

**Board of Education**  
**March 15, 2023 5:15 PM**  
Central Services Board Room

The Policy Committee met on Wednesday, March 15, 2023 in the Central Services Board Room where Ms. Rebecca Hamby called the meeting to order at the approximate hour of 4:30 p.m. She welcomed everyone to the meeting and appreciated everyone for attending.

**BOARD MEMBERS:**

Teresa Boston:	Present
Mr. Nick Davis:	Absent
Ms. Anita Hale:	Present
Mrs. Rebecca Hamby:	Present
Mr. Chris King:	Absent
Ms. Sheri Nichols:	Present
Robert Safdie:	Absent
Billy Stepp:	Absent
Ms. Shannon Stout:	Absent
Ms. Elizabeth Stull:	Present

1. Call to Order - Ms. Rebecca Hamby called the meeting to order at the approximate hour of 5:15 p.m.
2. Moment of Silence / Pledge of Allegiance - Ms. Rebecca Hamby
3. Approval of Committee Minutes Hamby decided to do a roll call attendance. She mentioned that there were some grammatical errors to correct in the last minutes but accepted a motion to approve minutes. Nichols made the motion with Stout making the second.

Motion to approve February 8, 2023 Committee Minutes.

**VOICE VOTE:** (mover-yes) Nichols

(seconder-yes) Stull

Yes: 5, No: 0

**MOTION: Motion Carried**

4. Policies with TSBA Recommendations Hamby told the committee the policies 1.106 and 1.107 were TSBA recommendations. She asked if anyone had any questions regarding these 2 policies. Boston said in the Code of Ethics policy that Safdie had a question pertaining to the "ethics committee investigating" statement and Boston made clarification that it was speaking of the County Ethics Committee. Not a School Board Ethics Committee as there was not one. This was referencing a Mayor-appointed Ethics Committee. Stull made a motion to approve with Nichols seconding.

Motion to moved to approve the TSBA recommendations

**VOICE VOTE:** (mover-yes) Stull

(seconder-yes) Nichols

Yes: 5, No: 0

**MOTION: Motion Carried**

5. Policies with District Recommendations Hamby told everyone that these policies were recommendations from the district. She went through all the changes for each policy. Policies 2.300, 2.402, 4.209, 4.602, 5.115, and 5.602 were all approved with no questions. For policy 6.3071, Extracurricular Activity Drug Testing, Boston said this policy does not work for our district as it currently reads. Boston asked the policy committee to suspend this policy until they can get the wording to be conducive to the district and then bring it back for approval. Polson made everyone aware of some of the statements that doesn't apply within the policy. Boston said she would like to simplify and clear up the policy and put into procedures what needs to be in procedures. Hamby made a motion to suspend the policy while they work on it. Stull with a second.

Motion to moved to suspend policy

**VOICE VOTE:** (mover-yes) Hamby

(seconder-yes) Stull

Yes: 5, No: 0

**MOTION: Motion Carried**

6. Policies For Review Only Hamby introduced all of the review only policies and made a motion to the committee to send all the review only polices on to the full board under the consent agenda. Nichols with the second.

Motion to moved to send all review only policies to the full board under consent agenda

**VOICE VOTE:** (mover-yes) Hamby

(seconder-yes) Nichols

Yes: 5, No: 0

**MOTION: Motion Carried**

7. Other Discussion
8. Adjournment Nichols made the motion to adjourn and Stull with the second. The meeting was adjourned at approximately 5:39.

Motion to moved to adjourn.

**VOICE VOTE:** (mover-yes) Nichols

(seconder-yes) Stull

Yes: 5, No: 0

**MOTION: Motion Carried**

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**William Stepp**  
**Director of Schools**

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**Ms. Rebecca Hamby**  
**Chairman of the Policy Committee**

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**Diane McCartney**  
**Executive Assistant for the Director of Schools and BOE**

**(\* Indicates Board Approval Required**

February 8, 2023

**Central Services Board Room**

The Policy Committee met on Wednesday, February 8, 2023, in the Central Services Board Room where Ms. Rebecca Hamby called the meeting to order at the approximate hour of 4:32 p.m. She welcomed everyone to the meeting and appreciated everyone for attending.

**PRESENT:**

Mrs. Rebecca Hamby, District 7, Policy Chair                      Shannon Stout, District 9

Mr. William Stepp, Director of Schools.                              Elizabeth Stull, Dis.1

Sheri Nichols, District 3    Mo Charnot, Media

Earl Patton, Board Attorney

**ABSENT:**

1. **Call to Order** – Ms. Rebecca Hamby
2. **Moment of Silence/Pledge of Allegiance** – Ms. Rebecca Hamby
3. **Approval of the last meeting Minutes** – Ms. Rebecca Hamby

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

**MOTION:**                      **Carried unanimously**

**4. Hamby pulled policy 4.605 GRADUATION REQUIREMENTS out to table.**

**HAMBY:** I am going to make a motion that we table policy 4.605 until our attorney, Mr. Patton, and possibly TSBA has a chance to just look over it, because there are a lot of changes to make it compliant with TCA code. And so, I would like the legal team to look at it. So, we're going to table this. I'm making a motion if I can get a second.

**NICHOLS:** Which one was it?

**HAMBY:** It's 4.605, the graduation requirement.

**STULL:** I second.

**HAMBY:** All in favor say aye.

All ayes

**HAMBY:** OK, so we're going to table that one

**STULL:** I did have questions on too so.

**HAMBY:** That will be good when we bring it back, or you can go ahead and ask your questions now if you would like.

**STULL:** No, that's ok.

**STOUT:** I was going to say if there was anything they needed to address now it might behoove us to ask the questions now so they can see if they need to be changed.

**STULL:** It was just more about some of the changes, and so if legal is going to be taking a look at it...

**STOUT:** Did this come from TSBA?

**HAMBY:** It did not. This was Mr. Stepp and his team. And they did it in compliance with TCA code, but for safety reasons and to make sure that there is not one word out of out of place, I would rather have Mr. Patton take a look at it just to make sure that everything is in compliance with the TCA code.

**STEPP:** And I'm always available in between meetings for people to call. If you have questions coming up, I'd be happy to answer any questions that would help.

**HAMBY:** And my intention was to talk to Mr. Stepp before this meeting, but there's been a lot going on.

**STEPP:** You're good, you're good, we know.

**STOUT:** So, we're going to table it till next month's meeting?

**HAMBY:** Yes.

**VOICE VOTE:** Hamby (mover-yes)

Stull (seconder-yes)

All Ayes

**MOTION:** Carried unanimously

## **5. POLICY 1.809 CIVILITY**

**HAMBY:** I have a question about why we changed it from 1.900 to 1.809. Because it's got two different policy numbers on this.

**STEPP:** Yeah, that was in that was back in 2015 when that was done. So let me look on the actual policy.

**HAMBY:** I was just curious as to why it had two different policy numbers.

**STEPP:** 1.809 rescinded the 1.900. I'm looking it up right now to see. That was way before us.

**HAMBY:** Yes, that was before me.

**PATTON:** I think they have been renumbered because I see. That 1.900 starts with charter school policies.

**HAMBY:** Ok, so 1.809 is the actual policy number, right? OK, so that that was my question on that. And the changes that were made to this were just title changes. Mr. Patton had pointed out and I felt like that too, but I don't know what it needs on the first page line of 27.

**PATTON:** I think I've figured it out. Well, I think what. The sentences is "takes possession of, exercises control over, or seizes any building or facility of any public for provide". I think that is meant to be "for private educational institution, although I don't know why we would be concerned if someone was taking possession of a private educational institution.

**HAMBY:** Yeah, I'm not sure either and with this being as old as it is.

**STEPP:** And that's probably TSBA language, I'm sure.

**PATTON:** I would imagine.

**STEPP:** But it might be a typo, I can check on that.

**HAMBY:** I will entertain a motion to go ahead and accept with the title changes and we could task Mr. Stepp to make sure that the verbiage is correct in that sentence. So, I'll make the motion that we accept this with the changes of the title changes, and I'm tasking Mr. Stepp to make sure that...

**STOUT:** That line 27 is adjusted. I'll second that.

**HAMBY:** Yes, OK, all in favor say aye.

All ayes.

**HAMBY:** All opposed.

**VOICE VOTE:** Hamby (mover-yes)

Stout (seconder-yes)

All Ayes

**MOTION:** Carried unanimously

## **6. POLICY 4.101 INSTRUCTIONAL STANDARDS**

**HAMBY:** On 4.101 I have some questions about that. My question is this was changed a few years ago to where we do not do core curriculum. I remember at that time I had asked what it had been changed to, as far as the title instead of core curriculum, what it had been changed to, I was not given an answer. I know that was before your time Mr. Stepp.

**STEPP:** So currently the for the Common Core part, currently we are in the year that we adopt the new math textbooks. Right now, the math textbooks do say Common Core on them, but this is the year-every year is tasked a different adoption of different books. And that's when we do that. So, we're in the process right now.

**HAMBY:** So, we are totally getting rid of the Common Core math books and all?

**STEPP:** Correct.

**HAMBY:** Ok because the question was then we were still using the same curriculum. The core curriculum was not gone, so it was like this is a moot point of policy because we were still using...

**STEPP:** And I think the idea, and I'm guessing because I wasn't here, was waiting on that math textbook year when you adopt because you're on rotation. School system rotates which books because they can't redo them all in one year because the expense is going to be hundreds of thousands of dollars.

**HAMBY:** Ok. So, we are getting rid of the Common Core? Because at that time when I questioned that, what I was told was they changed the name but not the curriculum.

**STULL:** Right, from my understanding too, was that in a lot of areas Common Core just kind of got a new name, but all the same standards were still there.

**STEPP:** That would have been up to the state of Tennessee. We have Tennessee State standards now and we have a little app that we can go and look at them. I did not line them up with Common Core to see if they were the same or different.

**STULL:** Well, I know some things are going to naturally go ahead in the line just because I mean math is math as well.

**HAMBY:** But if we're getting rid of and going to have new curriculum then then I'm ok with that because it almost felt this was a fraudulent policy because it's saying you cannot-it prohibits it to use the Common Core and it was like we're still using Common Core. That was that was my concern on this. And do you have any questions on this Shannon? Sheri, did you or Elizabeth have any other questions? OK, I will entertain a motion...this was just for review, so I think all the rest of things there is 4.101, 4.502, 4.600, 4.608, 4.804 and 6.206. I do believe all the rest of those were just for review only. Unless y'all have a question about one of them, then I will entertain a motion to approve all of those as a group. Mr. Patton, do you have any questions on any of these?

**PATTON:** I do not.

**STOUT:** The main thing that I have were just the questions surrounding some of the graduation requirements, just to make sure we are in line with TSBA. So, nothing really stood out to me from the others.

**HAMBY:** Ok, so if someone wants to make a motion that we group these together.

**STULL:** I'll make a motion.

**NICHOLS:** I'll second.

**HAMBY:** Thank you. All in favor say aye all opposed.

All ayes. The committee grouped 4.101 Instructional Standards, 4.502 Parent & Family Engagement, 4.600 Grading System, 4.608 Transcript Alterations, 4.804 Religious Content of Courses, 4.206 Transfers Within the System, approving them all to move onto full board for approval.

**VOICE VOTE:** Stull (mover-yes)  
Nichols (seconder-yes)  
All Ayes

**MOTION:** **Carried unanimously**

**HAMBY:** Ok, does anyone have any other questions or discussion? And those for review can go to first and second reading for the regular meeting. You take the civility; you can leave it as a first reading just because he's going to confirm the verbiage on that. Then that way we can make sure that everything is in alignment with that.

## **7. ADJOURNMENT**

**HAMBY:** So, if there is no other discussion, no questions, I will entertain a motion to adjourn.

**STOUT:** Motion to adjourn.

**STULL:** I'll second.

**HAMBY:** All in favor, say aye, all opposed?

**VOICE VOTE:** Stout (mover-yes)  
Stull (seconder-yes)  
All Ayes

**MOTION:** **Carried unanimously**

**The meeting was adjourned at approximately 4:42.**

**Mr. William Stepp**

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**Director of Schools**

**Ms. Rebecca Hamby**

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**Chairman of the Policy Committee**

**Diane McCartney**

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**Executive Assistant for the Director of Schools and BOE**

<b>Cumberland County Board of Education</b>			
Monitoring: <b>Review: Annually, in September</b>	Descriptor Term: <b>Code of Ethics</b>	Descriptor Code: <b>1.106</b>	Issued Date: <b>08/28/08</b>
		Rescinds:	Issued:

**CODE OF ETHICS  
CUMBERLAND COUNTY SCHOOL DISTRICT**

**General<sup>1</sup>**

Board members and school district employees may not accept, directly or indirectly, any gift, money, gratuity, consideration, or favor that a reasonable person would understand was intended to influence the vote, official action, or judgment of the board member or employee in executing decisions affecting the school district. It is also prohibited for a board member's or an employee's spouse or child living in the same household to accept such items.

**Section 2. Disclosure of personal interest in voting matters.**

~~An official~~ **A Board member** or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the ~~official's~~ Board member or employee's vote on the measure. In addition, the ~~official~~ Board member or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

**Section 3. Disclosure of personal interest in non-voting matters.** ~~An official~~ **Board member** or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the ~~attached~~ disclosure form (**found in CCBOE Procedure Manual**) and file the disclosure form with the school district's central office. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of gifts and other things of value. ~~An official~~ **Board member** or employee, or an ~~official's~~ **Board member** or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the school district that a reasonable person would understand was intended to influence the vote, official action or judgment of the official or employee in executing decision-making authority affecting the school district.

33 It shall not be considered a violation of this policy for ~~an official~~ a Board member or employee to  
 34 receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages  
 35 that are provided in connection with a conference sponsored by an established or recognized statewide  
 36 association of school Board officials or by an umbrella or affiliate organization of such statewide  
 37 association of school Board officials.

### 38 39 **Section 5. Ethics Complaints.**

40 The Board ~~school district~~ may create a School District Ethics Committee (the "Ethics Committee")  
 41 consisting of three (3) members who will be appointed to one-year terms by the Chairman of the Board  
 42 of Education with confirmation by the Board ~~of education~~. At least two (2) members of the committee  
 43 shall be members of the Board ~~of education~~. The Ethics Committee shall convene as soon as practicable  
 44 after its appointment and elect a Chair and a Secretary. The records of the Ethics Committee shall be  
 45 maintained by the Secretary and shall be filed in the Director of schools' office, where they shall be open  
 46 to public inspection.

47  
 48 Questions and complaints regarding violations of this Code of Ethics ~~or of any violation of state law~~  
 49 ~~governing ethical conduct~~ should be directed to the Chair of the Ethics Committee. Complaints shall be  
 50 in writing and signed by the person making the complaint, and shall ~~set forth in reasonable detail the~~  
 51 ~~facts upon which the complaint is based~~ include details as to the facts surrounding the complaint.

52  
 53 The ~~School District~~ Ethics Committee may investigate ~~any credible complaint against an official or~~  
 54 ~~employee charging any violation of this Code of Ethics, or may undertake an investigation on its own~~  
 55 ~~initiative when it acquires information indicating a possible violation,~~ an ethical complaint received  
 56 against a Board member or employee and make recommendations ~~for action to end or seek retribution~~  
 57 ~~for to cease~~ any activity that, in the Ethics Committee's judgment, constitutes a violation of this Code of  
 58 Ethics. If a member of the Ethics Committee is the subject of a complaint, such member shall recuse  
 59 himself/herself from all proceedings involving such complaint.

60  
 61 The Ethics Committee may:

- 62  
63 (1) Refer the matter to the Board Attorney ~~for a legal opinion and/or recommendations for action;~~
- 64 (2) In the case of ~~an official~~ a Board member, refer the matter to the ~~school~~ Board of Education ~~body~~ for  
 65 possible public censure if ~~the board body finds such action~~ warranted;
- 66 (3) In the case of an employee, refer the matter to the Director of Schools/~~designee~~ official responsible  
 67 ~~for supervision of the employee~~ for possible disciplinary action if ~~the official finds discipline~~  
 68 warranted;
- 69 (4) In a case involving possible violation of state statutes, refer the matter to the District Attorney for  
 70 possible ouster or criminal prosecution.

71 The interpretation that a reasonable person in the circumstances would apply shall be used in  
 72 interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes  
 73 a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation  
 74 of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

**Section 6. Definitions:**

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(1) "School district" means Cumberland County School District, which was duly created by a public or private act of the General Assembly; and which includes all boards, committees, commissions, authorities, corporations, or other instrumentalities appointed or created by the school district of an official of the school district.

(2) "~~Officials~~ Board members and employees" means and includes any ~~official~~ Board member, whether elected or appointed, officer, employee or servant, or any member of any Board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the school district.

(3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the ~~official's~~ Board member or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

**~~CONFLICT OF INTEREST DISCLOSURE STATEMENT~~**

~~Instructions: This form is for reporting personal interests required to be disclosed under Section 3 of the Code of Ethics of this school district. Officials and employees are required to disclose personal interests in matters that affect or would lead a reasonable person to infer that it would affect the exercise of discretion of an official or employee.~~

~~1. Date of disclosure: \_\_\_\_\_~~

~~2. Name of official or employee: \_\_\_\_\_~~

~~3. Office and position: \_\_\_\_\_~~

~~4. Description of personal interest (describe below in detail):~~

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Signature of official or employee

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Witness Signature

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Printed name of witness

## Appendix – Applicable State Laws

In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of elected officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, public law of local application, local option law, or private act), the provisions of that state law, to the extent they are more restrictive, shall control. Following is a brief summary of selected state laws concerning ethics in local government. **This summary is not intended to be an exhaustive listing of all existing applicable State laws.** For the full text of these statutes, see the Tennessee Code Annotated (T.C.A.) sections indicated.

Campaign finance — T.C.A. Title 2, Chapter 10. Part One (campaign financial disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part Three (campaign contribution limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate may receive in cash.

Conflict of interest — T.C.A. § 12-4-101 is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from having a direct financial interest in that contract, purchase or work, and it requires disclosure of indirect financial interests by public acknowledgment.

Conflict of interest — T.C.A. § 49-6-2003 applies to the department of education in all counties and prohibits direct and indirect conflicts of interest in the sale of supplies for use in public schools.

Conflict of interest — T.C.A. § 5-1-125 applies in all counties and prohibits officials and employees from purchasing surplus school system property except where it is sold by public bid.

164  
165 Conflict of interest — T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing  
166 Law of 1957. It prohibits the purchasing agent, members of the purchasing commission, and all county  
167 officials from having any financial or other personal beneficial interest in any contract or purchase of  
168 goods or services for any department or agency of the county.

169 Conflict of interest — T.C.A. § 5-21-121 applies in counties that have adopted the County Financial  
170 Management System of 1981. It prohibits all county officials and employees from having any financial  
171 or other personal beneficial interest in the purchase of any supplies, materials or equipment for the  
172 county.

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174 Conflict of interest — T.C.A. §§ 5-5-102 and 12-4-101 govern disclosures and abstentions from voting  
175 due to conflicts of interest of members of county legislative bodies.

176

177 Conflict of interest disclosure statements — T.C.A. § 8-50-501 and the following sections require  
178 candidates and appointees to local public offices to file a disclosure statement with the state ethics  
179 commission listing major sources of income, investments, lobbying activities, professional services  
180 provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

181

182 Gifts — T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It  
183 prohibits the purchasing agent, members of the purchasing commission, and all county officials from  
184 receiving anything of value, directly or indirectly, from anyone who may have or obtain a contract or  
185 purchase order with the county.

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187 Gifts — T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management  
188 System of 1981. It prohibits the finance director, purchasing agent, and employees in those departments  
189 from accepting anything of value, directly or indirectly, from anyone who furnishes supplies, materials  
190 or equipment to the county.

191

192 **Honoraria** — T.C.A. § 2-10-116 prohibits elected officials from accepting an honorarium (including  
193 money or anything of value, but not including reimbursement for actual expenses) for an appearance,  
194 speech, or article in their official capacity.

195

196 Fee statutes — T.C.A. §§ 8-21-101, 8-21-102, and 8-21-103 set out circumstances where fees are  
197 authorized, prohibit officials from requiring payment of fees in advance of performance of services  
198 except where specifically authorized, and set penalties for charging excessive or unauthorized fees.

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200 Consulting fee prohibition for elected county officials — T.C.A. §§ 2-10-122 and 2-10-124 prohibit  
201 officials from receiving compensation for advising or assisting a person or entity in influencing county  
202 legislative or administrative action.

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204 Crimes involving public officials — T.C.A. § 39-16-101 and the following sections prohibit bribery,  
205 soliciting unlawful compensation, and buying and selling in regard to offices.

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207 ~~Official misconduct—T.C.A. § 39-16-402 applies to public servants and candidates for office and~~  
208 ~~prohibits unauthorized exercise of official power, acting in an official capacity exceeding the servant's~~  
209 ~~power, refusal to perform a duty imposed by law, violating a law relating to the servant's office or~~  
210 ~~employment, and receiving a benefit not provided by law.~~

211

212 ~~Official oppression—T.C.A. § 39-16-403 prohibits abuse of power by a public servant.~~

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214 ~~Bribery for votes—T.C.A. §§ 2-19-121, 2-19-126, and 2-19-127 prohibit bribery of voters in elections.~~

215

216 ~~Misuse of official information—T.C.A. § 39-16-404 prohibits a public servant from attaining a benefit~~  
217 ~~or aiding another person in attaining a benefit from information which was obtained in an official~~  
218 ~~capacity and is not available to the public.~~

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220 ~~Ouster law—T.C.A. § 8-47-101 sets out conduct that is punishable by ouster from office, including~~  
221 ~~misconduct in office and neglect of duty.~~

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227 [Legal References](#)

228

229 [TCA 8-17-103](#)

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in September</b>	Descriptor Term:  <b>Board Member Conflict of Interest</b>	Descriptor Code: <b>1.107</b>	Issued Date: <b>11/01/07</b>
		Rescinds: <b>1.107</b>	Issued: <b>02/06/97</b>

## General

State law provides specific instances when direct or indirect conflicts of interest may affect a board member's ability to vote on certain matters.

Direct conflicts of interest may arise if the school district contracts with a Board member or with a business in which the Board member is a sole proprietor, partner, or person having a controlling interest.<sup>1</sup>

Indirect conflicts of interest may arise if a Board member votes on a matter involving a situation that a reasonable person would infer affect his/her personal finances indirectly. If a Board member has a direct interest but is the sole supplier of goods or services in the city or county, he/she would be considered indirectly interested in such a matter.<sup>2</sup>

## DIRECT CONFLICT OF INTEREST

A board member shall not be directly interested in any contract in which the Board may be interested.

If there is a pre-existing contract that predates the Board member's election to the Board, the Board member shall refrain from voting or discussing any matter related to that contract since he/she has a direct interest. Upon expiration, the contract shall not be renewed by the Board.<sup>3</sup>

"Directly interested" means any contract with the board member or with any business in which the board member is sole proprietor, a partner, or the person having controlling interest. "Controlling interest" shall include the individual with the ownership or control of the largest number of outstanding shares owned by any single individual or corporation.

This policy shall not prohibit any board member from voting on the school budget or any budget amendments, unless the vote is on a specific budget amendment in which such Board member is directly interested.<sup>4</sup>

## INDIRECT CONFLICT OF INTEREST<sup>2</sup>

A board member shall not be indirectly interested in any contract in which the Board may be interested unless the board member publicly acknowledges such interest. The disclosure of this interest shall be made at the Board meeting in which the Board is taking action on the contract. A Board member with an indirect interest is not required to refrain from voting on the contract. "Indirectly interested" means any contract in which the board member is interested but not directly so, as defined above, including contracts in which the board member may have a direct interest but is the sole supplier of goods or services in the county.

Any board member who is an employee of the county/city and whose employment predates his/her initial election/appointment to the Board may vote on matters in which he/she has a conflict of interest if the member informs the Board immediately prior to the vote as follows: "Because I am an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens the Board represents." The vote of any board member having a conflict of interest who does not inform the Board of such conflict shall be void if challenged during the same board meeting at which the vote was cast and prior to the transaction of any further business by the Board.

Any board member who is also an employee of the county/city and whose employment began on or after the date on which he/she was initially elected/appointed to serve on the Board shall not vote on matters in which he has a conflict of interest.

~~If a board member has a conflict of interest in a matter to be voted on by the Board, he/she may abstain for cause by announcing such to the chairman. Any board member who abstains from voting for cause on any issue coming to a vote before the Board shall not be counted for the purpose of determining a majority vote.<sup>4</sup>~~

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Version Date: September 19, 2018

Board Member Conflict of Interest

1.107

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## **PENALTY FOR UNLAWFUL INTEREST<sup>5</sup>**

If a board member ~~becomes unlawfully, directly or indirectly,~~ is found to have an indirect interest and fails to disclose such interest, or becomes directly interested in any such contract, he/she shall forfeit all pay and compensation. ~~and~~ He/She shall also be dismissed from the Board and be ineligible to serve in the same or similar position for ten (10 ) years.<sup>‡</sup>

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### Legal References:

1. TCA 12-4-101(a); Op. Tenn. Att’y Gen. No. 10-46
2. TCA 12-4-102 (b)
3. Op. Tenn. Att’y Gen. No. 99-209
4. TCA 12-4-101(a) (1)
5. TCA 12-4-102

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### Cross References

Code of Ethics 1.106  
Duties of Board Members 1.202

CONFLICT OF INTEREST DISCLOSURE STATEMENT

**Instructions:** Board members are required to disclose conflicts of interest in matters that affect or would lead a reasonable person to infer that it would affect, the exercise of discretion of a Board member.

1. Date of Disclosure: \_\_\_\_\_
2. Name: \_\_\_\_\_
3. Description of conflict of interest (describe below in detail): \_\_\_\_\_

\_\_\_\_\_  
Signature of Board Member

\_\_\_\_\_  
Signature of Witness









# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>State and Federal Aid Eligibility Determination</b>	Descriptor Code: <b>2.300</b>	Issued Date: <b>10/07/99</b>
		Rescinds:	Issued:

1 *General*

2 In order to ensure comparability of services<sup>1</sup> from local and state funds in all of its schools, the Board  
3 shall ensure that:

- 4 1. A system wide salary schedule is adopted annually;
- 5
- 6 2. Teachers, principals, and support personnel are assigned to schools on an equivalent basis  
7 according to grade levels and need. ~~and~~
- 8
- 9 3. Curriculum materials and instructional supplies are provided to schools on an equivalent basis  
10 according to grade levels and need.

Legal Reference:

1. TCA 49-3-353

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Investment Earnings</b>	Descriptor Code: <b>2.402</b>	Issued Date: <b>10/07/99</b>
		Rescinds:	Issued:

1 *Individual Schools*

2 The building principal, with consent of the Director of Schools, is authorized to invest excess funds of  
3 the school in savings accounts.<sup>1</sup> Interest earned on general fund accounts shall be credited to general  
4 fund revenue. Interest earned on restricted fund accounts shall be credited to revenue in each restricted  
5 account.

6 School food service funds shall be kept separate from other school funds and interest earned on food  
7 service fund deposits shall be credited to food service revenue.

8 All funds shall be deposited into accounts fully protected by ~~sufficient collateral~~ **FDIC**.

9 Reports of the investments shall be made to the Board ~~semi~~-annually.

Legal Reference:

1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 6-1

Cross References:

Deposit of Funds 2.500  
Food Service Management 3.500

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Alternative Credit Options</b>	Descriptor Code: <b>4.209</b>	Issued Date: <b>01/26/23</b>
		Rescinds: <b>4.209</b>	Issued: <b>01/23/20</b>

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

## 2 **VIRTUAL/ON-LINE COURSES**

3 High school students may also earn ~~a maximum of three (3) units of academic credit~~ **high school credits**  
4 to be applied toward graduation requirements by completing on-line courses offered through agencies  
5 approved by the Board.

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

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

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

23 Through a supervision plan, the school shall be responsible for providing appropriate supervision and  
24 monitoring of students taking virtual courses. **All virtual courses must be credentialed by a recognized**  
25 **authority.**

## COURSE ACCESS PROGRAM

Students in grades seven through twelve (7 – 12) may enroll in the statewide course access program ~~for up to two (2) courses per year, which the Local Education Agency must pay for.~~ To be eligible to participate, students shall:

1. Meet all prerequisite requirements for the course access course; and
2. Be unable to enroll in a comparable course at the student's school because:
  - a. A comparable course is not offered; or
  - b. A legitimate situation exists that prevents the student from enrolling in a comparable course<sup>1</sup>

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

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

## OTHER CREDIT OPPORTUNITIES

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

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### Legal References

1. TRR/MS 0520-01-14-.03(1)
2. TRR/M 0520-01-14-.03(7)
3. TRR/MS 0520-01-14-.03(6)

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### Cross References

Homebound Instruction 4.206  
Grading System 4.600  
Graduation Requirements 4.605



# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Class Ranking</b>	Descriptor Code: <b>4.602</b>	Issued Date: <b>06/25/20</b>
		Rescinds: <b>4.602</b>	Issued: <b>02/27/20</b>

1 Students must be enrolled full time at the home base school to be eligible for ranking among the top high  
2 school seniors.

3 Final grade average earned in each class grades 9, 10, 11 and the first semesters of grade 12 are used in  
4 determining final class standing. This standing is based on a combination of Grade Point Average (GPA)  
5 and the Quality Point Average (QPA).

6 To determine your Quality Point Average (QPA) each course is given a point based on its classification  
7 as regular, honors, AP, dual credit, or dual enrollment class. Add your total and divide by the number of  
8 classes taken. This calculation will be between 0.0 and 6.0.

9 Regular classes receive: A = 4 pts, B = 3 pts, C = 2 pts, D = 1 pt, F = 0 pts.

10 Regular half credit classes receive: A = 2 pts, B = 1.5 pts, C = 1 pt, D = .5 pts, F = 0 pts.

11 Honors classes receive: A = 4.5 pts, B = 3.5pts, C = 2.5 pts, D = 1.5 pts, F = 0 pts.

12 Half credit honors classes receive: A = 2.25 pts, B = 1.75 pts, C = 1.25 pts, D = .75 pt.,  
13 F = 0 pts.

14 AP and Dual, credit classes receive: A = 5 pts, B = 4 pts, C = 3 pts, D = 2 pts, F = 0 pts.

15 AP and Dual half credit classes receive: A = 2.5 pts, B = 2 pts, C = 1.5 pts, D = 1 pts, F = 0 pts.

16 Beginning with the Class of 2020

17 GPA calculations will be called Lottery GPA and local weighted GPA. The Lottery GPA will be  
18 based on a 4.0 scale. The local weighted GPA will be based on a 5.0 scale. The local weighted GPA  
19 will be calculated on all course work using the Cumberland County Grading Scale. GPA will also be  
20 calculated using the Tennessee Uniform Grading Scale for Lottery/Hope Scholarship purposes (to be  
21 called Lottery GPA). Both the Cumberland County local weighted GPA and the Lottery GPA will  
22 appear on the official transcript. Upon request by the student, that student's class rank will be released  
23 for the purpose of scholarships and/or extended education.

24 Teachers will continue to add additional points to the final grade of the course, and the following  
25 guidelines will be adhered to:

- 1 • One half (1/2) quality point shall be added to the numerical quality point value corresponding  
2 to the letter grade received for the honors course.<sup>2</sup>
- 3 • One (1) quality point shall be added to the numerical quality point value corresponding to the  
4 letter grade received in a Statewide Dual Credit Course, Industry Certification Aligned Course,  
5 Dual Enrollment Course, or an Advanced Placement Course.<sup>2</sup>

#### 6 Final Grade notification

- 7 • Honors courses – will receive three points added to their numeric final grade
- 8 • Dual enrollment courses – students must be enrolled in a post-secondary institution to receive  
9 four additional points to their final numeric grade.
- 10 • Statewide dual credit courses - students enrolled in a statewide dual credit course must sit for  
11 the dual credit exam in order to receive four additional points on their numeric final grade.
- 12 • AP courses – In order to receive five additional points, students are required to take the  
13 corresponding AP exam.<sup>1</sup>
- 14 • Industry Certifications – CTE courses that are aligned to an industry certification recognized by  
15 the Tennessee Department of Education will receive an additional four points if the student sits  
16 for the industry certification exam.
- 17 • If the additional weighting is awarded prior to participation in the culminating exam and the  
18 student does not participate in the culminating exam, the additional points will be removed.

19 Students who are able to register for enough credits to meet graduation requirements are classified as  
20 seniors.

21 In the determination of academic recognition, Cumberland County Schools will utilize the following  
22 Latin system based on local weighted GPA:

23	Summa Cum Laude	4.25 and above
24	Magna Cum Laude	4.00 – 4.24
25	Cum Laude	3.75-3.99

26 All grades earned in grades 9, 10, 11 and the first semester of grade 12 are considered for determining  
27 final class standing.

28 The valedictorian and salutatorian will be chosen using the following criteria:

- 29 • Student must be a graduating senior enrolled full time at the home base school in physical  
30 attendance.
- 31 • Student must qualify for the highest Latin System honor award at the respective high school.
- 32 • Student must meet the benchmarks on the ACT (benchmarks: Math 22, Science 23, English 18  
33 and Reading 22) or equivalent on the SAT.
- 34 • Valedictorian and salutatorian will have the two highest numerical averages of the final course  
35 grades in the top half of the Summa Cum Laude graduating class.

- 1       • In the event multiple students meet all of the aforementioned criteria and a tie still exists, the  
2       highest achieved ACT composite controls.
- 3       • ~~Middle College course work will not be factored in determination of valedictorian and~~  
4       ~~salutatorian.~~
- 5       • ~~Middle College students will have all college coursework transcribed into their official course~~  
6       ~~record. These students will receive a CCHS Middle College or an SMHS Middle College class~~  
7       ~~rank separate from high school students not classified as Middle College students.~~

8

9       Honor roll students will be determined by standards approved by the Board. Students who meet these  
10      standards, and who do not request otherwise, will have their names submitted to the principal for release  
11      to the news media.

12      Each school department or club, which presents honors or awards or conducts contests will file with the  
13      principal the name of the honor, award or contest; the basis for selection of the award and honor; the  
14      method of participation; and the reason for the contest.

15      To become valedictorian or salutatorian, a student must be enrolled and in physical attendance in the  
16      high school during the entire first semester of their senior year. The student must also have been enrolled  
17      and in physical attendance 2 of the 4 semesters immediately preceding their senior year. The grades from  
18      the final semester of their senior year will not be used in determining class standing.

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Legal References

1. TCA 49-6-407 TRR/MS 0520-01-03.05(3)(c)
2. Tennessee State Board of Ed. Policy 3.301

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Cross References

- Grading System 4.600  
Graduation Requirements 4.605

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Assignment / Transfer</b>	Descriptor Code: <b>5.115</b>	Issued Date: <b>04/27/17</b>
		Rescinds: <b>5.115</b>	Issued: <b>04/26/12</b>

## 1 ASSIGNMENT

2 The Director of Schools shall assign personnel to the various schools or departments by June 15 for the upcoming  
3 school year. ~~licensed personnel and non-licensed personnel preceding the school year for which such persons are~~  
4 ~~employed while allowing each~~ The principal or immediate supervisor to **may** assign more specific responsibilities  
5 within each school for licensed and non-licensed personnel.<sup>1</sup>

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

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

## 12 TRANSFER (to move from one school or administrative unit to another)

13 The Director of Schools shall transfer employees as necessary for the efficient operation of the schools.<sup>2</sup>  
14 Transfers shall be non-discriminatory and shall not be arbitrary or capricious. The Director of Schools is  
15 responsible for developing and disseminating procedures for transfers.

16 All employees transferred shall receive written notification of the transfer with reason(s) prior to the transfer.

17 Individual members of the board shall be notified of transfers at its next regular scheduled board meeting in  
18 advance of the transfer whenever practical or as soon as possible thereafter.

19 Transfers shall be made in accordance with Board policy and state law.

## 20 REASSIGNMENT (to move to another assignment within the same school or administrative unit)

21 Reassignments shall be non-discriminatory and shall not be arbitrary or capricious. Employees shall be reassigned  
22 as necessary for the efficient operation of the schools. The Director of Schools is responsible for developing and  
23 disseminating procedures for reassignments.

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

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### Legal References

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

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### Cross References

- Nepotism 1.108
- Line and Staff Relations 5.101
- Job Descriptions 5.103
- Recruitment 5.105



# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Staff Time Schedules</b>	Descriptor Code: <b>5.602</b>	Issued Date: <b>01/05/06</b>
		Rescinds: <b>5.602/5.604</b>	Issued: <b>10/08/02</b>

## 1 WORK SCHEDULES

2 The workday for full-time licensed and professional staff will be a minimum of seven hours and thirty  
3 minutes<sup>1</sup> and will continue until professional responsibilities to the student and the school are completed.  
4 Administrative meetings, curriculum development, student supervision, assigned duties, parent  
5 conferences, group or individual planning and extra-curricular activities may require hours beyond the  
6 stated minimum. Teachers shall be allotted a duty-free planning period of two and one-half (2 1/2) hours  
7 each week to provide time for planning, preparation for effective teaching and attention to major program  
8 improvement.<sup>2</sup> Work schedules for other employees will be defined by the Director of Schools or his/her  
9 designee, consistent with the Fair Labor Standards Act and the provisions of this policy.

## 10 WORKWEEK DEFINED

11 Working hours for all employees not exempted under the Fair Labor Standards Act,<sup>3</sup> including  
12 secretaries, bus drivers, cafeteria, janitorial and maintenance personnel, will conform to federal and state  
13 regulations. The Director of Schools will ensure that job positions are classified as exempt or non-exempt  
14 and that employees are made aware of such classifications. Supervisors will make every effort to avoid  
15 circumstances which will require non-exempt employees to work more than forty (40) hours each week.  
16 For purposes of compliance with the Fair Labor Standards Act, the workweek for school district  
17 employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday.

## 18 OVERTIME AND COMPENSATORY TIME <sup>4</sup>

19 The Board discourages overtime work by non-exempt employees. A non-exempt employee will not work  
20 overtime without the express approval of his/her supervisor. All overtime work must be expressly  
21 approved in writing by the Director of Schools or his/her designee. All supervisory personnel must  
22 monitor overtime on a weekly basis and report such time to the Director of Schools/designee. Principals  
23 and supervisors will monitor employees' work, will ensure that overtime provisions of this policy and  
24 the Fair Labor Standards Act are followed and will ensure that all employees are compensated for any  
25 overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt  
26 employees from working more than forty (40) hours in a workweek. Accurate and complete time sheets  
27 of actual hours worked during the workweek will be signed by each employee and submitted to the  
28 finance director. The Finance Director will review work records of employees on a regular basis to make  
29 an assessment of overtime use.

30 In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate  
31 of not less than one and one-half (1.5) hours for one hour of overtime worked, if such compensatory time

1 (1) is pursuant to an agreement between the employer and employee reached before overtime work is  
2 performed, and (2) is authorized by the immediate supervisor.

3 Employees will be allowed to use compensatory time within a reasonable period after requesting such  
4 use if the requested use of the compensatory time does not unduly disrupt the operation of the school  
5 division. Employees may accrue a maximum of 240 compensatory time hours before they will be  
6 provided overtime pay at the rate earned by the employee at the time the employee receives such  
7 payment. In addition, upon leaving the school division, an employee must be paid for any unused  
8 compensatory time at the rate of not less than the higher of (1) the average regular rate received by the  
9 employee during his/her last three (3) years of employment, or (2) the final regular rate received by the  
10 employee.

11 Non-exempt employees whose workweek is less than forty (40) hours will be paid at the regular rate of  
12 pay for time worked up to forty (40) hours. Such employees shall be provided overtime pay or  
13 compensatory time as provided for working more than forty (40) hours in a workweek.

14 This policy shall be included in the staff handbook, ~~however, employees will be provided with a copy~~  
15 ~~of this policy and will be required to sign this policy to acknowledge their understanding of overtime~~  
16 ~~and compensatory time provisions. Such signed policy shall be placed in the employee's personnel file~~  
17 ~~and shall constitute the written agreement required in this section.~~

## 18 ATTENDANCE EXPECTATIONS

19 All employees are expected to be present during all work hours. Absence without prior approval, chronic  
20 absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and  
21 will result in disciplinary action up to and including dismissal.

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### Legal References:

1. TRR/MS 0520-1-3-.03
2. TRR/MS 0520-1-3-.03; TCA 49-1-302
3. 29 CFR § 54.205; 541.303
4. 29 CFR § 553.20 - 23; TCA 5-23-101; 104

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Extracurricular Activity Drug Testing</b>	Descriptor Code: <b>6.3071</b>	Issued Date: <b>02/23/12</b>
		Rescinds:	Issued:

1 Participation in extracurricular activities is a privilege and not a right. Students in grades 7- 12 taking  
2 part in these activities will be subject to random drug testing.

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

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

## 10 **DEFINITION OF TERMS**

11 **Extracurricular** is defined as — voluntary; not falling within the scope of regular curriculum and  
12 carrying no academic credit. This includes all Cumberland County Schools' athletes, cheerleaders, band  
13 members, club members, student council members, etc.

14 **Drugs** — Any substance, including alcohol, considered illegal or controlled by the Food and Drug  
15 Administration. Substance abuse may, according to medical research, lead to serious health  
16 complications.

17 **Calendar Year** — 365 days from date of positive test result

## 18 **RANDOM DRUG TESTING**

19 All students who participate in extracurricular activities shall be subject to random drug testing. All  
20 parents/guardians of students who participate in extracurricular activities and the student who voluntarily  
21 participates in extracurricular activities shall be required to sign a written consent for random drug testing  
22 prior to participation. All signatures must be witnessed by a designated school official and must comply  
23 with consent requirements as stated on the consent form. A student who participates in extracurricular  
24 activities will not be allowed to participate in any extracurricular activity until the Random Drug Testing  
25 Consent Form is signed. The principal may allow a custodial parent/guardian to give permission for  
26 testing, if after reasonable attempts, the other parent/guardian is verified to be unavailable to sign the  
27 permission form. **If a student who participates in extracurricular activities refuses to be tested at  
28 anytime, he/she will be suspended from extracurricular activities for one calendar year.**

1 Random tests shall be unannounced. The cost of the random screening shall be the responsibility of the  
2 Board.

### 3 **RANDOM TEST PROCEDURE**

4 Random drug testing will be conducted not less than two (2) times at various intervals during the calendar  
5 year in grades 7-12.

6 Selection of students, who participate in extracurricular activities, for random testing shall be conducted  
7 in the following manner:

8 The student number of each student who participates in extracurricular activities shall be placed in a  
9 "pool" from which a blind draw will be held. The notification of those students who participate in  
10 extracurricular activities, whose numbers were drawn for testing, will be made in person by a school  
11 administrator. Those selected for testing will be notified immediately and tested the same day.

### 12 **TESTING PROCEDURES**

13 Tests will be performed by a certified independent laboratory. Tests for any illegal drug or controlled  
14 substance may be included.

15 Specimens will be collected in a manner to ensure student privacy to the greatest extent possible while  
16 maintaining the integrity of the testing.

17 The school system shall follow strict procedures regarding the chain of custody and access to the test  
18 results. The Medical Review Officer (MRO) of the collection facility will contact a person designated  
19 by the director of schools, who will contact parents of a minor student for medication verification. If the  
20 student is eighteen (18) years of age, the designee may contact him/her directly. A positive or negative  
21 test will then be reported directly to the director of schools. Only the director of schools, the school  
22 administration and the collection facility shall have access to test results. The results will be kept until  
23 the student graduates. Should the student leave Cumberland County Schools, the records will be kept  
24 until the student's projected date of graduation. All records shall be maintained in a secure location with  
25 controlled access.

### 26 **PENALTIES**

27 If a student tests positive, the following action will be taken:

#### 28 **First Offense**

- 29 1. Notify the parent/ guardian.
- 30 2. The principal will conduct a due process hearing with the parent/guardian and the student.
- 31 3. The student will be given the option of:
- 32
- 33
- 34
- 35

1 a. Accepting a referral for participation in an assistance program and taking a drug test, which  
2 may be weekly for up to six weeks, as determined by the MRO/family physician. This shall  
3 be at the expense of the parent or guardian. If the student continues to test positive beyond  
4 the retention time, or at the end of the six weeks time period, it will be considered his/her  
5 second offense.

6 OR

7 b. Suspension from participating in extracurricular activities for one calendar year from date of  
8 first positive test result.

9 **Second Offense**

- 10 1. Notify parent or guardian; notification of split specimen testing at the parents' expense.  
11  
12 2. The principal will conduct a due process hearing with the parent/guardian and the student.  
13  
14 3. Participate in an assistance program and taking a drug test, which may be weekly for up to six  
15 weeks, as determined by the MRO/family physician. This shall be at the expense of the parent or  
16 guardian. If the student continues to test positive beyond the retention time, or at the end of the  
17 six weeks time period, it will be considered his/her third offense.  
18  
19 4. The student will be referred to the juvenile court system.  
20  
21 5. The student is suspended from participating in extracurricular activities for one calendar year.

22 **Third Offense**

- 23 1. Notify parent or guardian; notification of split specimen testing at the parents' expense.  
24  
25 2. A due process hearing will be conducted by the principal with the parent/guardian and the  
26 student.  
27  
28 3. The student will be referred to the juvenile court system.  
29  
30 4. The student is suspended from participating in extracurricular activities for the remainder of  
31 his/her attendance in Cumberland County Schools.

32 \*All penalties remain applicable while student is in attendance, regardless of withdrawal and re-  
33 admittance into Cumberland County Schools.

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January 2005</b>	Descriptor Term: <b>Line Item Transfer Authority</b>	Descriptor Code: <b>2.201</b>	Issued Date: <b>10/07/99</b>
		Rescinds:	Issued:

- 1 *Central Office*
- 2 Line-item transfers within major categories shall be made upon the recommendation of the Director of
- 3 Schools and approval by the Board.
- 4 Transfer between major budget categories shall be made with the approval of the County Commission.<sup>1</sup>

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Legal Reference:

1. OP Tenn. Atty. Gen. 83-464 (Oct 26, 1983); *Bandy v. State ex. rel. Sullivan County Board*; 186 TN 11, 207 S. W. 2d 1011 (1948)

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Gifts and Bequests</b>	Descriptor Code: <b>2.401</b>	Issued Date: <b>10/07/99</b>
		Rescinds: <b>2.401</b>	Issued: <b>02/06/97</b>

1 *General*

2 The Director of Schools is authorized to accept gifts to the school system and may designate others to  
3 accept gifts for particular schools on behalf of the Board.<sup>1</sup> The Board will officially express appreciation  
4 to the donor and all major gifts will be reported to the Board and publicly announced.

5 In instances where the Director of Schools/designee doubts the appropriateness or usefulness of an  
6 offered gift, the gift may be declined, or the matter referred to the Board.

7 In accepting gifts and donations, the following guidelines shall be followed:

- 8 1. Unless otherwise expressly specified in writing, all property contributed, given, or otherwise  
9 placed on school premises shall for all intents and purposes be a gift and shall become school  
10 system property subject to the same controls and regulations that govern the use of other school-  
11 owned property.
- 12 2. Contributions of equipment or services that may involve major costs for installation,  
13 maintenance, or initial or continuing financial commitments from school funds shall be presented  
14 by the Director of Schools' office for Board consideration and approval.
- 15 3. Individuals or organizations wanting to contribute supplies or equipment will consult with school  
16 officials about the feasibility of accepting such contributions prior to the solicitation of funds or  
17 the making of budgetary appropriations.
- 18 4. A list of supplies and equipment which have been contributed shall be reported to the Board by  
19 the Director of Schools' office annually.
- 20
- 21
- 22

Legal Reference:

1. TCA 49-6-2006(a)

Cross References:

- Staff Conflict of Interest 5.601

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Bonded Employees</b>	Descriptor Code: <b>2.600</b>	Issued Date: <b>10/07/99</b>
		Rescinds:	Issued:

1 *General*

2 The Director of Schools and all other employees who handle school monies shall be bonded in order to  
3 indemnify the school system against the loss of any funds.<sup>1</sup>

4 The Board shall determine the amount of the bond, giving consideration to the total amount of money  
5 and/or property that is handled in each school.<sup>2</sup>

Legal References:

1. TCA 8-19-101 through 103, TCA 49-2-110(a)(1)
2. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-16

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Accounting System</b>	Descriptor Code: <b>2.700</b>	Issued Date: <b>01/26/23</b>
		Rescinds: <b>2.700</b>	Issued: <b>10/07/99</b>

1 *Central Office*

2 The Director of Schools shall maintain a system of accounting, arranged according to the regulations  
3 prescribed by the Commissioner of Education, which provide a detailed and accurate account of all  
4 receipts and disbursements of the schools.<sup>1</sup>

5 *Individual Schools*

6 The Board authorizes each respective school under its jurisdiction to receive activity and other internal  
7 funds, such as athletic ticket money, school lunch funds and school class funds.

8 The Board shall hold each principal responsible for the management of all internal accounts under his/her  
9 jurisdiction in accordance with the *Tennessee Internal School Uniform Accounting Policy Manual*.<sup>2</sup>

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Legal References

1. TCA 49-2-301(b)(1)(D); TCA 49-3-316(a)(1)
2. TCA 49-2-110(d)

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Cross References

Petty Cash Accounts 2.801  
Student Activity Funds Management 2.900

## Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Audits</b>	Descriptor Code: <b>2.703</b>	Issued Date: <b>09/28/17</b>
		Rescinds: <b>2.703</b>	Issued: <b>10/07/99</b>

1 An audit of all fiscal accounts, including accounts and records of all school student activity funds, shall  
2 be made by a certified public accountant following the end of each fiscal year.<sup>1</sup>

3 The Director of Schools shall furnish or make copies of the audit available to the proper authorities as  
4 prescribed by law.<sup>2</sup>

5 When an administrative change occurs during the fiscal year and the position is responsible for the  
6 expenditure of funds, a special audit of accounts involved shall be conducted.

7 The special audit shall be as extensive as the Board may determine.

### 8 **AUDIT FINDINGS<sup>3</sup>**

9 A corrective action plan shall be developed to address any findings on the annual audit. The plan shall  
10 include the following:

- 11 1. Name(s) of the individual responsible for implementing the plan;
- 12 2. The correct action taken or planned; and
- 13 3. Anticipated completion date.

14 The plan shall be submitted to the Office of the Comptroller of the Treasury.

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#### Legal References

1. TCA 49-2-112(a)(1), (c)(1); TCA 49-2-110(a)
2. TRR/MS 0520-01-02-.13(3)(d)
3. Public Acts of 2017, Pub. Chp. 383

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#### Cross References

- Fundraising Activities 2.601  
Student Activity Funds Management 2.900

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Expenditure of Funds</b>	Descriptor Code: <b>2.800</b>	Issued Date: <b>09/24/15</b>
		Rescinds: <b>2.800</b>	Issued: <b>03/12/08</b>

## 1 *Central Office*

2 All expenditures shall be approved by the Board or the Director of Schools when authorized. No  
3 expenditures shall be made except on an approved purchase order or contract. Employees of this system  
4 shall not create or authorize creation of a deficit in any fund. No expenditure may be authorized or made  
5 which exceeds the appropriation of any fund of the budget as adopted or amended, and expenditures or  
6 encumbrances will not be authorized, made, or incurred in excess of any fund balance. The Director of  
7 Schools shall develop federal grant expenditure and cash management procedures that comply with all  
8 federal laws and regulations.<sup>1</sup>

## 9 *Individual Schools*

10 Internal activity funds shall not be expended without written approval by the membership of the group.  
11 All such expenses shall be in accordance with the *Tennessee Internal School Uniform Accounting Policy*  
12 *Manual*. Restricted account expenditures require the account sponsor's approval prior to expense. No  
13 checks shall be written to employees from the internal school activity fund account. Any supplemental  
14 compensation owed to the Board for extracurricular activities must be processed through the Director of  
15 Schools' office in the same manner as salary and other payroll payments. The Board shall invoice the  
16 school for reimbursement. Substitute teachers' salaries related to restricted class and club accounts shall  
17 be paid by the Board and shall be reimbursed by the school from the appropriate class or club account.<sup>2</sup>

18 Employees who authorize or contract for any obligation in violation of this policy shall assume personal  
19 responsibility for the payment of the obligation, shall be subject to dismissal from employment, and shall  
20 be subject to applicable civil and criminal proceedings. Any obligation, authorization for expenditure,  
21 or expenditure made in violation of the law and this policy shall be illegal and void.<sup>3</sup>

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### Legal References

1. 2 C.F.R. § 200.403; Cash Management Improvement Act, 31 C.F.R. Part 205
2. *Tennessee Internal School Uniform Accounting Policy Manual*, Section 5-22
3. *Tennessee Internal School Uniform Accounting Policy Manual Section 5-17*

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Petty Cash Accounts</b>	Descriptor Code: <b>2.801</b>	Issued Date: <b>10/07/99</b>
		Rescinds:	Issued:

- 1 Petty cash accounts are not authorized for any school or department under the Board's supervision.

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Legal Reference:

1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 5-18 &19

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term:  <b>Salary Deductions</b>	Descriptor Code: <b>2.803</b>	Issued Date: <b>03/12/08</b>
		Rescinds: <b>2.803</b>	Issued: <b>10/07/99</b>

1 *Central Office*

2 Payroll shall make deductions for salary of the employee as authorized. Authorization must be made on  
3 forms provided by the appropriate authority and filed in the office of the Director of Schools.

4 An employee may change or terminate any salary deduction upon written notification to the appropriate  
5 authority.

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Purchasing</b>	Descriptor Code: <b>2.805</b>	Issued Date: <b>09/24/15</b>
		Rescinds: <b>2.805</b>	Issued: <b>10/07/99</b>

## 1 *General*

2 The school system will purchase competitively and seek maximum educational value for every dollar  
3 expended. Authorization to purchase shall be provided by the Board. The Director of Schools shall serve  
4 as purchasing agent for system-wide purchasing.<sup>1</sup> Principals shall serve as purchasing agents for  
5 individual schools.

6 No school shall be obligated to pay for any expenditure made by a student or a teacher or by any other  
7 employee unless he/she first receives a written purchase order from the proper office or unless prior  
8 written permission or arrangements are made with the principal.

9 Purchases made by anyone not authorized by the appropriate officials shall become the personal  
10 responsibility of the persons making the purchase agreement. The Board will not, under any  
11 circumstances, be responsible for payment for any materials, supplies, or services purchased by  
12 unauthorized individuals or in an un-prescribed manner.

13 The Board shall purchase locally whenever other conditions are comparable.

## 14 *Individual Schools*

15 The Director of Schools must approve the following purchases:

- 16 1. A single piece of equipment costing more than five thousand dollars (\$ 5,000.00);
- 17 2. One that is to be attached to or one that requires alteration of the building; or
- 18 3. One that will become a permanent fixture.

## 19 *Central Office*

### 20 **ROUTINE PURCHASES**

21 Routine purchases shall include expenditures for supplies, salaries, and routine expenditures required for  
22 the operation of the school system. These expenditures shall be anticipated and provided for in the budget  
23 and will normally be authorized by the Board at the beginning of the fiscal year. The Director of Schools  
24 or his/her designee shall make all routine purchases without further Board authorization; however, the  
25 Board shall be promptly informed if any substantial variation from budgeted estimates occurs or becomes  
26 necessary.

27

28

## 1 SPECIAL PURCHASES

2 Special purchases are those which are not routine and which may or may not be specifically identified  
3 by line item in the budget. Examples of special purchases are all capital expenditures such as for vehicles,  
4 buildings, major contracts, purchases of major equipment, items for long-term use and supplies of an  
5 unusual quantity or nature. All purchases in this category shall require specific prior Board approval on  
6 an item-by-item basis. In its approval, the Board may place constraints on the Director of Schools  
7 requiring Board evaluation and/or approval at various steps in the procurement process. This will be  
8 determined by the Board on an individual basis depending on the nature of the procurement action.

## 9 EMERGENCY PURCHASES

10 Emergency purchases are those which are necessary to avert hazards which threaten health or safety, to  
11 protect property from damage or to avoid major disruption of educational activities. If within budgetary  
12 limits and deemed essential, emergency purchases may be made by the Director of Schools. However,  
13 if the purchase is of such significant magnitude as to impact on the integrity of the budget, the chairman  
14 shall call a special or emergency meeting of the Board to deal with the matter. In any event, the Board  
15 shall be advised promptly of all emergency purchases.

## 16 PURCHASING OF SURPLUS PROPERTY

17 The Director of Schools and other employees designated by the Board shall be authorized to act for the  
18 Board in acquiring federal surplus property through the Tennessee General Services Department for  
19 surplus property and in entering into agreements, certifications and covenants of compliance concerning  
20 the use of federal surplus property.

21 Further, the Director of Schools is authorized to purchase any needed items through suppliers approved  
22 on the state bid list.

## 23 COOPERATIVE PURCHASING

24 The Board, at its option, will join in cooperative purchasing with other school systems to take advantage  
25 of lower prices for bulk purchasing and to reduce the cost involved in bidding whenever such buying  
26 appears to be to the benefit of the system.

## 27 ONLINE PURCHASING <sup>2</sup>

28 The Board recognizes that online purchasing may provide opportunities for savings, but extra precaution  
29 should be used to ensure that accounting procedures are followed. Online purchasing shall be permitted  
30 with the following requirements:

31 1. Prior authorization must be obtained from the Director of Schools before setting up new online  
32 accounts, and schools shall maintain a list of accounts.

33 2. Online purchases must be for school purposes and made in accordance with established policies  
34 and procedures. School employees are prohibited from making personal purchases even with the  
35 intent of reimbursing the school system. School employees are prohibited from using a school's  
36 tax exempt status for personal purchases of any kind.<sup>3</sup>

- 1        3. The availability of money for the fund/account in question should be determined before Purchase  
2        Orders are approved.
- 3        4. All Purchase Orders must be properly filled out and approved prior to a purchase.
- 4        5. Price quotes should be obtained where possible and/or practical and retained with other purchase  
5        documentation.

#### 6        **PURCHASING WITH FEDERAL GRANT FUNDS<sup>4</sup>**

7        Before grant funds are obligated or expended, the Director/designee shall review the cost of a proposed  
8        expenditure and determine if it is an allowable use of federal grant funds.<sup>4</sup> The Director will minimize  
9        the time that elapses between the transfer and disbursement of funds once an expenditure is approved.

10       No person officially connected with or employed by the school system may participate in the selection,  
11       award, or administration of a contract supported by a federal award if he or she has a real or apparent  
12       conflict of interest. A real or apparent conflict of interest arises when the employee, officer, or agent,  
13       any member of his or her immediate family, his or her partner, or an organization which employs or is  
14       about to employ any of the parties indicated herein, has a financial or other interest in or a tangible  
15       personal benefit from a firm considered for a contract. Upon discovery of any potential conflict, the  
16       Director shall disclose the potential conflict to the federal awarding agency in writing.<sup>5</sup>

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#### Legal References

1. TCA 49-2-206(3); TCA 6-36-115
2. *Tennessee Internal School Uniform Accounting Procedure Manual*; Section 4-9; 4-12
3. TCA 49-2-608(1)
4. 2 C.F.R. § 200.403
5. 2 C.F.R. § 200.112

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Bids and Quotations</b>	Descriptor Code: <b>2.806</b>	Issued Date: <b>08/25/22</b>
		Rescinds: <b>2.806</b>	Issued: <b>07/22/21</b>

## 1 *General*

2 All purchases of supplies, materials, equipment, and contractual services in excess of twenty-five  
3 thousand dollars (\$25,000.00) including those of individual schools, shall be based on competitive bids.<sup>1</sup>  
4 These bids shall be solicited by advertisement in a newspaper of general circulation within the school  
5 district. The advertisement may be waived by the purchasing agent in an emergency.<sup>2</sup> The purchasing  
6 agent shall advertise for bids and receive quotations.

7 All purchases of twenty-five thousand dollars (\$25,000.00) or less, including those of individual schools,  
8 may be made in the open market without newspaper notice, but shall, whenever possible, be based on at  
9 least three (3) competitive bids.<sup>2</sup>

10 The lowest and/or best bid shall be accepted, provided the purchaser reserves the right to reject any or  
11 all bids or any part of any bid and, if applicable, to accept that bid which is best as evidenced by reasons  
12 relative to the purpose of the purchase.<sup>3</sup> Any bid may be withdrawn prior to the scheduled time for the  
13 opening of bids. Any bid received after the time and date specified shall not be considered.

14 The bidder to whom the award is made may be required to enter into a written contract.

15 The practice of splitting an order or dividing items to be purchased in order to avoid the use of bidding  
16 or other purchasing procedures is prohibited.

## 17 **EXEMPTIONS FROM COMPETITIVE BIDDING**

18 Contracts for legal services, educational consultants, services from an insurance provider, and similar  
19 services by professional persons or groups of high ethical standards shall not be based upon competitive  
20 bids but shall be awarded on the basis of recognized competence and integrity.<sup>4</sup>

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### Legal References

1. TCA 49-2-203(a)(3); Public Acts of 2022, Chapter No. 1016
2. TCA 49-2-203(a)(3)(A)-(B); TCA 49-2-206(b)(2); Public Acts of 2022, Chapter No. 1016
3. TCA 49-2-203(a)((D)(c)
4. TCA 12-3-1209; TCA 12-4-107; Public Acts of 2022, Chapter No. 719; TCA 29-20-407

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### Cross References

- Executive Committee 1.301
- Consultants 1.303
- Conflict of Interest 5.601

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term:  <b>Requisitions</b>	Descriptor Code: <b>2.807</b>	Issued Date: <b>10/07/99</b>
		Rescinds:	Issued:

1 ***General***

2 The Board designates the Director of Schools and his/her designees, principals and their designees to be  
3 responsible for making requisitions.

4 All requisitions will be submitted to the purchasing agent (Director of Schools or principal) on forms  
5 provided by the purchasing agent for approval.

6 The number of each purchase order shall be recorded on the requisition.

7 After processing, the original copy of the requisition will be filed in the appropriate purchasing office.

\_\_\_\_\_  
Cross Reference:

Purchase Orders 2.808

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Purchase Orders and Contracts</b>	Descriptor Code: <b>2.808</b>	Issued Date: <b>03/12/08</b>
		Rescinds: <b>2.808</b>	Issued: <b>10/07/99</b>

## 1 *General*

2 All purchases made by the school system shall be by purchase order or formal contract. No purchase  
3 shall be made nor payment approved unless covered by an approved purchase order.

4 Purchase orders will include the following essentials:

- 5 1. A specification which adequately describes to the supplier the characteristics and the quality  
6 standards of the item required;
- 7  
8 2. A firm, quoted, net delivered price, whenever possible; and  
9
- 10 3. Signature of purchasing agent.

11 Contracts shall be made only with responsible suppliers with the following considerations:

- 12 1. The supplier has the potential ability to perform successfully under the terms and conditions of a  
13 proposed procurement;
- 14  
15 2. A system for contract administration shall be maintained to assure supplier conformance with  
16 terms, conditions, and specifications of the contract or purchase order, and to assure adequate  
17 and timely follow-up of all purchases;
- 18  
19 3. Contracts shall contain such provisions or conditions which will allow for administrative,  
20 contractual, or legal remedies in instances where suppliers violate or breach contract terms, and  
21 provide for such sanctions and penalties as may be appropriate.
- 22  
23 4. All contracts, including those of individual schools, will meet all requirements of state and federal  
24 laws, rules, and regulations.<sup>1</sup>

### Legal References:

1. TCA 49-2-203(a)(3); *Tennessee Internal School Uniform Accounting Policy Manual*, Section 5-11; TCA 49-2-206(b)(2)

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Payment Procedures</b>	Descriptor Code: <b>2.810</b>	Issued Date: <b>03/12/08</b>
		Rescinds: <b>2.810</b>	Issued: <b>10/07/99</b>

1 *Central Office*

2 The purchasing agent for the Board of Education shall approve all claims for payment.<sup>1</sup>

3 As operating procedure, the Director of Schools shall present to the Board each month a report of all  
4 business transacted since the last regular meeting.<sup>2</sup>

5 *Individual Schools*

6 Schools may obligate themselves for the purchase of equipment, supplies, or services, provided  
7 payments are completed by June 30 of the current school year or a plan for future payments has been  
8 made by the principal and approved by the Board.

Legal Reference:

1. TCA 49-2-206(b)(3)
2. TCA 49-2-203(b)(5)

# Cumberland County Board of Education

Monitoring: <b>Date last reviewed: January 2005</b>	Descriptor Term: <b>Student Activity Funds Management</b>	Descriptor Code: <b>2.900</b>	Issued Date: <b>10/08/02</b>
		Rescinds: <b>2.900</b>	Issued: <b>10/07/99</b>

## 1 *Individual Schools*

2 The activity funds of each school shall include athletic and student organization funds and any other  
3 fund belonging to any student group, class, or activity.

4 Whatever the source, all student activity funds shall be under the jurisdiction of the Board and under the  
5 specific control of the school principal. Contracts with fund-raising agencies must comply with board  
6 policy and be approved in writing by the Director of Schools.

7 Principals and/or sponsors who knowingly authorize/allow unapproved fund-raising activities shall be  
8 subject to disciplinary action.<sup>1</sup>

9 Student activity funds shall be deposited in respective school activity accounts. Proper records of  
10 receipts and disbursements shall be maintained in accordance with the *Tennessee Internal School*  
11 *Uniform Accounting Policy Manual*.<sup>2</sup>

12 Revenue raised for specific purposes must be expended for that purpose, unless otherwise authorized in  
13 writing by both the activity group sponsor and the principal.<sup>3</sup>

14 An annual audit of the account and records of all student activity funds shall be conducted as a part of  
15 the audit of all other district funds.<sup>4</sup>

16 Any unencumbered class or activity funds automatically revert to the general activity fund of the school  
17 when a class graduates or an activity is discontinued.

18 Funds derived from activities sponsored by parent-teacher associations, parent-teacher organizations or  
19 other support organizations are not subject to this policy, unless such funds are in sole custody of the  
20 school.<sup>5</sup>

### Legal References:

1. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 4-26
2. TCA 49-2-110(c)(d)
3. *Tennessee Internal School Uniform Accounting Policy Manual*; Section 5-25
4. TCA 49-2-112(a)
5. TCA 49-2-110(e)

### Cross References:

Parent Organizations/Booster Clubs 4.50  
Student Solicitations/Fund-Raising 6.701

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Credit Cards/Credit Lines</b>	Descriptor Code: <b>2.8051</b>	Issued Date: <b>02/23/17</b>
		Rescinds:	Issued:

- 1 District credit cards shall be maintained by the Director of Schools or designee through procedures  
2 developed and maintained in the district office for the purchase of appropriate goods and services for  
3 District or School related purposes only. The credit card will be kept in a secure location and the  
4 account number will remain confidential.
- 5 The Director of Schools or designee shall review and approve card transactions. Purchases which are  
6 not approved by the Director of Schools or the Finance Director will be reimbursed to the district  
7 within 10 days of notification.
- 8 Card users shall be held accountable for appropriate use of credit cards/credit lines. Unauthorized use  
9 of a credit card/credit line shall be grounds for disciplinary action, including termination of  
10 employment. Cash advances using district credit cards are prohibited.
- 11 Any school employee that purchases items with the credit card or any approved credit line must follow  
12 the procedures outlined below:
- 13 • Receipts for each purchase must to be turned into bookkeeper within three working days of  
14 purchase.
  - 15
  - 16 • If the credit card is used to pay for a conference or training, a copy of the registration form  
17 must be turned in.
  - 18
  - 19 • The bookkeeper or a separate employee must check off on purchases and the physical inventory  
20 that is purchased.
  - 21
  - 22 • All purchases must be district or school related purchases.
  - 23
  - 24 • If there is any incurred finance or late charges, the responsibility will belong to the person or  
25 program associated with said charges.
  - 26
  - 27 • Under no circumstances will the credit card/credit line be used to make personal purchases.
- 28 School level credit cards and credit lines must be approved by the principal of the school and the  
29 Director of Schools or designee.
- 30 If the credit card or credit line requires personal guarantee or responsibility, the principal will be  
31 responsible to provide this information.

- 1 School level credit cards and credit lines must follow above district procedures and also procedures
- 2 included in the Tennessee Internal School Accounting Policy Manual Section 4.<sup>1</sup>
- 3 At any point that abuse is suspected, the Director of Schools or designee shall have full ability to close
- 4 or disable any or all accounts at an individual school until an investigation can be completed.

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Legal References

1. Tennessee Internal School Uniform Accounting Policy Manual Section 4

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Classification and Qualifications</b>	Descriptor Code: <b>5.102</b>	Issued Date: <b>04/27/17</b>
		Rescinds: <b>5.102</b>	Issued: <b>01/06/98</b>

## 1 ADMINISTRATIVE AND SUPERVISORY PERSONNEL

2 All administrative and supervisory positions in the school system are established initially by the Board,  
3 by state law, or State Board Rule, Regulations, and Minimum Standards.

4 To be considered for certificated administrative or supervisory positions, the applicant must show the  
5 following qualifications:

- 6 1. Professional teaching certification; and
- 7 2. Administrative or supervisory certification and experience in accordance with state law and State  
8 Board Rules and Regulations in the appropriate area based on the minimum of a master's degree.

9 Non-certified administrative and supervisory personnel shall possess sufficient training and experience  
10 to perform the services required and such additional qualifications as the Board and the Director of  
11 Schools shall determine.

## 12 PROFESSIONAL PERSONNEL

13 The professional staff members are the personnel whose employment status *requires* certification in  
14 accordance with the rules and regulations of the State Board of Education.<sup>1</sup> It is the responsibility of the  
15 employee to secure a license and to maintain its validity. When a teacher's contract must be terminated  
16 because the teacher's license has lapsed or otherwise become invalid, the Director of Schools shall  
17 immediately suspend the teacher without pay pending disposition of the matter. The teacher shall be  
18 notified of the reason for the suspension.

## 19 SUPPORT PERSONNEL

20 The support staff members are personnel whose regular employment does not require certification in  
21 accordance with rules and regulations of the State Department of Education. Said employees are  
22 employed at the will of the Director of Schools.

Legal References

1. TCA 49-5-501(10)

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Cross References

## Cumberland County Board of Education

Monitoring:  <b>Review: Annually, in January</b>	Descriptor Term:  <h3 style="text-align: center;">Equal Opportunity Employment</h3>	Descriptor Code: <b>5.104</b>	Issued Date: <b>04/27/17</b>
		Rescinds: <b>5.104</b>	Issued: <b>04/03/08</b>

1 Opportunity for employment, as well as continuation and advancement in employment, shall be  
 2 afforded equally to members of all races, creeds, colors, sex, religions, ages, national origins, and  
 3 individuals with disabilities or veteran status with regard only for qualifications for the positions  
 4 involved.<sup>1</sup>

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Legal References

1. U.S. Constitution, Amendment XIV; Title VII, Civil Rights Act of 1964; Title VI, Civil Rights Act of 1964; Title IX, Education Amendments of 1972; Age Discrimination Act of 1967; Section 504 of the Rehabilitation Act of 1973; and 42 USC § 12101-12213

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Cross References

Section 504 & ADA Grievance Procedures 1.802  
 Discrimination/Harassment of Employees 5.500  
 Complaints and Grievances 5.501

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Recruitment of Employees</b>	Descriptor Code: <b>5.105</b>	Issued Date: <b>04/27/17</b>
		Rescinds: <b>5.105</b>	Issued: <b>04/28/11</b>

- 1 The authorization of all school system positions rests with the board. Personnel employment shall be  
2 within the discretion of the Director of Schools.<sup>1</sup>
- 3 The Director of Schools is responsible for the development of a program for the recruitment of licensed  
4 personnel.<sup>2</sup>
- 5 Identification of personnel needs shall be the cooperative responsibility of the Director of Schools,  
6 supervisors, and building principals.
- 7 Vacancies shall be advertised locally and through the closest placement offices. A deadline for  
8 receiving applications shall be established and disseminated with the vacancy notice.

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#### Legal References

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

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#### Cross References

Equal Opportunity Employment 5.104  
Staff Positions 5.116

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Supervision</b>	Descriptor Code: <b>5.108</b>	Issued Date: <b>04/27/17</b>
		Rescinds: <b>5.108</b>	Issued: <b>03/04/04</b>

- 1 Supervision of administrative and supervisory personnel shall be provided by the Director of Schools.
- 2 Apprentice teachers shall be assisted by supervising teachers in the development of competencies
- 3 required by the Board.<sup>1</sup>
- 4 Support personnel shall be supervised by the person designated on the approved job description.
- 5 The immediate supervisor has the responsibility of assigning specific duties and for giving guidance to
- 6 the employee for the satisfactory performance of those duties.
- 7 All employees shall report being charged with any criminal offense to their immediate supervisor within
- 8 72 hours of the offense. The supervisor must report the offense to the Director of Schools immediately
- 9 and the Director of Schools must report the offense to the Board chairman as soon as practical.

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#### Legal References

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

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#### Cross References

Nepotism 1.108  
Line and Staff Relations 5.101  
Job Descriptions 5.103  
Staff Positions 5.116

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Evaluation</b>	Descriptor Code: <b>5.109</b>	Issued Date: <b>04/27/17</b>
		Rescinds: <b>5.109</b>	Issued: <b>04/28/11</b>

1 The evaluation of performance and its effectiveness must be a cooperative and shared endeavor on the  
2 part of the Director of Schools and administrative and supervisory personnel.

3 The Board shall use a state-approved model for evaluating administrative and supervisory personnel and  
4 shall approve standard forms to be used in evaluating support personnel.

5 The Director of Schools is responsible for ensuring that all administrative and supervisory personnel are  
6 evaluated annually.

## 7 **LICENSED TEACHING PERSONNEL**

8 The Board shall use guidelines developed by the State Board of Education for implementation of an  
9 approved evaluation system.<sup>1</sup>

### 10 ***Local Level Grievance Procedure***

11 The Director of Schools shall develop procedures, consistent with state law, for processing evaluation  
12 grievances.<sup>2</sup> A teacher may file a grievance based on a procedural error (e.g. the evaluation result was  
13 caused by data errors). However, a teacher **may not** file a grievance based on an employment decision  
14 the district made based on the evaluation results.

## 15 **NON-LICENSED PERSONNEL**

16 Newly hired non-licensed administrative/support personnel shall be evaluated once during the evaluation  
17 period (up to 90 days) and at least one (1) additional time following successful completion of the  
18 evaluation period during the first year of employment. Support personnel employed for more than one  
19 (1) year shall be evaluated at least once a year. The immediate supervisor retains the right to evaluate  
20 more often as needed.

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

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#### Legal References

1. TRR/MS 0520-02-01-.01; TRR/MS 0520-02-01-.02
2. TRR/MS 0520-02-01-.01(4)

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#### Cross References

- Job Descriptions 5.103  
Orientation and Probation 5.107

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Compensation Guides &amp; Contracts</b>	Descriptor Code: <b>5.110</b>	Issued Date: <b>07/26/18</b>
		Rescinds: <b>5.110</b>	Issued: <b>04/27/17</b>

1 Certified personnel must enter into written contract with the Board at a fixed annual salary per month  
2 before commencing their duties.<sup>1</sup>

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

5 Salaries of all employees, including substitute and supplemental pay, shall be paid by the Board. No  
6 payment to any employee for service performed on behalf of the school system shall be made from any  
7 source other than the Board.

8 Contracts for professional personnel shall include two-hundred (200) days of responsibility, plus twenty  
9 (20) days for each additional month assigned by the Board. Each contract shall provide:<sup>3</sup>

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

15 The school calendar adopted by the Board each year shall become part of each employee's contract.  
16 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided the  
17 revenue is deposited with and salaries paid through the Board. This includes donations or contributions  
18 from individual, civic or other non-school related sources of funds from individual school activity funds,  
19 such as gate receipts and concessions.<sup>1,4</sup>

20 Non-certified personnel are at will employees and are compensated per Board approved pay scales that  
21 are based on respective job description, hours worked, and days worked. These scales have pre-  
22 designated incremental increases based on years of service. The employee's years of service, to the Board  
23 of Education, are maintained when an employee moves between job categories. All support personnel  
24 pay scales are capped at twenty-six (26) years of service.

25 The Board will recognize 50% of the same job experience not to exceed five (5) years. The burden of  
26 experience rests with the individual. Verification must be submitted within 30 days of date of hire to be  
27 considered for advancement on the pay scale.

28 Former employees rehired in the same position will resume at the same years' experience as when they  
29 left employment.<sup>2</sup>

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Legal References

1. TCA 49-2-203(a)(1); TCA 49-5-408
2. TCA 49-5-402
3. TCA 49-6-3004
4. TCA 49-6-2006(a)

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Cross References

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

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Background Investigations</b>	Descriptor Code: <b>5.118</b>	Issued Date: <b>09/27/18</b>
		Rescinds: <b>5.118</b>	Issued: <b>08/23/18</b>

1 ***General***

2 Background checks shall be required for applicants, employees, contract workers, and volunteers.<sup>1</sup>

3 The Director of Schools/designee shall develop any necessary corresponding procedures.

4 **APPLICANTS AND EMPLOYEES**

5 To ensure the safety and welfare of students and staff, the district shall require criminal history  
6 background checks and fingerprinting of applicants for teaching positions and any other positions that  
7 require proximity to children. Further, applicants who (1) have been identified by the Department of  
8 Children's Services as perpetrators of child abuse, severe child abuse, child sexual abuse, or child  
9 neglect, or who pose an immediate threat to the health, safety, or welfare of children; or (2) who are  
10 listed on the state's abuse of vulnerable persons registry maintained by the Department of Health shall  
11 not be employed.<sup>2</sup> Any costs incurred to perform these background checks and fingerprinting shall be  
12 paid by the applicant.<sup>3</sup>

13 Background checks shall be required of these employees at least once every five (5) years after the date  
14 of hire.<sup>1</sup>

15 **USE AND DISSEMINATION**

16 Fingerprints or other approved forms of positive identification shall be submitted with all requests for  
17 criminal history record checks for non-criminal justice purposes.<sup>4</sup> The Director of Schools shall ensure  
18 the Originating Agency Identifier number is on file at all times.

19 Tennessee and FBI Criminal History Record Information ("CHRI") obtained by the district shall be  
20 solely used to verify criminal violation(s) and shall not be disseminated. Results shall be considered  
21 confidential and only accessible to district personnel identified by the Director of Schools. CHRI shall  
22 only be accessed by authorized personnel in the performance of their duties and shall never be released  
23 to the public.

24 All persons directly associated with the accessing, maintaining, processing, dissemination or  
25 destruction of CHRI must sign an awareness statement and shall indicate that they have been specially  
26 trained on the subject. The training shall provide those with access to criminal history record  
27 information with a working knowledge of federal and state regulations and laws governing the security  
28 and processing of criminal history information. The Director of Schools is responsible for ensuring that

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1 authorized personnel receive such training within 60 days of employment or job assignment and every  
2 three years.

### 3 **RETENTION AND SECURITY**

4 The Director of Schools shall develop procedures to ensure CHRI is stored in a secure location. Areas  
5 in which CHRI is processed and handled shall be restricted to authorized personnel identified by the  
6 Director of Schools. The area shall be out of the view of the public and unauthorized personnel. The  
7 Director of Schools shall maintain a list of all employees who have access to, can process, disseminate,  
8 and/or destroy CHRI.

### 9 **DISPOSAL OF CHRI**

10 When CHRI is no longer needed, it shall be destroyed by burning, shredding or other method rendering  
11 the information unreadable. Record destruction must be conducted under the supervision of the  
12 Director of Schools.

13

### 14 **MISUSE**

15 Employees who misuse CHRI or violate this policy shall be subject to disciplinary action up to and  
16 including termination. Any employee with knowledge of misuse shall immediately report a violation to  
17 the Director of Schools.

18

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#### Legal References

1. Public Acts of 2018, Chapter No. 1006
2. TCA 49-5-406 (a)(1) TCA 49-5-403;  
TCA 49-5-413(a)(2),(e)
3. TCA 49-5-413 (c)
4. 42 U.S.C. § 14616 (a)

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#### Cross References

Application and Employment 5.106

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Employment of Retirees</b>	Descriptor Code: <b>5.119</b>	Issued Date: <b>08/25/22</b>
		Rescinds:	Issued:

1 ***General***

2 The Director of Schools may hire a retired individual if certain conditions are met as provided for in  
3 state law.

4 **EMPLOYMENT CONTRACTS FOR UP TO 120 DAYS**

5 Teachers who retire under the Tennessee Consolidated Retirement System (TCRS) may be employed  
6 for up to one hundred twenty (120) days per year without loss of retirement benefits. Retired teachers  
7 may substitute teach for additional days if the Director of Schools certifies in writing to the Division of  
8 Retirement that no other qualified personnel are available to substitute teach.<sup>1</sup>

9 **EMPLOYMENT CONTRACTS FOR ONE YEAR**

10 The Director of Schools may employ teachers retired for at least one (1) year for full-time employment  
11 as a kindergarten through twelfth (K-12) grade teacher on a year-to-year basis. Retirement benefits will  
12 not be lost or suspended under certain conditions which include, but are not limited to, the following:<sup>2</sup>

- 13 1. The Director of Schools of the employing district shall certify in writing that no other qualified  
14 individuals are available to fill the position;
- 15 2. The Commissioner of Education shall certify that the employing school district serves an area  
16 that lacks qualified teachers to serve in the position to be filled;
- 17 3. The retired teacher shall hold a valid license and shall not be entitled to tenure status;
- 18 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave, or  
19 receive medical insurance coverage; and
- 20 5. The salary paid to the retired teacher shall not be less than the rate of compensation set by the  
21 Board for teachers with no experience filling similar positions or more than eighty-five percent  
22 (85%) of the rate of compensation set by the Board for teachers with comparable training and  
23 years of experience filling similar positions.
- 24  
25  
26  
27

1 **ADDITIONAL EMPLOYMENT OPTION FOR RETIREES<sup>3</sup>**

2 Retired members of TCRS or a similar system may be offered reemployment for up to one (1) year as  
3 a kindergarten through twelfth (K-12) grade teacher, substitute teacher, or bus driver under the  
4 following conditions:

- 5 1. The retired member has been retired for at least sixty (60) calendar days;  
6  
7 2. The retirement benefit payable to the retired member is reduced to seventy percent (70%) of the  
8 retirement allowance;  
9  
10 3. The retired member's employment can't be longer than a one (1) year period; however, the  
11 retired member can be reemployed for additional one (1) year periods;  
12  
13 4. The retired member is not drawing disability retirement benefits; and  
14  
15 5. The retired member can't accrue additional retirement benefits.

16 The Director of Schools shall notify TCRS of the member's reemployment and certify in writing that  
17 the retired member has the required experience and training for the position and that no other qualified  
18 persons are available to fill the position.

19 Once the retired member is hired by the district, the district shall pay TCRS as prescribed by state law.  
20 The school district shall pay to TCRS during the period of reemployment the greater of (1) a payment  
21 equal to the amount the school district would have contributed to TCRS; or (2) an amount equal to five  
22 percent (5%) of the retired member's pay rate.  
23

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Legal References

1. TCA 8-36-805
2. TCA 8-36-821
3. Public Acts of 2022, Chapter No. 821

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Cross References

Application and Employment 5.106  
Substitute Teachers 5.701

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Separation Practices for Tenured Teachers</b>	Descriptor Code: <b>5.200</b>	Issued Date: <b>09/22/22</b>
		Rescinds: <b>5.200</b>	Issued: <b>10/28/21</b>

## 1 **SUSPENSION PENDING AN INVESTIGATION<sup>1</sup>**

2 The Director of Schools may suspend a tenured teacher at any time that may seem necessary, pending  
3 investigation or final disposition of a case before the board or an appeal. If the matter under investigation  
4 is not the subject of an ongoing criminal investigation or a Department of Children's Services  
5 investigation, and if no charges for dismissal have been made, a suspension pending investigation shall  
6 not exceed ninety (90) days in duration. Under no circumstances shall the Director of Schools suspend  
7 a tenured teacher with pay. If vindicated or reinstated, the tenured teacher shall be paid full salary for  
8 the period of suspension.

## 9 **SUSPENSION OF THREE DAYS OR LESS<sup>2,3</sup>**

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

16 Under no circumstances shall a Director of Schools suspend a tenured teacher with pay. If reinstated,  
17 the tenured teacher shall be paid full salary for the period of suspension, unless suspension without pay  
18 is deemed to be an appropriate penalty.

## 19 **DISMISSAL OR SUSPENSIONS GREATER THAN THREE DAYS<sup>4</sup>**

20 When a tenured teacher is charged with offenses, that may justify dismissal or a suspension greater than  
21 three (3) days, the charges shall be made in writing, specifically stating the offenses that are charged,  
22 and shall be signed by the party or parties making the charges.

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

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

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

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

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

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

15 The Board shall hear the appeal on the record, and no new evidence may be submitted by either party.  
16 The appealing party may appear before the Board to argue why the adverse ruling should be overturned.  
17 In no event should such argument last more than fifteen (15) minutes, unless the Board should vote to  
18 extend additional time. At the conclusion of the hearing, the Board may vote to sustain the decision of  
19 the hearing officer, send the record back for additional evidence, revise the penalty or reverse the  
20 decision. The Board shall render its decision within ten (10) working days after the conclusion of the  
21 hearing. In the event that the decision of the Board is appealed to the chancery court, the Board shall  
22 transmit the entire record prepared by the Director and reviewed by the Board to the chancery court for  
23 its review.

## 24 **RESIGNATION**

25 A tenured teacher shall give the Director of Schools notice of resignation at least thirty (30) days before  
26 the effective date of the resignation. A tenured teacher who fails to give such notice, in the absence of  
27 justifiable extenuating circumstances, shall forfeit all tenure status. The Board may waive the thirty (30)  
28 days' notice requirement and permit a teacher to resign in good standing.<sup>5</sup>

29 The conditions under which it is permissible to break a contract with the Board are as follows:<sup>6</sup>

- 30 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified  
31 statement of a physician approved by the Board; and
- 32 2. The release by the Board of the tenured teacher from the contract, which the tenured teacher has  
33 entered into with the Board.

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

37 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with  
38 the State Board of Education and request the suspension of a tenured teacher's license. After the State

1 Board of Education has provided the tenured teacher an opportunity for defense during a hearing, the  
2 State Board of Education may suspend the license for no less than thirty (30) and no more than three  
3 hundred sixty-five (365) days.<sup>8</sup>

#### 4 **RETIREMENT**

5 Retirement is a termination of services under conditions which will allow the employee to draw benefits  
6 from retirement plans and/or Social Security benefits. Tenured teachers eligible for retirement benefits  
7 may elect to retire at any age according to the provisions of the retirement system.

8 Central office personnel shall assist tenured teachers in securing retirement benefits; however, it shall be  
9 the responsibility of the retiring tenured teacher to provide verification of eligibility in writing from the  
10 Tennessee Consolidated Retirement System (TCRS) to the central office. It shall be the responsibility of  
11 the retiring tenured teacher to file for benefits.

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#### Legal References

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

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#### Cross References

Public Hearings 1.401  
Teacher Tenure 5.117  
Recommendations and File Transfers 5.203

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Suspension/Dismissal of Non-Certified Employees</b>	Descriptor Code: <b>5.202</b>	Issued Date: <b>04/27/17</b>
		Rescinds: <b>5.202</b>	Issued: <b>05/26/11</b>

## 1 **SUSPENSION**

2 A Director of Schools/designee may suspend an employee at any time when deemed necessary.<sup>1</sup> Before  
3 an employee is suspended, he/she shall be: (1) provided with reasons for the suspension; (2) given  
4 an opportunity to respond; and (3) given a written decision of the suspension.

5 Under no circumstances shall a Director of Schools suspend an employee with pay. If reinstated, the  
6 employee shall be paid full salary for the period of suspension, unless suspension without pay is deemed  
7 to be an appropriate penalty.

## 8 **DISMISSAL**

9 The Director of Schools may dismiss any classified employee during the contract year for  
10 incompetence, inefficiency, insubordination, improper conduct, or neglect of duty.

11 The Director of Schools may either choose to provide the employee with a hearing or give the  
12 employee the opportunity for a hearing before the Personnel Hearing Authority (PHA). Requests  
13 for hearings must be filed in writing within ten (10) days of notification.

## 14 **NONRENEWAL**

15 Non-certified personnel shall be notified of non-renewal within five (5) business days following the last  
16 instructional day for the school year.<sup>2</sup>

## 17 **RESIGNATION**

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

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

## 23 **RETIREMENT**

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

1 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the  
2 responsibility of the retiring employee to obtain verification of eligibility in writing from Tennessee  
3 Consolidated Retirement System (TCRS) to the central office. It shall be the responsibility of the  
4 retiring employee to file for eligible benefits. Employees who retire under Tennessee Consolidated  
5 Retirement System (TCRS) may be employed up to one-hundred-twenty (120) days per year without  
6 loss of retirement benefits.  
7

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Legal References

1. TCA 49-2-301(b)(1)(EE)–(FF)
2. TCA 49-2-301(b)(1)(FF)

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Recommendations and File Transfers</b>	Descriptor Code: <b>5.203</b>	Issued Date: <b>09/27/18</b>
		Rescinds: <b>5.203</b>	Issued: <b>09/28/17</b>

1 Other than the routine transmission of administrative and personnel files, district employees are  
2 prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the  
3 individual knows, or has probable cause to believe, that the person seeking a job change engaged in  
4 sexual misconduct regarding a minor or student in violation of the law.<sup>1</sup>

5 These requirements shall not apply if:

6 1. The information giving rise to probable cause has been properly reported to the appropriate law  
7 enforcement agency; and

8  
9 2. The matter has been officially closed in one of the following ways:

10  
11 a. The prosecutor or police have investigated the allegations and notified school officials  
12 that there is insufficient information to establish probable cause;

13  
14 b. The employee, contractor, or agent has been charged and either acquitted or exonerated;  
15 or

16  
17 c. The case remains open, and there have been no charges or indictment filed within four  
18 (4) years of the date the information was reported to the law enforcement agency.

19 Neither the district nor the Board shall enter into, or require a current or former employee to enter into,  
20 a non-disclosure agreement during a settlement for any act of sexual misconduct.<sup>1</sup>

21 The Director of Schools shall develop administrative procedures to enforce this policy and comply  
22 with federal law.

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#### Legal References

1. 20 U.S.C. § 7926 Public Acts of 2018, Chapter No. 938

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#### Cross References

Application and Employment 5.106  
Separation Practices for Tenured Teachers 5.200  
Separation Practices for Non-Tenured Teachers 5.201  
Separation Practices for Non-Certified Employees 5.202  
Child Abuse and Neglect 6.409

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Emergency, Bereavement and Legal Leave</b>	Descriptor Code: <b>5.301</b>	Issued Date: <b>03/17/22</b>
		Rescinds: <b>5.301</b>	Issued: <b>06/24/21</b>

## 1 EMERGENCY LEAVE

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

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

## 9 BEREAVEMENT LEAVE

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

## 15 JURY DUTY

16 The following procedures shall regulate the leave for jury duty for employees:

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

## 21 COURT APPEARANCES

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

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Legal References

1. TCA 49-5-711(c)
2. TCA 22-4-106(b)
3. TCA 16-15-708; TCA 24-2-109

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Cross References

Short Term Leaves of Absence 5.300

## Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Sabbatical Leave</b>	Descriptor Code: <b>5.308</b>	Issued Date: <b>10/27/16</b>
		Rescinds:	Issued:

- 1 Regular employees or teachers shall be entitled to a leave of absence without pay not exceeding one (1)
- 2 year to further education on a full-time basis, provided such academic work entails a minimum of at least
- 3 eight (8) hours per semester or twelve (12) quarter hours per quarter. No regular employee or teacher
- 4 shall be eligible for more than one (1) such leave every seven (7) years of consecutive service with the
- 5 school system.

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Cross References

Long Term Leaves of Absence 5.304

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Differentiated Pay Plan</b>	Descriptor Code: <b>5.1101</b>	Issued Date: <b>02/23/17</b>
		Rescinds:	Issued:

- 1 Annually, the Director of Schools shall recommend a differentiated pay plan to the Board for
- 2 approval.<sup>1</sup> The plan shall follow the guidelines established by the State Board of Education and will
- 3 reflect the needs of the district.
  
- 4 Once approved by the Board, the differentiated pay plan shall be submitted to the Tennessee
- 5 Department of Education for review and approval.

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#### Legal References

1. TCA 49-3-306(h)

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Temporary Contracts</b>	Descriptor Code: <b>5.1102</b>	Issued Date: <b>04/27/17</b>
		Rescinds: <b>5.1101</b>	Issued: <b>04/03/08</b>

1 All temporary contracts (120 days or less) are at the discretion of the Director of Schools. All  
2 contracted employees will be assigned jobs needed by the system. No job will be guaranteed for  
3 more than one (1) year. Any job shared arrangement requires the recommendation of the building  
4 principal. If a contracted employee wishes to exit the contract and re-enter into full time teaching  
5 in the Cumberland County Schools, he/she must apply for, and be re-hired.

6 All temporary contracts require a commitment on the part of the employee(s) for the stated duration  
7 of contract. There are no fringe benefits associated with the contract. All working days of the  
8 contract are to be "teaching days", unless approved and assigned by the Director of Schools. No  
9 paid vacation days, additional retirement benefits, accrued leave, or medical insurance benefits  
10 are included in the contractual period. No planning period is guaranteed.

11 The daily rate of pay will be based on the years of teaching experience and degree level of the  
12 employee.

13 None of the above language precludes the system from employing persons for less than 120 days,  
14 or one-half time.

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#### Legal References

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#### Cross References

1. School Calendar 1.800
2. Revenues 2.400
3. Payroll Procedures 2.802
4. Salary Deductions 2.803
5. Compensation Guides & Contracts 5.110

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Telework During Emergencies</b>	Descriptor Code: <b>5.1151</b>	Issued Date: <b>04/02/20</b>
		Rescinds:	Issued:

1 *General*

2 Teleworking is a work arrangement where designated employees are allowed to perform their normal  
3 duties and responsibilities through the use of hardware and software at an alternate location from their  
4 normal work site.

5 The Director of Schools may require an employee to telework if the duties and responsibilities of the  
6 position are required during times of emergency. An employee's participation in the program will be  
7 determined by the length and duration of the emergency and will be both initiated and ended at the  
8 discretion of the supervisor and/or the Director of Schools.

9 **WORK ENVIRONMENT**

10 Employees approved for telework shall maintain a dedicated and safe work environment.

11 An employee who teleworks shall not allow anyone other than district employees to utilize district  
12 provided services or equipment. Employees shall keep remote work and information confidential, in  
13 accordance with district policies, procedures, and applicable privacy laws.  
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Cross References

Emergency Closings 1.8011

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>County-Wide Employee Dress Code</b>	Descriptor Code: <b>5.6001</b>	Issued Date: <b>04/23/15</b>
		Rescinds: <b>5.6001</b>	Issued: <b>01/09/03</b>

## 1 School Level and Central Office Personnel

2 Employees (professional and paraprofessional) are expected to present a neat, clean appearance in order  
3 to project a professional image to students, fellow employees and the public. The following clothing  
4 is considered acceptable in the projection of this professional image during regular school hours.

- 5 a. Suits, sportscoats or blazers.
- 6 b. Dress slacks, casual slacks or pantsuits.
- 7 c. Dress shirts and blouses (with or without collars), collared pullover style shirts,  
8 turtlenecks, sweaters, cotton knit pullover blouses and sweater sets. Sleeve length, vests  
9 and neckties are optional.
- 10 d. Dresses and skirts for female employees. **All** are to be worn no higher than three (3) inches  
11 above the middle of the knee.
- 12 e. Clothing that would exhibit bare shoulders is not permitted.
- 13 f. Shorts **are only permitted** for employees involved in athletic or physical education  
14 instruction and only in the immediate area where the instruction is conducted. The employee  
15 will be required to change into other approved apparel when departing that area.
- 16 g. Nylon "running style" suits are considered professional dress only for physical education  
17 and wellness teachers.
- 18 h. Denim jeans may be worn while on extracurricular duty such as ballgames.

19 Career and Technical Education teachers with shops or lab areas will be permitted to wear industry-  
20 approved clothing that meets all necessary safety requirements to include lab coats, aprons, jeans,  
21 scrubs, chef coats, gloves, and helmets along with other personal protective clothing in accordance  
22 with course appropriateness.

23 The following types of clothing are otherwise specifically prohibited except on casual days: All denim  
24 jeans, shorts, skorts, cotton sweat suits, tee shirts and nylon "running style" suits.

25 As on regular workdays, principals have the final say concerning appropriate attire on Casual Day,  
26 which will be every payday.

27 Special dress days may be designated by the principal to include but not limited to the following  
28 examples: Field days, picture days, school spirit days, etc. Employees are encouraged to participate  
29 accordingly.

1 **Other Employees**

2 Other system employees are currently required to wear uniforms as part of their normal duties. The  
3 following employees are not impacted by the clothing aspects of this dress code: custodians, maintenance  
4 technicians, transportation mechanics and food service personnel. Health Services personnel will  
5 continue to wear appropriate nursing attire. Bus drivers are not currently required to wear uniforms  
6 and are expected to maintain a professional appearance.

7 **All Employees**

8 Failure to personally adhere to the provisions of this dress code or to enforce it when authorized, shall  
9 result in the following consequences:

10

11 a. **First violation:** Written reprimand placed in personnel file. If violation is determined to be  
12 flagrant, the employee will be sent home to change.

13 b. **Second violation:** Three (3) day suspension without pay.

14 c. **Third violation:** Will be considered an insubordinate act resulting in termination.

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# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term:  <b>Student Assignments</b>	Descriptor Code: <b>6.205</b>	Issued Date: <b>01/23/20</b>
		Rescinds: <b>6.205</b>	Issued: <b>05/25/17</b>

## 1 TO SCHOOLS

2 Students, including those in kindergarten, are expected to attend the school to which they are assigned  
3 by virtue of their residence.<sup>1</sup> Students will enroll in the school of appropriate grade nearest their local  
4 residence. The Zoning-Residency Check Guidelines found in procedures may be used to verify residency  
5 of any student.

6 If a student wishes to attend a school other than his or her zoned school in Cumberland County, the  
7 parent or guardian must follow Board of Education Policy 6.206 to request a transfer to another school.  
8 Policy 6.206 and the corresponding out of zone procedures will serve as guidelines to respond to this  
9 request.

10 For the purpose of this policy, the term "legal residence" shall mean the domicile of the child in  
11 question. Although a child may have several residences, he or she shall have only one domicile, and that  
12 is the child's primary place of living, where food, toys, clothes, furniture, and the like are maintained.  
13 The child's domicile shall be that of his or her parents. If the parents of the child are separated or divorced,  
14 the child's domicile shall be that of the primary residential parent. In the event the parents have equal  
15 parenting time and are designated as joint primary residential parents in a Permanent Parenting Plan  
16 and/or Order of the Court: a) If the school zone is addressed in the Permanent Parenting Plan or Court  
17 Order, the child will be allowed to attend school within the school zone ordered as long as one of the  
18 parents resides in that zone; b) If the school zone is not addressed, in the Permanent Parenting Plan or  
19 Court Order, or if neither parent resides in a school zone named in their Permanent Parenting Plan or  
20 Court Order, the parents may, by written agreement, at the beginning of each school year, determine  
21 which of their addresses will determine the child's school zone. In the event that no primary residential  
22 parent is named in a Parenting Plan or other legal document concerning the parent's separation, the  
23 domicile of the child shall be that of the child's mother. In the case of a child whose parents are deceased,  
24 or incompetent, the domicile of the minor child is that same as the domicile of the legal guardian who  
25 has custody of the child. The domicile of an adopted child is that of the adoptive parents.

26 With the Director of Schools' approval, parents may elect to enroll their children in any school in the  
27 school system provided the parent provides transportation to and from that respective school and  
28 provided that such choice does not cause overcrowding in the chosen school.

29 Parents who are dissatisfied with the assignment of their children may, within ten (10) days after  
30 the assignment, make application to the Board for a hearing requesting a transfer to another school.<sup>2</sup>  
31

**1 TO CLASSES**

2 The principal shall be responsible for assigning all students to classes.

3 Students who enter the system from another school system are to be placed by the principal in the  
4 grade and/or level as indicated by records from the former school. If the student's placement is  
5 inappropriate in the grade or level assigned, he/she may be reassigned by the principal to another grade  
6 level. Parents shall be kept advised.

7 Students transferring from any school not approved by the Tennessee State Department of Education  
8 shall be tested to justify their grade placement in Cumberland County Public Schools. When first  
9 enrolled and until test results are available, the child shall be placed in the grade in which he/she was  
10 last enrolled. An achievement test shall be administered at the very earliest possible date to see if  
11 achievement test scores justify appropriate grade placement.

12 The principal shall separate an alleged victim of child abuse from an alleged perpetrator if the abuse  
13 allegedly occurred while the child was under the supervision or care of the school. If available and  
14 appropriate, a child shall be reassigned if a request is made by the child's parent or custodian and the  
15 perpetrator has been: (1) substantiated by the Department of Children's Services; (2) adjudicated by a  
16 juvenile court to have committed the child sexual abuse; or (3) criminally charged.<sup>3</sup>

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**Legal References**

1. TCA 49-6-3102, 3103
2. TCA 49-6-3201
3. TCA 49-6-3102(h)