

Hamilton County Department of Education
Policy Committee Meeting
June 3, 2025 5:30 PM
3074 Hickory Valley Road
Chattanooga, TN 37421

I. Call to Order and Roll Call

II. February First Read:

- 6.311 Cell Phone Use

III. March First Reads:

- 1.404 Appearance Before the Board
- 1.700 School District Goals

IV. April First Reads:

- 3.402 Special Use of School Buses
- 3.405 Owner/Operator Bus Services
- 6.201 Compulsory Attendance

V. Pulled Policies:

- 4.210 Credit Recovery
- 5.1042 Educator Diversity
- 5.200 Suspension/Dismissal of Non-Tenured Teachers
- 5.201 Suspension/Dismissal of Tenured Teachers
- 5.202 Suspension/Dismissal of Classified Employees
- 5.803 Evaluation of the Director of Schools

VI. Adjourn

Hamilton County Board of Education

Monitoring: Review: Quarterly in September, December, March, & June	Descriptor Term: Cell Phone Use	Descriptor Code: 6.311	Issued Date: 07/20/23
		Rescinded:	Revised:

1
2 The increase in use of cell phones and personal communication devices by students during the school
3 day has become a significant distraction in the school environment and is impeding student learning.
4 ~~While there is considerable dependence on cell phones and personal communication devices, additional~~
5 ~~guidance is needed to protect valuable time for learning and foster and maintain positive school~~
6 ~~environments. Accordingly, subject to the exceptions set forth in this policy, students may not use or~~
7 ~~possess cell phones or personal communication devices while on campus during the regular school day.~~

8 Devices are defined as cell phones, personal communication devices, and personal electronic devices
9 including, but not limited to, wearable technology such as eyeglasses, rings, earbuds, headphones, or
10 watches that have the capability to record, live stream, or interact with wireless technology.

11
12 ~~Restrictions to device use:~~

- 13
- 14 ~~• Taking photos or recording videos, whether by cell phone or any other device, is prohibited.~~
 - 15 ~~• Using cell phone cameras to record altercations on school grounds or at school events is~~
16 ~~prohibited. In such cases, phones may be confiscated as evidence and consequences will be~~
17 ~~assigned. Consequences may be issued for the person who records and/or shares an altercation.~~
 - 18 ~~• Cell phone recordings done outside of school that are shared by and with members of the school~~
19 ~~community and cause harm toward students and/or a significant disruption in school are~~
20 ~~prohibited.~~

21 ~~Consequences for cell phone violations will be issued in alignment with the HCS Code of Acceptable~~
22 ~~Behavior. The consequences for violating this cell phone policy may be in addition to any other~~
23 ~~violations of the HCS Code of Acceptable Behavior. Finally, students bring cell phones and personal~~
24 ~~electronic devices to school at their own risk. School staff are not liable for lost or stolen cell phones and~~
25 ~~are not responsible to conduct any investigations regarding the loss of a student electronic device.~~

26 ~~Students may possess devices so long as they are not seen or heard, and should be stored in closed~~
27 ~~pockets, backpacks, purses, bags, assigned locker, automobile, or other school approved location.~~

28 ~~When technology is utilized to support the instruction of standards in the classroom, the use of chrome~~
29 ~~books should be prioritized over cell phones. The principal or his/her designee may grant a student~~
30 ~~permission to use a cell phone as a device to assist with instruction at his/her discretion. For grades 9-~~
31 ~~12, each individual school may choose to allow cell phones in designated areas during lunch period.~~

32 16 STUDENT EXCEPTIONS

33 17 Students may be allowed to use a cell phone as a tool for hearing, translation, or other functions for
34 18 students with a 504 Plan or IEP that articulates both the need and parameters for use. All staff will be
35 19 informed if a student has an identified exception and will accommodate the student accordingly.

Hamilton County Board of Education

Monitoring: Review: Annually in September	Descriptor Term: Appearances Before the Board	Descriptor Code: 1.404	Issued Date: 10/20/22
		Rescinded:	Revised: 04/17/2025

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2 Any resident of Hamilton County may appear before the Board of Education to comment upon the
3 operation of the Hamilton County Schools. However, for the efficient operation of the schools, the Board
4 desires that complaints and concerns be resolved as quickly as possible and by the employee or
5 administrator having responsibility over the issue in question. Accordingly, the Board encourages
6 individuals with complaints or concerns to speak with the appropriate employee or administrator rather
7 than first addressing the Board.

8 9 **APPEARANCES BEFORE THE BOARD**

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11 Any resident of Hamilton County desiring to address the Board regarding the operation of the Hamilton
12 County Schools on a topic that is not listed as an item on the agenda, must submit a written request
13 setting forth the topic upon which the individual wishes to address the Board as well as any supporting
14 documents or materials. He or she must submit this written request to the Director of Schools no later
15 than three (3) days prior to the Board's meeting.

16
17 If the Executive Committee of the Board approves the request, the individual will be listed on the Board's
18 printed work session agenda and recognized at the appropriate time. The Board Secretary will also
19 circulate to the Board members any documents or materials that the individual submitted in support of
20 his or her request to speak.

21
22 Additionally, any resident of Hamilton County desiring to address the Board on any item listed on the
23 agenda who has missed the three (3) day advance deadline may nevertheless be recognized to speak
24 provided that he or she signs up ahead of time or signs in at least thirty (30) minutes prior to the start of
25 any regularly scheduled Board meeting work session or special called meeting. Thirty (30) minutes prior
26 to the start of the meeting, the Board Secretary will collect the sign-in sheet and provide it to the Chair.
27 The Chair, at the appropriate time on the agenda, will recognize the first three (3) individuals who have
28 signed in to address the Board.

29
30 If a group of individuals wishes to address the Board about the same matter, the group must select one
31 (1) individual to speak on its behalf unless the group specifically requests permission for multiple
32 individuals to speak on the same topic.

33 34 **RULES GOVERNING ANY COMMENTS TO THE BOARD**

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36 Individuals speaking to the Board shall address their remarks to the Chair. Each person speaking shall
37 state his or her name, his or her address, and the subject of his or her presentation. Remarks will be
38 limited to five-three (35) minutes ~~unless time is expended by the Board.~~

~~39 Under no circumstances will the Chair allow a speaker to identify a student or to discuss confidential~~
~~4039 matters protected by law or professional ethics. Board members may use a speaker's unexpired time plus an~~
~~4140 additional (2) minutes to ask the speaker questions. If two Board members make the request, any topic raised~~
~~4241 by the speaker may be added to the end of the work session agenda for further discussion by the Board.~~

1 The Chair shall have the authority to terminate the remarks of any individual who is disruptive or does
2 not adhere to the Board rules.

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Legal References:

1. TCA 39-17-306

Cross References:

- School Board Meetings 1.400
- Agendas 1.403
- Complaints about School Personnel 5.503

Hamilton County Board of Education			
Monitoring: Review: Annually in September	Descriptor Term: School District Goals	Descriptor Code: 1.700	Issued Date: 12/16/04
		Rescinded:	Revised: 04/17/25

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The Board is charged, on behalf of the public, with the responsibility for determining the educational goals of the school system. In discharging that responsibility, the Board has adopted the following goals ~~in four primary areas: Instruction, personnel, students and operations aligned with the commitments in our district’s strategic plan, Opportunity 2030.~~

The Board shall develop policies to implement the goals within each area subject to the approved annual budget and shall annually review these goals and revise them as necessary so that each program will at all times support the stated goals.

EVERY STUDENT LEARNS:

1. Early Literacy and PreK Access: Adopt policies that prioritize funding and access for PreK programs, ensuring students enter kindergarten prepared and support early literacy initiatives across the district.
2. Academic Growth and Proficiency: Approve budgets that strategically fund high-quality instructional materials, professional development, and intervention programs to drive student growth and proficiency.

INSTRUCTION

- ~~1. To promote a plan for the organized improvement of school curriculum, including the articulation between elementary and secondary schools;~~
- ~~2. To provide offerings which explore a wide range of career and service opportunities;~~
- ~~3. To promote an integration of academic, physical, social and emotional growth experiences for each student; and~~
- ~~4. To promote the recognition of achievement in all endeavors (example, academic, athletic).~~

EVERY STUDENT BELONGS:

1. Access to Activities: Establish policies ensuring all schools provide access to extracurricular activities (sports, arts, and clubs) regardless of community financial status, fostering student connections and belonging.
2. Student Well-Being: Approve a budget that funds the staff and infrastructure necessary to address student well-being.

~~—STUDENTS~~

- ~~1. To structure the overall instructional program to provide sufficient alternatives to meet a variety of individual needs and aspirations;~~
- ~~2. To ensure that each student’s interests, capacities and objectives are considered in his/her learning program;~~
- ~~3. To develop a comprehensive program for students with disabilities providing the least restrictive programs; and~~
- ~~4.1. To help students gain understanding of themselves, as well as skills and techniques in living and working with others and being responsible citizens.~~

EVERY EMPLOYEE VALUED:

- 1. Employee Compensation and Retention: Develop policies that guide the district in becoming a top K-12 school district in employee compensation in Tennessee by 2030 and ensure effective recruitment and retention practices.
- 2. Board Oversight of Employee Satisfaction: Require regular reporting to the board on employee satisfaction metrics and use this data to guide decisions related to staffing and support.~~PERSONNEL~~
- ~~1. To provide high quality performance by the staff, including both certified and classified personnel;~~
- ~~2. To establish acceptable performance standards for all personnel;~~
- ~~3. To provide in-service training and professional growth experiences for teachers and administrators; and~~
- ~~4. To maintain an evaluation system for the improvement of the instructional system.~~

OPERATIONS

- ~~1. To make every effort to secure adequate funding for the educational program in support of the stated goals;~~
- ~~2. To maintain an adequate system of fiscal and business management;~~
- ~~3. To develop plans for the efficient use of school facilities; and~~
- ~~4. To ensure appropriate communication between the director of schools and the Board.~~

EVERY SCHOOL EQUIPPED:

- 1. Optimizing Facilities: Enact policies requiring annual reviews of school operations and facilities to maximize capacity and operational efficiency, aligning with district growth and needs.

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2. Safe and Modern Schools: Approve a budget that prioritizes investments in safe, secure, and functional learning spaces, including upgrades to infrastructure, technology, and energy efficiency.

EVERY COMMUNITY SERVED:

1. Strengthen Community Partnerships: Develop policies to formalize partnerships with community organizations, ensuring student support and career exploration opportunities are integrated into the district's offerings.

2. Community-Focused Initiatives: Approve funding and policy in support programs that increase access to post-secondary planning resources, internships, and mentorship opportunities, ensuring every graduate has a plan for their future

Legal References:

Cross References:

- 1. Fiscal Management Goals
- 2. 2.100 Business Management Goals
- 3. 3.100 Instructional Goals
- 4. 4.100 Personnel Goals
- 5. 5.100 Student Goals
- 6. 6.100

Hamilton County Board of Education			
Monitoring: Review: Annually in October	Descriptor Term: Owner/Operator Bus Service	Descriptor Code: 3.405	Issued Date: 09/19/19
		Rescinded: 06/12/25	Revised: 11/21/24

~~The director of schools will contract annually with individual owners of buses to provide student transportation services¹.~~

~~**RESPONSIBILITIES OF BUS OWNERS**~~

- ~~1. Each school bus and all related equipment shall be maintained in condition to operate safely at all times during the school year and shall conform to specifications as set forth by the State Board of Education¹ and National Highway Traffic Safety Administration.~~
- ~~2. Each bus driver shall obey all applicable state rules and regulations.~~
- ~~3. A school bus owner shall give 30 calendar days written notice to the Board when he/she wishes to terminate his/her bus operation contract.~~
- ~~4. A school bus owner shall secure the approval of the director of schools or his/her designee before he may sell his bus during the period of his/her contract. The sale of a bus does not obligate the director of schools to enter into contract with the new owner.~~
- ~~5. Each school bus owner shall have on file in the director of schools' office or his/her designee a current statement of liability and property damage insurance coverage carried on the bus, bus driver and bus contractors.~~
- ~~6. Each school bus owner must specify for the director of schools' approval or his/her designee the name of the designated driver and at least one substitute driver of his/her bus.~~
- ~~7. Each school bus driver shall submit to the director of schools or his or her designee, the results of his latest physical examination.~~
- ~~8. By the end of the first month of each school year, each bus owner shall file with the director of schools or his/her designee on forms approved by the Board a report giving an accurate record of the names of all students transported on his/her bus and the school to which each student is transported.~~

~~Legal References:~~

- ~~1. TCA 49-6-2102(d) TRR/MS 0520-01-05~~

~~Cross-References:~~

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Compulsory Attendance Ages	Descriptor Code: 6.201	Issued Date: 07/18/13
		Rescinds:	Revised: 06/12/25

General Provisions

Children between the ages of 6 and 17 years, inclusively, must attend a public or private school.¹

The compulsory attendance law, however, shall not apply to the following:²

- 1) A student who has received a diploma or other certificate of graduation;
- 2) A student who is enrolled and making satisfactory progress in a course leading to a GED;
- 3) A student enrolled in a homeschool who has reached the age of 17.

A parent or guardian or legal custodian who believes that his or her six-year old child is not ready to attend school may make application to the principal of the public school that the child would attend requesting a one-semester or one-year deferral in required attendance. Any such deferral shall be reported to the director of schools by the principal. Under certain circumstances, the Board may temporarily excuse students from complying with the provisions of the compulsory attendance law.³

No child shall be eligible to enter first grade without having attended an approved Kindergarten program.

A child entering a special education program shall be no less than three years of age.

Five-year old children

Any child residing within the State who will be five years of age on or before August 15 and whose parent(s) or legal guardian(s) applies for admission shall be enrolled in the school designated by the Board.⁴

Adult Students

Any student presently enrolled in the Hamilton County Schools who has his or her 18th birthday during the school year will be allowed to complete the school year at that school.

The student may be allowed to continue in that school for one additional semester provided that (1) the student will be able to earn sufficient credits in order to graduate at the end of that semester; (2) in the judgment of the principal, the student has had good attendance; and (3) in the judgment of the principal, the student has not been a disciplinary problem. ~~Any student who wishes to remain enrolled in Hamilton County Schools who does not meet these criteria may apply to attend Hamilton County High School's adult high school program.~~

1 T.C.A. §49-6-3001(c)(1)

2 T.C.A. §49-6-3005

3 T.C.A. §49-6-3005

4 T.C.A. §49-6-201(3); T.C.A. §49-6-201(8)(d); Tennessee Rules and Regulations 0520-1-3.03(10)

Hamilton County Board of Education

Monitoring: Review: Annually in July	Descriptor Term: Credit Recovery	Descriptor Code: 4.210	Issued Date: 04/20/17
		Rescinded:	Revised: 08/15/24

GENERAL

Credit recovery is a course-specific, standards based extended learning opportunity for students who have previously been unsuccessful in mastering the standards required to receive course credit or earn promotion. Credit recovery programs, in general, have a primary focus of helping students stay in school and graduate on time.

The director of schools or his/her designee shall ensure that credit recovery facilitators receive training regarding course organization, online instruction management and related technology.

Credit recovery teachers shall comply with all State Board of Education certification requirements.¹

ADMISSION AND REMOVAL¹

No student shall be admitted to or otherwise enrolled in credit recovery courses unless:

1. The student's parent/guardian gives written consent for the student to enroll in the proposed credit recovery course. Parents/guardians should be informed that not all postsecondary institutions will accept credit recovery courses for credit and that the NCAA Clearinghouse will not accept credit recovery courses for credit;
2. The student has previously taken an initial, non-credit recovery section of the proposed course which is designed as a remediation option for students, and credit recovery course shall not be the first time a student is exposed to the content, and
3. The student has previously taken an initial, non-credit recovery section of the proposed course and received a grade of at least fifty percent (50%). Students who receive a grade of below fifty percent (50%) in the non-credit recovery section of the course must re-take the course.

If a student is seeking to recover credit for the first semester of a two-semester course, the student may not receive the full credit for the course until he/she has enrolled in and passed the second semester of the course and taken any applicable End of Course examinations.

Student admission to credit recovery courses is also subject to the availability of the coursework and available enrollment spots. Attendance records, discipline, and appropriate progress in coursework may be used as requirements for enrollment.

The board shall track students enrolled in credit recovery courses as directed by the Tennessee Department of Education.

INSTRUCTION AND CONTENT

43
44 Credit recovery teachers shall work closely with credit recovery facilitators to correlate class content and
45 instruction.

46
47 The director of schools or his/her designee shall ensure that all credit recovery courses:

- 48
49 1. Align with Tennessee's current academic standards for the relevant course content area, as
50 approved by the State Board of Education; and
51 2. Differentiate instruction to address individual student growth needs based on diagnostic
52 assessment or End of Course data.

53
54 Students in credit recovery programs shall:

- 55
56 1. Complete a course standard-specific diagnostic to determine standard-specific goals;
57 2. Meet individual standard-specific goals in a flexible time frame as established by identified
58 student need; and
59 3. Be required to complete additional assignments as directed by the credit recovery teacher of
60 record; and
61 4. Master all individualized standard-specific goals and assignments as established by the
62 diagnostic process and the credit recovery teacher of record, in order to earn credit.

63 64 **GRADES**

65
66 Grades awarded in credit recovery courses shall adhere to the State Board of Education's Uniform
67 Grading Policy.²

68
69 For grades issued in the 2022-23 school year and thereafter, students passing credit recovery courses
70 shall receive a grade of sixty percent (60%). For grades issued up until the 2022-23 school year, students
71 passing credit recovery course shall receive a grade of seventy percent (70%).

72
73 The student transcript shall denote that the credit was attained through credit recovery.

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75 The original failing grade may also be listed on the transcript, but shall not factor into the students GPA,
76 in accordance with the State Board of Education's Uniform Grading Policy.

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Legal References:

- 80 1. TN State Bd. Policy 2.103; TRR/MS 0520-01-03-.03
81 2. TN State Bd. Policy 3.301

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84 _____
Cross References:

Hamilton County Board of Education

Monitoring: Review: Annually in February	Descriptor Term: Educator Diversity	Descriptor Code: 5.1042	Issued Date: 03/18/21
		Rescinded:	Revised:

1
2 The Hamilton County Board of Education believes that students deserve access to diverse, effective
3 teachers and high-quality instruction.

4
5 “Minority Educator” includes, but is not limited to, an educator who is Black or African American;
6 Hispanic or Latino; Asian American; Native Hawaiian or Other Pacific Islander; or American Indian or
7 Alaska Native; or two or more races as reported by the educator in the state licensure database.

8
9 Therefore, the Hamilton County Board of Education is committed to Educator Diversity in Hamilton
10 County Schools, and directs the Administration to do the following in support of minority educator
11 recruitment and retention:

12
13 Create specific goals outlining how the district will address educator diversity, taking into consideration
14 the diversity of the students Hamilton County Schools serves, and strategies that will be used in support
15 of the goals to recruit and retain minority educators. These goals shall be incorporated into and aligned
16 with the district’s strategic plan.

17
18 The most effective strategies to recruit and retain minority educators will be those that are tailored to our
19 local context, informed by our data, and involve collaboration between Hamilton County Schools and
20 educator preparation programs. Such strategies may include, but are not limited to:

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22
- 23 1. Identifying prospective educators from the local pool of diverse students, paraprofessionals,
24 industry professionals, or other community members and supporting them in seeking
25 educator licensure, including providing information and assistance with enrolling in
26 educator preparation programs;
 - 27 2. Working with educator preparation program leadership to identify any potential barriers to
28 entry and/or program completion for minority educators and to develop strategies to remove
29 these barriers;
 - 30 3. Reviewing the district-level recruitment processes, including the diversity of teams involved
31 in recruitment, interviewing, and hiring, and revising these processes as needed;
 - 32 4. Reviewing recruitment and application materials to eliminate potential barriers to entry for
33 minority educators.

34 Administration is directed to adopt strategies to retain minority educators, including both new and
35 veteran educators.

36
37 Accordingly, the Hamilton County Board of Education adopts this Educator Diversity policy to authorize
38 and direct the Administration of the Hamilton County Schools to develop an Educator Diversity Plan.
39 The Educator Diversity Plan shall be shared with the Board annually, and Administration will update
40 the board on progress yearly.

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- Legal References:
1. TCA 49-1-211(a)
 2. SBOE Policy 5.700

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- Cross References:
- Equal Opportunity Employment 5.104

Hamilton County Board of Education

Monitoring: Review: Annually in June	Descriptor Term: Suspension/Dismissal of Non- Tenured Teachers	Descriptor Code: 5.200	Issued Date: 12/16/04
		Rescinded:	Revised: 08/17/23

Suspension/Dismissal of Non-Tenured Teachers

All non-tenured teachers for the Hamilton County Board of Education are under the direction and control of the director of schools. In accordance with Tennessee law, the Board of Education hereby delegates to the director the authority to suspend and dismiss all non-tenured teachers.

The Director of Schools may suspend a non-tenured teacher at any time when deemed necessary.¹ The director of schools may dismiss or suspend any non-tenured teacher during the contract year for incompetence, inefficiency, insubordination, improper conduct, neglect of duties, or other just cause.² As soon as practicable, the director will provide the employee with written notice explaining the grounds for the suspension and any guidelines the employee is to observe during the suspension.

If reinstated after an investigation has concluded, the non-tenured teacher shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an appropriate penalty for the employee's infraction, in which case, Director of Schools shall provide the employee with notice of charges supporting the suspension without pay and an opportunity to be heard in accordance with the requirements of this policy.

Suspension of Three Days or Less

Before an employee is suspended for a period of three days or less, s/he shall be: (1) provided with written notice, including the reasons for the suspension along with an explanation of the evidence; (2) given an opportunity to respond to the director at a conference, if requested within five days of notice of the suspension; and (3) given a written decision regarding the suspension within ten (10) days of the conference. Both parties may be represented by counsel at the conference which shall be recorded.³ If dissatisfied with the Director's decision, the non-tenured teacher may seek judicial review pursuant to Tenn. Code Ann. 49-5-513.⁴

Suspension Greater than Three Days or Dismissal

If, after investigation, the Director of Schools determines that the non-tenured teacher should be suspended for a period greater than three days or dismissed, the Director of schools shall give the non-tenured teacher an opportunity for a full and complete hearing before an impartial hearing officer.⁵

Personnel Hearings

Any non-tenured teacher may contest the grounds and extent of the director's proposed discipline of suspension of greater than three days or dismissal by requesting, in writing, a personnel hearing within ten (10) days of having received from the Superintendent notice of charges. An impartial personnel hearing officer, appointed by the Board, will hear the case and give the employee the right to:

- 1 1. Be represented by counsel;
- 2 2. Call and subpoena witnesses;
- 3 3. Examine all witnesses; and
- 4 4. Require all testimony to be given under oath.

5
6 Within ten (10) working days following the conclusion of the hearing, the personnel hearing officer shall
7 reduce to writing all findings of fact and decisions regarding discipline. The personnel hearing officer
8 shall immediately deliver his or her findings and decisions to the teacher and the director.⁶

9 10 **Appeals**

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12 The teacher may appeal the personnel hearing officer's finding and decision to the Board. To pursue such
13 an appeal, the teacher must give the director written notice of his or her intent to appeal within ten (10)
14 working days of having received the personnel hearing officer's findings and decisions.

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16 The director shall have the same right to appeal any adverse ruling by the personnel hearing officer as
17 the teacher.

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19 Within twenty (20) days of any notice of appeal, the director shall prepare a transcript of the proceedings
20 before the personnel hearing officer. The director shall also prepare copies of any evidence presented to
21 the personnel hearing officer as well as copies of the officer's findings and decisions. The Superintendent
22 shall then provide the Board with copies of these materials.

23
24 The Board shall hear the appeal based upon the record submitted by the director. No new evidence shall
25 be introduced. The teacher may appear in person or be represented by counsel and argue why the decision
26 should be modified or reversed.

27
28 The Board shall take one of the following actions:

- 29 1. Sustain the decision;
- 30 2. Send the record back if additional evidence is necessary; or
- 31 3. Revise the penalty or reverse the decision.

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34 The Board shall render a decision on the appeal within ten (10) working days after the conclusion of the
35 hearing.

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

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40 Within twenty (20) days after receipt of the notice of the decision of the Board, either party may appeal
41 to the chancery court where the school system is located. The Board shall provide the entire record of
42 the hearing to the court.

43
44 *(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and*
45 *does NOT follow the suspension/dismissal procedures outlined in this policy. Please refer to the board*
46 *policy on nonrenewal of non-tenured teachers for further information.)*

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Legal References: _____

1. TCA 49-5-511(a)(3)
2. TCA 49-5-511(a)(2)
3. TCA 49-5-512(d)(1-4)
4. TCA 49-5-512(d)(5)
5. TCA 49-2-301(b)(1)(EE)(i)
6. TCA 49-2-301(b)(1)(EE)(ii)
7. TCA 49-2-301(b)(1)(EE)(iii)

Cross References: _____

Hamilton County Board of Education

Monitoring: Review: Annually in June	Descriptor Term: Suspension/Dismissal of Tenured Teachers	Descriptor Code: 5.201	Issued Date: 09/20/12
		Rescinded:	Revised: 08/17/23

SUSPENSION

A Director of Schools or his/her designee may suspend a tenured teacher at any time when deemed necessary. A Director of Schools or his/her designee may suspend a teacher for incompetence, inefficiency, neglect of duty, unprofessional conduct, and insubordination. As soon as practicable, the director will provide the employee with written notice explaining the grounds for the suspension and any instructions the employee is to observe during the suspension. The causes for which a professional employee may be dismissed are as follows: incompetence, inefficiency, neglect of duty, unprofessional conduct and insubordination.¹

If reinstated, the employee shall be paid full salary for the period of suspension,¹ unless suspension without pay is deemed to be an appropriate penalty for the employee's infraction, in which case, the Superintendent shall pro-vide the employee with notice of charges supporting the suspension without pay and an opportunity to be heard by an impartial hearing officer in accordance with the requirements of this policy.

SUSPENSION OF THREE DAYS OR LESS²

Before an employee is suspended s/he shall be: (1) provided with written notice, including the reasons for the suspension along with an explanation of the evidence; (2) given an opportunity to respond to the director at a conference, if requested within five (5) days; and (3) given a written decision of the suspension within (10) days. Both parties may be represented by counsel at the conference, which shall be recorded. If the teacher is dissatisfied with the director's decision, s/he may appeal to the Hamilton County chancery court.

If reinstated, the tenured teacher shall be paid full salary for the period of suspension, unless a suspension without pay is deemed to be an appropriate penalty.

ALTERNATIVE WORK ASSIGNMENT

During an investigation of any accusations that may lead to further disciplinary action, the Director of Schools or his/her designee, may choose to reassign the impacted employee to a different work location and/or duties. This alternative work assignment would last until the investigation is complete and any findings are used to determine what, if any, further action is necessary. Alternative work assignments may be designated in lieu of suspended an employee with or without pay, as deemed appropriate by the Director of Schools or his/her designee.

SUSPENSION GREATER THAN THREE DAYS OR DISMISSAL

1 When charges are made against a tenured teacher, charging the teacher with offenses which may
2 justify dismissal, the charges shall be made in writing, specifically stating the offenses which are
3 charged and shall be signed by the party or parties making the charges.³
4

5 If, in the opinion of the Board, the charges are of such nature as to warrant the release of the teacher, the
6 Director of Schools shall give the teacher a written notice of this decision, a copy of the charges against
7 the teacher, and a copy of a form provided by the Commissioner of Education advising the
8 teacher of his/her legal duties, rights and recourse.⁴
9

10 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days
11 after receipt of notice give written notice to the director of schools of his/her request for a hearing. The
12 director of schools shall within five (5) days after receipt of request, assign an impartial hearing officer
13 appointed by the Board. The hearing officer shall notify the parties, or their attorney, of the officer's
14 assignment and direct the parties or the attorneys for the parties, or both, to appear before the hearing
15 officer for simplification of issues and the scheduling of the hearing. That hearing shall be set no later
16 than thirty (30) days following receipt of the initial request for a hearing. In the discretion of the hearing
17 officer, all or part of any prehearing conference may be conducted by telephone if each participant has
18 an opportunity to participate, be heard, and to address proof and evidentiary concerns. The hearing
19 officer is empowered to issue appropriate orders and to regulate the conduct of the proceedings.⁵
20

21 Either party may appeal to the Board of Education an adverse ruling by the impartial hearing officer by
22 giving written notice of appeal within ten (10) working days of the hearing officer's delivery of his/her
23 written findings and conclusions. The director of schools shall prepare a copy of the proceedings,
24 including all transcripts and evidence, documentary or otherwise, and transmit the same to the Board
25 within twenty (20) days of the receipt of the notice of appeal.⁶
26

27 The Board shall hear the appeal on the record, and no new evidence may be submitted by either party.
28 The appealing party may appear before the Board to argue why the adverse ruling should be overturned.
29 In no event should such argument last more than fifteen (15) minutes, unless the Board should vote to
30 extend additional time. At the conclusion of the hearing, any member of the Board may vote to sustain
31 the decision of the Hearing officer, send the record back for additional evidence, revise the penalty or
32 reverse the decision. The Board shall render its decision within ten (10) working days after the
33 conclusion of the hearing. In the event that the decision of the Board is appealed to the Chancery court,
34 the Board shall transmit the entire record prepared by the director and reviewed by the Board to the
35 Chancery court for its review.⁶
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37

38 Legal References:

- 39 1. TCA 49-5-511
- 40 2. TCA 49-5-512 (d)
- 41 3. TCA 49-5-511 (a)(4)
- 42 4. TCA 49-5-511 (a)(5)
- 43 5. TCA 49-5-512 (a)
- 44 6. TCA 49-5-523 (c)

Cross References:

Hamilton County Board of Education

Monitoring: Review: Annually in June	Descriptor Term: Suspension/Dismissal of Classified Employees	Descriptor Code: 5.202	Issued Date: 03/15/12
		Rescinded:	Revised: 01/18/23

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All classified employees of the Hamilton County Board of Education are under the authority of the Director of Schools, or a designee of Hamilton County Schools who may hire, direct and control, transfer, suspend or dismiss them in his/her sole discretion. If a classified employee is suspended, they will receive written notice and a written decision of the suspension. The suspension will be without pay. No classified employee will be employed under a contract or have any expectation of continued employment.

If the employee is reinstated after an investigation into the circumstances giving rise to their suspension has concluded, the employee shall be paid full salary for the period of suspension, unless suspension without pay for some or all of the duration of the suspension is deemed to be an appropriate penalty for the employee's infraction.

Legal References: _____

Cross References: _____

Hamilton County Board of Education

Monitoring: Review: Annually in September	Descriptor Term: Evaluation of the Director of Schools	Descriptor Code: 5.803	Issued Date: 02/15/07
		Rescinded:	Revised: 10/19/23

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2 Through an annual evaluation of the Director of Schools,¹ the Board will strive to accomplish the
3 following:

- 4 1. Clarify the role of the Director of Schools according to a job description as agreed upon by the
5 Board and the Director of Schools;
- 6 2. Develop harmonious working relationships between the Board and the Director of Schools; and
- 7 3. Develop improvements in the administrative leadership of the school system.
8

9
10 The Board will develop, with the Director of Schools, a set of performance objectives based on the needs
11 of the system. The performance of the Director of Schools will be reviewed in accordance with these
12 specified goals.

13
14 On a timeline agreed to by the Board and the Director of Schools, the Board will meet as a body to
15 evaluate the Director of School's performance.

16
17 The following guidelines will be used in the evaluation process:

- 18 1. The Director of Schools shall submit to the Board a recommended format for the Board to use in
19 conducting the Director of School's evaluation upon receipt of previous year data each contract
20 year. As quickly thereafter as is practicable, the Board shall meet with the Director of Schools to
21 discuss the proposed evaluation format, and they shall attempt in good faith to agree on a
22 mutually acceptable format.
- 23 2. A part of the evaluation may be a composite of the evaluation by individual board members, but
24 the Board, as a whole, will meet with the Director of Schools to discuss the composite evaluation.
- 25 3. The evaluation shall include a discussion of strengths as well as weaknesses, sections regarding
26 job performance, student achievement, relationships with staff and personnel, relationships with
27 board members, and relationships with the community.
- 28 4. Both the Board and Director of Schools will prepare for the evaluation; the Director of Schools
29 will conduct a self-evaluation and board members will document the evidence used in rating the
30 Director of School's performance.
- 31 5. All documentation will be supported by objective evidence.
- 32 6. The evaluation process shall take place each year. A final, written copy of the Board's evaluation
33 shall be delivered to the Director of Schools each year of his/her contract. The Director of Schools
34 shall have a right to prepare a written or oral response to the evaluation. Within 30 days of
35 delivering the written evaluation to the Director of Schools, the Board shall meet with the
36 Director of Schools to discuss the evaluation.
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40 Legal References:

- 41 1. TCA 49-2-203(a)(15)

40 Cross References:

41 Board-Director Relations 1.205