

CUMBERLAND COUNTY BOARD OF EDUCATION
REGULAR MEETING
March 6, 2019

The Cumberland County Board of Education met in regular session on March 6, 2019 in the Central Services Board Room where the meeting was called to order by Chairman Blalock at the approximate hour of 4:30 PM.

PRESENT:

ABSENT:

COUNSEL:

1. Call to Order-Mr. Josh Stone

2. Moment of Silence / Pledge of Allegiance-Mr. Josh Stone

3. Approval of Committee Minutes

4. Policy 1.803 Tobacco Free Schools

5. Policy 4.209 Alternative Credit Options

6. Policy 4.603 Elementary Promotion and Retention

7. Policy 6.200 Attendance

8. Policy 4.301 Interscholastic Athletics

9. Other Discussion

10. Adjournment

Cumberland County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Alternative Credit Options	Descriptor Code: 4.209	Issued Date: 08/23/18
		Rescinds: 4.209	Issued: 02/24/11

1 In addition to regular classroom-based instruction, students may earn credit through the following
2 means.

3 **CORRESPONDENCE COURSES**

4 High school students may earn, through correspondence (Sylvan, RSCC, etc.), a maximum of three (3)
5 units of academic credit to be applied toward graduation requirements. Only two (2) units may be
6 earned during any one (1) school year. Only courses offered by agencies and institutions recognized by
7 the Board will be accepted. The express approval of the principal/designee shall be obtained before the
8 course is taken. The principal/designee and the student will agree on a reasonable date for completion
9 of the correspondence course(s). The student shall not be allowed credit if the course is not completed
10 by the agreed date. An official record of the final grade must be received by the school before a
11 diploma may be issued to the student. Under ordinary circumstances, students or their
12 parents/guardians shall pay for approved correspondence courses the student chooses to take.

13 Credit from agencies and other institutions recognized by the Board may be earned only in the
14 following circumstances:

- 15 1. The course is not offered at the high school;
- 16
- 17 2. Although the course is offered at the high school, the student will not be able to take due to
18 an unavoidable scheduling conflict;
- 19
- 20 3. The course will serve as a supplement to extend homebound instruction;
- 21
- 22 4. The student has been expelled from a regular school setting, but educational services are to
23 be continued;
- 24
- 25 5. The principal, with agreement from the student's teacher and parent/guardians, determines
26 the student requires a differentiated or accelerated learning environment;
- 27

1 ~~6. Student has failed class and needs class to graduate on time; and~~

2
3 ~~7. Credits earned through an alternative option may not be used to accomplish early~~
4 ~~graduation.~~

5 **VIRTUAL/ON-LINE COURSES**

6 High school students may also earn a maximum of three (3) units of academic credit to be applied
7 toward graduation requirements by completing on-line courses offered through agencies approved by
8 the Board.

9 Credit from an on-line or virtual course may be earned only in the following circumstances:

- 10 1. The course is not offered at the high school;
- 11 2. Although the course is offered at the high school, the student will not be able take it due to
12 an unavoidable scheduling conflict;
- 13 3. The course will serve as a supplement to extend homebound instruction;
- 14 4. The student has been expelled from a regular school setting, but educational services are to
15 be continued;
- 16 5. The principal, with agreement from the student's teachers and parents/guardians, determines
17 the student requires a differentiated or accelerated learning environment; or
- 18 6. Students taking such courses must be enrolled in the district and take the courses during the
19 regular school day on the school web site.

20 As determined by board policy, students applying for permission to take a virtual course shall complete
21 prerequisites and provide teacher/counselor recommendations to confirm the student possesses the
22 maturity level needed to function effectively in an online learning environment. In addition, the
23 express approval of the principal/designee shall be obtained before a student enrolls in a virtual course.
24 The school must receive an official record of the final grade before credit toward graduation will be
25 recognized.

26 Through a supervision plan, the school shall be responsible for providing appropriate supervision and
27 monitoring of students taking virtual courses.

28 **COURSE ACCESS PROGRAM**

29 **Students in grades seven through twelve (7 – 12) may participate in the statewide course access**
30 **program. To be eligible to participate, students shall;**

- 31 1. Meet all prerequisite requirements for the course access course; and
- 32 2. Be unable to enroll in a comparable course at the student's school because:
33 a. A comparable course is not offered; or
34

1 b. A legitimate situation exists that prevents the student from enrolling in a comparable
2 course¹

3 3. The Director of Schools shall develop administrative procedures to ensure that students and
4 parents(s)/guardian(s) are given written notice of their right to appeal any denial of a course
5 access course enrollment in a timely manner.² All appeals shall be submitted in writing to the
6 Board within five (5) days of a denial.

7 After a timely appeal is made, the Board will provide written notification to the student and
8 parent(s)/guardian(s) of the time, place, and date of the hearing. The hearing shall be held no later than
9 ten (10) days after the appeal is submitted. At the hearing, the Board shall determine whether there
10 was an error in denying the student the ability to participate in the course access program.³

11 **OTHER CREDIT OPPORTUNITIES⁴**

12 High school students may earn, through other approved agencies to include, but not limited to,
13 correspondence, academic credit to be applied toward graduation requirements. Only two (2) units
14 may be earned during any one (1) school year. Only courses offered by agencies and institutions
15 accredited by official agencies recognized by the Tennessee Department of Education. The express
16 approval of the principal/designee shall be obtained before the course is taken. The principal/designee
17 and the student will agree on a reasonable date for completion of the course(s). The student shall not
18 be allowed credit if the course is not completed by the agreed date. The school must receive an official
19 record of the final grade before a diploma may be issued to the student. Under ordinary circumstances,
20 students or their parents/guardians shall pay for approved courses the student chooses to take.

25 Legal References

- 26 1. TRR/MS 0520-1-3-.03(8)
27 2. TRR/MS 0520-01-14-.03(7)
28 3. TRR/MS 0520-01-14-.03(6)
29 4. TRR/MS 0520-01-14-.03(1)

25 Cross References

26 Grading System 4.600

Cumberland County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Attendance	Descriptor Code: 6.200	Issued Date: 10/25/18
		Rescinds: 6.200	Issued: 08/25/13

1 Attendance is a key factor in student achievement and therefore, students are expected to be present
2 each day school is in session.

3 The attendance supervisor shall oversee the entire attendance program which shall include.¹

- 4 1. All accounting and reporting procedures and their dissemination;
- 5 2. Alternative program options for students who severely fail to meet minimum attendance
6 requirements;
- 7 3. Ensuring that all school age children attend school;
- 8 4. Providing documentation of enrollment status upon request for students applying for new or
9 reinstatement of driver's permit or license; and
- 10 5. Notifying the Department of Safety whenever a student with a driver's permit or license
11 withdraws from school.²

12 Student attendance records shall be given the same level of confidentiality as other student records.
13 Only authorized school officials with legitimate educational purposes may have access to student
14 information without the consent of the student or parent/guardian.³

15 Absences shall be classified as either excused or unexcused as determined by the principal or his/her
16 designee.

17 Excused absences shall include:⁴

- 18 1. Personal illness;
- 19 2. Illness of immediate family member;
- 20 3. Death in the family; funeral notice
- 21 4. Extreme weather conditions;
- 22 5. Religious observances;⁵
- 23 6. College visits;
- 24 7. Pregnancy;
- 25 8. School Sponsored or school endorsed activities;⁶
- 26 9. Summons, subpoena, or court order; or
- 27 10. Circumstances which in the judgement of the principal create emergencies over which the
28 student has no control.

- 1 11. Other absences as pre-approved by the principal, based on appropriate documentation at least
2 10 (ten) school days prior to day(s) to be missed. [This does not include personal family](#)
3 [vacations.](#)
- 4 12. If a student is exempt from final exams per Board policy, the absence on the day of the exam is
5 excused.
- 6 13. Driver's license/permit appointments will be excused with proof of appointment.

7 Tardies including early dismissal for any reason other than the previously mentioned excuses will be
8 considered unexcused.

9 The Principal shall be responsible for ensuring that:⁵

- 10 1. Attendance is checked and reported daily for each class;
- 11 2. Daily absentee sheets contain sign in/signout sheets and indicate students present or absent for
12 the majority of the day;
- 13 3. All student absences are verified;

14 **TRUANCY**

15 Students shall be present at least fifty percent (50%) of the scheduled school day in order to be counted
16 present. Students receiving special education services may attend part-time days alternating days, or
17 for a specific amount of time as indicated in their Individualized Education Plan.

18 Students who are absent five (5) days without adequate excuse shall be reported to the director of
19 schools /designee who will, in turn, provide written notice to the parents/guardians of the student's
20 absence. The director of schools/designee shall also comply with state law regarding the reporting of
21 truant students to the proper authorities. If a student accumulates a total of five (5) unexcused
22 absences, then he/she is subject to referral to juvenile court.

23 If a student is required to participate in a remedial instruction program outside of the regular school
24 day where there is no cost to the parent(s) and the school system provides transportation, unexcused
25 absences from these programs shall be reported in the same manner.⁷

26 The director of schools/designee shall develop appropriate administrative procedures to implement this
27 policy.

28 **Progressive Truancy Intervention Plan⁸**

29 Students with three (3) unexcused absences shall be subject to the progressive truancy intervention
30 framework outlined below:

1 TIER I

- 2 1. After three (3) unexcused absences a student and parent will be required to meet with a school
3 attendance representative to discuss reasons for student absences.
- 4 2. Set up an attendance contract with student and parents to be signed by all including the
5 attendance representative.
- 6 3. Contract must include: Attendance policy, effective dates (90 days), and penalties for additional
7 absences.
- 8 4. Regularly scheduled follow-up meetings, with the student to discuss his/her progress.
9 If the student accumulates additional unexcused absences in violation of the attendance
10 contract, he/she shall be subject to the additional intervention tiers.

11 TIER II

- 12 1. After the 4th unexcused absence, an individualized assessment by a school counselor will be
13 conducted to determine why the student has been absent from school. This may result in
14 referral to counseling, community –based services, or other services to address the student’s
15 attendance problems.
- 16 2. Parents will be required to have a meeting with the school counselor, teacher(s), and attendance
17 representative.

18 TIER III

- 19 1. After the 5th unexcused absence, the student will be referred to Truancy Court.
- 20 2. Failure to attend Truancy Court and/or additional unexcused absences, the student will be cited
21 to Juvenile Court
- 22 3. The Court will be provided a report of all interventions that have been provided to support this
23 student.

24 **Upon completion of Tiers I, II, and III, the student will be cited to Juvenile Court.**

25 MILITARY SERVICE OF A PARENT/GUARDIAN

26 School principals shall provide student with a one-day excused absence prior to the deployment of and
27 a one-day excused absence upon the return of a parent or custodian serving active military service.
28 Principals shall also allow up to ten (10) excused cumulative absences per year for students to visit a
29 parent or guardian during a deployment cycle. The student shall provide documentation to the school
30 as proof of his/her parent’s/guardian’s deployment. Students shall be permitted to make up school
31 work missed during these absences.⁹

1 MAKE-UP

2 ONLY with excused absences will a student be allowed to make-up their missed work.

3 EXAM EXEMPTIONS

4 "A" average and a maximum of 3 days excused absence

5 "B" average and a maximum of 2 days excused absence

6 "C" average and a maximum of 1 day excused absence

7 Students with any unexcused absences are ineligible for exam exemptions.

8 All students who obtain four (4) or more unexcused tardies in any class will be required to take the
9 semester exam regardless of grade average or days absent. Students who are suspended from school or
10 who are remanded to the Alternative School for cause shall forfeit all exam exemptions.

11 STATE-MANDATED TESTS/END OF COURSE EXAMS

12 Students who are absent the day of the scheduled End of Course Exams must present a signed doctor's
13 excuse or must have been given an excused release by the principal prior to testing to receive an
14 excused absence. Students who have excused absences will be allowed to take the make-up exam
15 developed by the teacher that will count 15% of their grade [or] Excused students will receive an
16 incomplete in the course until they have taken the End of Course Exam.

17 Students who have an unexcused absence shall receive a failing grade on the course exam which shall
18 be averaged into their final grade at 15%.

19 CREDIT/PROMOTION DENIAL

20 Credit/promotion denial determinations may include student attendance, however, student attendance
21 may not be the sole criterium.¹⁰ However, if attendance is a factor, prior to credit/promotional denial,
22 the following shall occur:

- 23 1. Parents and students shall be advised if a student is in danger of credit/promotion denial due to
24 excessive absenteeism.
- 25 2. Procedures in due process are available to the student when credit or promotion is denied.

26 DRIVER'S LICENSE REVOCATION²

1 More than ten (10) consecutive or fifteen (15) reported unexcused absences by a student during any
2 semester renders a student ineligible to retain a driver's permit or license, or to obtain such if of age.

3 In order to qualify for reclaiming a driver's permit or license, the student must make a passing grade in
4 at least three (3) full unit subjects or their equivalency at the conclusion of a subsequent grading
5 period.

6 **ATTENDANCE HEARING¹²**

7 Students with excessive (more than 5) unexcused absences or those in danger of a credit/promotion
8 denial shall have the opportunity to appeal to an attendance hearing committee appointed by the
9 principal. If the student chooses to appeal, the student or his/her parent(s) guardian(s) shall be
10 provided written or actual notice of the appeal hearing and shall be given the opportunity to address
11 the committee.

12 An attendance committee appointed by the principal will conduct a hearing to determine if any
13 extenuating circumstances exist or to determine if the student has met attendance requirements that
14 will allow him/her to pass the course or be promoted. Upon notification of the attendance committee
15 decision, the principal shall send written notification to the director of schools/designee and the
16 parent(s)/guardian(s) of the student of any action taken regarding the excessive unexcused absences.
17 The notification shall advise parents/guardians of their right to appeal such action within two (2)
18 school days to the director of schools/designee.

19 The appeal shall be heard no later than ten (10) school days after the request for appeal is received.

20 The principal shall be responsible for notifying, in writing, the director of schools and the parents of
21 the student of any action taken by the school.

22 Any administrative decision regarding attendance may be appealed initially to the director of schools
23 and ultimately to the Board. The appeal shall be made in writing to the director of schools and within
24 five (5) days following the action or the report of the action, whichever is later.

25 The director of schools/designee shall ensure that this policy is posted in each school building and
26 disseminated to all students, parents, teachers, and administrative staff.

Legal References

1. TRR/MS 0520-01-03-.08(1)(a); TCA 49-6-3006
2. TCA 49-6-3017(c)
3. TCA 10-7-504; 20 USCA § 1232g
4. TRR/MS 0520-01-02-.17(1)(c)
5. TCA 49-6-2904(b)(5)
6. TCA 49-6-3007; Public Acts of 2018, Chapter No. 958
7. TCA 49-6-3021
8. TCA 49-6-3007; TCA 49-6-3009; Public Acts of 2018, Chapter No. 958
9. TCA 49-6-3019
10. TCA 49-2-203(b)(7)
11. TRR/MS 0520-01-02-.17

Cross References

School Calendar 1.800
Extracurricular Activities 4.300
Interscholastic Athletics 4.301
Field Trips/Excursions/Competitions 4.302
Reporting Student Progress 4.601
Promotion and Retention 4.603
Recognition of Religious Beliefs, Customs, & Holidays 4.803
Voluntary Pre-K Attendance 6.2011
Students in Foster Care 6.505
Student Records 6.600

**Policy Committee Meeting
February 7 , 2019
Central Services Board Room**

The Policy Committee met on Thursday, February 7, 2019, in the Central Services Principal’s Meeting Room where Mr. Josh Stone called the meeting to order at the approximate hour of 4:30 p.m. He welcomed everyone to the meeting and appreciated everyone for attending.

PRESENT:

Mr. Tom Netherton, District 6	Mr. Josh Stone, District 4
Mr. Tony Brock, District 5	Mr. Robert Safdie, District 2
Mrs. Janet Graham, Director of Schools	Dr. Rebecca Wood, CAO
Mrs. Kacee Harris, CFO	Mr. Earl Patton, Attorney
Mrs. Shirley Parris, District 3	Mrs. Marsh Polson, Coordinated School Health

- 1. Call to Order – Mr. Josh Stone**
- 2. Moment of Silence/Pledge of Allegiance – Mr. Josh Stone**
- 3. Approval of the December 13, 2018 Minutes – Safdie made a motion to approve**

VOICE VOTE: Safdie (mover- yes)
Netherton (seconder –yes)
All Ayes

MOTION: Carried unanimously

4. Policy 1.803 Tobacco Free Schools

Stone said our first policy Tobacco Free schools. Graham stated “This is one that Nurse Polson has asked us to bring back to the board, so I will let her speak to this.” Polson presented, “In light of all the research regarding smoking and the that fact we are a smoke-free semi-campus, my goal and initiative would be to make this a smoke-free campus. We have visited this and it was tabled for a while but I would like to revise it to be a smoke-free campus. Right now you can smoke within 50 feet of the entrance but the whole campus is not.” Stone detailed, “ Mrs. Polson, Mrs. Graham, if I understand correctly there are policies before us but there are not any specific proposed changes. It is just lets have some discussion on whether we are willing to move that way. We can look at other county’s policies. Graham questioned, “Marsha, do you know how many schools around us have smoke free campuses?” Polson replied, “Most of them have the same policy as we do, but I want to be the first.” Stone mentioned while he agrees with Polson he has concerns about enforcing the policy. He commented, “ It is easy for us to sit in these chairs and say no smoking anywhere. But we are not the ones standing outside the gates when someone wants to smoke and tell them they can’t. I would be interested in seeing policies, even if they are not right around us but somewhere in Tennessee.” He continued, “ I would be interested to see how the policy outlines the enforcement of it. What are we going to do to an adult who refuses to step over an imaginary line to finish their cigarette? That becomes a bigger issue, from my perspective, enforcement and policing of essentially a zero tolerance policy on smoking on our campuses.” Graham described the issues she had as a principal with adults smoking inside the stadium and in bad weather they would ignore 50 ft. rule. It is a problem to police. She was in agreement with Stone as the problem is how do we enforce this. We would need some kind of consequences if we can make it fair and equitable otherwise it would be very confusing. Netherton questioned, “This says smoking is prohibited by law in seating areas and in restrooms, how do they enforce that? If it is prohibited by law, what are the consequences there?” Graham responded that there wasn’t any real consequences and the only thing she could do as a principal was ask the person to take their cigarette

outside or you need to put it out. Stone pointed out you could be fined. The school personnel does not have any authority. The committee discussed who would be responsible to make them quit smoking and put their cigarettes out. Polson mentioned at the hospital they are not allowed to smoke on the campus and they have to go to the road to smoke. Stone asked if they have security guards to enforce this. Polson responded they do and they will make them put it out or go to the road. Stone said he just wanted to make sure if we are going to have this policy then he wants to make sure they are going to enforce it. We have to have it very clear and specific what we are going to do, what our expectations are and what the possible consequences can be. Graham mentioned they had some conversation at principal's meeting regarding line 8 "Any student who possesses tobacco products shall be issued a citation by the school principal/resource officer." They are telling us now that they are not doing this. We need to look at that word shall doesn't mean if you want to. Shall means we must. She said there has been some change in that and we really need to verify. If we are going to say shall in our policy that means we have to do it. If the courts are not recognizing that now then we need to make our policy adjust. Stone moved to table this policy and ask Mrs. Graham, Mrs. Polson and any other appropriate parties to work on it and bring it back to us next month with a possible suggested revisions, some possible other policies whether it be other school systems in Tennessee or school systems anywhere else. Lets look to see if we an find any variations and if not look at hospital policies that will outline. Netherton mentioned we should have conversation with juvenile services officers. The committee discussed if we make the decision to do this we need to be prepared to notify parents and the public before the next school year. Brock questioned about electronic cigarettes and how that was at one time a gray area. Has the law changed? Graham responded they are now treated like tobacco. We will certainly have that verified. There is some legislation on that now.

VOICE VOTE: Stone (mover-yes)
Netherton (seconder-yes)
All Ayes

MOTION: Carried Unanimously

5. Policy 2.403 Surplus Property Sales

Stone mentioned he noticed one grammar issue on line 12 "if" should be "is". Graham stated the first three lines of this policy were all we had. TSBA sent their model policy and made some suggestions. One item we did not add to this policy was the sale of surplus items. If you look at the surplus property that comes through our board packets every month, it would be a full time job for someone to list all that property. Federal Programs is very specific in what they do. We put surplus property in the basement in back for pick-up and have bins of different things that we collect over time. Those items are sent through a recycling company. Netherton mentioned another grammar issue on lines 15 and 18. Patton asked if it does not specify what has to be done with the money? Graham said we do not sell the property. Patton mentioned about the Federal programs. Graham mentioned we are very careful especially with computers and making sure information is not compromised. They discussed the Explorer and what would happen if they decide to sell or trade. Stone made a motion to approve the policy with the previous mentioned changes.

VOICE VOTE: Stone (mover-yes)
Brock (seconder-yes)
All Ayes

MOTION: Carried Unanimously

6. Policy 6.411 Student Wellness

Graham referred this to Mrs. Polson to present. Polson stated, “There are no real changes that I want to make in this policy. It is recommended this policy is reviewed annually and I wanted to bring it for review. Stone said everyone has reviewed and does anyone have any changes to make. Netherton mentioned he did have some. “What does CDC stand for?” Graham replied, “Centers for Disease Control.” Netherton requested we spell that out. The other comment I have is we have the word council with small letters and capital letters. We need to make it consistent. Graham responded it is an easy fix. Safdie questioned the issued date and how we would change they date when it is approved by the board. The committee discussed how this date is changed. Netherton made a motion to approve.

VOICE VOTE: Netherton (mover-yes)
Stone (seconder-yes)
All Ayes

MOTION: Carried Unanimously

7. Other Discussion

Brock stated he did have a question and wanted to make sure he was doing everything right. He mentioned he had school employees express concern to me, I always say “have you spoken to your supervisor”? At times they are uncomfortable with that. Are they allowed to come to a board member with something and allow that board member to relay it? Stone responded the way he has managed those types of things whether it be parents or teachers is that policy is really hard in reality to abide by. He understands why it is there otherwise we would be bombarded. We really have very little authority. He said he has always tried to abide by that policy. He mentioned in certain occasions he has called someone here at central office and at least try to make them aware of the issue. Stone went on to say, “I don’t direct them, because in effect we don’t have the authority as single board members to tell that staff member to do anything. Not even Mrs. Graham, as one board member. If there aren’t five board members telling her to do something then she doesn’t have to do it. I think it is a gray area but I always try to be a helping hand no matter who comes to me with a situation. If I don’t know the answer, I try to find it in policy, if not I will ask Mrs. Graham or Dr. Wood. I have come to them with questions before but more of trying to be like a bridge than an enforcer or fixer.” Graham explained, “To get it to my desk so I can see what is going on and try to help resolve something. I have had some board members come to me and say I have heard this and this has been brought to my attention and now I am bringing it to you. Mr. Netherton always says “and now its your problem”. My desk is where problems come and it is my job to try to find out what is happening. I appreciate that! It is my job to try and fix it.” Brock stated, “A lot of times, at least in my experience, they don’t want their name mentioned but they do want to make sure this problem is addressed.” Safdie asked if it was a personnel issue? Brock answered, It’s a variety. Safdie continued, “If it’s a maintenance issue, like the bathrooms aren’t clean and they don’t want to talk to the principal? Then the character of that person needs re-enforcing and reassurance that complaining about this particular thing to the principal is totally within their rights. They can do that and if they don’t do it, then you can go ahead and say you will mention it to the director of schools. Then there is the issue of, if it is a personnel issue, we can’t demand that the director do anything related to a personnel issue unless there is a clear violation. Let’s put it this way, we can ask the director to look into something because we are concerned. I have done it before and I know other board members have done it before. It is like a neutral thing, can you look into this? We can give that to the director and wait. The director has the fortitude to do it, she will respond to you and you can go back and say “this is what I discovered”. What other issues would a person be afraid of? One instance was an immediate supervisor was doing something that to an individual. Then this is a legal issue. If it is harassment and they have reported it to you, you probably have an obligation to report it. Not only to the director, but to indicate what actions you will take. You can say “I will take it to the director of schools, this is a serious issue, thank you for calling my attention to it”. Safdie described the personnel issue with the bus driver who came to the board meeting. We asked him to go through the proper channels. If they have an issue they should go to the director first and they were asked to stop talking about it. That is our policy.

Patton specified, "As your attorney let me say this; There is a point in time when the board as a whole may need to sit in judgment of that situation. At that point you want to be as neutral as you can possibly be. Patton went on to say over the years he has seen it many times when you had an employee go straight to a board member. Sometimes a specific board member and you have to be careful because at that point you might be a witness. It puts the board member in a very conflicted situation. Patton continued, "That is why it is very important to direct someone in that position to board policy. There is a chain of command you have to go to. We may sit on it eventually. I promise you I will listen to everything that is going on and do what I can but it has to work up the chain of command. Brock responded, "If it were a legal issue, I assure you, you and I would become even closer." Safdie stated, "We have had a long history of not having a Human Resource Officer. The Human Resource Officer is obligated to listen and I have full faith in that. If nothing else, there are some videos how to handle an employee who is coming to you in confidence, saying that they are afraid to go to their immediate supervisor. The question is "how do you respond" you can go to the Director for advise or you can say I would really like to help you but this is an issue you need to bring up with the Human Resource Officer. If it is a harassment or other issue that may violate the law, then there are two people in the school system who need to know about it." Brock noted, "Believe me if it were a legal issue, that is not my question. I am talking about people who feel that if they do express their concern or complaint to their immediate supervisor and that is who they have the issue with there will be some kind of retribution. They are saying they are afraid to do this. What can you do to help me? Safdie stated, "I am glad that you brought that up. I believe our schools system and all of its employees know that this board will not tolerate and does not tolerate that kind of retribution and it is even in out policy. We need to reassure the board does not support retaliation of any sort. Brock said, " Well let me ask Janet. Lets say a teacher has an issue that they feel they cannot go to their supervisor with. But they don't want their mane mentioned that they told me. Graham responded to Brock that she thinks it certainly is within your responsibility that you have a concern and to let me know. Sometimes that ties our hands when they don't want you to mention their name. In those situations it is so specific that if you question a principal or supervisor about a certain situation then they know who it is. Graham continued, "I try to maintain that confidentiality for that employee who has complained to me and try to find out what is going on. It is hard when they don't want to be mentioned. Brock said he had that exact thing happen and you have to know it can be taken care of. Graham said, "It doesn't mean they have to file a formal written complaint. It doesn't have to go that far." The committee discussed some of the situations where one after another could come and say you can't tell. If you have 5 complaints along the same line it is easier. The more specific the issue the harder it is to address it. Graham stated, "I think they have to trust us. Stone stated, The thing we cannot do, as board members, is start going into the schools and address school level problems ourselves. We can't research them and inquire of other personnel. I have seen it happen since I have been on the board and that is when things get real ugly. Brock responded, "Good advice." Netherton stated he always asks, "What have you done about this?" He stated he just hands it over to Graham. The committee talked a bit more about anonymous calls and texts they have received recently.

8. Adjournment

VOICE VOTE: Stone (mover-yes)
Netherton (seconder-yes)
All Ayes

MOTION: Carried Unanimously

Mrs. Janet Graham
Director of Schools

Mr. Josh Stone
Chairman of the Policy Committee

Jane Franklin
Executive Assistant for the Director of Schools and BOE

Cumberland County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Tobacco-Free Schools	Descriptor Code: 1.803	Issued Date: 07/24/14
		Rescinds:	Issued:

- 1 All uses of tobacco and tobacco products, including smokeless tobacco, electronic cigarettes, **vapor**
2 **products** and associated paraphernalia are prohibited **on all school owned properties at all times in all**
3 **of the school district's buildings and in all vehicles that are owned, leased or operated by the district.**^{1,2}
4 Smoking shall be prohibited in any public seating areas including, but not limited to, bleachers used for
5 sporting events or public restrooms.³
- 6 District employees and students enrolled in the district's schools will not be permitted to use tobacco or
7 tobacco products, including smokeless tobacco, electronic cigarettes and associated paraphernalia
8 while they are participants in any class or activity in which they represent the school district.
- 9 Any student who possesses tobacco products shall be issued a citation by the school principal/resource
10 officer.⁴ The director of schools, in cooperation with the juvenile court and the local (police/sheriff's
11 department), is responsible for developing procedures for issuance of the citations which shall include
12 the form and content of citations and methods of handling completed citations.
- 13 Parents and students shall be notified of this citation requirement at the beginning of each school year.
- 14 Signs will be posted throughout the district's facilities to notify students, employees and all other
15 persons visiting the school that the use of tobacco and tobacco products is forbidden. The following
16 notice shall be prominently posted (including at each ticket booth) for elementary or secondary school
17 sporting events: *Smoking is prohibited by law in seating areas and in restrooms.*⁵

Legal References

1. Section 1042 of the Environmental Tobacco Smoke/Pro-Children Act of 1994
2. TCA 39-17-1604(6)
3. TCA 39-17-1604(10)
4. TCA 39-17-1505
5. TCA 39-17-1605

Cumberland County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Elementary Promotion and Retention	Descriptor Code: 4.603	Issued Date: 02/28/13
		Rescinds: 4.603	Issued: 12/15/11

1 Elementary students will normally progress annually in sequential order from grade to grade. The
2 professional staff will place students at the grade level best suited to them academically, socially and
3 emotionally. Retentions may be made when, in the judgment of the teacher, such retentions are in the
4 best interest of the students. Decisions to retain or promote are subject to review and approval of the
5 principal after consultation with the teacher. **The Director of Schools/designee shall promote**
6 **students to the next grade level based on the successful completion of required academic work or**
7 **demonstration of satisfactory progress in each of the relevant academic areas.** **However,** **Moreover,** no
8 student enrolled in the third grade shall be promoted unless the student has shown a basic
9 understanding of curriculum and ability to perform the skills required in the subject of reading as
10 demonstrated by the student's grades or standardized test results. This requirement shall not apply to
11 students who are participating in a Board approved research-based intervention prior to the beginning
12 of the next school year or to students who have individualized education program (IEP)²
13

14 **Students who have difficulty in achieving the requirements for promotion may be considered for**
15 **retention. Schools shall identify these students by February 1st. Factors used to identify students for**
16 **retention shall include:¹**

- 17 1. **Ability to perform at the current grade level;**
- 18 2. **Results of local assessments, screening or monitoring tools;**
- 19 3. **State assessments, as applicable;**
- 20 4. **Overall academic achievement of the student;**
- 21 5. **Likelihood of success with more difficult material if promoted to the next grade;**
- 22 6. **Attendance record; and**
- 23 7. **Social and emotional maturity.**

24
25 **Students may be identified for retention after the February 1st deadline if the delay in identifying a**
26 **student is due to:**

- 27 1. **Date of enrollment;**
- 28 2. **Additional information acquired after results of local assessment, screening or monitoring are**
29 **released.**

1 When a student is considered for retention, the student's parent(s)/guardian(s) shall be notified within
2 fifteen (15) calendar days and an individualized promotion plan shall be developed to help the student
3 avoid retention. The plan shall be developed in coordination with the student's teachers and may also
4 include input from the student's parent(s)/guardian(s), school counselor, or other appropriate school
5 personnel. A copy of the plan will be provided to the student's parents(s)/guardian(s).

6 The Director of Schools shall develop procedures governing how decisions on retention will be made
7 after the student begins work on his/her individualized promotion plan.
8

9 *K-3 Reading Notification*

10 If it is determined through a student's overall performance or a state or local assessment that a student
11 in grades kindergarten through three (K-3) is not meeting grade-level standards in reading, the
12 student's parents(s)/guardian(s) shall be notified within fifteen (15) calendar days of such
13 determination.
14

15 **RETENTION**

16 A student may be retained when such retention is in the best interest of the student. However, a
17 student shall not be retained more than once in any grade.

18 If a student is retained, the Director of Schools/designee shall develop an individualized academic
19 remediation plan prior to the start of the next school year. A copy of the plan shall be provided to the
20 student's parent(s)/guardian(s) within ten (10) calendar days of its development. This plan shall
21 include at least one of the following strategies:

- 22 1. Adjustment to the current instructional strategies or materials;
- 23 2. Additional instructional time;
- 24 3. Individual tutoring outside of school hours;
- 25 4. Modification to the student's classroom assignment to ensure the student received instruction
26 from a teacher with a level of overall effectiveness of above expectations (level 4) or
27 significantly above expectations (level5); or
- 28 5. Attendance or truancy interventions.
29

30 The Director of Schools shall develop procedures to ensure appropriate recordkeeping of students who
31 are retained.

32 For the purpose of determining the effectiveness of retention toward improving student achievement,
33 the progress of retained students shall be closely monitored and reported to parent(s)/guardian(s) at at
34 least three (3) times during the school year in which the student is retained.
35

36 The director shall report, at least annually, on any intervention programs available to students in the
37 third grade and recommend any new programs or the modification of any existing programs to better
38 serve these students.

1 ~~In order to maximize the opportunity for remediation, students with problems shall be identified as~~
2 ~~early as possible in the school year. Parents shall be notified in writing when problems are identified~~
3 ~~and shall be informed periodically of remedial efforts and given progress reports.~~

4 Prior to any final decision about retaining a student, the teacher and/or principal shall consult with the
5 student's parents, explain to them the reason for the retention and solicit from them any information
6 pertinent as to whether or not the child should be retained. Such consultation may take place in a
7 conference or by phone or letter.

8 ~~The following factors shall be considered in making a decision on promotion and retention:²~~

9 ~~1. **Mastery of essential competencies.** Students shall have mastered essential skills sufficiently to~~
10 ~~ensure a likelihood of success at the next grade level.~~

11 ~~2. **Special procedures for special students.** Students who have been identified as having special~~
12 ~~problems, including high risk students and others with special needs, shall be given special~~
13 ~~consideration. Placement of students with IEPs shall be determined by the IEP Team.~~

14 ~~3. **Flexible placement.** Use of conditional promotion, remedial summer programs, assignment to~~
15 ~~transitional classes, and other approaches to meeting the needs of students shall be given~~
16 ~~consideration.~~

17 ~~4. **Attendance.** Attendance shall become a relevant factor only when excessive absenteeism~~
18 ~~becomes an educational problem.³~~

19 ~~5. **Conduct.** Retention shall not be used as a disciplinary measure.~~

20 ~~6. **Previous retention.** Except under unusual circumstances, students shall not be retained more~~
21 ~~than once in the same grade.~~

22 ~~7. **Grade level.** Retention shall be considered more appropriate in grades K-3.~~

23 ~~Whenever the appropriate teacher(s) determine that retention is in the best educational interest of the~~
24 ~~student, the student may be retained provided that:~~

25 ~~1. The principal reviews and approves such retention;~~

26 ~~2. The principal shall make a determination based on the preponderance of the evidence available~~
27 ~~whenever there is a disagreement among the teachers; and~~

1 ~~3. A student who passes a grade may be retained only with the approval of the principal,~~
2 ~~instructional supervisor and parent.~~

3
4 ~~All students who are retained or socially promoted shall be provided appropriate remediation.~~

5 Educational experiences for the repeated year shall be varied in order to provide an appropriate
6 instructional program. Variations may include, but are not limited to, the following:

- 7 1. different teacher(s);
- 8 2. different techniques and strategies;
- 9 3. different materials; and
- 10 4. varying lengths of time per subject and/or physical setting in classroom.

11 For the purpose of determining the effectiveness of retention toward improving student achievement,
12 the progress of retained students shall be monitored for at least three (3) years by the counseling
13 staff(s) of the student's school.

14 Social promotions shall be noted on the student's cumulative record.

15 **Promotion of Eighth Grade Students to Ninth Grade During the School Term.**

16
17 Eighth grade students meeting the following requirements will be permitted to move to the high school
18 on or before the 10th day of the first grading period.

- 19 1. Elementary principal, counselor and teacher/teachers determine that placement in a higher
20 grade is in the best interest of the student.
- 21 2. Student must be 15 on or before December 31 of the current school year.

22 * Principals and teachers are encouraged to make decisions on promotions as soon as possible before
23 the start of the school term. It is important that all students have the opportunity to participate in
24 planning, orientation and scheduling.

Legal References:

1. [State Board of Education Policy 3.300;TRR/MS 0520-01-03-./05\(3\)\(b\)](#)
2. TCA 49-6-3115; 20USCA§1400 et seq.
3. TCA 49-2-203(b)(7); TCA 49-6-3002

Cross References:

Grading System 4.600
Reporting Student Progress 4.601
[Credit Recovery 4.210](#)
Attendance 6.200
[Student Assignments 6.205](#)

Cumberland County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Interscholastic Athletics	Descriptor Code: 4.301	Issued Date: 02/23/17
		Rescinds: 4.301	Issued: 04/28/11

1 No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of,
2 be treated differently from another person or otherwise be discriminated against in any athletic
3 program of the school. Equal athletic opportunities shall be provided for members of both sexes.¹

4 Interscholastic athletics shall be administered as a part of the regular school program and shall be
5 the principal's responsibility. Principals shall ensure that school regulations regarding participation in
6 a sport are reasonable. Athletic schedules shall be filed in each school principal's office. The
7 principal or his/ her designee must accompany an athletic team on trips. Transportation of teams
8 to athletic games is approved by the Board, provided the team's school reimburses the Board for
9 mileage.

10 Bylaws of the Tennessee Secondary School Athletic Association shall regulate the operation and
11 control of athletics.²

12 In the event that the school's insurance provider does not extend coverage to an athlete, that athlete
13 must provide proof of independently secured catastrophic coverage and liability coverage, with
14 the school system as a named insured, of not less than the limits set forth in TCA § 29-20-403.

15 Prior to participation in interscholastic athletics, every student must complete an annual physical
16 examination.³ The parents/guardians of each student shall be responsible for covering the cost of
17 the examination, and these records shall be on file in the principal's office. It shall be the
18 responsibility of the parent(s) or guardian to provide health and hospitalization insurance for all
19 students participating in interscholastic athletics.

20 In order to create a drug-free educational and athletic environment and to limit the potential liability
21 for the schools as a result of injury or health problems arising from substance abuse, the Board
22 authorized drug testing for students who participate in extracurricular activities.

23 Randomly, throughout the school year, mandatory substance screening will be required for
24 students in grades 7-12 who desire to participate in extracurricular activities. The drug testing program
25 is not punitive, but is designed to create a safe, drug-free environment for students involved in
26 extracurricular activities and assist them in getting help when needed.

27 No principal or teacher of any school under the control of the Board shall dismiss his/her school or
28 any group of students for the purpose of attending the practice of any interscholastic sport during
29 the school day without written permission from the Board. This does not prevent the inclusion of

- 1 regular physical training lessons in the daily school program.⁴
- 2 Coaches, employees, and volunteers of the school district shall not encourage, permit, condone or
- 3 tolerate hazing activities.⁵

Legal References

1. 34 CFR § 106.41
2. TRR/MS 0520-01-02-.08(1)
3. TRR/MS 0520-01-03-.08(2)(b)
4. TCA 49-6-1002
5. TCA 49-2-120

Cross References

Extracurricular Activity Drug Testing 6.3071