

Board of Education
August 13, 2024 4:00 PM
Central Services Board Room

BOARD MEMBERS:

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

1. Call to orderStull called the meeting to order at approximately 4:00pm.

2. Moment of Silence/Pledge of Allegiance Stull -if everyone can please stand for a moment of silence and then the pledge.
(Pledge was recited)
Safdie-we still have a couple of more minutes before 4:00 and Teresa is not here so I will be taking the position of Vice chairman and conducting this meeting. I'm going to wait another two or three minutes. Are we at 4:00 yet? So I will call this meeting to order now we have already said pledge thank you for leading that and the moment of silence.

3. *Approval of MinutesSafdie-our action items is to approve the minutes of the July 9th meeting, we have two committees that were present in the... building grounds and policy committee, uh is there a motion to approve both minutes?
Stull- motion move to approve.
King-move to approve.
Safdie- is there a second?
Stull-second.
Safdie-any discussion? If not, all in favor say aye.

Stull/King/-aye.

Safdie- all oppose say nay, ayes have it, the minutes have been approved.

Motion to approve minutes.

VOICE VOTE: (mover-yes) King

(seconder-yes) Stull

Yes: 7, No: 0

MOTION: Motion Carried

4. Policy Committee-Mrs. Rebecca Hamby Safdie-the next item incidentally if you did not hear uh Teresa Boston is not able to be here so I am conducting the meeting for this short brief period of time, thank you for your patience. The policy committee I understand that Rebecca Hamby will not be here today and Elizabeth are you handling the policy committee?

Stull- I am, yes.

Safdie- okay would you like to begin your meeting?

- 4.A. District Recommendations Stull-we have a few policies up for review and possible discussion. We'll start with policy 1.200 method of election of officers. I know there was some there were some corrections that we needed to go ahead and discuss making on this policy, one of them was changing the line one with waiting until the September meeting to go ahead and make that August. Stout- well we needed to keep the legislative representative in there for in order to change that to match the proper title now and then it came back for some discussion regarding pro tem, need for pro tem and when. Stull- that was going need to be changed to Chairman pro tem and that was supposed to be in the August meeting not September but the other ones were supposed to be for the September meeting. Stout-correct. Nichols-and so okay so my question is I go back to the Robert's rules of order when it says we already have all of that in place. Stull- but we don't have it in place because we're going into a new session in September, and we won't have a chairman or a vice chair. Nichols- no because what it says is that this if something comes up the secretary calls order and then appoints that person and then we do but if we don't have anything come up then we don't need a pro tem. I don't understand why we need this person. Stull- my thought is the fact that if we-we're the board and if we're able to go ahead and get in front of that knowing that we have that coming up then we should go ahead and do that even though the director of schools is considered the secretary that is a whole job in and of itself as being the director and they shouldn't have to be tasked with conducting, setting up the meeting when we should be able to go ahead and set and get in front of that in the first place. Nichols-so Mr Stepp how do other counties handle this with their chairman and or excuse me with their school directors how they do it with... Stepp-I haven't seen this happen before. Nichols- ever? Stepp- I haven't but I was at a building level for so long so this is a new new for me also but Roberts Rules of Order you know sets up a venue and I think we talked about that last time yeah where you can do that you really don't have to have in policy.

Stout- but yeah it says that the secretary calls the meeting to order and the assembly immediately elects a chairman pro tem to preside during that session and then such offices terminated by the entrance of the president or a vice president, so I mean if a if a need comes up then I mean Mr. Stepp would know if a need comes up that we have to meet on in that 3-week Gap-he could advise us that a meeting would need to be called and then we could go ahead and just vote for a pro tem for that meeting to get us through that 3-we period. I just hate to see us change the policy when we've got Robert's Rules of Order that...

Stull- because we know that the problem is there we had the problem two years ago, we have the same problem again and so we should go ahead and make arrangements for if that problem should arise we should have something in place that does not have to involve taking the director of schools away from his primary director....

Stout-he's the one that's going to know if we need to meet, he would be the one who knows that.

Safdie- may I may I talk, thank you. I I think the primary model that we have here is the County Commission and the County Commission has a full election slate where all of their 18 County Commissioners are being uh going up for election so they don't know who their chairperson is going to be so what they've done is they've turned it over to the mayor to allow the mayor to conduct the meeting so it is possible to do that; the question is whether or not this board would like to use that model or whether it likes the pro tem and as I was discussing this with other members of other officers uh in the county um you know they're they're both good methods one does not overrule the other method; now it's true that in Roberts Rules of Order there's a statement that says that uh somebody will take over and call the meeting but when we have a situation we don't have a completely new board being elected every year every two years excuse me, so consequently our situation is different from the county commissions, they have to have their mayor they have to have their director call the meeting but with the pro tem officer and I don't see any reason why we can't have a pro tem officer um elected person um they can call the meeting without having to uh give that position of authority to the director of school and I prefer not giving that that option to the director of schools when it's within our capability of keeping that structure within the board of education so that's my opinion.

Stull-I agree with your opinion.

Hale- I agree with you Mr. Safdie.

Stout- well if we've got a board who feels like the Roberts rules of order isn't enough to address that situation um and that we're not going to entrust Mr. Stepp to let us know when a meeting needs to be called which yeah I have a problem with um my recommendation would be to add something to the policy like this-not in the first paragraph but at line nine where the "in the event" starts there, scratch that but add something along the lines of in the event there is a vacant chair or vice chair position in an election year the board may choose to elect a pro tem chair at the August board meeting to serve until the September board meeting.

Safdie-do you have that written down?

Stout- I do.

Safdie- okay I really like that.

Nichols-I like that.

Stull-yes.

Safdie-that that's that's fine.

Stout- and that fills that gap and provides somebody to work with Mr. Stepp in a chair position for those three weeks, but again, I think we're making a permanent change to a policy when we've got something in place already so.

Safdie- well I understand, and it's six of one and a half dozen of another; your preference is legitimate and good so are the other board members, and it's just a question of who votes for what at this point, it's not a um it's voting either way is not critical for the function of the board, okay.

Your statement of how you want the policy written is excellent, thank you. Would you like to read

it again for the minute so that we can...

Stout- sure so um on line two we'll leave the legislative representative in there, but it should read and a legislative representative, scratch out and a pro tem and then on line nine where the blue writing starts in the event we're going to scratch out the there is no chairman or vice, we'll just say in the event there is a vacant chair and vice chair position in an election year the board may choose to elect a pro tem chair at the August board meeting to serve until the September board meeting.

Safdie- okay there's a motion before, is there a second?

Stull-so replacing what is in blue there and then yes the motion is to implement those changes that Shannon went ahead and read off.

Safdie-yeah is there a second on that?

Stull-second.

Safdie- okay all in favor? I guess you should be doing that I'm sorry.

Stull- actually I have to have Sheri, so the motion is to go ahead and use the changes that Shannon went ahead and read off.

Nichols- first I'm going to say Mr. Stepp, I trust you so if we had this issue come up that you would be able in capable of taking care of it and if everybody wants to do this let's just get it over with, yes I'll second it.

Safdie-right and you know something your new board can come in and change that if they so choose.

King-I'm pretty sure they will, waste of our time.

Safdie- all right.

Stull- um motion approved on 1.200.

Motion to to approve district recommended policy changes.

VOICE VOTE: (mover-yes) Stull

(seconder-yes) Nichols

Yes: 7, No: 0

MOTION: Motion Carried

4.B. TSBA Recommendations Stull-the next policy is 5.106 um is there any discussion?

Patton- question um this I've been given this rationale for changing policy 5.106 today um was it Ben that somebody talked with about this?

Stepp-so HR um did search this out and come up with these rationals basically to save money for the new hires coming in, especially the hourly workers so if they approve uh and do the health form I believe which is in that that justification you have it allows them to not spend \$165 to \$200 just for employment, getting ready to be employed by us.

Patton- my question comes because it says this says because the statute says that staff must be free of communicable diseases the policy attorney at TSBA informed us that creating an employee health declaration form would cover this for the district. I'm asking was that Ben was that...

McCartney-Jennifer White.

Patton-do we have that in writing?

McCartney- we do.

Patton-We've got that in writing that that is what they are recommending? The reason that I ask is this, so the statute let me come back where it is and I don't you know if that's good nough that's fine um this the statute says no person who has any contagious or communicable disease in a form that might endanger the health of school children shall teach in any school and any teacher must submit

to a physical examination by competent Physicians when so required by the local Board of Education, so I my question comes from the standpoint that what we're saying is that we will, we're saying no person shall be employed who refuses to sign a health declaration form so what we're basically saying is that we're going to trust anybody that we hire to tell us that they don't have a contagious or communicable disease that endangers the health of school children and if that's fine and we have no further liability from that then great.

Nichols- I agree.

Patton- but I would want a little more notice than a few minutes to research that and confirm that with and maybe whoever is coming on as your new board attorney might want to look at that issue, my question is if we hire somebody on the basis that they told us, an unnotarized statement that says hey I signed this on this date and I'm telling you I don't I don't have any such disease, if somebody, some kid gets something from somebody that we hire I I mean do they have a right of action against Cumberland County Schools, my thought is yes but you know that's just something that the board ought to consider and again this is just a very cursory-not I wouldn't even call it an opinion it's more a question at this point uh because I just haven't had time to really look at that.

Safdie-so let me give you a theoretical or hypothetical situation so uh imagine that a person has a um-alcoholism and is a disease okay, and so is drug addiction.

Patton- and I don't In fairness I don't think either one of those would apply Mr. Safdie because we're talking about contagious or communicable diseases.

Safdie-ahh, thank you sir, okay.

Stepp-yeah we can table it, and I'll do some more research on it.

Patton-the way the statute reads versus how our policy how the proposed policy reads it causes me a little bit of pause and just you know if we've got other districts around us that are doing that and have changed their policy to that effect that's probably a pretty good sign that it's okay, and certainly you know my dealings with the attorneys at TSBA has been positive, and I'm not suggesting that they are wrong um but it's I got enough questions that want to look at it a little more.

Stepp-we can table it and I'll do some more research.

Patton- fair enough.

Stull-okay so the next policy that we have up for discussion is uh policy 6.300 code of conduct and discipline, any discussion?

Stout- let me move my microphone back over here now Earl's done talking trying to get in my microphone okay so um I had asked for this to come back to the committee at the board meeting for us to look at a little closer in the interm talked with Mr Stepp, and he's got a few changes that he made to it to make sure that we are clear I just want to make sure we were clear on the code of conduct and discipline regarding the bullying and cyberbullying because of the new law that was in place that mandates that officers make an official report if they're aware that a minor has been a victim of bullying or cyberbullying they must also notify parents of the incident if the victim is a minor. An official report means a written report made by the law enforcement officers in the course of the officers official duties that the parent of a minor child who is identified as a victim in the report may obtain from the law enforcement officers employing law of law enforcement agency so my concern was since we carry that bullying and cyberbullying all the way from level one all the way up to level four but yet when we are looking at disciplinary procedures or disciplinary options there wasn't any kind of mention regarding making a report and notifying parents. Mr. Stepp and I talked about that and I think you came up with a solution.

Stepp- yeah I worked with uh Mr Magnusson and Mr Howard and Mr Fitzgerald with the sro's and they they're aware of the new law they already followed that before it became a law as far as reporting if it's uh confirmed s far as reporting and then um then once we report it to the SRO then they follow their procedures that's required by law so we put on each level in in blue you'll see it in each level, I put just law enforcement officials are contacted that was the language that TSBA used

um so we just kind of pasted it on each level.

Stout- so if it does have to go to a report work cover no matter what level that happens and there's no surprises to anyone regarding the conduct and discipline if that should happen.

Stepp-and the red is all the TSBA recommendations for...that came from the law.

Stull-so with those changes are you then happy with that?

Stout-I think based on the new law and the discussions that Mr Stepp had with those that are involved in it yeah I think it...

Stull-there wouldn't be any additional changes to this particular policy just what already is in here as far as with the blue as well?

Stout-yep.

Stull-okay um motion to approve.

Nichols-second.

Stull- motion carries, next policy is policy 6.4052 opioid antagonist and as the policy reads right now um it does not have any of the um liability no liability for a student as far as if they went ahead and administer this so as the policy stands right now this was according to the new changes in the law um and I would recommend keeping it as is at this point um so motion to approve unless oh sorry discussion.

Nichols- we can't change this this is law?

Stull-no this part but there was the um last month there was a Good Samaritan Clause that was added basically and students were put in that portion of it for having no liability if they were to go ahead and use this on another student and that part isn't in the actual law itself.

Nichols-so we're not held legally, Earl? If a child does...

Stull-that part isn't in this policy now.

Nichols-it says right here that you can't prohibit students from possessing it.

Stull- right not administering it.

Nichols- and so what happens if a kid shoots another kid with one how liable are we that's what I'm asking I mean I know this may not be a part of this but it is a part of this.

Safdie- it is a part I agree with you.

Patton- I think there's a misprint of the code section on the footnote here and that's why I'm trying to I'm trying to get back to the bear with me just a minute.

Nichols- I'm just a little curious who's legally responsible if a kid shoots another kid with one of these pens.

Stull- according according to the statute it says that they can carry it, there's no talk there's no talkab out liability for students.

Nichols-Can they sue us? So the parent gets mad that the kid got shot, they don't go after the parents he goes after us the school district I mean my God this is crazy, I've never seen anything like this.

Safdie-did you read this part the school nurse or trained School Personnel May utilize the school school supply of opioid antagonist to respond to a drug overdose and these are professional people and now the next one anybody can do it.

Stull- it says that yes in the law that they are the ones that are allowed to administer it but it also does not prevent anyone else from it says that they can carry it.

Nichols-we can't argue with this obviously, where do we put can we add a protection onto ourselves onto this?

Safdie-do you agree with that policy?

Stepp-well it's law, so I don't have a choice.

Stull- we can't go ahead and say that there's no, that the student has no liability.

Safdie-um I got a question is a student allowed to bring asperin to school?

Nichols-no, gosh you can't even let them use a tanning bed.

Stepp-we have procedures for all that.

Stull-Earl did you find that?

Patton- I did I'm reviewing it right now again.

King-does everybody know the difference between an antagonist and an agonist.

Nichols- please tell us.

King- The Agonist helps the opioid be more effective the antagonist keeps it from being effective.

Patton- you know if you've got a student uh I guess the fear here is that the law does not allow you to prohibit a student, employee or visitor from possessing an opioid antagonist while the person is on school property or attending a school-sponsored activity, and so the question you're presenting me is how much liability does the school system have if unbeknownst to us someone has on their person an opioid antagonist that we can't prohibit them from having pursuant to state law and if they mistakenly administer that product to another individual... I mean there's not I mean look I don't think I don't think the school system has a lot of liability there I mean how could we have prevented that how in what way were we negligent in that circumstance and that's the question that you got to ask when it comes to a liability uh situation.

Nichols- um and then we go back on it then they said the law says they can have it, and it's not...

Patton- well I think you got to look at the legislative intent here and that's to prevent overdoses at any cost and so that's the purpose here um and I think the liability concern that the board might have here is is understandable on one hand but um you know there's a risk in everything that we do um and in this situation I think you know the the the writing on the wall is pretty clear legislature says you can't prohibit someone from possessing that product so if that's the case what what can you really do you know. I would hope that the likelihood of something like that happening uh was not great um but you know let's hope something stupid doesn't happen you know because of this law. That's that's my thoughts.

Stull-okay given all of that is there a motion to approve with the TSBA recommendations?

Nichols- we don't have choice.

Stull- I don't think we do.

Nichols- I second.

Stull- well I need you to make a motion.

Nichols- make a motion oh I can make a motion?

Stull- because I'm the acting chairman.

Nichols- so I make the motion that we accept 6.402.

Stull-second, motion carries and that is all of the policies that we have for today.

Motion to to accept recommendations from TSBA to policies.

VOICE VOTE: (mover-yes) Nichols

(seconder-yes) Stull

Yes: 7, No: 0

MOTION: Motion Carried

5. *AdjournmentStull-Is there a motion to adjourn?

Safdie-well Madam I think we can make that motion to adjourn.

Stull- anyone want to second?

King-second.

Stull-meeting adjourned.

Board of Education
July 9, 2024 4:00 PM
Central Services Board Room

The Cumberland County Board of Education met in a working committee session on Tuesday, July 9, 2024, in the Central Services Board Room, where the meeting was called to order by Chairman Boston at the approximate hour of 4:07 pm. Boston welcomed everyone to the meeting and appreciated everyone for attending.

BOARD MEMBERS:

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

1. Budget Committee-Ms. Teresa Boston

1.A. Call to Order/Pledge of Allegiance-Ms. Teresa Boston

1.B.*Approval of Committee Minutes-Boston asked for a motion to approve both sets of minutes. King made the motion and Boston with the second.

Motion to approve both sets of minutes.

VOICE VOTE: (mover-yes) King

(seconder-yes) Boston

Yes: 2, No: 0

MOTION: Motion Carried

1.C.Adjournment-Boston asked for any other discussion and with none, she made a motion to adjourn the budget committee meeting. King with the second.

Motion to adjourn meeting.

VOICE VOTE: (mover-yes) Boston

(seconder-yes) King

Yes: 2, No: 0

MOTION: Motion Carried

2. Building and Grounds Committee-Mr. Robert Safdie

2.A. *Approval of Committee Minutes-Hamby made a motion to approve minutes from last meeting. Safdie with the second.

Motion to approve last month's minutes.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Safdie

Yes: 2, No: 0

MOTION: Motion Carried

2.B.Adjournment-With no other items for building and grounds, Safdie rested, and Hamby made the motion to adjourn. Stull with the second.

Motion to adjourn meeting.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Stull

Yes: 3, No: 0

MOTION: Motion Carried

3. Policy Committee-Mrs. Rebecca Hamby

3.A. *Approval of Committee Minutes-Stull made a motion to approve minutes and Hamby with the second.

Motion to approve minutes.

VOICE VOTE: (mover-yes) Stull

(seconder-yes) Hamby

Yes: 2, No: 0

MOTION: Motion Carried

3.B.District Recommendations-Hamby introduced the policy and told everyone she had made some changes and was presenting this again. Changing the name from TLN representative to legislative representative and also added chair and/or vice chair pro-tem to the policy so that business could carry on as usual if both chairman and vice chairman would not be present at the September meeting due to those who hold that position no longer being on the board and voting for chair and vice chair not happening yet.

Stull asked if this would be happening in July or August since September both of those positions will be vacated by current members. Hamby said she would think it would need to be put on the agenda to vote a pro-tem in so they would

have one in place. Hamby made the motion to send changes to full board. Stull with the second.

Motion to send policy to full board.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Stull

Yes: 2, No: 0

MOTION: Motion Carried

3.C.TSBA Recommendations-Hamby told everyone these policies were changed due to new law and legislation changes.

Policy-4.301-Stull asked if the reference was correct. She said the reference TSBA gave does not specifically say or applies to "home school student participation". She asked to have the reference re-checked. Hamby asked if she wanted this to be tabled until their attorney could re-check it. Stull said yes and made the motion to do so. Hamby with the second. Maddox explained to the committee how TMSAA and TSSAA now require home school students to play only within their zoned schools. Hamby told everyone they only need clarification on the TCA reference from TSBA, since the reference makes no mention of sports with home school students. Hamby made a new motion to pass along to the full board with clarification on reference, so this didn't have to wait until the August meeting. Stepp said he would check the reference. Stull seconded Hamby's motion.

Policy 4.403-Hamby asked Stepp what position needed to be added for those reviewing library materials. They agreed to add "Director's designee". Hamby made the motion to add this wording to all places required in policy and send to full board and Stull with the second.

Policy 4.600-Hamby said she didn't see anything that stood out to her as being an issue and made a motion to send to full board.

Policy 4.603-Stull with motion to send to full board and Hamby with second.

Policy 5.307-Hamby said again, she didn't see any issues and made a motion to send to board and Stull with second.

Policy-5.701-Hamby asked why the pre-employment drug screening had been taken out. Stepp told her that was TSBA recommendation. She said she's making a motion to leave it in. Stull with the second.

Policy 5.802-Hamby reviewed the changes with everyone. She made a motion

to send to the full board with changes. Stull with the second.

Policy 6.203-Hamby said this was a lot of clean up and to match the law. She made a motion to send to full board and Stull with the second.

Policy 6.300-Hamby told the committee this was also clean up and consistent with the law. Hamby made a motion to send to full board, Stull with the second.

Policy 6.309-Hamby told everyone that some references changed due to law changes. She made the motion to send to full board. Stull with second.

Policy 6.316-Hamby reviewed changes with everyone and made a motion to send to full board. Stull with the second.

Policy 6.318-Hamby made a motion to send to full board and Stull with the second.

Policy-6.4052-Hamby asked Stepp to find out the reason/law behind these changes. She made a motion to pass along to full board with Stepp getting some clarification for them. Stull with the second.

Policy 6.409-Hamby presented changes to committee stating these were changes in law. Hamby made a motion to send to full board and Stull with the second.

Motion to send recommended policies to full board.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Stull

Yes: 2, No: 0

MOTION: Motion Carried

3.D. Adjournment-Hamby made a motion to adjourn the meeting and Stull with the second.

Motion to adjourn meeting.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Stull

Yes: 2, No: 0

MOTION: Motion Carried

4. Athletic Committee-Mr. Nick Davis

Only 1 board member on the Arts, Athletics and Activities Committee was present so no further action was taken.

4.A. *Approval of Committee Minutes

4.B. Adjournment-Committee members adjourned meeting at approximately 4:52 pm.

Motion to adjourn meeting.

VOICE VOTE: (mover-yes) Boston

(seconder-yes) Hamby

Yes: 5, No: 0

MOTION: Motion Carried

(*) Indicates Board Approval Required

William Stepp, DOS

Presiding Committee Chairmen/Board Members (Boston, Safdie, Hamby)

Teresa Boston for Budget _____

Robert Safdie for B&G/Safety _____

Rebecca Hamby for Policy _____

Diane McCartney, Board Recorder

Cumberland County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Method of Election of Officers	Descriptor Code: 1.200	Issued Date: 12/01/22
		Rescinds: 1.200	Issued: 10/07/99

1 At the first regular meeting in September each year, the Board shall organize by electing a chairman,¹ a
2 vice chairman, a parliamentarian, a [Legislative Representative](#), and a [Pro-Tem](#) to serve one-year terms or
3 until a successor is named or they are no longer members of the Board. In the event that an officer's seat
4 on the board is vacated, the Board shall elect a successor to serve the remainder of the officer's term.
5 Each board officer shall be eligible for re-election. ~~A TLN Representative will also be elected.~~

6 If no officer of the Board is serving at the time of the organizational meeting, any member shall call the
7 meeting to order and preside until a chairman is elected as the first order of business.

8 If the office of chairman is vacated prior to the expiration of the annual term, the vice chairman shall
9 assume all responsibilities of the chairman until a new chairman is elected. [In the event there is no](#)
10 [chairman or vice chairman the pro-tem will assume all responsibilities of the chairman until a new](#)
11 [chairman is elected.](#)

12 ~~A majority of the Board may call for a special meeting to elect officers in the event vacancies occur in~~
13 ~~both the Chairman and Vice Chairman positions.~~

Legal Reference:

1. TCA 49-2-202(c)(2)

Cumberland County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 07/27/23
		Rescinds: 5.106	Issued: 05/25/23

1 APPLICATION

2 An individual desiring a position with the Cumberland County School District shall make application
3 to the Director of Schools on forms approved by the Board. To ensure the safety and welfare of
4 students and staff, the district shall require criminal history background checks and fingerprinting of
5 applicants for teaching positions and any other positions that require proximity to children.¹ If applying
6 for a teaching position, the Director of Schools shall also check the applicant's license status in the
7 State Board of Education's database to determine if there is a hold on that applicant's license, and if so,
8 the reasoning behind the hold.²

9 Knowingly falsifying information shall be sufficient grounds for termination of employment and shall
10 also constitute a Class A misdemeanor which shall be reported to the District Attorney General for
11 prosecution.³

12 Any costs incurred to perform these background checks and fingerprinting shall be paid by the
13 applicant. The Board shall reimburse the applicant if a position is offered and accepted.⁴

14 *Professional Employees*

15 The application shall include a transcript of credits earned at the colleges or universities attended along
16 with references from persons such as previous employers, college professors, and supervisors of
17 student teachers. Other information shall include whether such applicant has been dismissed for cause
18 from a school district.⁵ If previously employed by a local board of education, the applicant shall
19 provide evidence of acceptable resignation.

20 No person shall be employed:

- 21 1. Who does not hold a valid license to teach or a temporary permit to teach from the State Board
22 of Education;⁶
- 23 2. Who has been identified by the Department of Children's Services, or on a similar registry in
24 another jurisdiction, as a perpetrator of child abuse, severe child abuse, child sexual abuse, or
25 child neglect or who poses an immediate threat to the health, safety, or welfare of children;⁷
- 26 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department
27 of Health, or on a similar registry in another jurisdiction;⁷
- 28 4. ~~Who does not present a physician's certificate showing a satisfactory health record or has any~~
29 ~~contagious or communicable disease in such form that might endanger the health of school~~
30 ~~children;~~⁸ **Who refuses to sign a health declaration form.**
- 31 5. Who refuses to take and subscribe to an oath to support the Constitution of the State of
32 Tennessee and of the United States of America;⁹

- 1 6. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
- 2 employment for cause; or
- 3 7. Who does not receive a satisfactory background check.¹⁰

4 *Support Employees*

5 No person shall be employed:

- 6 1. Who has any contagious or communicable disease in such form that might endanger the health
- 7 of school children;⁸
- 8 2. Who has been identified by the Department of Children's Services as a perpetrator of child
- 9 abuse, severe child abuse, child sexual abuse, or child neglect or who poses an immediate threat
- 10 to the health, safety, or welfare of children;⁷
- 11 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department
- 12 of Health;⁷
- 13 4. Who has not complied with the Immigration Reform and Control Act of 1986;¹¹
- 14 5. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
- 15 employment for cause; or
- 16 6. Who does not receive a satisfactory background check.¹⁰
- 17 7. A bus driver who does not present a physician's certificate showing a satisfactory health record
- 18 or has any contagious or communicable disease in such form that might endanger the health of
- 19 school children;⁸

20

21 **EMPLOYMENT**

22 After checking references and receiving written recommendations, the Director of Schools shall hire

23 and assign qualified applicants.

24 *Initial Employment for Professional Employees*

25 The Director of Schools shall notify such person, in writing, of the offer and conditions of

26 employment. Upon receipt of employment notification, such person shall respond within the timeline

27 established by state law.¹² From the date of the written acceptance, such person is considered to be

28 under employment with the district and is subject to all rights, privileges, and duties.

Legal References

1. TCA 49-5-406; TCA 49-5-413
2. State Board of Education Policy 5.501
3. TCA 49-5-406(a)(2)(A)
4. TCA 49-5-413(c)
5. TCA 49-2-131
6. TCA 49-5-403; TCA 49-5-101; TCA 49-5-106
7. TCA 49-5-413(e); Public Acts of 2023, Chapter No. 222
8. TCA 49-5-404
9. TCA 49-5-405
10. TCA 49-5-413(a), (f)
11. Immigration Reform and Control Act of 1986; Pub. L. No. 99-603, 100 Stat. 3359, 8 USCA § 1101 *et seq.*
12. TCA 49-5-406(b)

Cross References

Orientation and Probation 5.107
Compensation Guides & Contracts 5.110
Background Investigations 5.118
Recommendations and File Transfers 5.203
Interim Employees 5.700
Qualifications and Duties of the Director of Schools 5.802

Cumberland County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Code of Conduct and Discipline	Descriptor Code: 6.300	Issued Date: 07/27/23
		Rescinds: 6.300	Issued: 05/25/23

1 The Board delegates to the Director of Schools the responsibility of developing specific codes of
2 behavior and discipline, which are appropriate for each level of school.¹ Codes of conduct for students
3 in pre-kindergarten and kindergarten shall utilize alternative disciplinary practices such as time-out, 1
4 (one) minute for each year of the student's age. Exclusionary discipline shall only be used as a measure
5 of last resort.² The development of each code shall involve principals and faculty members of each
6 level and shall be based on evidence-based behavior supports and interventions.³

7 The following levels of misbehavior and disciplinary procedures and options are standards designed to
8 protect all members of the educational community in the exercise of their rights and duties to maintain
9 a safe learning environment where orderly learning is possible and encouraged.⁴ These misbehaviors
10 apply to student conduct on school buses, on school property, and while students are on school
11 sponsored outings. Staff members have the authority to enforce the code of conduct³ and shall ensure
12 that disciplinary measures are implemented in a manner that:⁵

- 13 1. Balances accountability with an understanding of traumatic behavior;
- 14
- 15 2. Teaches school and classroom rules while reinforcing that violent or abusive behavior is not
16 allowed in school;
- 17
- 18 3. Minimizes disruptions to education with an emphasis on positive behavioral supports and
19 behavioral intervention plans;
- 20
- 21 4. Creates consistent rules and consequences; and
- 22
- 23 5. Models respectful, non-violent relationships.

24 In order to ensure that these goals are accomplished, the school district shall utilize the following
25 trauma-informed discipline practices: RTI²B, multi-tiered system of supports, or behavior intervention
26 plans. Principals shall use appropriate discipline management techniques when enforcing the code of
27 conduct.

28 **MISBEHAVIORS: Level I**

29 This level includes minor misbehavior on the part of the student which impedes orderly classroom
30 guidelines or interferes with the orderly operation of the school, which can usually be handled by an
individual staff member.

31 *Examples (not an exclusive listing):*

- 1 * Classroom disturbances
- 2 * **School or** classroom tardiness
- 3 * Cheating and lying
- 4 * Abusive language
- 5 * **Non-defiant** failure to do assignments or carry out directions
- 6 * Wearing, while on the grounds of a public school during the regular school day, clothing
- 7 that exposes underwear or body parts in an indecent manner that disrupts the learning
- 8 environment⁶
- 9 * Victimization of any student (harassment (sexual, racial, ethnic, religious), bullying,
- 10 cyber-bullying, and/or hazing)

11 *Disciplinary Procedures:*

- 12 * Immediate intervention by the staff member.
- 13 * **The staff member** Determine what offense was committed and its severity.
- 14 * **The staff member** determine **who committed the offense and if** **offender and that** he/she
- 15 understands the nature of the offense.
- 16 * **The staff member** employs appropriate disciplinary options.
- 17 * Record of the offense and disciplinary action **shall be** maintained by staff member.
- 18 * **Law enforcement officials are contacted.**

18 *Disciplinary Options:*

- 19 * Verbal reprimand
- 20 * Special assignment
- 21 * Restricting activities
- 22 * Counseling
- 23 * Withdrawal of privileges
- 24 * **Issuance of demerits**
- 25 * Strict supervised study
- 26 * Detention
- 27 * Corporal punishment
- 28 * In-school suspension
- 29 * RTI²B, multi-tiered system of supports or behavior intervention plans

30 **MISBEHAVIORS: Level II**

31 Misbehavior whose *frequency* or *seriousness* tends to disrupt the learning climate of the school.
 32 Included in this level are misbehaviors which do not represent a direct threat to the health and safety of
 33 others but have educational consequences serious enough to require corrective action on the part
 34 of administrative personnel.

35 *Examples* (not an exclusive listing):

- 36 * Continuation of unmodified Level I **mis**behaviors
- 37 * Using forged notes or excuses
- 38 * Disruptive classroom behavior

1 *Disciplinary Procedures:*

- 2 * Student is referred to principal for appropriate disciplinary action.
- 3 * Principal meets with student and staff member
- 4 * Principal hears accusation made by staff member, permits student the opportunity of explaining his/her conduct.
- 5 * Principal takes appropriate disciplinary action and notifies staff member of action.
- 6 * Record of offense and disciplinary action maintained by principal.
- 7 * [Law enforcement officials are contacted.](#)

7 *Disciplinary Options:*

- 8 * Teacher/schedule change
- 9 * Peer counseling
- 10 * **Referral to outside agency**
- 11 * In-school suspension
- 12 * Transfer
- 13 * Detention
- 14 * Suspension from school-sponsored activities or from riding school bus
- 15 * Out-of-school suspension (not to exceed ten (10) days).
- 16 * RTI²B, multi-tiered system of supports or behavior intervention plans

17 **MISBEHAVIORS: Level III**

18 Acts directly against persons or property but whose consequences do not seriously endanger the health
19 or safety of others in the school.

20 *Examples (not an exclusive listing):*

- 21 * Continuation of unmodified Level I and II **mis**behaviors
- 22 * Fighting (simple)
- 23 * Vandalism (minor)
- 24 * Use, possession, sale, and/or distribution, and/or being under the influence of tobacco, or alcohol
- 25 * Use, possession, sale, or distribution of drug paraphernalia
- 26 * Use, sale, distribution, and/or being under the influence of drugs
- 27 * Stealing
- 28 * Threats to others
- 29 * Victimization of any student (harassment (sexual, racial, ethnic, religious), bullying, cyber-bullying, and or hazing)
- 30

31 *Disciplinary Procedures:*

- 32 * Student is referred to principal for appropriate disciplinary action.
- 33 * Principal meets with student and staff member
- 34 * Principal hears accusation and allows the student the opportunity to explain his/her conduct.
- 35
- 1 * Principal takes appropriate disciplinary action and notifies the staff member of the

- 2 action.
- 3 * Principal may refer incident to Director of Schools and make recommendations for
- 4 consequences.
- 5 * Record of offense and disciplinary action maintained by principal or Director of
- 6 Schools.

* Law enforcement officials are contacted.

Disciplinary Options:

- 8 * In-school suspension
- 9 * Detention
- 10 * Restitution from loss, damage or stolen property
- 11 * Out-of-school suspension not to exceed ten (10) days
- 12 * Social adjustment classes
- 13 * Transfer
- 14 * Alternative School
- 15 * RTI²B, multi-tiered system of supports or behavior intervention plans

16 MISBEHAVIORS: Level IV

17 Acts which result in violence to another's person or property, or which pose a threat to the safety of
 18 others in the school. These acts are so serious that they usually require administrative actions which
 19 result in the immediate removal of the student from the school, the intervention of law enforcement
 20 authorities and/or action by the Board.

21 If a student's action poses a threat to the safety of others in the school, a teacher, principal, school
 22 employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or
 23 death to another person.⁷

*Examples (not an exclusive listing):*⁸

- 25 * Unmodified Level I, II and III misbehaviors
- 26 * Death threat (hit list)
- 27 * Threat of mass violence of school property or at a school-related activity*
- 28 * Extortion
- 29 * Bomb threat*
- 30 * Possession/use/transfer of dangerous weapons
- 31 * **Assault**
- 32 * Assault that results in bodily injury upon any teacher, principal, administrator, any other
 33 employee of the school, or a school resource officer*
- 34 * Aggravated Assault *
- 35 * Vandalism
- 36 * Theft/possession/sale of stolen property
- 37 * Arson
- 38 * Possession of unauthorized substances (i.e. any controlled substance, controlled
 39 substance analogue, or legend drug)*

- 40 * Use, or transfer of unauthorized substances
- 41 * Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying,
- 42 * Cyber-bullying, and/or Hazing)
- 43 * Electronic threat to cause bodily injury or death to another student or school employee*

44 *Disciplinary Procedures:*

- 45 * Law enforcement officials and the Director of Schools are immediately contacted, if applicable. ⁹
- 46 * Principal confers with appropriate staff members and with the student.
- 47 * Principal hears accusations and permits offender opportunity to explain his/her conduct.
- 48 * Parents/guardians are notified.
- 49 * Law enforcement officials are contacted.
- 50 * Incident is reported, and recommendations made to the Director of Schools.
- 51 * The principal notifies the staff members of the resolution.
- 52 * If the student’s placement is to be changed, adequate notice of the charges shall be
- 53 given to the student and his/her parent(s)/guardian(s) and his/her right to appear at a
- 54 disciplinary hearing.

Disciplinary Options

- * Other hearing authority or Board action which results in appropriate placement
- * Alternative schools
- * RTI²B, multi-tiered system of supports or behavior intervention plans

*Designates zero tolerance offenses.

Legal References

1. TCA 49-6-4005
2. TCA 49-6-3024
3. TCA 49-6-2801
4. TCA 49-6-4002
5. TCA 49-6-4109
6. TCA 49-6-4009
7. TCA 49-6-2802
8. TCA 39-16-517; TCA 49-6-3401(g); Public Acts of 2024, Chapter No. 882; Public Acts of 2024, Chapter No. 915
9. Public Acts of 2024, Chapter No. 882

Cross References

- Security 3.205
- Traffic and Parking Controls 3.403
- Procedural Due Process 6.302
- Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
- Title IX & Sexual Harassment 6.3041
- Interference/Disruption of School Activities 6.306
- Bus Safety and Conduct 6.308
- Zero Tolerance Offenses 6.309
- Dress Code 6.310
- Corporal Punishment 6.314
- Detention 6.315
- Suspension 6.316
- Safe Relocation of Students 6.4081

Cumberland County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Opioid Antagonist	Descriptor Code: 6.4052	Issued Date: 05/25/23
		Rescinds: 6.4052	Issued: 04/26/18

1 **General**

2 The district shall maintain an opioid antagonist at each school in at least two (2) unlocked, secure
3 locations to be administered to any student believed to be having a drug overdose.¹ **The opioid**
4 **antagonist shall be stored in accordance with the manufacturer's instructions.** ²School nurses and other
5 school personnel expected to provide emergency care to students shall be trained according to the
6 Tennessee Department of Health guidelines. The school nurse or other trained school personnel may
7 utilize the school's supply of opioid antagonists to respond to a drug overdose, under a standing
8 protocol from a physician.

9 **School district staff shall not prohibit a student, employee, or visitor from possessing an opioid**
10 **antagonist while the person is on school property or attending a school-sponsored activity held at a**
11 **location that is not school property.** ²

12 **PARENTAL NOTIFICATION**

13 The school system shall notify the parent(s)/guardian(s) of any student to whom an opioid antagonist
14 has been administered.

15 **PROCEDURES**

16 The Director of Schools shall develop procedures for the maintenance and usage of opioid antagonists
17 as well as procedures regarding record keeping and reporting after any incident.

Legal References

1. State Board of Education Policy 4.205; **TCA 49-50-1604**
2. **Public Acts of 2024, Chapter No. 629**