

Board of Education
February 9, 2022 10:00 AM
Central Services Board Room

BOARD MEMBERS:

1. Call to Order - Mr. Tony Brock
2. Moment of Silence / Pledge of Allegiance - Mr. Tony Brock
3. Approval of Committee Minutes
4. Policy 5.301
5. Policy 5.303
6. Policy 5.701
7. Other Discussion
8. Adjournment

Policy Committee Meeting
October 20, 2021
Central Services Board Room

The Policy Committee met on Wednesday, October 20, 2021, in the Central Services Board Room where Mr. Tony Brock called the meeting to order at the approximate hour of 12:30 p.m. He welcomed everyone to the meeting and appreciated everyone for attending.

PRESENT:

Mr. Tony Brock, Chairman of Policy, District 5
Mrs. Rebecca Hamby, District 7
Dr. Ina Maxwell, Director of Schools
Mrs. Stephanie Barnes, CAO
Mr. Steve Prudhomme, Media

Mr. Chris King, District 6
Mrs. Anita Hale, District 4
Mrs. Kim Bray, HR Supervisor
Mr. Bo Magnusson, Safety and Security Supervisor

- 1. Call to Order** – Mr. Tony Brock
- 2. Moment of Silence/Pledge of Allegiance** – Mr. Tony Brock
- 3. Selection of Chairman:** Brock informed everyone that a chairman needed to be voted on. Hamby made a motion that Mr. Brock stay as Chairman with King making a second.

VOICE VOTE: Hamby moved to keep Brock as Chair.
King (seconder-yes)

MOTION: Carried unanimously

- 4. Approval of Minutes** – Mr. Tony Brock

VOICE VOTE: Hamby moved to approve.
King (seconder-yes)

MOTION: Carried unanimously

- 5. Policy 4.212 Virtual Education Program.**

Mr. Brock introduced the policy. Mr. Brock asked if everyone had the opportunity to look through it. Asked for any comments or suggestions.

Brock: It's my understanding that this is an attempt to stay flexible and be able to respond a little quicker to any needs we might see for the virtual program.

Maxwell: It allows us to allow the remote learning during a pandemic. The Tn State Board of Education approved through the end of 2021. And we have procedures developed that follow the remote learning for those students that are in quarantine. This allows us to meet the state board policy. The state board approval.

Hamby: I make a motion we approve it.

King: Second

Brock: I like the idea of a procedure because that allows for some quicker adjustments without going through the long process...

Hamby: I do have a question, you have sent out a copy of the procedures to each school?

Maxwell: Administration, attendance clerks, we had meetings with attendance clerks, Principals.

Hamby: So, there is no question why such and such school...

Maxwell: They all should be on the same page, that's my hope.

Hamby: Thank you. That has arose several times, so I just wanted to clarify.

Maxwell: Yes, and that's a great question, thank you.

Brock: Ok, we'll send that one to the full board for consideration.

VOICE VOTE: Hamby(mover-yes)
King-(seconder-yes)
All Ayes

MOTION: Carried unanimously

6. Policy 5.303 Personal and Professional Leave

Mr. Brock introduced the policy.

Brock: If you look at that, you will see that essentially the changes are an in addition to on page 2, number 2, d and e have been added. To add a little clarity about if an educator needs to miss or would like to request permission to miss professional development or parent teacher conference.

Hamby: I make a motion we approve.

King: I second for discussion.

Brock: For discussion. Let's do that then.

King: As I look at the policy, it's good, I know there's some inaccuracies in places as it's applied. I'd like to ask this committee to ask the Director to investigate to see if there's things that need to be checked and approved in our procedures for how it's done across the board.

Brock: I 100% agree. It needs to be absolutely consistent from one school to another. Now I'm not saying the date or the timing or exactly how it's conducted that way, but the rules for teachers ought to be the same from one school to another.

King: Well it talks about all certified and then there's a part in here about non-certified. So, looking at all that and making sure that the procedures we have in place do cover everything equally, I'd appreciate that. I know there's some sensitivity to it but if there's any changes that she may come up with in her committee, then bring it back to the salary compensation committee as appropriate, if there needs to be any changes that would involve change of pay, otherwise administratively I think she can fix whatever needs to be fixed.

Brock: I agree 100%. Again, I think this committee has always pushed for clarity, consistency, and fairness.

Hamby: In staying with non-certified we definitely need to make sure they are included. And I'm sorry I left my things laying at home, so my notes are there.

Brock: I'll tell you, teaching assistants for the last couple of years have taken on roles that I don't think anybody ever anticipated.

Hamby: Well, we could not run our school system without our non-certified. In any department. It would fall by the wayside.

King: Having worked in both areas, I can attest to that fully.

Brock: And we had teachers doing duties that I don't think they ever anticipated doing. If there's a mess, it's almost a village cleaning it up. Ok, we'll pass that along to the full board, thank you.

VOICE VOTE: Hamby (mover-yes)
King (seconder-yes)
All Ayes

MOTION: Carried unanimously

7. Policy 5.701 Substitute Teacher

Mr. Brock introduced the policy.

Brock: If you look at that, the only change on there again, is the agency or where the reports are made. Instead of the state board of education entirely. Have you found anything else there or need for discussion?

King: Motion to approve.

Hamby: Second.

Brock: We have agree, and a second. Pass that on to full board. Any other discussion?

8. Other Discussion

King: Mr. Chairman I have a question. Do we have policies in for the execution of approved funds and budgets and grants that we need to look at?

Maxwell: We are still in the process of finalizing that if we can have a bit more time to work on that. We have procedures in place but we're trying...when you start reading the different policies, which policy it's applicable to. We're still studying that.

King: So, you're looking at seeing if it can be cleaned up and clearer?

Maxwell: Yes.

King: Thank you.

Brock: Dr. Maxwell one thing that I have learned is that policies are kind of like any governmental laws, they tend to grow. Sometimes they even contradict themselves with one another. Anything that we can do or any of your supervisors, find areas of improvement on anything that we can condense, this committee certainly appreciates and considers.

Maxwell: Ok

King: Consolidate and clarity.

Brock: There ya go. Let's make it understandable. Make it where anybody can find it. Anything else?

Hamby: I make a motion that we adjourn.

King: Second

Brock: Sounds like it's unanimous. Thank you all.

9. Adjournment

VOICE VOTE: Hamby (mover-yes)

King (seconder-yes)

All Ayes

MOTION: Carried unanimously

The meeting was adjourned at approximately 12:47 p.m.

Dr. Ina Maxwell
Director of Schools

Mr. Tony Brock
Chairman of the Policy Committee

Diane McCartney
Executive Assistant for the Director of Schools and BOE

Cumberland County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Emergency, Bereavement and Legal Leave	Descriptor Code: 5.301	Issued Date: 06/24/21
		Rescinds: 5.301	Issued: 02/23/17

1 EMERGENCY LEAVE

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

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

9 BEREAVEMENT LEAVE

10 **Certified** Employees shall be granted up to three (3) days of bereavement leave in the event of the
11 death of a member of the employee's immediate family including spouse, domestic partner, parent,
12 grandparent, child, grandchild, sibling, mother-in-law, father-in-law, daughter-in-law, son-in-law,
13 sister-in-law, and brother-in-law. Documentation of the need may be required. The days granted
14 shall not be charged to the employee's sick or personal leave.
15

16 JURY DUTY

17 The following procedures shall regulate the leave for jury duty for **teachers employees**:

- 18 1. The employee shall present written evidence that he/she had been summoned to serve on a jury;
19 and,
20 2. The employee shall be entitled to the usual compensation. The employee shall remit all Jury
21 Duty compensation directly to County Finance to avoid loss of pay.

22 COURT APPEARANCES

23 If an employee appears in court as a plaintiff, defendant, witness,³ or voluntarily appears on behalf of
24 family or friends personal leave or leave without pay shall be granted. Other court leave with pay shall
25 be granted provided the director of schools is furnished with full particulars explaining why the
26 **teacher employee** is needed for the case and a copy of the subpoena accompanies the request. Paid court
leave to employees who are litigants against the Board is expressly forbidden.

Legal References

1. TCA 49-5-711 (c)
2. TCA 22-4-106(b)
3. TCA 16-15-708

Cross References

Cumberland County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Personal and Professional Leave</h2>	Descriptor Code: <h3 style="text-align: center;">5.303</h3>	Issued Date: <h3 style="text-align: center;">12/02/21</h3>
		Rescinds: <h3 style="text-align: center;">5.303</h3>	Issued: <h3 style="text-align: center;">06/27/19</h3>

1 Personal and professional leave shall be granted in accordance with laws of the State of Tennessee, the
 2 rules and regulations of the State Board of Education and the policy and benefit schedules of the
 3 Cumberland County Board of Education.

4 Certified employees shall earn personal leave at the rate of one (1) day for each half-year employed for
 5 a total of two (2) days per year. Any personal leave remaining unused at the end of a year from this
 6 allocation shall be credited to sick leave.¹

7 Certified employees may convert existing accumulated sick days into additional personal days based on
 8 the following years of service to Cumberland County Schools:

- 9 10-15 years = 1 additional day
- 10 16-24 years = 2 additional days
- 11 25 + years = 3 additional days

12 In addition, certified employees who have utilized five (5) or fewer sick days in the previous calendar
 13 school year and have exhausted personal leave for the current calendar school year (July 1st through June
 14 30th) may petition their principal or supervisor to convert sick days from the current calendar year (July
 15 1st through June 30th) into additional personal days not to exceed a total of three (3) converted days for
 16 a total of five (5) personal days annually

17 Certified supervisors who accrue more than two (2) annual personal days (per a board approved benefit
 18 schedule) may carry over five (5) days per year. As of July 1, all accrued personal days in excess of five
 19 (5) will be lost without compensation. A maximum of ten (10) days of personal leave may be
 20 compensated upon termination of employment of these supervisors.

21 Non-certified employees shall earn personal leave based on their job assignment, longevity, and number
 22 of annual workdays. A carryover of five (5) days per year is authorized. As of July 1, all accrued personal
 23 days in excess of five (5) will be converted to sick days. A maximum of ten (10) days of personal leave
 24 may be compensated upon termination of employment for non-certified employees.

25 If, at the termination of employment, any employee has been absent for more days than leave has been
 26 earned, an amount sufficient to cover the excess days used shall be deducted from the employee's final
 27 salary payment.²

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

- 29 1. Except in an emergency, each employee shall give the principal/supervisor at least two (2) days'
 30 notice in writing of intent to take leave;

- 1 2. The approval of the principal/supervisor of the school shall be required:³
2 a. If more than ten percent (10%) of the teachers in any given school request its use on the
3 same day;
4 b. If requested during any prior established student examination period;
5 c. If requested on the day immediately preceding or following a holiday or vacation period;
6 d. If personal leave is requested for days scheduled for professional development or in-
7 service training, according to a school calendar adopted by the Board prior to the
8 commencement of the school year; or
9 e. If personal leave is requested for days scheduled for parent-teacher conferences,
10 according to a school calendar adopted by the Board prior to the commencement of the
11 school year.
- 12 3. The converted personal days will not be approved for:
13 a. Extension of scheduled breaks.
14 b. The first or last week of school.
15 c. Scheduled testing dates.

16 Professional leave is a short, temporary absence for the purpose of attending workshops and other
17 meetings relating to school business or serving on boards and commissions which meet during daytime
18 hours when **duly elected as or** appointed by a mayor, city council, county executive, or county
19 commission.⁴

Legal References

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

Cross References

Short Term Leaves of Absence 5.300
Legislative Leave 5.309

Cumberland County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Substitute Teachers	Descriptor Code: 5.701	Issued Date: 09/28/17
		Rescinds: 5.701	Issued: 05/25/17

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.^{1,2}
2 All substitute teachers shall be employed by the director of schools and paid by the Board or by a third
3 party public or private employer through an agreement between such third party employer and the board
4 of education. Substitute teachers employed by third party entities shall be subject to the same
5 unemployment benefit eligibility conditions as substitute teachers employed directly by the board of
6 education.²

7 APPLICATION/QUALIFICATIONS

8 Criminal history record checks, fingerprinting, and pre-employment 10-panel drug screen of applicants
9 for substitute teaching are required.³

10 Applicants whose records with the State Department of Education indicate a license or certificate
11 currently in revoked status shall not be hired.⁴

12 Substitute teachers shall have a minimum of a valid high school diploma or equivalency and must be a
13 minimum of 21 years of age unless currently enrolled in or graduated from an accredited college
14 program.

15 The substitute teacher lists will be prepared by the personnel director, who will maintain a complete file
16 on all substitute teachers. This file will include transcripts, credentials, recommendations, and other
17 pertinent information. A list of all approved substitutes shall be provided to all building principals. Only
18 those persons on the approved substitute list shall be employed to substitute teach.

19 COMPENSATION

20 The compensation of substitute teachers is determined annually by the Board.⁷

21 ~~Retired teachers serving as substitutes who do not have an active teaching licenses shall be paid the~~
22 ~~same as a retired substitute teacher with an active teaching licenses. This only applies to teachers who~~
23 ~~retired after July 1, 2011 through July 1, 2016.~~⁵

24 CERTIFICATION

25 When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a
26 substitute teacher must possess a teaching certificate with endorsement in the discipline(s) to be taught.⁵
27 When substituting for a teacher without sick leave, the substitute shall be certified and paid according to
28 the state salary schedule.¹

1 Retired teachers may substitute one-hundred twenty (120) days per year without loss of retirement
2 benefits,¹ and may substitute for additional days if the director of schools certifies in writing to the Division
3 of Retirement that no other qualified personnel are available to substitute teach.⁶

4 **EMERGENCY NEEDS**

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

8 Such substitutes shall receive the proportionate equivalent salary regular substitute teachers would
9 receive under similar circumstances or their regular salary, if higher; however, they shall not receive pay
10 for both positions at the same time.

11 **TRAINING AND ORIENTATION**

12 The director of schools shall be responsible for providing appropriate training and development
13 programs for substitute teachers.

14 All substitute teachers shall be required to attend an orientation session prior to their first day of work to
15 receive instructions regarding reporting, pay schedules, and other pertinent information.

16 **RESPONSIBILITIES**

17 Substitute teachers shall assume the same responsibilities and have the same authority as the regular
18 teacher, including bus duty and playground supervision.

19 **RE-EMPLOYMENT/TERMINATION**

20 On an annual basis, the director of schools, with input from the principals, shall determine which
21 substitute teachers performed at an acceptable level. Substitute teachers who performed below an
22 acceptable level shall not be re-employed.

23 All substitutes shall be responsible for providing correct addresses and phone numbers and for notifying
24 the principal if they wish to terminate their service as substitutes.

25 Substitutes that have a lapse of employment greater than 12 months will be required to obtain new
26 fingerprints and 10-panel drug screen prior to being reinstated.

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