZONED SCHOOLS (*schools accepting zone transfers based on grade level availability*)

- Salem
- Black Fox
- Reeves Rogers
- Northfield

CONTROLLED CHOICE SCHOOLS (*Schools accepting applications to attend based on grade level availability*)

- Bradley
- Hobgood
- Mitchell-Neilson

TEST-IN SCHOOL (*School that requires a test-in procedure to attend for city residents only. Capacity is extremely limited.*)

- Discovery School

CLOSED ZONED SCHOOLS (*Schools that cannot accept any out-of-zone transfers due to current and/or future capacity concerns*)

- Overall Creek
- Scales
- Cason Lane
- Erma Siegel
- John Pittard