

**GMSD Work Session**  
**March 23, 2022 5:00 PM**  
Board Room, GMSD Office

1. Review / Revision of Policies - First Reading
2. Adjustment to 21-22 FES Running Club Activity Fees
3. Miscellaneous FY 21-22 Budget Amendment # 23
4. Southwest Foodservice Excellence (SFE) 22-23 contract amendment
5. Further Business

### **3.29.22 RATIONALE FOR REVISION OF POLICIES**

Revisions are recommended for the following,

**First Reading 3.29.22 / Second Reading 4.19.22**

**Changes to the “monitoring” section should be made globally in every policy to read “annually” rather than a specific month because it is not always possible or recommended to review on the month stated. For example, during the legislative session when we know there is legislation that will affect a policy, it is advisable to not make changes to policies until the legislative action is completed, i.e. this prevents multiple reviews/revisions to policies.**

- 1. New Policy 5.606 Political Activities- changed monitoring to “annually”; added this policy to be compliant with State laws and provide concrete guidance to employees.**
- 2. Revision Policy 1.800 School Calendar- changed monitoring to “annually”. Change Director of Schools to “Superintendent”; changed language to be consistent with State law; updated citations.**
- 3. Revision Policy 1.803 Tobacco-Free Schools-changed monitoring to “annually”; changed language to be consistent with State law; updated citations.**
- 4. Revision Policy 1.804 Drug-Free Workplace-changed monitoring to “annually”; struck last sentence because all employees are already provided a copy of the policies via website; updated citations.**
- 5. Revision Policy 1.805 Use of Electronic Mail (e-mail)-changed monitoring to “annually”; changes are of a housekeeping nature; updated citations.**
- 6. Revision Policy 1.806 Advertising and Distribution of Materials and Use of School District Name-changed monitoring to “annually”; most changes are of a housekeeping nature, however, strikes made in sections 3 and 4 are made because those subject matters are covered in proposed new policy 5.606 “Political Activities”.**
- 7. Revision Policy 3.403 Private Vehicles-changed monitoring to “annually”; added language to provide notice of insurance coverage amounts.**
- 8. Revision 4.202 Special Education-changed monitoring to “annually”; struck last two sentences because the policy itself places responsibility on the district to provide training, which generally emanates from the Department of Exceptional Student Education, but also comes from elsewhere; updated citations.**
- 9. Revision 4.302 Field Trips Competitions-changed monitoring to “annually”; removed**

a housekeeping nature, other than the fact that we propose that the “private vehicle” policy be referenced within this policy as a reminder that there is a separate policy pertaining to “private vehicles” if that is the mode of transportation that is approved for a Field Trip/Competition; removed language about “requested fees” because the language creates ambiguity about what is meant by “reasonable” – i.e. that term is relative to the type of Field Trip/Competition.

10. Revision Policy 4.300 Extracurricular Activities- changed monitoring to “annually”; struck superfluous language, i.e. the policy already provides that the Principal must approve all activities and clubs.
11. Revision Policy 5.113 In-Service and Professional Learning Opportunities- changed monitoring to “annually”; struck superfluous language; made housekeeping changes; harmonized policy with state laws and State Board Policy; struck language regarding professional employees and support personnel because there are times that said employees are exempted from in-service, thus mandating attendance by policy appears to be counter-intuitive; updated citations.
12. Revision Policy 5.114 Personnel Records-changed monitoring to “annually”; made housekeeping changes; added language to comply with State law in regard to protected employee information; updated citations.
13. Revision Policy 5.401 HIV AIDS (Employees)-changed monitoring to “annually”; made housekeeping changes; struck language about Superintendent developing guidelines, because the policy is self sufficient; updated citations.
14. REPEAL 4.613 Programs for Students with Disabilities- it is recommended that this policy be repealed because the information is already contained in Policy 4.202, thus making this policy superfluous to that policy.
15. REPEAL 5.104 Equal Employment Opportunity Compliance- it is recommended that this policy be repealed because the information is already contained in Policies 5.500 and Policy 1.809, thus making this policy superfluous to those policies.

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Political Activities</b>	Descriptor Code: <b>5.606</b>	Issued Date: <b>04/**/22</b>
		Rescinds:	Issued:

1 Employees may, on their own time, campaign for or against any candidate or referendum, but are  
2 prohibited from using system-owned property to engage in political activity. System-owned property  
3 includes, but is not limited to: all buildings, signage, message boards, telephonic equipment, electronic  
4 equipment and e-mail accounts.

5 Political campaigning on school district premises is prohibited. Political literature shall not be  
6 distributed on school district premises. Political signs shall not be permitted on school district premises.

7 It is unlawful for teachers, teacher's aides, librarians, principals, supervisors, Superintendent, members  
8 of school administrative staff or central office staff to display campaign literature, banners, placards,  
9 streamers, stickers, signs or other items of campaign or political advertising on behalf of any party,  
10 committee or agency, or candidate for partisan or nonpartisan public office elected by the people, on the  
11 premises of any building or land owned by GMSD, or to use any GMSD facilities, including equipment  
12 and vehicles, for such purposes. This prohibition does not apply to the display of campaign banners,  
13 placards, streamers, stickers, signs or other items of campaign or political advertising on GMSD's  
14 property or the use of GMSD equipment, when the display or use is a part of and solely for the purpose  
15 of the GMSD's program of student education relative to the electoral process.

16 It is unlawful for teachers, teacher's aides, librarians, principals, supervisors, Superintendent, members  
17 of school administrative staff or central office staff employed by GMSD during those hours of the day  
18 when GMSD requires teachers, teacher's aides, librarians, principals, supervisors, Superintendent,  
19 members of school administrative staff or central office staff to be performing school duties to:

- 20 (A) Engage actively in a political campaign on behalf of any party, committee, organization  
21 or agency;
- 22 (B) Engage in a campaign for a candidate for partisan or nonpartisan public office elected by  
23 the people;
- 24 (C) Attend political meetings or rallies;
- 25 (D) Use the teacher's employment to interfere with or affect the result of any regular or  
26 special primary election conducted with the state; or
- 27 (E) Perform political campaign duties or functions.

28 No sign or message in support or opposition to a referendum or initiative placed before the voters shall  
29 be displayed on a sign owned by GMSD or its schools or attached to GMSD owned buildings. No audio  
30 or video messages in support of or in opposition to a referendum or initiative shall be dispersed using  
31 GMSD or school telephonic or electronic equipment or accounts.

Legal References

T.C.A. 2-19-201  
T.C.A. 2-19-206  
T.C.A. 2-19-207  
T.C.A. 49-6-2009

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>School Calendar</b>	Descriptor Code: <b>1.800</b>	Issued Date: <b>4/**/22</b> <b>04/07/14</b>
		Rescinds:	Issued:

## 1 *Calendar*<sup>+</sup>

2 The school calendar for the next school year shall be recommended by the **Director of Schools**  
3 **Superintendent** and approved by the Board prior to the end of the school year. Changes in the school  
4 calendar must be approved by the Board.

5 ~~The length of the school day is established to provide appropriate time for a meaningful educational~~  
6 ~~program and only in extreme circumstances will extra time be used for making up days lost due to~~  
7 ~~inclement weather. The Board believes that days lost due to inclement weather should be made up, and~~  
8 ~~that the annual school calendar should be structured to minimize the impact on community and family~~  
9 ~~planning when make-up days are required. The school calendar should be established with an~~  
10 ~~appropriate number of extra days that can be used as make-up days for days lost due to inclement~~  
11 ~~weather.~~

12 The Board shall designate the number of days allocated for dangerous or extreme weather conditions  
13 and the number of days to be allocated for student dismissals for faculty professional development, IEP  
14 team meetings, school-wide or system-wide instructional planning meetings, parent/teacher  
15 conferences, or other similar meetings. The total number of such days shall not exceed thirteen (13).

## 16 *School Day*

17 Students shall attend school one-hundred eighty (180) days, unless the Commissioner of Education  
18 waives the 180 day requirement due to natural disaster or serious outbreaks of illness affecting or  
19 endangering students or staff.

20 The school day shall be recommended by the **Director of Schools** Superintendent and approved by the  
21 Board of Education.

22 The minimum length of the school day for students shall be six and one-half (6 ½) hours. The length of  
23 the kindergarten day shall not be less than four (4) hours. Teachers shall be on duty at least seven (7)  
24 hours per day and such additional time as the school district requires.

## 25 *Emergency Closings*

26 The **Director of Schools** Superintendent shall determine the need for emergency **closing** closures of  
27 schools. Announcement of such **closing** closures shall be made at the earliest practical hour.

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**Legal References**

1. ~~TCA 49-6-3004(a)(1)-(6); State Board of  
Education Guidelines for Planning Approvable  
In-Service Education Activities~~

**T.C.A. 49-6-3004**

**State Board Rule 0520-01-02-.31**

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**Cross-References**

~~In-Service and Professional Learning Opportunities  
5.113  
Attendance 6.200~~

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Tobacco-Free Schools</b>	Descriptor Code: <b>1.803</b>	Issued Date: <b>4/**/22</b> <b>05/20/19</b>
		Rescinds: <b>1.803</b>	Issued: <b>04/07/14</b>

- 1 The Germantown Board of Education recognizes that smoking represents a health and safety hazard,  
 2 which has serious consequences for the smoker and the non-smoker. The Board also recognizes that all  
 3 staff members should serve as positive role models for our students. In order to protect our students,  
 4 staff, visitors, and guests of the schools from an environment that may be harmful to them, the Board  
 5 prohibits all uses of tobacco, electronic/battery operated devices, vapor products, and all other associated  
 6 paraphernalia in all of the school district's buildings and in all vehicles that are owned, leased, or operated  
 7 by the district.<sup>1</sup> Smoking and vaping shall be prohibited in any public seating areas including, but not  
 8 limited to, bleachers used for sporting events or public restrooms.<sup>2</sup>
- 9 Employees and students in the school district will not be permitted to use these products while they are  
 10 participants in any class or activity in which they represent the school district.
- 11 Signs will be posted throughout the district's facilities to notify students, employees, and all other persons  
 12 visiting the school that the use of these products is forbidden. The following notice shall be prominently  
 13 posted (including at each ticket booth) for elementary or secondary school sporting events: *Smoking is*  
 14 *prohibited by law in seating areas and in restrooms.*<sup>3</sup>
- 15 It is unlawful for a person who has not attained twenty-one (21) years of age to possess a tobacco,  
 16 smoking hemp, or vapor product. Any student that possess a tobacco, smoking hemp or vapor product  
 17 may be issued a citation by a law enforcement officer. Additionally, the product shall be seized as  
 18 contraband by the law enforcement officer.

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Legal References

- 1. 20 USCA § 6083; ~~Section 1042 of the Environmental Tobacco Smoke/Pro-Children Act of 1994; TCA 39-17-1604(6); TCA 39-17-1604(10)~~
- 2. T.C.A. 39-17-1505
- 3. T.C.A. 39-17-1604(10)
- 4. T.C.A. 39-17-1605

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Cross-References

~~Community Use of School Facilities 3.206~~

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Drug-Free Workplace</b>	Descriptor Code: <b>1.804</b>	Issued Date: <b>4/**/22</b> <b>02/17/14</b>
		Rescinds:	Issued:

1 No employee shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace  
2 alcohol or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other  
3 controlled substance, as defined in federal law. <sup>1</sup> “Workplace” shall include any school building or  
4 any school premise; any school-owned or any other school-approved vehicle used to transport  
5 students to and from school or school activities; and off-school property during any school-sponsored  
6 or school- approved activity, event or function.

7 **As a condition of employment, all GMSD employees shall:**

- 8 (a) abide by the terms of this policy; and  
9 (b) notify the GMSD Assistant Superintendent of Human Resources of any criminal drug statute  
10 violation occurring in the workplace, no later that five (5) days of the conviction.

11 Any employee who violates the terms of this policy shall be subject to discipline up to and including  
12 dismissal.

13 ~~The director of schools shall be responsible for providing a copy of this policy to all school system~~  
14 ~~employees.~~

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#### Legal References

~~1. Drug Free Workplace Act of 1988,  
41 USCA § 8103~~

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#### Cross-References

~~Drug and Alcohol Testing, Employees 5.403  
Drug-Free Schools 6.307~~

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Use of Electronic Mail (e-mail) by Board Members</b>	Descriptor Code: <b>1.805</b>	Issued Date: <del>4/**/22</del> <b>02/03/14</b>
		Rescinds:	Issued:

~~Electronic mail capability among board members and district staff~~
 GMSD Board Member access to the GMSD network, exists for the purpose of enhancing communication to better perform tasks associated with ~~their positions and assignments~~ being a GMSD Board Member. Therefore, all ~~staff and~~ GMSD Board Members who have access to the District network shall adhere to the following guidelines when sending or receiving messages via systemwide-electronic mail (e-mail):

1. Because all computer hardware and software belong to the ~~Board~~ GMSD, all data including e-mail communications stored or transmitted on school ~~system~~ district computers shall be monitored. ~~Employees/GMSD Board Members~~ have no right to privacy with regard to such ~~data, stored on any school system computer and/or network.~~ Confidentiality of e-mail communication cannot be assured. E-mail correspondence may be a public record under the public records law and may be subject to public inspection.<sup>1</sup>
2. Messages shall pertain to legitimate ~~GMSD Board~~ District business; e-mail shall not be used to circumvent requirements of the Open Meetings Act.<sup>2</sup>
3. ~~Staff/board members will be asked to sign an application for terms and conditions for Use of the Internet. Staff/GMSD Board Members~~ shall not reveal their passwords to others in the network or to anyone outside of it. If anyone has reason to believe that a password has been lost or stolen or that e-mail has been accessed by someone without authorization, s/he shall contact the ~~GMSD Technology Coordinator~~ immediately.
4. It is the responsibility of the ~~sender~~ GMSD Board Member not to violate copyright laws.
5. ~~Messages~~ GMSD Board Members shall not ~~be sent~~ send messages that contain material that may be defined by a reasonable person as obscene or ~~that are racist, sexist or~~ contain ~~discriminatory~~ content or promote illegal or unethical activity.

Any usage contrary to the above shall be reported immediately to the ~~director of schools~~ Superintendent and may result in the suspension and/or revocation of ~~system access or if deemed necessary, appropriate disciplinary action may be taken.~~ to the GMSD network

## Legal References

1. T.C.A. 8-44-102
2. T.C.A. 10-7-512

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Advertising and Distribution of Materials and Use of School or School District Name</b>	Descriptor Code: <b>1.806</b>	Issued Date: 4/**/22 <b>02/17/14</b>
		Rescinds:	Issued:

1 No part of the school system, including the facilities, the name, the staff, and the students, shall be used  
 2 for advertising or promoting the interests of any commercial, **political** or other non-school agency or  
 3 organization except that:

- 4 1. **If approved by the Principal,** the school may cooperate in furthering the work of any non-profit,  
 5 community-wide social service agency, provided that such cooperation does not restrict or  
 6 impair the educational programs of the schools;  
 7
- 8 2. **If approved by the Principal,** the school may participate in radio or television programs  
 9 under acceptable commercial sponsorship when such programs are educationally beneficial.  
 10
- 11 3. **If approved by the Principal,** community, educational, charitable, recreational and other similar  
 12 civic groups may advertise events pertinent to students' interests or involvement. **Such**  
 13 ~~advertisement, including the distribution of materials, shall be subject to any procedures~~  
 14 ~~related to time, place and manner established by the principal;~~  
 15

~~The principal shall screen all materials prior to distribution to ensure their appropriateness;  
 The principal may prohibit materials that:~~

- ~~a. would likely to cause substantial disruption of the operation of the school;~~
- ~~b. violate the rights of others;~~
- ~~c. are obscene, lewd or sexually explicit; or~~
- ~~d. students would reasonably believe to be sponsored or endorsed by the school.~~

- 23 4. **If approved by the Superintendent,** the school may, ~~upon approval of the director of schools~~  
 24 cooperate with any governmental agency in promoting activities which advance the  
 25 education or other best interests of the students;  
 26

~~Political literature shall not be distributed through the school to students, nor sent home to  
 parents, nor placed in teachers' mailboxes, lounges, or on school premises;~~

~~Political signs for people who are running for public office shall not be allowed on school  
 property except those being held by poll workers on election day; and~~

- 33 5. **If approved by the Principal,** school publications may accept and publish paid advertising  
 under ~~procedures established by the director of schools~~

1 All advertising shall meet the following criteria;

- 2 1. No advertising shall be allowed that is not age-appropriate to ~~the~~ students; ~~attending the~~  
3 ~~institution or those who might reasonably be expected to view such advertisements;~~
- 4 2. No advertising shall promote the use of drugs, alcohol, tobacco, or gambling;  
5 ~~No advertising shall adversely affect the District's reputation or image; and~~
- 6 3. No advertising shall be lewd, obscene, or sexually explicit;
- 7 4. No advertisings shall by permitted that, in the opinion of the Principal or the Superintendent,  
8 would cause substantial disruption to the educational process.

## 9 **USE OF SCHOOL DISTRICT NAME**

10 No school or community organization, employee, student or other person may use the name of the  
11 school ~~system~~ district or an individual school in any promotional manner or for personal benefit  
12 without prior approval of the Board.

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term:  <h2 style="text-align: center;">Private Vehicles</h2>	Descriptor Code: <b>3.403</b>	Issued Date: <b>4/**/22</b> <b>09/25/18</b>
		Rescinds:	Issued:

1 The Board recognizes that certain employees may need to use their private vehicles for school purposes.  
2 With the use of private vehicles, the following policy shall be observed:

- 3 1. To use a private vehicle for school purposes, the employee must have the written permission  
4 of the Superintendent or designee and proof of vehicle liability insurance coverage in the  
5 minimum amount of \$700,000 for bodily injury or death of all persons in any one accident  
6 and \$100,000 for injury or destruction of property of others.<sup>†</sup>
- 7
- 8 2. The employee’s private vehicle insurance shall be primary in case of accident.
- 9
- 10 3. The Board specifically forbids any employee to transport students for school purposes  
11 without prior authorization by the Superintendent or designee.
- 12
- 13 4. Privately owned school buses and drivers of such shall meet all requirements of state law and  
14 state Board Rules, Regulations, and Minimum Standards.
- 15
- 16 5. No student shall be sent on errands, personal or school-related, in a vehicle owned by the  
17 student, an employee, or the School District.
- 18
- 19 6. No employee may ask for or give permission to students to transport other students to and  
20 from any school or school-related activity without written parental permission and proof of  
21 student insurance and a current driver’s license.

22 The Board recognizes that volunteer parent drivers are often needed to use their private vehicles for  
23 school purposes. The volunteer parent drivers who use a private vehicle must provide proof of vehicle  
24 liability insurance coverage in the form of an insurance certificate in ~~a sufficient amount, as determined~~  
25 ~~by the Superintendent~~ **the following amounts** and provide proof of a current driver’s license;

<b>Minimum Coverage Amount</b>	<b>Coverage</b>
<b>\$100,000 per person</b>	<b>Bodily Injury</b>
<b>\$300,000 per accident</b>	<b>Bodily Injury</b>
<b>\$50,000 per accident</b>	<b>Property Damage</b>

It shall be the responsibility of the School Principal/designee to review proofs of insurance and driver's licenses as referenced in this policy.

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Legal References

1. ~~TCA 29-20-403~~  
T.C.A. 29-20-403

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Cross-References

Student Transportation Management 3.400  
Scheduling and Routing 3.401  
Board Owned 3.402

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Special Education</b>	Descriptor Code: <b>4.202</b>	Issued Date: <b>4/**/22</b> <b>08/24/21</b>
		Rescinds: <b>4.202</b>	Issued: <b>05/17/21</b>

1 The GMSD Assistant Superintendent for Exceptional Student Education shall be responsible for  
2 ensuring that the District has a procedure for identifying and evaluating children who are suspected of  
3 having a disability and that the procedure is being properly implemented.<sup>1,2,3</sup>

4 A free appropriate public education (FAPE) shall be available to all children with disabilities,  
5 aged three (3) through the school year the student turns twenty-two (22), including those children who  
6 have been suspended or expelled from school for more than ten (10) school days in a school year.

7 The GMSD Assistant Superintendent for Exceptional Student Education, in coordination with the  
8 GMSD Chief Financial Officer shall be responsible for developing a procedure for the administration  
9 of IDEA and preschool funds and shall maintain appropriate records and reports to be used in planning  
10 and evaluating special education programs and services.

11 Students with disabilities shall be educated with the general student population to the maximum extent  
12 appropriate and should be placed in separate or special classes only when the severity of the disability  
13 is such that education in regular classes, even with the use of supplementary aids and services, cannot  
14 be accomplished satisfactorily, as determined by the student's IEP team.

15 Eligibility standards and options for service for special education services shall be based upon the  
16 criteria specified in state regulations.

## ISOLATION AND RESTRAINT

### 18 **DEFINITIONS<sup>4</sup>**

19 "Emergency" means that a student's behavior poses a threat to the physical safety of the student or  
20 others nearby.

21 "Isolation" or "Seclusion" means the confinement of a student alone, with no other students, staff, or  
22 persons present, in a room with or without a door, or other enclosed area or structure pursuant to  
23 T.C.A. § 49-10-1305(g) where the student is physically prevented from leaving because a door, object,  
24 or school personnel is blocking the student's exit; and does not include time-out, a behavior  
25 management procedure in which the opportunity for positive reinforcement is withheld, contingent  
26 upon the demonstration of undesired behavior; provided, that time-out may involve the voluntary  
27 separation of a student receiving special education services from others.

28 "Physical holding restraint" means the use of body contact by school personnel with a student to  
29 restrict freedom of movement or normal access to the student's body except for:<sup>5</sup>

- 1 (A) The holding of a student by an adult in order to calm or comfort the student in the absence of an  
2 emergency;
- 3 (B) Contact necessary to physically escort a student from one area to another in the absence of an  
4 emergency;
- 5 (C) Assisting a student in completing a task or response if the student does not resist or if the  
6 resistance is of a minimal intensity or duration;
- 7 (D) Physically redirecting a student if the student does not resist or if the resistance is of minimal  
8 intensity or duration; or
- 9 (E) School personnel blocking a student's exit or elopement by physically placing themselves in  
10 front of the student.

11 "Behavior intervention training program" means a training program in evidence-based positive  
12 behavioral supports, evidence-based crisis intervention and evidence-based techniques for the safe use  
13 of restraint and isolation.

14 "Mechanical restraint" means the application of a mechanical device, material, or equipment attached or  
15 adjacent to the student's body, including ambulatory restraints, which the student cannot easily remove  
16 and that restrict freedom of movement or normal access to the student's body. "Mechanical restraint"  
17 does not include the use of restraints for medical immobilization, adaptive support, or medical protection,  
18 or the use of a seatbelt or other device, including, but not limited to, a belting system or harness, to secure  
19 a child with a disability during transit on a bus or vehicle operated by GMSD or a provider contracted to  
20 serve GMSD's transportation needs.

21 "Chemical restraint" means a medication that is prescribed to restrict a student's freedom of movement  
22 for the control of extreme violent physical behavior. Chemical restraints are medications used in addition  
23 to, or in replacement of, a student's regular drug regimen to control extreme violent physical behavior.  
24 The medications that comprise the student's regular medical regimen, including PRN medications, are  
25 not considered chemical restraints, even if their purpose is to treat ongoing behavioral symptoms.

26 "Restraint" means a chemical restraint, mechanical restraint, or physical holding restraint.

27 "Positive behavioral supports" means a systematic approach using evidence-based practices to improve  
28 school environments, and to prevent and respond to problem behavior that:<sup>6</sup>

- 29 (A) Is proactive and instructional, rather than reactive and punitive;
- 30 (B) Operates on the following three (3) levels:
- 31 (i) Individual;
- 32 (ii) Group or classroom; and
- 33 (iii) The whole school;

- 1 (C) Includes a system of continual data collection;
- 2 (D) Utilizes data-based decision-making;
- 3 (E) Applies research-validated positive behavioral interventions; and
- 4 (F) Improves academic and social outcomes for all students, including those with the most complex  
5 and intensive behavioral needs.

6 **REQUIREMENTS FOR USING ISOLATION OR RESTRAINTS<sup>7</sup>**

7 For a student receiving special education services, isolation or a physical holding restraint may only be  
8 used in emergency situations.

9 Individualized education programs that provide for the use of isolation or a physical holding restraint  
10 for certain behavior must contain a data driven functional behavior assessment and a plan for  
11 modification of the behavior developed and implemented by a qualified team of professionals.

12 In the event that a physical holding restraint or isolation is imposed on a student, it shall be imposed by  
13 school personnel who have been trained and certified for completing a behavior intervention training  
14 program or other school personnel when trained and certified personnel are not immediately available.

15 If school personnel impose isolation or restraint, then the school shall immediately contact the school  
16 Principal or his/her designee. The Principal or his/her designee must observe and evaluate the student's  
17 condition within a reasonable time after the isolation or restraint was used. The Principal or his/her  
18 designee shall notify the student's parent or guardian orally or by written or printed communication on  
19 the same day the isolation or restraint was used.

20 An IEP team meeting must be convened within ten (10) days of the use of a restraint if:<sup>7</sup>

- 21 (1) The student's IEP does not provide for the use of a physical holding restraint generally,  
22 or for the behavior that precipitated the use of the restraint; or
- 23
- 24 (2) A physical holding restraint is used for an extended period of time, as determined by the  
25 state board of education.

26 An IEP team meeting must be convened within ten (10) days of the use of an isolation if:<sup>7</sup>

- 27 (1) The student's IEP does not provide for the use of an isolation generally, or for the  
28 behavior that precipitated the use of the isolation; or
- 29 (2) An isolation is used for an extended period of time, as determined by the state board of  
30 education.

31 **RESTRICTIONS ON ADMINISTRATION OF, OR USE OF, ISOLATION OR RESTRAINT<sup>8</sup>**

32 Administering a chemical restraint to a student receiving special education services is prohibited;  
33 provided that chemical restraints are not prohibited when administered for therapeutic purposes under

1 the direction of a physician and with the student's parent or guardian's consent to administer such  
2 chemical restraint.

3 Administering a noxious substance to a student receiving special education services, as defined by  
4 T.C.A. § 49-10-102 is prohibited.

5 The use of any mechanical restraint on any student receiving special education services is prohibited.

6 The use of isolation or restraint as a means of coercion, punishment, convenience or retaliation on any  
7 student receiving special education services is prohibited.

8 Removing or disabling any equipment or device that a student requires, including, but not limited to, a  
9 power wheelchair, brace, augmentative communication device, or walker, as a means of coercion,  
10 punishment, convenience, or retaliation on any student receiving special education services is prohibited.

11 The use of a locked door, or any physical structure, mechanism, or device that substantially accomplishes  
12 the function of locking a student in a room, structure, or area, is prohibited.

13 Any enclosed area or structure used as an isolation room shall be:

- 14 a) Unlocked and incapable of being locked;
- 15 b) Free of any condition that could be a danger to the student;
- 16 c) Well ventilated and temperature controlled;
- 17 d) Sufficiently lighted for the comfort and well-being of the student;
- 18 e) Where school personnel are in continuous direct visual contact with the student at all  
19 times;
- 20 f) At least forty (40) square feet; and
- 21 g) In compliance with all applicable state and local fire, health, and safety codes.

22 Actions undertaken by school personnel to break up a fight or to take a weapon from a student are not  
23 prohibited; however, these acts shall be reported to the Principal of the school where the fight took  
24 place or the weapon was taken.

## 25 **TRAINING<sup>8</sup>**

26 GMSD will provide training for all GMSD administrators and special education teachers concerning  
27 behavior intervention.

28 Staff members who are primarily authorized to perform isolation or restraint functions must receive  
29 annual behavior intervention training including transportation and immobilization procedures through  
30 the Crisis Prevention Institute or the Professional Crisis Management Association.

## 31 **Responsibility**

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32 ~~Each Principal shall be responsible for ensuring that staff in his/her building receives training. The~~  
33 ~~Department of Exceptional Student Education is responsible for reviewing school documentation of~~  
34 ~~the use of isolation and restraint and for implementing this Policy.~~

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 Legal References

1. ~~TRR/MS 0520-01-09~~
2. ~~TCA 49-10-101 et seq.~~
3. ~~20 USCA §§ 1400-1485; 29 USCA § 794; 34 CFR § 300.504~~
4. ~~TCA 49-10-1303~~
5. ~~TCA 49-10-1303(8)(A)-(E)~~
6. ~~TCA 49-10-1303(9)(A)-(F)~~
7. ~~T.C.A. § 49-10-1305; TRR/MS 0520-1-9-.23~~
8. ~~T.C.A. § 49-10-1301, et seq.~~

TRR/MS 0520-01-09  
 T.C.A. 49-10-1301, et seq.

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 Cross-References

~~Compulsory Attendance Ages 6.201~~  
~~Alternative Education 6.319~~  
~~Student Communicable Diseases 6.403~~  
~~Acquired Immune Deficiency Syndrome 6.404~~  
~~Special Education Students 6.500~~

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 Legal References

TRR/MS 0520-01-09  
 T.C.A. § 49-10-101 et seq.  
 Education of Individuals with Disabilities 20  
 U.S. C. Sections 1400-1485. Section 504 of the  
 Rehabilitation Act of 1973. (Note: 504 of the  
 Rehabilitation Act of 1973 has been interpreted  
 by the courts to protect individuals with  
 contagious diseases.)  
 T.C.A. § 49-10-1303  
 TCA 49-10-1303(8)(A)-(E)  
 TCA 49-10-1303(9)(A)-(F)  
 T.C.A. § 49-10-1305; TRR/MS 0520-1-9-.23  
 T.C.A. § 49-10-1301, et seq.

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Field Trips / Competitions</b>	Descriptor Code: <b>4.302</b>	Issued Date: <b>4/**/22</b> <b>05/05/14</b>
		Rescinds:	Issued:

- 1 Field Trips/**Competitions** shall be an enrichment of concepts taught in the classroom and are encouraged  
2 and supported by the district. ~~Field Trips will be based on established standards for increased student~~  
3 ~~growth and achievement.~~ Field Trips/**Competitions** will be considered based on; educational benefit,  
4 curriculum alignment, celebration of work or achievement, enrichment of school culture, age  
5 appropriateness, distance traveled, transportation, cost, and interruption of instructional time.
- 6 School sponsored Field Trips/**Competitions** must be authorized by the Principal and approved by the  
7 ~~district office~~ **GMSD Executive Director of Teaching, Learning and Assessment.** The school must  
8 have permission slips signed by parent/guardian for each participating student on file as well as  
9 emergency contact information.
- 10 Schools may request payment of fees associated with Field Trips/**Competitions** in accordance with  
11 applicable State Law, minimum rules and regulations, and Board policy. ~~Requested fees should be~~  
12 ~~kept to a minimum.~~
- 13 Student safety is a vital concern for the District; therefore, appropriate supervision for school  
14 sponsored Field Trips/**Competitions** by teachers, school staff or other District officials shall be  
15 required. Additional supervision may be provided by volunteer chaperones.
- 16 **The Board prefers that transportation to school-sponsored Field Trips/**Competitions** should be by**  
17 **school or commercial bus. The commercial bus company must be on the District's approved vendor**  
18 **list that is updated on a regular basis. However, if the Principal and the **GMSD Executive Director of****  
19 **Teaching, Learning and Assessment approve the Field Trip/Competition and the transportation is to be**  
20 **provided by private transportation, the Board's "Private Vehicles" policy must be followed. If private**  
21 **vehicles are used an additional ridership permission slip shall be signed by the parent/guardian.**
- 22 Field trips/**Competitions** sponsored by individuals/entities other than Germantown Municipal Schools  
23 are neither approved nor sanctioned by the District. ~~This shall include, but is not limited to employees~~  
24 ~~acting as independent agents, parent groups, and individuals/entities that recruit and/or solicit the~~  
25 ~~participation of District students and/or staff.~~ The use of the District's name, forms, and/or other  
26 information in association with any non- sanctioned **Field Trip/Competition** shall be prohibited.  
27 Additionally, the District shall not assume liability for any **Field Trip/Competition** that is not **approved**  
28 ~~by the school Principal and Superintendent or designee~~ a **GMSD -sanctioned Field Trip/Competition.**
- 29 ~~Teachers and principals are responsible for compliance with the provisions of this policy and the~~  
30 ~~accompanying administrative rules and regulations. Questions concerning the implementation of this~~  
31 ~~policy and the administrative rules and regulations should be directed to the Superintendent's office.~~

1 ~~The Superintendent is responsible for ensuring that this policy is followed.~~

2

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~~Cross-References~~  
~~Attendance 6.200~~

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Extracurricular Activities</b>	Descriptor Code: <b>4.300</b>	Issued Date: <b>4/**/22</b>
		Rescinds:	Issued: <b>05/05/14</b>

The following guidelines shall be followed in administering school-sponsored extracurricular activities:

~~The principal shall initially approve each extracurricular activity to ensure proper support and supervision.~~

1. Each student activity must be under the guidance and direction of a certified staff member.
2. All extracurricular activities and clubs must have the approval of the Principal.

~~Student activities occurring before or after regularly scheduled school hours must be under the supervision of the principal or his/her designee.~~

~~Secret organizations shall not be operated in any school.~~

3. A student shall not be required to attend an extracurricular activity that is scheduled at a time which conflicts with his/her religious practices.
4. Extracurricular activities during vacation periods shall be restricted to regularly scheduled athletic programs and major events which cannot be scheduled otherwise.

~~Student groups shall not participate in state or national activities which are not listed as approved activities by a regional accrediting association or the state and national principal's associations without the approval of the director of schools.~~

5. A student on out-of-school suspension shall not be permitted to participate in extracurricular activities.
6. Activities which restrict participation because of race, color, religion, sex, disabilities, or national origin are strictly forbidden.<sup>1</sup>

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#### Legal References

1. 20 USC § 1703

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#### Cross References

Interscholastic Athletics 4.301  
Field Trips and Excursions 4.302

<b>Germantown Municipal School District</b>			
Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>In-Service and Professional Learning Opportunities</b>	Descriptor Code: <b>5.113</b>	Issued Date: <b>4/**/22</b> <b>08/24/21</b>
		Rescinds: <b>5.113</b>	Issued: <b>10/07/19</b>

1 **IN-SERVICE EDUCATION**

2 ~~In-service education<sup>†</sup> is a program of planned activities designed to increase the competencies needed~~  
 3 ~~by all personnel in the performance of their responsibilities. Competencies are defined as the knowledge,~~  
 4 ~~skills, and attitudes which enable personnel to perform their tasks with maximum effectiveness to~~  
 5 ~~increase student achievement.~~

6 Each certified employee shall be required to participate in the professional development opportunities  
 7 (in-service) provided by the school district. Failure to participate in an in-service training may be  
 8 considered to be in subordination and may result in disciplinary action up to and including termination.

9 *Administrative and Supervisory Employees*

10 Administrative and supervisory employees shall show evidence of continual professional growth by  
 11 attendance at in-service programs and institutes, studying professional literature, meeting with other  
 12 professionals for discussion, and otherwise keeping abreast of research in methodology, curriculum, and  
 13 student growth and development.

14 Each Principal and Administrator shall be required to ~~earn fourteen (14) TASL credit hours during each~~  
 15 ~~one (1) year cycle from July 1 to June 30~~ attend the Principal Administrator Academy for instruction at  
 16 ~~least once every five (5) years.~~ Principals and Administrators with fifteen (15) or more years of  
 17 experience as a Principal, Supervisor or Administrator, may be exempt from ~~TASL requirement,~~  
 18 ~~provided that the GMSD Superintendent approves the exemption and the Principal/Administrator~~  
 19 ~~submits the exemption request in TNCompass and receives approval through TNCompass~~ the  
 20 requirement for attendance at the Principal Administrator Academy.

21 *Professional Employees*

22 ~~A system wide in-service committee, composed of membership from a cross-section of other personnel,~~  
 23 ~~shall assess system wide needs, establish priorities, develop objectives, design activities, and evaluate~~  
 24 ~~the in-service program.<sup>†</sup>~~

25 ~~In-service credit shall not be given while performing duties which are required as part of regular teaching~~  
 26 ~~assignments.~~

27 *Support Personnel*

~~The immediate supervisors of support personnel shall be responsible for providing in-service trainings. Absences to attend meetings relating to the employee's job description may be granted by the director of schools without loss of pay to the employee.~~

#### **HUMAN TRAFFICKING IN-SERVICE TRAINING**

Once every three (3) years, every certified employee shall be required to attend in-service training on the detection, intervention, prevention, and treatment of human trafficking in which the victim is a child.<sup>4</sup> The in-service training must be accomplished through the viewing of a video recording approved by the GMSD Superintendent.

Each certified employee attending the human trafficking in-service training shall receive in-service credit for viewing the video equal to the length of the video.

GMSD shall maintain a record of each certified employee who completes the human trafficking in-service training.

#### **PROFESSIONAL LEARNING PROGRAM**

Professional learning programs and activities shall reflect the Standards for Professional Learning<sup>3</sup> (~~Learning Forward, 2011~~) as listed below and shall reflect the needs identified in school improvement plans set forth by the Tennessee State Board of Education.

The Board may pay expenses of selected personnel who participate in ~~the training sessions conducted by the State Department of Education~~ professional learning programs.

~~The Superintendent shall involve district office personnel and other employees as needed in developing the system-wide professional learning program and shall recommend it to the Board for approval.~~

#### **Standards for Professional Learning**

~~LEARNING COMMUNITIES: Professional learning that increases educator effectiveness and results for all students occurs within learning communities committed to continuous improvement, collective responsibility, and goal alignment.~~

~~LEADERSHIP: Professional learning that increases educator effectiveness and results for all students requires skillful leaders who develop capacity, advocate, and create support systems for professional learning.~~

~~RESOURCES: Professional learning that increases educator effectiveness and results for all students requires prioritizing, monitoring, and coordinating resources for educator learning.~~

~~DATA: Professional learning that increases educator effectiveness and results for all students uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning.~~

~~LEARNING DESIGNS: Professional learning that increases educator effectiveness and results for all students integrates theories, research, and models of human learning to achieve its intended outcomes.~~

- 1 ~~IMPLEMENTATION: Professional learning that increases educator effectiveness and results for all~~  
2 ~~students applies research on change and sustains support for implementation of professional learning for~~  
3 ~~long term change.~~
- 4 ~~OUTCOMES: Professional learning that increases educator effectiveness and results for all students~~  
5 ~~aligns its outcomes with educator performance and student curriculum standards.~~

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**Legal References**

1. ~~Tennessee State Board of Education Policy 5.200,  
*Professional Development*; TCA 49-1-214(b); TCA  
49-6-3004(e)(1)~~
2. ~~TCA 49-5-5703(a)~~
3. ~~Tennessee State Board of Education Policy 5.200,  
*Professional Development*~~
4. ~~T.C.A. 49-6-3004(e)(1)(B)~~

Tennessee State Board of Education Policy 5.200,  
T.C.A. 49-5-501  
T.C.A. 49-5-5703  
T.C.A. 49-6-3004

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**Cross-References**

School Calendar 1.800  
Curriculum Development 4.200  
Reporting Student Progress 4.604

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>Personnel Records</b>	Descriptor Code: <b>5.114</b>	Issued Date: <b>4/**/22</b> <b>09/15/14</b>
		Rescinds:	Issued:

1 The Superintendent or his/her designee(s) shall be authorized to maintain personnel records and to  
2 permit inspection of the same, except for matters deemed confidential by law. The following personnel  
3 records shall be maintained for all employees as appropriate:

- 4 1. Employee applications and contracts;
- 5 2. Professional certificates and other documents required by state and federal laws and  
6 regulations;<sup>1</sup>
- 7 3. Evaluations;
- 8 4. Cumulative information files; and
- 9 5. INS Form 1-9.<sup>2</sup>

10 The following guidelines shall be followed:

- 11 1. Information contained in personnel records shall be limited to job-related matters;  
12  
13 ~~The Superintendent shall be responsible for notifying all employees of the types of records kept~~  
14 ~~and uses made of such records;~~
- 15  
16 2. Employees shall be granted an opportunity to respond in writing to **material disciplinary actions**  
17 placed in ~~records~~ **their personnel file;**
- 18  
19 3. Employee records are public records, except for matters deemed confidential by law, and shall  
20 be open for inspection during regular business hours;<sup>3</sup>
- 21  
22 4. Members of the public may not obtain the home telephone number, personal cell phone  
23 number, bank account information, social security number, residential street address, driver  
24 license information (except where driving or operating a vehicle is considered to be a part of  
25 the employee's duties), **emergency contact information, personal email address not issued by**  
26 **GMSD, medical information, sick leave documents, Employee Assistance Program files** or the  
27 results of individual teacher evaluations of an employee or of the immediate family members or  
28 household members of an employee, unless release of this information is expressly authorized  
29 by the employee;<sup>4</sup>

30  
31 ~~A record of the person inspecting and the date of inspection shall be recorded.; and~~

32  
33 ~~Copies of records may be made under rules determined by the Superintendent.<sup>5</sup>~~

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**Legal References**

1. ~~TCA 49-2-301(b)(1)(M)~~
2. ~~Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359~~
3. ~~TCA 10-7-503, 504~~
4. ~~TCA 10-7-504(f)(1)~~
5. ~~TCA 10-7-506; TCA 49-2-301(b)(1)(CC); TCA 8-50-108~~

T.C.A. 10-7-503 et seq.

T.C.A. 49-2-301

Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359

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**Cross-References**

School District Records 1.407

# Germantown Municipal School District

Monitoring: <b>Review: Annually</b>	Descriptor Term: <b>HIV / AIDS (Employees)</b>	Descriptor Code: <b>5.401</b>	Issued Date: <b>4/**/22</b> <b>10/26/21</b>
		Rescinds: <b>5.401</b>	Issued: <b>09/25/18</b>

## 1 **LIABILITY AND NON-DISCRIMINATION**

2 No employee who is diagnosed with HIV infection or AIDS or perceived as having been diagnosed with  
3 HIV infection or AIDS shall be prevented from continuing their employment. No disciplinary action  
4 may be taken against an employee solely on the basis of HIV infection or AIDS. Consideration for job  
5 application, employment, advancement, discharge, competition, training, or other terms, conditions or  
6 privileges of employment shall not be denied to individuals on the basis of HIV or AIDS status.

7 Action may be taken against an employee only if the employee is disabled and the disability interferes  
8 with their ability to perform their employment duties.

9 The Board shall make reasonable accommodation to enable the employee to perform employment duties  
10 as may be required by state or federal law.<sup>1</sup>

## 11 **HIV/AIDS TESTING**

12 No school official can require any employee to undergo an HIV or AIDS test. This does not preclude  
13 school officials from requiring an employee to undergo an examination when another communicable  
14 illness is suspected.<sup>2</sup>

## 15 **CONFIDENTIALITY**

16 If information is received regarding an employee's HIV or AIDS status, the Superintendent may consult  
17 with the school board attorney on the appropriate course of action to pursue.<sup>3</sup>

18 Information about an employee's HIV or AIDS status is not to be documented in the employee's  
19 personnel file and shall not be faxed<sup>1,3</sup> and/or shared in any electronic format.

20 Information obtained is confidential and may not be released to anyone except:<sup>3</sup>

21 1. Persons named on an Authorization for Release of Confidential HIV or AIDS-Related  
22 Information Form;

23 2. Persons listed on a court order, and

24 3. Persons authorized to receive such information without a release or court order according to  
25 **T.C.A. 68-10-113.**

26 **Under no circumstances shall information identifying an employee with HIV or AIDS be released**  
27 **to the public.**

## 1 INFECTION CONTROL

2 To prevent and manage exposure in the workplace, all school system employees will receive in-service  
 3 training and education annually regarding HIV/AIDS and OSHA's Blood-borne Pathogens Standard.  
 4 The Board shall follow the most current Centers for Disease Control and Prevention (CDC) Universal  
 5 Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and  
 6 Other Blood-borne Pathogens in Health Care Settings.<sup>†</sup>

## 7 EDUCATION AND TRAINING

8 ~~Annually, the Superintendent shall ensure that~~ All employees, including newly hired staff, shall receive  
 9 current HIV/AIDS training. These programs can utilize the educational/training resources of agencies or  
 10 private institutions with personnel trained in the areas of HIV/AIDS prevention education.<sup>†</sup>

11 ~~The Superintendent shall be responsible for developing, revising and implementing the administrative~~  
 12 ~~guidelines and procedures for this policy. The Superintendent shall be responsible for enforcing this~~  
 13 ~~policy by communicating it to all personnel and by providing necessary instruction to all~~  
 14 ~~administrators.~~  
 15

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### Legal References

1. State Board of Education Policy 5.300
2. 29 CFR § 1630.13(b); TCA 49-2-203(b)(2); TCA 49-5-710(a)(7); TCA 49-5-404
3. ~~TCA 68-10-113~~  
 T.C.A. 49-2-203  
 T.C.A. 49-5-404  
 T.C.A. 49-5-710  
 T.C.A. 68-10-113

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### Cross-References

~~Section 504 and ADA Grievance Procedures 1.802~~  
~~Promoting Student Welfare 6.400~~

<b>Germantown Municipal School District</b>			
Monitoring: <b>Review: Annually, in March</b>	Descriptor Term:  <b><del>Programs for Students with Disabilities</del></b>	Descriptor Code: <b>4.613</b>	Issued Date: <del>4/**/22</del> <b>08/24/21</b>
		Rescinds: <b>4.613</b>	Issued: <b>04/16/18</b>

- 1 ~~All students with disabilities between the ages of three (3) and twenty one (21), inclusive, enrolled in~~
- 2 ~~the Germantown Municipal School District shall be provided with a free and appropriate public~~
- 3 ~~education.<sup>1</sup>~~
- 4 ~~Students with disabilities shall be educated in the least restrictive environment. In order to assure that~~
- 5 ~~each student with a disability is appropriately educated within the least restrictive environment, support~~
- 6 ~~services are provided to assure that he/she can derive educational benefit.~~
- 7 ~~The needs of certain students are so great that special instructional services or special facilities are~~
- 8 ~~necessary beyond that of the regular classroom. Any educational placement, other than the regular~~
- 9 ~~classroom, is made only when it has been determined by the Individual Education Plan (IEP) team that~~
- 10 ~~such placement is appropriate. Parents or legal guardians have a right to due process procedures if~~
- 11 ~~they feel that such placement is not appropriate.~~

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Legal References

1. ~~TCA 49-10-103(e), (e); TCA 49-10-1301, et. seq.;  
TRR/MS 0520-1-9-23~~

**Repeal (is contained in Policy 5.500 and Policy 1.809)**

<b>Germantown Municipal School District</b>			
Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Equal Employment Opportunity Compliance</b>	Descriptor Code: <b>5.104</b>	Issued Date: <b>4/**/22</b> <b>04/20/20</b> <b>05/05/14</b>
		Rescinds:	Issued:

1 **PURPOSE**

2 ~~To provide equal employment opportunity for all applicants and employees; and to comply with~~  
3 ~~applicable requirements of Federal Statutes and Executive Orders.~~

4 **SCOPE**

5 ~~This policy applies to all applicants and employees of Germantown Municipal School District.~~

6 **POLICY STATEMENT**

7 ~~Germantown Municipal School District shall not discriminate in recruitment or employment on the~~  
8 ~~basis of race, color, religion, sex, creed, age, disability, national origin, or genetic information in~~  
9 ~~compliance with state/federal law. The District shall promote equal opportunities through vigorous~~  
10 ~~recruiting practices as an integral part of Germantown Municipal School District's personnel policy~~  
11 ~~and practice in the employment, development, advancement and treatment of employees and applicants~~  
12 ~~of Germantown Municipal School District.~~

13 ~~Germantown Municipal School District shall not on the basis of race, color, religion, sex, creed, age,~~  
14 ~~disability, national origin, or genetic information discriminate against any qualified individual with~~  
15 ~~respect to the employment relationship, including job application procedures, hiring, advancement,~~  
16 ~~compensation, job training and other terms, conditions and privileges of employment.<sup>†</sup>~~

17 ~~Violations of this policy shall be reported to the Executive Director of Human Resources or if it is~~  
18 ~~alleged that the Executive Director of Human Resources violated this policy, the notification of~~  
19 ~~violation should be reported to the Deputy Superintendent.~~

20 **RESPONSIBILITY**

21 ~~A. The Superintendent (or designee) is responsible for ensuring compliance with this policy.~~

22  
23 ~~B. The Superintendent is responsible for determining if this policy is followed.~~

[Type here]

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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

REPEAL



## Germantown Municipal School District Budget Amendment

Fiscal Year: 2021-2022

Amendment # 23

<u>GMSD Acct #</u>	<u>GMSD Acct</u>	<u>Original Budget</u>	<u>Changes</u>	<u>Requested Changes</u>	<u>Amended Budget</u>
141-76100-707	Building Improvements	500,000	-	(50,000)	450,000
141-72620-335	Maintenance and Repairs	800,000	(2,090)	50,000	847,910

**REASON FOR AMENDMENT:**

Transfer of funds to cover projected additional maintenance costs.

**APPROVAL / DENIAL:**

\_\_\_\_\_ Budget revision is approved effective \_\_\_\_\_.

\_\_\_\_\_ Budget revision is denied for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
GMSD Board Chair \_\_\_\_\_  
Date

\_\_\_\_\_  
GMSD Superintendent \_\_\_\_\_  
Date

## FOOD SERVICE MANAGEMENT COMPANY (FSMC) CONTRACT RENEWAL AGREEMENT

**Germantown Municipal School District**

**Contract Period: July 1, 2022 through June 30, 2023**

Germantown Municipal School District, hereafter called "SFA" and Southwest Foodservice Excellence, LLC hereinafter called "FSMC", hereby agree that the FSMC will operate the child nutrition program for the SFA during the period of July 1, 2022 through June 30, 2023 with the option to extend for an additional two (2) one-year contract terms unless terminated by either Party.

This renewal agreement is constituted by the SFA's acceptance of the FSMC's response to the SFA's original Request for Proposal and Subsequent Contract effective July 1, 2020. The FSMC agrees to comply with all parts of the SFA's Request for Proposal and Subsequent Contract.

Date of Base Contract:  
**July 1, 2020**

Renewal Year (highlighted)  
1   **2**   3   4

The Administrative and Management fees for the 2022-2023 school year will be –

	2021-22 Rate	2022-23 Rate	Percentage Increase
Admin Fee Per Meal/Lunch Equivalent-Billed Monthly (10)	\$4,609.40	\$4,858.30	5.4%
Management Fee Per Meal/Lunch Equivalent	\$0.0390	\$0.0411	5.4%

The following supporting documents must be included with and become part of this renewal agreement:

1. A copy of any amendments, subcontracts, letter agreements, or other relevant documentation pertaining to the Contract which has not previously been furnished to TDOE;  
None to report at this time
2. An amended list of schools, if the SFA has added/deleted schools to/from the Contract;  
None to report at this time
3. Documentation through cost or price analysis supporting a request for an increase in the meal rate fee charged by the FSMC. The average percentage increase in the "food away from home" series of the Consumer Price Index (CPI) is **5.4%**. The **5.4%** increase is based on December 2021 data.

**FOOD SERVICE MANAGEMENT COMPANY (FSMC) CONTRACT RENEWAL AGREEMENT**  
**Germantown Municipal School District**  
**Contract Period: July 1, 2022 through June 30, 2023**

Per State requirement, SFA's with fixed price FSMC agreements must comply with the nonprogram foods requirement in 7 CFR Part 210.14. The Parties to the Base Contract shall agree to the following Base Contract changes:

The FSMC shall provide SFA with food cost data it requests in order to determine the SFA's compliance with the revenue from nonprogram foods requirements. The information provided by the FSMC must be sufficient for the SFA to be able to provide specific information about the food service operation and all required products and services they are seeking to procure. For example, essential information includes:

- For fixed price per meal contracts, awarded on a per meal basis and with revenues from nonprogram foods sales converted into meal equivalents to which the fixed price cost is applied, the FSMC will annually provide information on food costs and revenues. The information must include food cost for reimbursable meals, food cost for non-program foods, revenue from non-program foods, and total revenue. Nonprogram foods include: a la carte; catering; vending; and student stores operated, or any other sales generated through the nonprofit school food service account not already described. This information is used to determine compliance with revenue from nonprogram foods at 7 CFR 210.14(f).
- Historical information on the type and value of nonprogram foods and meals to be offered in other food service operation, for example, catering. When the FSMC will be responsible for providing the SFA

**FOOD SERVICE MANAGEMENT COMPANY (FSMC) CONTRACT RENEWAL AGREEMENT  
Germantown Municipal School District  
Contract Period: July 1, 2022 through June 30, 2023**

with, or calculating nonprogram food costs and program revenues for compliance with the 7 CFR Part 210.14(f), the contract must clearly identify this requirement.

No modifications or changes shall be made to this Contract without full consent of all signatories. Any additions or changes to the Contract that change or negate the mandatory portions of the Contract as written shall automatically invalidate the Contract.

**ATTEST:**

**SCHOOL FOOD AUTHORITY (SFA)**

Witness	Name of SFA Germantown Municipal School District
	Signature of Authorized Representative
	Printed Name of Authorized Representative
	Title
	Date

**ATTEST:**

**FOOD SERVICE MANAGEMENT (FSMC)**

Witness	Name of FSMC Southwest Foodservice Excellence
	Signature of Authorized Representative
	Printed Name of Authorized Representative Monty Staggs
	Title Chief Executive Officer
	Date

**APPROVAL:**

**TENNESSEE DEPARTMENT OF  
EDUCATION (TDOE)**

Signature of Authorized Representative <i>Josh Nunnally</i>	dotloop verified 02/16/22 6:21 AM CST FIAN-6WWF-B841-M9Y2
Printed Name of Authorized Representative Josh Nunnally	
Title	
Date 02/16/2022	

## Southwest Foodservice Excellence, LLC

By indication of the authorized signature below, the Proposer does hereby make certification and assurance of the Proposer's compliance with:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.);
- ii. Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.);
- iii. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- iv. Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.);
- v. Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 as amended by the ADA Amendment Act of 2008 (42 U.S.C. 12131-12189);
- vi. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." (August 11, 2000);
- vii. All provisions required by the implementing regulations of the Department of Agriculture (USDA) (7 CFR Part 15 et seq.);
- viii. Department of Justice Enforcement Guidelines (28 CFR Parts 35, 42 and 50.3);
- ix. Food and Nutrition Service (FNS) directives and guidelines to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity for which the Program applicant receives Federal financial assistance from USDA; and hereby gives assurance that it will immediately take measures necessary to effectuate this Agreement.
- x. The USDA non-discrimination statement that in accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs).

This assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants, and loans of Federal funds, reimbursable expenditures, grant, or donation of Federal property and interest in property, the detail of Federal personnel, the sale and lease of, and the permission to use Federal property or interest in such property or the furnishing of services without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or any improvements made with Federal financial assistance extended to the Program applicant by USDA. This includes any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of cash assistance for the purchase of food, and cash assistance for purchase or rental of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assurance.

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Proposer Signature and Date

This form is available electronically.

OMB Control No. 0505-0027

Expiration Date: 04/30/2022



**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion AD-1048  
Lower Tier Covered Transactions**

*The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a, as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 C.F.R. §§ 180.300, 180.335, Participants' responsibilities. The regulations were amended and published on August 31, 2005, in 70 Fed. Reg. 51865-51880. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.*

*According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal, civil, fraud, privacy, and other statutes may be applicable to the information provided.*

***(Read instructions on page two before completing certification.)***

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency;
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ORGANIZATION NAME <b>Southwest Foodservice Excellence, LLC</b>	PR/AWARD NUMBER OR PROJECT NAME
NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S) <b>Monty Staggs, CEO</b>	
SIGNATURE(S)	DATE <b>1/31/2022</b>

*In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.*

*Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.*

*To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint \(https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer\)](https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442.*

### **Instructions for Certification**

- (1) By signing and submitting this form, the prospective lower tier participant is providing the certification set out on page 1 in accordance with these instructions.
- (2) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- (3) The prospective lower tier participant shall provide immediate written notice to the person(s) to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (4) The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549, at 2 C.F.R. Parts 180 and 417. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- (5) The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- (6) The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- (7) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the System for Award Management (SAM) database.
- (8) Nothing contained in the foregoing shall be construed to require establishment of a system of records to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- (9) Except for transactions authorized under paragraph (5) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

## CERTIFICATION REGARDING LOBBYING

Applicants must review the requirements for certification regarding lobbying included in the regulations cited below before completing this form. Applicants must sign this form to comply with the certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying". This certification is a material representation of fact upon which the Department of Education relies when it makes a grant or enters into a cooperative agreement.

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As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a Federal contract, grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts under grants and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certification.

NAME OF APPLICANT	PR/AWARD NUMBER AND / OR PROJECT NAME
Southwest Foodservice Excellence, LLC	
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Monty Staggs, CEO	
SIGNATURE	DATE

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001".
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

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According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

### Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse for public burden disclosure)

<b>1. Type of Federal Action:</b> a. contract <input type="checkbox"/> b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	<b>2. Status of Federal Action:</b> a. bid/offer/application <input type="checkbox"/> b. initial award c. post-award	<b>3. Report Type:</b> a. initial filing <input type="checkbox"/> b. material change  <b>For material change only:</b> Year _____ quarter _____ Date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if Known:  <b>Congressional District, if known:</b>	<b>5. If Reporting Entity in No. 4 is Subawardee,</b> Enter Name and Address of Prime:  <b>Congressional District, if known:</b>	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$	
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>	<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
<b>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b>	<b>Signature:</b> _____ <b>Print Name:</b> Monty Staggs <b>Title:</b> Chief Executive Officer <b>Telephone No.:</b> 480-551-6550 <b>Date:</b> _____	
<b>Federal Use Only</b>	<b>Authorized for Local Reproduction</b> Standard Form - LLL (Rev. 7-97)	



**For Release: Wednesday, January 12, 2022**

**22-59-ATL**

SOUTHEAST INFORMATION OFFICE: Atlanta, Ga.

Technical information: (404) 893-4222 BLSInfoAtlanta@bls.gov www.bls.gov/regions/southeast

Media contact: (404) 893-4220

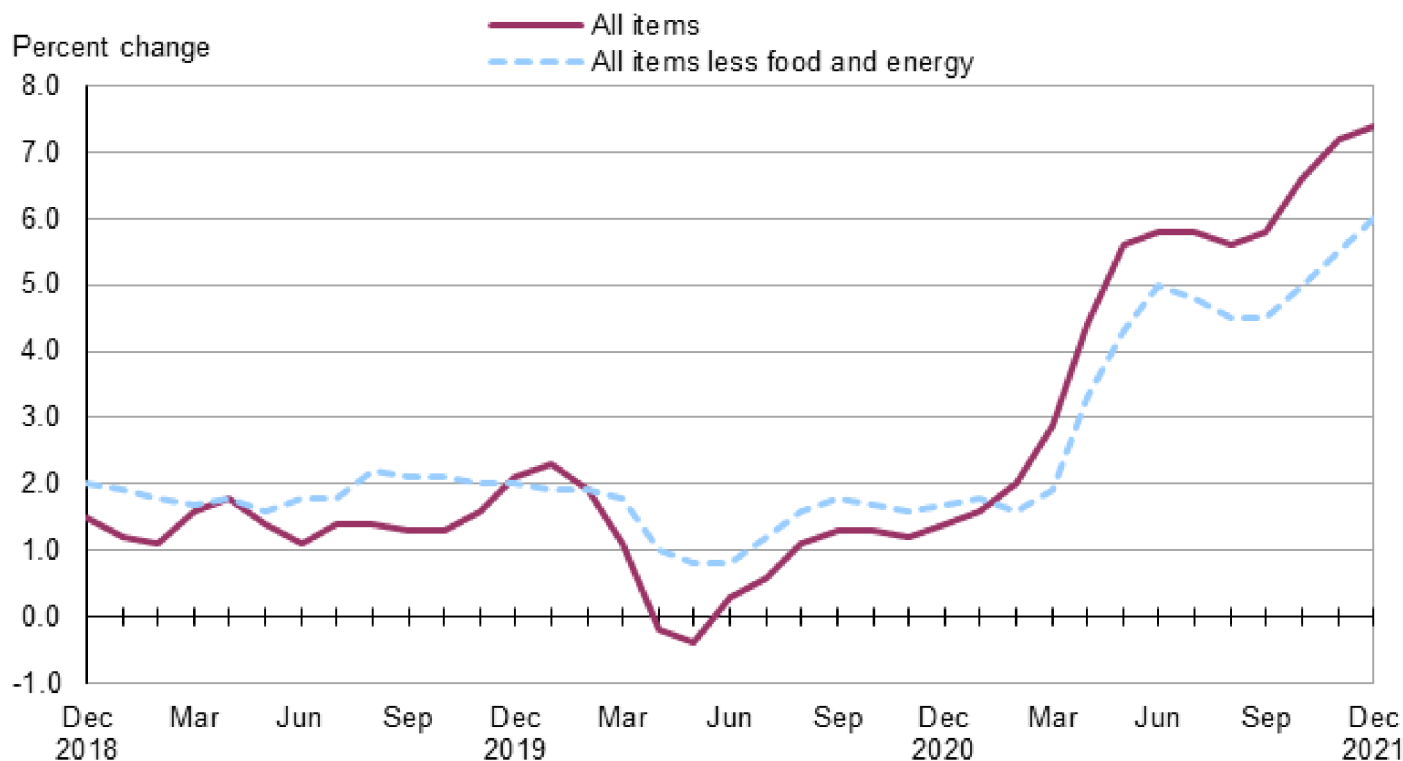
## **Consumer Price Index, South Region – December 2021**

**Prices in the South up 0.3 percent over the month and 7.4 percent over the past year**

The Consumer Price Index for All Urban Consumers (CPI-U) for the South increased 0.3 percent in December, the U.S. Bureau of Labor Statistics reported today. The index for all items less food and energy rose 0.5 percent in December. The food index rose 0.6 percent over the month, while the energy index declined 1.7 percent. (Data in this report are not seasonally adjusted. Accordingly, month-to-month changes reflect the impact of seasonal influences.)

The all items CPI-U for the South advanced 7.4 percent for the 12 months ending in December, after increasing 7.2-percent over the 12-month period ending in November. The index for all items less food and energy increased 6.0 percent over the past year, while the energy index rose 28.1 percent. The food index advanced 5.9 percent over the past 12 months. (See [chart 1](#) and [table 1](#).)

**Chart 1. Over-the-year percent change in CPI-U, South region, December 2018–December 2021**



Source: U.S. Bureau of Labor Statistics.

## Food

The food index increased 0.6 percent in December, reflecting increases in the food away from home (0.7 percent) and food at home (0.5 percent) indexes.

The food index advanced 5.9 percent for the 12 months ending in December, led by a 6.4-percent increase in the food at home index. The food away from home index also increased over the past 12 months, up 5.4 percent

## Energy

The energy index declined 1.7 percent in December, led by a 3.1-percent decrease in the gasoline index. The utility (piped) gas service index also declined in December, down 1.1 percent. The electricity index was little changed over the month, up 0.1 percent.

The energy index advanced 28.1 percent for the 12 months ending in December, led by a 51.1-percent increase in the gasoline index. The electricity and the utility (piped) gas service indexes also increased over the past year, up 6.4 percent and 19.3 percent, respectively.

## All items less food and energy

The index for all items less food and energy rose 0.5 percent in December. The new and used motor vehicles index increased 2.3 percent over the month, reflecting increases in the used cars and trucks (3.4 percent) and new vehicles (1.7 percent) indexes. The shelter index rose 0.4 percent in December, while the recreation and apparel indexes declined 0.4 percent and 0.7 percent, respectively.

The index for all items less food and energy advanced 6.0 percent for the 12 months ending in December, reflecting increases across many indexes. The new and used motor vehicles index advanced 21.8 percent over the past 12 months, led by a 37.0-percent increase in the used cars and trucks index; the new vehicles index increased 12.4 percent over the year. Shelter (4.6 percent) was also among the indexes to increase over the past year.

## Geographic divisions

Additional price indexes are now available for the three divisions of the South. The all items CPI-U increased in the South Atlantic and West South Central divisions in December, up 0.5 percent and 0.3 percent, respectively. The all items index edged down 0.2 percent in the East South Central division in December.

Over the year, the all items index advanced 7.5 percent in the South Atlantic division. The all items index rose 7.4 percent in the West South Central division and 7.1 percent in the East South Central division.

**Table A. South region CPI-U 1-month and 12-month percent changes, all items index, not seasonally adjusted**

Month	2017		2018		2019		2020		2021	
	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month
January.....	0.5	2.6	0.5	1.8	0.2	1.2	0.3	2.3	0.5	1.6
February.....	0.2	2.8	0.6	2.1	0.5	1.1	0.2	1.9	0.5	2.0
March.....	0.0	2.2	0.2	2.3	0.7	1.6	-0.1	1.1	0.8	2.9
April.....	0.2	2.0	0.4	2.4	0.5	1.8	-0.8	-0.2	0.7	4.4
May.....	0.0	1.7	0.3	2.7	-0.1	1.4	-0.2	-0.4	0.8	5.6
June.....	0.2	1.5	0.2	2.7	-0.1	1.1	0.6	0.3	0.9	5.8
July.....	-0.2	1.6	0.0	2.9	0.3	1.4	0.6	0.6	0.5	5.8
August.....	0.4	1.9	-0.1	2.4	-0.1	1.4	0.4	1.1	0.3	5.6
September.....	0.7	2.4	0.0	1.7	0.0	1.3	0.2	1.3	0.3	5.8
October.....	-0.2	2.0	0.2	2.1	0.2	1.3	0.1	1.3	1.0	6.6

**Table A. South region CPI-U 1-month and 12-month percent changes, all items index, not seasonally adjusted - Continued**

Month	2017		2018		2019		2020		2021	
	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month
November.....	-0.1	2.1	-0.3	1.9	0.0	1.6	-0.1	1.2	0.4	7.2
December.....	-0.1	1.8	-0.5	1.5	0.0	2.1	0.2	1.4	0.3	7.4

**The Consumer Price Index for January 2022 is scheduled to be released on Thursday, February 10, 2022, at 8:30 a.m. (ET).**

### **Coronavirus (COVID-19) Impact on December 2021 Consumer Price Index Data**

Data collection by personal visit for the Consumer Price Index (CPI) program has been suspended almost entirely since March 16, 2020. When possible, data normally collected by personal visit were collected either online or by phone. Additionally, data collection in December was affected by the temporary closing or limited operations of certain types of establishments. These factors resulted in an increase in the number of prices considered temporarily unavailable and imputed.

While the CPI program attempted to collect as much data as possible, many indexes are based on smaller amounts of collected prices than usual, and a small number of indexes that are normally published were not published this month.

For each month from March 2020 to December 2021, BLS has published a summary of the impact of the pandemic on the Consumer Price Index news release and data. The impact summary for December is available at [www.bls.gov/covid19/consumer-price-index-covid19-impacts-december-2021.htm](http://www.bls.gov/covid19/consumer-price-index-covid19-impacts-december-2021.htm). Beginning with publication of January 2022 data in February 2022, this month-specific impact summary will be discontinued. However, information related to the impact of the pandemic will continue to be available at [www.bls.gov/covid19/effects-of-covid-19-pandemic-on-consumer-price-index.htm](http://www.bls.gov/covid19/effects-of-covid-19-pandemic-on-consumer-price-index.htm).

### **Technical Note**

The Consumer Price Index (CPI) is a measure of the average change in prices over time in a fixed market basket of goods and services. The Bureau of Labor Statistics publishes CPIs for two population groups: (1) a CPI for All Urban Consumers (CPI-U) which covers approximately 93 percent of the total U.S. population and (2) a CPI for Urban Wage Earners and Clerical Workers (CPI-W) which covers approximately 29 percent of the total U.S. population. The CPI-U includes, in addition to wage earners and clerical workers, groups such as professional, managerial, and technical workers, the self-employed, short-term workers, the unemployed, and retirees and others not in the labor force.

The CPI is based on prices of food, clothing, shelter, and fuels, transportation fares, charges for doctors' and dentists' services, drugs, and the other goods and services that people buy for day-to-day living. Each month, prices are collected in 75 urban areas across the country from about 6,000 housing units and approximately 22,000 retail establishments—department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments. All taxes directly associated with the purchase and use of items are included in the index.

The index measures price changes from a designated reference date; for most of the CPI-U the reference base is 1982-84 equals 100. An increase of 7 percent from the reference base, for example, is shown as 107.000. Alternatively, that relationship can also be expressed as the price of a base period market basket of goods and services rising from \$100 to \$107. For further details see the CPI home page on the Internet at [www.bls.gov/cpi](http://www.bls.gov/cpi) and the CPI section of the BLS Handbook of Methods available on the internet at [www.bls.gov/opub/hom/cpi/](http://www.bls.gov/opub/hom/cpi/).

In calculating the index, price changes for the various items in each location are averaged together with weights that represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. Because the sample size of a local area is smaller, the local area index is subject to substantially more sampling and other measurement error than the national index. In addition, local indexes are not adjusted for seasonal influences. As a result, local area indexes show greater volatility than the national index, although their long-term trends are quite similar. **NOTE: Area indexes do not measure differences in the level of prices between cities; they only measure the average change in prices for each area since the base period.**

The **South region** is comprised of Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

Information in this release will be made available to sensory impaired individuals upon request. Voice phone: (202) 691-5200; Federal Relay Service: (800) 877-8339.

**Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods South (1982-84=100 unless otherwise noted)**

Item and Group	Indexes			Percent change from-		
	Oct. 2021	Nov. 2021	Dec. 2021	Dec. 2020	Oct. 2021	Nov. 2021
<b>Expenditure category</b>						
All Items.....	267.160	268.360	269.263	7.4	0.8	0.3
All items (December 1977=100).....	433.371	435.318	436.781	-	-	-
Food and beverages .....	278.215	278.681	280.189	5.8	0.7	0.5
Food .....	280.435	280.901	282.547	5.9	0.8	0.6
Food at home .....	263.147	263.105	264.292	6.4	0.4	0.5
Cereal and bakery products .....	301.019	302.109	303.279	4.5	0.8	0.4
Meats, poultry, fish, and eggs.....	292.778	291.974	290.014	12.8	-0.9	-0.7
Dairy and related products .....	231.894	232.282	236.759	2.1	2.1	1.9
Fruits and vegetables.....	303.516	301.598	305.219	6.1	0.6	1.2
Nonalcoholic beverages and beverage materials.....	180.845	178.935	180.205	3.8	-0.4	0.7
Other food at home .....	227.000	229.087	230.121	4.6	1.4	0.5
Food away from home.....	309.069	310.275	312.602	5.4	1.1	0.7
Alcoholic beverages .....	247.308	247.772	247.440	3.1	0.1	-0.1
Housing .....	262.273	263.137	264.204	5.1	0.7	0.4
Shelter .....	302.555	303.697	304.944	4.6	0.8	0.4
Rent of primary residence .....	317.726	319.290	320.899	4.1	1.0	0.5
Owners' equiv. rent of residences(1).....	304.596	306.203	307.423	4.2	0.9	0.4
Owners' equiv. rent of primary residence(1) .....	304.594	306.201	307.419	4.2	0.9	0.4
Fuels and utilities.....	259.760	259.340	259.761	7.2	0.0	0.2
Household energy .....	209.677	208.792	208.745	8.6	-0.4	0.0
Energy services.....	209.347	208.328	208.240	8.1	-0.5	0.0
Electricity .....	203.495	201.238	201.523	6.4	-1.0	0.1
Utility (piped) gas service .....	230.948	238.236	235.685	19.3	2.1	-1.1
Household furnishings and operations.....	133.946	134.633	135.470	6.9	1.1	0.6
Apparel .....	131.939	131.720	130.807	6.4	-0.9	-0.7
Transportation .....	242.844	247.393	248.267	21.7	2.2	0.4
Private transportation .....	245.570	250.302	251.439	23.1	2.4	0.5
New and used motor vehicles(2).....	123.658	126.095	128.947	21.8	4.3	2.3
New vehicles .....	168.782	170.555	173.476	12.4	2.8	1.7
New cars and trucks(2)(3).....	114.963	116.172	118.174	12.5	2.8	1.7
New cars(3).....	166.689	168.572	172.405	12.9	3.4	2.3
Used cars and trucks.....	196.602	201.401	208.283	37.0	5.9	3.4
Motor fuel .....	271.606	279.337	270.690	51.0	-0.3	-3.1
Gasoline (all types).....	270.273	277.881	269.218	51.1	-0.4	-3.1
Unleaded regular(3) .....	264.406	271.915	263.132	52.4	-0.5	-3.2
Unleaded midgrade(3)(4).....	299.018	307.364	299.601	45.6	0.2	-2.5
Unleaded premium(3).....	290.747	298.386	291.388	41.6	0.2	-2.3
Motor vehicle insurance(5).....	949.398	961.051	958.430	4.0	1.0	-0.3
Medical care .....	502.016	501.880	503.320	2.8	0.3	0.3
Medical care commodities.....	354.701	354.119	354.585	1.8	0.0	0.1
Medical care services.....	551.885	551.899	553.667	3.0	0.3	0.3
Professional services .....	385.494	385.936	386.052	2.9	0.1	0.0
Recreation(2).....	127.743	126.223	125.775	2.7	-1.5	-0.4
Education and communication(2).....	139.465	139.463	139.850	2.4	0.3	0.3
Tuition, other school fees, and child care(5) ..	1,396.210	1,398.050	1,399.872	1.9	0.3	0.1
Other goods and services .....	460.236	463.349	466.509	4.4	1.4	0.7
<b>Commodity and service group</b>						
All Items.....	267.160	268.360	269.263	7.4	0.8	0.3
Commodities .....	204.842	206.450	207.337	12.6	1.2	0.4

Note: See footnotes at end of table.

**Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods South (1982-84=100 unless otherwise noted) - Continued**

Item and Group	Indexes			Percent change from-		
	Oct. 2021	Nov. 2021	Dec. 2021	Dec. 2020	Oct. 2021	Nov. 2021
Commodities less food and beverages .....	169.872	171.821	172.447	16.9	1.5	0.4
Nondurables less food and beverages .....	215.048	217.396	214.968	16.1	0.0	-1.1
Nondurables less food, beverages, and apparel .....	265.387	269.182	265.874	19.1	0.2	-1.2
Durables .....	125.623	127.132	129.439	17.7	3.0	1.8
Services .....	329.548	330.289	331.192	4.2	0.5	0.3
Rent of shelter(1) .....	311.102	312.305	313.597	4.6	0.8	0.4
Transportation services .....	363.333	368.356	366.845	3.6	1.0	-0.4
Other services .....	368.016	366.303	367.034	2.7	-0.3	0.2
<b>Special aggregate indexes</b>						
All items less medical care .....	254.288	255.548	256.420	7.9	0.8	0.3
All items less food .....	264.845	266.156	266.944	7.6	0.8	0.3
All items less shelter .....	254.474	255.701	256.473	8.8	0.8	0.3
Commodities less food .....	172.324	174.243	174.848	16.4	1.5	0.3
Nondurables .....	244.875	246.322	245.776	10.3	0.4	-0.2
Nondurables less food .....	216.542	218.772	216.474	15.2	0.0	-1.1
Nondurables less food and apparel .....	262.423	265.900	262.876	17.5	0.2	-1.1
Services less rent of shelter(1) .....	363.124	363.312	363.761	3.8	0.2	0.1
Services less medical care services .....	309.588	310.379	311.207	4.4	0.5	0.3
Energy .....	233.774	236.921	232.871	28.1	-0.4	-1.7
All items less energy .....	272.056	273.069	274.471	6.0	0.9	0.5
All items less food and energy .....	271.048	272.156	273.519	6.0	0.9	0.5
Commodities less food and energy commodities .....	160.701	161.937	163.612	11.4	1.8	1.0
Energy commodities .....	276.172	284.012	275.425	50.6	-0.3	-3.0
Services less energy services .....	342.299	343.221	344.228	4.0	0.6	0.3

Footnotes

- (1) Indexes on a December 1982=100 base.
- (2) Indexes on a December 1997=100 base.
- (3) Special index based on a substantially smaller sample.
- (4) Indexes on a December 1993=100 base.
- (5) Indexes on a December 1977=100 base.
- Data not available.

Regions defined as the four Census regions. South includes Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.