

**Board of Education Regular Meeting**

June 25, 2019 6:00 PM

City Hall Council Chambers

<b>I. CALL TO ORDER BY BOARD CHAIR</b> Procedural Item	Chair Butch Campbell
A. Pledge of Allegiance Procedural Item The Pledge of Allegiance will be led by a board member.	
B. Moment of Silence Procedural Item	
<b>II. APPROVAL OF AGENDA</b> Action Item Motion to approve agenda passed with a motion by Ms. Becky Goff and a second by Mr. Wesley Ballard.	Chair Butch Campbell
<b>III. COMMUNICATIONS</b> Information Item Mitchell Neilson would like to give a gigantic shout out to Parks Realty. Every year they hold an essay contest at the school and award first, second, third, and fourth place prizes for each grade level. Fourth place gets a \$10 McDonald's gift certificate. Third place gets \$25 Walmart gift card. Second-place gets \$50 Walmart gift card in first place gets a brand new bicycle and helmet. Congratulations! Sarah Chumney, a teacher at Cason Lane Academy, has been selected as a Teacher of the Year state finalist for the Mid-Cumberland region. Ms. Chumney is one of nine finalists from across the state who will move to the final step in the Teacher of the Year selection process. Congratulations to Gary Anderson who has been selected by Lieutenant Governor Randy McNally to be a member of the Energy Efficient Schools Initiative Council as the representative for local school systems. Congratulations to Dr. Kristy Mall and Mr. Jason Page, the coaches of the Discovery School Beta Club competition teams and to the following students: <ul style="list-style-type: none"><li>• Jack Gray, Alicia Moreno, Grayson Lin, and John Thomas Parkerson for earning first place in the National Quiz Bowl.</li><li>• Keegan Sparks, Matthew Smith, Luca Guevart, Bryce Holman, and Andrew Smith for receiving 7<sup>th</sup> place nationally in the Engineering portion of the National Beta Club Engineering competition.</li><li>• Griffin Minter for placing 7<sup>th</sup> nationally in 6<sup>th</sup> grade science.</li><li>• Rachel Swicord for being 1<sup>st</sup> in the 5<sup>th</sup> grade science division.</li><li>• Grayson Lin for placing 2<sup>nd</sup> in the 5<sup>th</sup> grade math</li><li>• Ellie Gardner for placing 5<sup>th</sup> in 5<sup>th</sup> grade social studies</li><li>• Eli Bauer for achieving 2<sup>nd</sup> place in 4<sup>th</sup> grade math</li><li>• Truitt Surbaugh for placing 2<sup>nd</sup> in 4<sup>th</sup> grade social studies</li><li>• Allison Lewis for placing 8<sup>th</sup> in 5<sup>th</sup> grade poetry.</li></ul> All of these represent wins against 20,000 students from across the country. Youth Leadership Academy-Tamara Cosby and Shiloh Siegle MCS would like to thank the following sponsors of the Youth Leadership Academy that was held June 10-14: <ul style="list-style-type: none"><li>• Jennings and Rebecca Jones Foundation</li><li>• Embassy Suites</li><li>• Tennessee College of Applied Technology</li><li>• St. Thomas Hospital Rutherford</li><li>• Murfreesboro Water Resource Recovery Facility</li><li>• City of Murfreesboro Offices</li></ul>	Mrs. Lisa Trail

<ul style="list-style-type: none"> <li>• Vanderbilt LifeFlight 5</li> <li>• Murfreesboro Electric Department</li> <li>• Murfreesboro Police Department</li> <li>• Murfreesboro Fire and Rescue</li> <li>• The Alley on Main</li> <li>• Sabaidee Cafe</li> <li>• Al Rayan Restaurant and Market</li> <li>• Marina's on the Square</li> </ul>	
<b>IV. CONSENT ITEMS</b> Action Item Motion to approve consent items passed with a motion by Ms. Roseann Barton and a second by Ms. Becky Goff.	Chair Butch Campbell
A. Approval of 6-11-19 Board Minutes Action Item	
B. Minor Change to Board Policy 1.407 Public Records Policy Action Item	
C. Minor Change to Board Policy 6.311 Care of School Property -Rescinds STU 44 Action Item	
D. Second Reading of Board Policies Action Item	
i. Approval of Board Policy 6.3091 Weapons and Dangerous Instruments-Rescinds STU 36 Action Item	
ii. Approval of Board Policy 6.317 Student Disciplinary Hearing Authority Rescinds STU 24 Action Item	
iii. Approval of Board Policy 6.318 Admission of Suspended or Expelled Students-Rescinds STU 8 Action Item	
iv. Approval of Board Policy 6.404 Acquired Immune Deficiency Syndrome (Student/Personnel) Rescinds STU 32 Action Item	
v. Approval of Board Policy 6.501 Special Education Behavioral Support-Rescinds STU 59 Action Item	
E. Approval of Pre-K Partnership Agreement Between Mid-Cumberland Head Start and MCS Action Item	
<b>V. ACTION ITEMS</b> Action Item	Chair Butch Campbell
A. Approval of Surety Bond for Finance Director Action Item Motion to approve the surety bond for the finance director passed with a motion by Mr. David Settles and a second by Ms. Becky Goff.	Dr. Linda Gilbert
<b>VI. REPORTS AND INFORMATION</b> Information Item	Chair Butch Campbell
A. Annual Agenda Information Item Motion to approve the annual agenda passed with a motion by Ms. Becky Goff and a second by Mr. Wesley Ballard.	Dr. Linda Gilbert
B. May Revenue and Expenditure Report Information Item	Mr. Gary Anderson
<b>VII. OTHER BUSINESS</b> Information Item	Chair Butch Campbell
<b>VIII. ADJOURNMENT</b> Action Item Motion to adjourn passed with a motion by Ms. Becky Goff and a second by Mr. David Settles.	Chair Butch Campbell



MINUTES

Board of Education Regular Meeting

June 11, 2019 6:00 PM

City Hall Council Chambers

In attendance: Chair Butch Campbell, Vice Chair David Settles, Wes Ballard, Roseann Barton, David LaRoche, Amanda Moore, and Becky Goff

Staff: Dr. Linda Gilbert, Gary Anderson, Ralph Ringstaff, Angela Fairchild, Joe Marlin, and Cathy Pressnell

Assistant City Attorney Elizabeth Taylor and City Liaison Bill Shacklett

**I. CALL TO ORDER BY BOARD CHAIR** Chair Butch Campbell

Procedural Item

**II. APPROVAL OF AGENDA** Chair Butch Campbell

Action Item

David LaRoche made the motion to approve the agenda. Roseann Barton seconded the motion. All approved by saying aye.

**III. CONSENT ITEMS** Chair Butch Campbell

Action Item

**1. Board Approval of 5-28-19 Board Minutes**

Action Item

**2. Delete Board Policy SS4 Program Contributions-replaced with Board Policy 2.401 Gifts and Bequests**

Action Item

**3. Board Policy 1.407 Public Records**

Action Item

David Settles made the motion to approve the consent items. Becky Goff seconded the motion. All approved by saying aye.

**IV. ACTION ITEMS** Chair Butch Campbell

Action Item

**1. First Reading of Board Policies**

Dr. Linda Gilbert

Action Item

**1. Approval of Board Policy 6.303 Interrogations and Searches-Rescinds STU 21**

Action Item

Concern was expressed by Board members with the wording in this policy regarding students being interrogated at school and with principals being asked to leave the room. Elizabeth Taylor stated that the only time that the principal would be asked to leave the room is if there is a conflict with the principal. She suggested adding that to line 23.

David LaRoche made the motion to table this policy until the language is better. Roseann Barton seconded the motion. All approved by saying aye.

<p><b>2. Approval of Board Policy 6.3091 Weapons and Dangerous Instruments-Rescinds STU 36</b>  <b>Action Item</b>  Roseann Barton made the motion to approve Board Policy 6.3091 on first reading. Wes Ballard seconded the motion. All approved by saying aye.</p>	
<p><b>3. Approval of Board Policy 6.317 Student Disciplinary Hearing Authority Rescinds STU 24</b>  <b>Action Item</b>  Amanda Moore made the motion to approve Board Policy 6.317 on first reading. David LaRoche seconded the motion. All approved by saying aye.</p>	
<p><b>4. Approval of Board Policy 6.318 Admission of Suspended or Expelled Students-Rescinds STU 8</b>  <b>Action Item</b>  David LaRoche made the motion to approve Board Policy 6.318 on first reading. Becky Goff seconded the motion. All approved by saying aye.</p>	
<p><b>5. Approval of Board Policy 6.404 Acquired Immune Deficiency Syndrome (Student/Personnel) Rescinds STU 32</b>  <b>Action Item</b>  Wes Ballard made the motion to approve Board Policy 6.404 on first reading. David Settles seconded the motion. All approved by saying aye.</p>	
<p><b>6. Approval of Board Policy 6.501 Special Education Behavioral Support-Rescinds STU 59 Special Education Behavioral Support</b>  <b>Action Item</b>  Becky Goff made the motion to approve Board Policy 6.501 on first reading. Roseann Barton seconded the motion. All approved by saying aye.</p>	
<p><b>2. Differentiated Pay Plan</b>  <b>Information Item</b>  David LaRoche made the motion to approve the Differentiated Pay Plan, which differentiates pay for newly hired 6<sup>th</sup> grade and ESL teachers. Amanda Moore seconded the motion. All approved by saying aye.</p>	<p>Mr. Ralph Ringstaff</p>
<p><b>V. REPORTS AND INFORMATION</b>  <b>Information Item</b></p>	<p>Chair Butch Campbell</p>
<p><b>VI. OTHER BUSINESS</b></p>	<p>Chair Butch Campbell</p>
<p><b>Information Item</b>  Mr. Campbell asked Mr. Shacklett the status regarding the budget. Mr. Shacklett explained that the budget process was to meet in the council</p>	

chambers on Wednesday, June 12, at 11:30 for a workshop and budget reading and the regular city council meeting will be held Thursday night at 7:00 p.m.

**VII. ADJOURNMENT**

Chair Butch Campbell

Action Item

David LaRoche made the motion to adjourn. David Settles seconded the motion. The meeting adjourned at 6:48 p.m.

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Director of Schools

# Murfreesboro City School Board

Monitoring: <b>Review: Annually, in June</b>	Descriptor Term:  <b>PUBLIC RECORDS POLICY FOR THE MURFREESBORO CITY SCHOOLS</b>	Descriptor Code: 1.407	Issued Date: 06/13/17
		Rescinds:	Issued:

## Policy Statement

The public records of the Murfreesboro City School District (MCS) are open for inspection by any citizen of Tennessee unless otherwise provided by law.

Personnel of MCS shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records to the degree required by applicable law. No provisions of this policy shall be used to hinder access to open public records. This Policy shall be applied consistently throughout the various offices, departments, and/or divisions of MCS. Questions about this Policy should be addressed to the Public Records Request Coordinator for MCS.

**1. Public Records.** For purposes of this policy, public records are deemed to be all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by MCS.

**2. Definitions.**

- a. "Records Custodian" means the office, official or employee lawfully responsible for the direct custody and care of a public record. The records custodian is not necessarily the original preparer or receiver of the record.
- b. "Public Records Request Coordinator" means the individual responsible for routing the records request to the appropriate records custodian. The Public Records Request Coordinator may also be a records custodian.
- c. "Requestor" means a person seeking access to a public record, whether it is for inspection or duplication.

**3. Public Record Request Coordinator.**

- a. The MCS's designated Public Record Request Coordinator is:  
Assistant Superintendent of Instruction or designee.
- b. The Public Records Request Coordinator's contact information is:  
Public Records Request Coordinator  
Murfreesboro City Schools  
2552 South Church Street  
Murfreesboro, TN 37127

- 33 c. The Public Records Request Coordinator is responsible for:  
34 (1) Determining whether the requestor has provided proof of Tennessee  
35 citizenship;  
36 (2) Determining if the request has been made on the proper form;  
37 (3) Determining if the request describes records with sufficient specificity to  
38 identify the requested records.  
39 (4) Acknowledging receipt of a public records request within seven (7) days  
40 of the proper receipt of the request;  
41 (5) Advising the requestor of the fees and labor threshold and waivers, if  
42 applicable, that are associated with fulfilling the request;  
43 (6) Aggregating multiple or frequent requests;  
44 (7) If deemed appropriate, contact the requestor to see if the request can be  
45 narrowed;  
46 (8) Appropriately denying a request in writing and providing the grounds for  
47 such denial; and  
48 (9) Forwarding the records request to the appropriate records custodian at  
49 MCS.

50 **4. *Requesting Access to Public Records***

- 51 a. All record requests will be made to the Public Records Request Coordinator, or  
52 designee, to ensure public record requests are routed to the appropriate records  
53 custodian and fulfilled in a timely manner.  
54 b. Any record request received by an MCS employee other than the Public Records  
55 Request Coordinator will be sent to the Public Records Request Coordinator.  
56 c. The requestor's mailing or email address may be requested by MCS at the time of  
57 the records request for the purposes of providing any written communication  
58 required under the Act.  
59 d. Requests for inspection may be made by **in person or by** telephone, **fax, mail,** or  
60 by email using the contact information provided on MCS's webpage or may be  
61 made in writing and mailing or delivering the request to the Public Records  
62 Request Coordinator's address provided herein. Requests not presented in writing  
63 may be reduced to writing by the Public Records Request Coordinator and  
64 acknowledged by the requestor to assure clarity of the request.  
65 e. Requests for copies, or requests for inspection and copies, must be made in writing  
66 using the designed form, which is attached hereto and may be modified as  
67 necessary to assure efficient responses to requests consistent with the Act.  
68 f. Proof of Tennessee citizenship is required to inspect or receive copies of public  
69 records. A valid Tennessee driver's license or acceptable alternative form of ID is  
70 required.

71 **5. *Records Custodian***

- 72 a. Upon receiving a records request, a records custodian will promptly make  
73 available requested public records not protected from disclosure by law.  
74 b. Records custodians may consult with the Public Records Request Coordinator or  
75 MCS's Legal Department regarding fulfilling the request.  
76 c. If not practicable to promptly provide requested records because time is required

77 to determine whether the requested records exist; to search for, retrieve, or  
78 otherwise gain access to records; to determine whether the records are available  
79 for public disclosure; to redact records; or for other similar reasons, then the  
80 records custodian will notify the Public Records Request Coordinator who will  
81 communicate with the requestor as required by the Act. Such communication must  
82 take place within 7 days of receipt of the request.

- 83 d. If a records custodian is unable to fulfill the request, the records custodian will  
84 notify the Public Records Request Coordinator who will communicate the denial  
85 to the requestor.
- 86 e. If a records custodian determines production of records must reasonably be  
87 segmented because of the volume of requested records or the time required to  
88 fulfill the request, the records custodian will notify the Public Records Request  
89 Coordinator who will communicate with the requestor that production of the  
90 records will be in segments and that a records production schedule will be  
91 provided as expeditiously as practicable. The Public Records Request Coordinator  
92 may contact the requestor to see if the request can be narrowed.
- 93 f. If a records custodian discovers records responsive to a records request were  
94 omitted, the records custodian will inform the Public Records Request  
95 Coordinator who will communicate with the requestor concerning the omission  
96 and produce the records as quickly as practicable.

## 97 **6. Redaction**

- 98 a. If a record contains confidential information or information that is not subject to  
99 disclosure, the Public Records Request Coordinator will work with the records  
100 custodian to prepare a redacted copy prior to providing access to the record. If  
101 questions arise concerning redaction, the records custodian should coordinate with  
102 the Legal Department regarding review and redaction of records.
- 103 b. Whenever a redacted record is provided, the Public Records Request Coordinator  
104 will provide the requestor with the basis for redaction that is general in nature and  
105 does not reveal or disclose confidential information.

## 106 **7. Inspection of Records**

- 107 a. There is no charge for inspection of open public records unless such a charge is  
108 allowed by law.
- 109 b. Records may be inspected at the location designated by the Public Records  
110 Request Coordinator.
- 111 c. The nature of the records or the location of inspection may require that the  
112 inspection be conducted at a time and during periods set by the Public Records  
113 Request Coordinator such that a reasonable inspection can be efficiently  
114 accomplished.

## 115 **8. Copies of Records**

- 116 a. A Records Custodian will promptly inform the Public Records Request  
117 Coordinator of the most economic and efficient manner practicable to respond to  
118 the request.
- 119 b. Copies will be available for pickup at a location specified by the Public Records

- 120 Request Coordinator.
- 121 c. Upon payment for all fees, including postage or shipping costs, copies will be
- 122 delivered to an address designated by the requestor using the US Postal Service
- 123 unless the requestor desires another delivery method.
- 124 d. For efficiency, documents may be provided in electronic format.

125 **9. Fees and Charges and Procedures for Billing and Payment**

- 126 a. Fees and charges for copies of public records are not used to hinder access to
- 127 public records.
- 128 b. The Public Records Request Coordinator will provide the requestor with estimate
- 129 of charges and an itemization of the final charges prior to producing copies of
- 130 records and may require prepayment of all charges before producing requested
- 131 records.
- 132 c. Fees and charges for copies will be assessed in accordance with Schedule of
- 133 Reasonable Fees & Charges adopted by MCS. Fees and charges for copies are as
- 134 follows:
- 135 (1) \$0.15 per page for letter- and legal-size black and white copies.
- 136 (2) \$0.50 per page for letter- and legal-size color copies.
- 137 (3) Other \$1.00 for CD
- 138 (4) Labor when time exceeds one hour
- 139 (5) If an outside vendor is used, the actual costs assessed by the vendor.
- 140 d. Payment must be made in accordance with MCS's policy and practice on receipt
- 141 of fees and costs.
- 142 e. Payment in advance is required unless other arrangements are made with Public
- 143 Records Request Coordinator.
- 144 f. When fees for copies and labor do not exceed \$10, the fees may be waived by the
- 145 Public Records Request Coordinator upon finding good cause to do so.
- 146 g. Parents/Guardians shall be provided access to their child's educational records in
- 147 accordance with the Family Educational Rights and Privacy Act (FERPA) and the
- 148 applicable Board Policy. A maximum of three (3) copies of a student's transcript
- 149 will be provided free of charge to the student's parent/guardian or eligible student.
- 150 If the fee represents an unusual hardship, it may be waived in part or entirely by
- 151 the records custodian.

152 **10. Aggregation of Frequent and Multiple Requests.** MCS may aggregate record requests in

153 accordance with the Frequent and Multiple Request Policy promulgated by the Tennessee

154 Office of Open Records Counsel (OORC) when more than four requests are received

155 within a calendar month either from a single individual or a group of individuals deemed

156 working in concert. The Public Records Request Coordinator is responsible for making

157 the determination that a group of individuals are working in concert. The Public Records

158 Request Coordinator will inform the individuals that they have been deemed to be

159 working in concert and that they have the right to appeal the decision to the OORC.

1. TCA § 10-7-501, et seq.

1. STU 15 Student Records Inspection & Correction  
Procedure

# Murfreesboro City School Board

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Care of School Property</b>	Descriptor Code: <b>6.311</b>	Issued Date:
		Rescinds: <b>STU 44</b>	Issued: <b>01/01/13</b>

1 Students shall help maintain the school environment, preserve school property and exercise care while  
2 using school facilities.

3 All district employees and system contracted employees shall report all damage or loss of school  
4 property to the principal or designee immediately after such damage or loss is discovered. The  
5 principal or designee shall notify the Maintenance Department and **Safety Director** for assistance in  
6 determining the extent of any damages and securing the area in question. The Technology Department  
7 shall also be notified to be made aware of any security camera reviews that need to be made. **In**  
8 **addition, the principal or designee shall make a full and complete investigation of any instance of**  
9 **damage or loss of school property.** The investigation shall be carried out in cooperation with law  
10 enforcement officials when appropriate.

11 School property is defined as buildings, buses, books, equipment, records, instructional materials,  
12 **musical instruments**, or any other item under the jurisdiction of the Board.

13 When the person causing damage or loss has been identified and the costs of repair or replacement  
14 have been determined by the Maintenance Department or other appropriate entity knowledgeable about  
15 the item damaged or lost, ~~the Director of Schools~~ **the district** shall take steps to recover these costs.  
16 This may include recommending the filing of a civil complaint in court to recover damages. If the  
17 responsible person is a minor, recovery will be sought from the minor's parent or guardian.<sup>1</sup>

18 In addition, the district may withhold the grades, diploma, and/or transcript of the student responsible  
19 for vandalism or theft or otherwise incurring any debt to a school until the student or the student's  
20 parent/ guardian has paid for the damages.<sup>2</sup>

21 When the minor and parent are unable to pay for the damages, the system will provide a program of  
22 voluntary work for the minor. Voluntary work will not exceed light duty physical labor; i.e., pulling  
23 weeds, washing windows at a site where an event occurred. director of schools may meet with the  
24 parent in an attempt to reach an agreement. Upon completion of the work, the student's grades,  
25 diploma, and/or transcripts shall be released. Such sanctions shall not be imposed if the student is not  
26 at fault.

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#### Legal References

1. TCA 37-10-101
2. TRR/MS 0520-01-03-.03(15)

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#### Cross References

- Visitors to the School 1.501  
Security 3.205  
Student Fees and Fines 6.709



**MURFREESBORO CITY SCHOOL BOARD POLICY**

<b>Descriptor Term:</b>  <b>CARE OF SCHOOL PROPERTY</b>	<b>Descriptor No:</b>  <b>STU 44</b>	<b>Date Adopted:</b>  <b>1/01</b>
	<b>Reviewed/Revision Adopted:</b>  <b>1/13</b>	

1 Students shall help maintain the school environment, preserve school property, and exercise care  
2 while using school facilities.

3  
4 All system employees and system contracted employees shall report all damage or loss of school  
5 property to the principal or designee immediately after such damage or loss is discovered. The  
6 principal or designee shall notify the Maintenance Department for assistance in determining the  
7 extent of any damages and securing the area in question. The Technology Department shall also  
8 be notified to be made aware of any security camera reviews that need to be made. The  
9 investigation shall be carried out in cooperation with law enforcement officials when  
10 appropriate.

11  
12 School property is defined as buildings, buses, books, equipment, records, instructional  
13 materials, or any other item under the jurisdiction of the Board.

14  
15 When the person causing damage or loss has been identified and the costs of repair or  
16 replacement have been determined by the Maintenance Department or other appropriate entity  
17 knowledgeable about the item damaged or lost, the Director of Schools, in conjunction with the  
18 City’s Risk Manager, depending on the type of loss, shall take steps to recover these costs. This  
19 may include recommending the filing of a civil complaint in court to recover damages. If the  
20 responsible person is a minor, recovery will be sought from the minor’s parent or guardian.

21  
22 In addition, the system may withhold the grades, diploma, and/or transcript of the student  
23 responsible for vandalism or theft or otherwise incurring any debt to a school until the student or  
24 the student’s parent/guardian has paid for the damages. When the minor and parent are unable to  
25 pay for the damages, the system shall provide a program of voluntary work for the minor.  
26 Voluntary work will not exceed light duty physical labor; i.e., pulling weeds, washing windows  
27 at a site where an event occurred. Upon completion of the work, the student’s grades, diploma,  
28 and/or transcripts shall be released. Such sanctions shall not be imposed if the student is not at  
29 fault.

30 \_\_\_\_\_  
31 Legal Reference:

32  
33 T.C.A. §§37-10-101 through 103

# Murfreesboro City School Board

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Weapons and Dangerous Instruments</b>	Descriptor Code: <b>6.3091</b>	Issued Date:
		Rescinds: <b>STU 36</b>	Issued: <b>01/09/01</b>

1 Students shall not possess, handle, transmit, use, or attempt to use any dangerous weapon in school  
2 buildings or on school grounds at any time, or in school vehicles and/or buses, or off the school  
3 grounds at a school-sponsored activity, function, or event.<sup>1</sup>

4 Dangerous weapons for the purposes of this policy shall include, but are not limited to a firearm or  
5 anything manifestly designated, made, or adapted for the purpose of inflicting death or serious bodily  
6 injury or anything that in the manner of its use or intended use is capable of causing death or serious  
7 bodily injury.<sup>2</sup>

## 8 **NOTIFICATION**

9 When it is determined that a student has violated this policy, the principal of the school shall notify the  
10 student's parent or guardian and the criminal justice or juvenile delinquency system as required by  
11 law.<sup>3</sup>

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### Legal References

1. TCA 39-17-1309
2. TCA 39-11-106 (a)(5)
3. TCA 49-6-4209; TCA 39-17-1312

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### Cross References

- Discipline Procedures 6.313  
Suspension/Expulsion/Remand 6.316

**MURFREESBORO CITY SCHOOL BOARD POLICY**

<b>Descriptor Term:</b>  <b>WEAPONS AND DANGEROUS INSTRUMENTS</b>	<b>Descriptor No:</b>  <b>STU 36</b>	<b>Date Adopted:</b>  <b>1/01</b>
<b><i>Reviewed/Revision Adopted:</i></b>		

1 Students shall not possess, handle, transmit, use, or attempt to use any dangerous weapon in  
2 school buildings or on school grounds at any time, or in school vehicles and /or buses, or off the  
3 school grounds at a school-sponsored activity, function, or event.  
4

5 Dangerous weapons for the purposes of this policy shall include, but are not limited to “...any  
6 firearm, explosive, explosive weapon, bowie knife, hawk bill knife, ice pick, dagger, slingshot,  
7 switchblade knife, blackjack, knuckles...”.  
8

9 Violators of this section shall be subject to suspension and/or expulsion from school.  
10

11 **NOTIFICATION**  
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13 When it is determined that a student has violated this policy, the principal of the school shall  
14 notify the student's parent or guardian and the juvenile justice system as required by law.  
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32 Legal Reference:

33  
34 T.C.A. 39-17-1309

# Murfreesboro City School Board

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Student Disciplinary Hearing Authority</b>	Descriptor Code: <b>6.317</b>	Issued Date:
		Rescinds: <b>STU 24</b>	Issued: <b>11/01/11</b>

1 A Disciplinary Hearing Authority (DHA) will conduct hearings for students who have been  
2 suspended, expelled, or remanded for more than ten (10) school days and who file an appeal of the  
3 disciplinary decision, orally or in writing, within five (5) days after receipt of the notice.<sup>1</sup> An appeal  
4 may be filed by the parent or guardian, the student or any person holding a teaching license who  
5 is employed by the school system if requested by the student.<sup>1</sup>

6  
7 The Board delegates to the Director of Schools the responsibility to appoint members to a DHA.  
8 The Director shall appoint no more than seven (7) members to the DHA, which shall include three  
9 school system administrators and at least two (2) licensed employees.<sup>2</sup> The student's principal  
10 shall not be a member of the hearing authority. The DHA must include the Special Education  
11 Supervisor if the student has been verified as having a disabling condition. The Director of Schools  
12 or designee shall serve as the non-voting chairperson of the DHA and shall be responsible for  
13 scheduling the hearing, conducting the hearing, and preparing the written findings of the DHA.  
14 DHA members shall be subject to reappointment. Board members shall not serve on the DHA.

15  
16 The chair shall perform the following duties:

- 17
- 18 1. Identify the members of the DHA assigned to hear each individual case;
- 19 2. Prepare and disseminate the minutes of each meeting;
- 20 3. Set the time, place, and date for each hearing;
- 21 4. Notify appropriate persons of each meeting within forty-eight (48) hours of receiving
- 22 notification of the suspension/expulsion; and
- 23 5. Sign and maintain a copy of the minutes of each meeting.
- 24

25 Each hearing shall be conducted by at least three (3) members of the DHA, one of which must be  
26 a licensed employee of the Board. The hearing must be held; a decision must be rendered; and  
27 notification of the decision must be provided to the parents and/or student and the principal no  
28 later than ten (10) days after the beginning of the suspension/expulsion.<sup>3</sup> The DHA shall give  
29 written notice of the time and place of the hearing to the parent or guardian, the student, the school  
30 official who ordered the suspension, and the MCS licensed employee who filed the request for the  
31 hearing if applicable.<sup>3</sup> Notification of the decision shall include a statement of the right of either  
32 party within five (5) days after receiving the decision to request a review by the Board.<sup>4</sup>

33  
34 The DHA may take the following disciplinary actions<sup>5</sup>:

- 35
- 36 1. Affirm the decision of the school principal;

- 37 2. Order removal of the suspension/expulsion unconditionally;
- 38 3. Order removal of the suspension/expulsion upon such terms and conditions as it deems
- 39 reasonable within the policies of the Board and State law;
- 40 4. Remand the student to alternative placement; or
- 41 5. Suspend/Expel the student from any school or assign to alternative placement for a
- 42 specified period of time.\*

43  
44 A written record of the proceedings, including a summary of the facts and the reasons supporting  
45 the decision, shall be made by the DHA.<sup>6</sup>

46  
47 Only after exhausting appeal procedures, the principal, principal-teacher, assistant principal or the  
48 student (or the student's parents) may request a review by the Board of Education. The appeal to  
49 the Board must be presented to the Director in writing within five (5) days after the date of the  
50 Disciplinary Hearing Authority decision.<sup>6</sup> Absent a timely appeal, the decision shall be final.<sup>6</sup>

51  
52 If a review of the hearing is requested by either the student or principal, the Board shall either  
53 review the record or grant a second hearing.<sup>6</sup>

54  
55 If the Board chooses to review the record, it may:

- 56
- 57 1. Affirm or overturn the decision of the hearing authority; or
- 58 2. Modify the decision to a lesser penalty\*; or
- 59 3. Grant or deny a hearing before the Board.

60  
61 If the Board chooses to grant a hearing, it may<sup>6</sup>:

- 62
- 63 1. Affirm the decision of the hearing authority; or
- 64 2. Modify the decision in any manner including imposing a lesser or more severe penalty than
- 65 that of the DHA\*.

66  
67 *If the Board conducts a hearing as a result of a request for review by a student, principal,*  
68 *principal-teacher or assistant principal, then, notwithstanding any provision of the open meetings*  
69 *laws compiled in title 8, chapter 44, or other law to the contrary, the hearing shall be closed to*  
70 *the public, unless the student or student's parent or guardian requests in writing within five (5)*  
71 *days after receipt of the written notice of the hearing that the hearing be conducted as an open*  
72 *meeting. If the Board conducts a hearing as a result of a request for review by a student, principal,*  
73 *principal-teacher, or assistant principal that is closed to the public, then the Board shall not*  
74 *conduct any business, discuss any subject or take a vote on any matter other than the appeal to be*  
75 *heard. Nothing in this policy or T.C.A. §49-6-3401(c)(6) shall act to exclude the Department of*  
76 *Children's Services from the disciplinary hearings when the Department of Children's Services is*  
77 *exercising its obligations under T.C.A. §37-1-140.<sup>6</sup>*

78  
79 The action of the Board shall be final.<sup>6</sup>

80  
81 \*Note: Notwithstanding anything herein to the contrary, if the student is determined to have  
82 knowingly violated the zero-tolerance prohibitions against firearms, drugs, drug paraphernalia, or  
83 assault on a school employee and has been given fair due process procedures, only the Director  
84 may modify the one calendar year suspension from school.

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Legal References

1. TCA 49-6-3401(c)(4)(B)
2. TCA 49-6-3401(c) (4)(C)
3. TCA 49-6-3401(c)(4)(D)
4. TCA 49-6-3401(c)(6)
5. TCA 49-6-3401(c)(5)
6. TCA 49-6-3401(c)(6)

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Cross References

Procedural Due Process 6.302  
Suspension/Expulsion/Remand 6.316

## MURFREESBORO CITY SCHOOL BOARD POLICY

<b>Descriptor Term:</b>  <b>STUDENT DISCIPLINARY HEARING AUTHORITY</b>	<b>Descriptor No:</b>  <b>STU 24</b>	<b>Date Adopted:</b>  <b>1/01</b>
	<b>Reviewed/Revision Adopted:</b>  <b>11/11</b>	

1 A Disciplinary Hearing Authority (DHA) will conduct hearings for students who have been  
2 suspended, expelled, or remanded for more than ten (10) school days and who file an appeal of  
3 the disciplinary decision, orally or in writing, within five (5) days after receipt of the notice. An  
4 appeal may be filed by the parent or guardian, the student or any person holding a teaching  
5 license who is employed by the school system if requested by the student.

6  
7 The Board delegates to the Director of Schools the responsibility to appoint members to a DHA.  
8 The Director shall appoint no more than seven (7) members to the DHA, which shall include  
9 three school system administrators and at least two (2) licensed employees of the Board. The  
10 student's principal shall not be a member of the hearing authority. The DHA must include the  
11 Special Education Supervisor if the student has been verified as having a disabling condition.  
12 The Director of Schools or designee shall serve as the non-voting chair person of the DHA and  
13 shall be responsible for scheduling the hearing, conducting the hearing, and preparing the written  
14 findings of the DHA. DHA members shall be subject to reappointment. Board members shall  
15 not serve on the DHA.

16  
17 The chair shall perform the following duties:

- 18
- 19 1. Identify the members of the DHA assigned to hear each individual case;
- 20 2. Prepare and disseminate the minutes of each meeting;
- 21 3. Set the time, place, and date for each hearing;
- 22 4. Notify appropriate persons of each meeting within forty-eight (48) hours of receiving  
23 notification of the suspension/expulsion; and
- 24 5. Sign and maintain a copy of the minutes of each meeting.
- 25

26 Each hearing shall be conducted by at least three (3) members of the DHA, one of which must be  
27 a licensed employee of the Board. The hearing must be held; a decision must be rendered; and  
28 notification of the decision must be provided to the parents and/or student and the principal no  
29 later than ten (10) days after the beginning of the suspension/expulsion. The DHA shall give  
30 written notice of the time and place of the hearing to the parent or guardian, the student, the  
31 school official who ordered the suspension, and the MCS licensed employee who filed the  
32 request for the hearing if applicable. Notification of the decision shall include a statement of the  
33 right of either party within five (5) days after receiving the decision to request a review by the  
34 Board.

36 The DHA may take the following disciplinary actions:

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1. Affirm the decision of the school principal;
2. Order removal of the suspension/expulsion unconditionally;
3. Order removal of the suspension/expulsion upon such terms and conditions as it deems reasonable within the policies of the Board and State law;
4. Remand the student to alternative placement; or
5. Suspend/Expel the student from any school or assign to alternative placement for a specified period of time.\*

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A written record of the proceedings, including a summary of the facts and the reasons supporting the decision, shall be made by the DHA.

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Only after exhausting appeal procedures, the principal, principal-teacher, assistant principal or the student (or the student’s parents) may request review by the Board of Education. The appeal to the Board must be presented to the Director in writing within five (5) days after the date of the Disciplinary Hearing Authority decision. Absent a timely appeal, the decision shall be final.

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If a review of the hearing is requested by either the student or principal, the Board shall either review the record or grant a second hearing.

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57

If the Board chooses to review the record, it shall:

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1. Affirm the decision of the hearing authority; or
2. Modify the decision to a lesser penalty\*; or
3. Grant a hearing before the Board.

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63

If the Board chooses to grant a hearing, it may:

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1. Affirm the decision of the hearing authority; or
2. Modify the decision in any manner including imposing a lesser or more severe penalty than that of the DHA\*.

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*If the Board conducts a hearing as a result of a request for review by a student, principal, principal-teacher or assistant principal, then, notwithstanding any provision of the open meetings laws compiled in title 8, chapter 44, or other law to the contrary, the hearing shall be closed to the public, unless the student or student’s parent or guardian requests in writing within five (5) days after receipt of the written notice of the hearing that the hearing be conducted as an open meeting. If the Board conducts a hearing as a result of a request for review by a student, principal, principal-teacher, or assistant principal that is closed to the public, then the Board shall not conduct any business, discuss any subject or take a vote on any matter other than the appeal to be heard. Nothing in this policy or T.C.A. §49-6-3401(c)(6) shall act to exclude the Department of Children’s Services from the disciplinary hearings when the Department of Children’s Services is exercising its obligations under T.C.A. §37-1-140.*

80  
81

The action of the Board shall be final.

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\*Note: Notwithstanding anything herein to the contrary, if the student is determined to have knowingly violated the zero-tolerance prohibitions against firearms, drugs, drug paraphernalia, or assault on a school employee and has been given fair due process procedures, only the Director may modify the one calendar year suspension from school.

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88

89 Legal Reference:

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91 T.C.A. 49-6-3401(c)(4)

92 T.C.A. 39-17-1309; 18 U.S.C. 921

93 T.C.A. 49-6-4216 (Zero Tolerance)

94 T.C.A. 49-6-4202 (Definitions of dangerous weapons, drugs, drug paraphernalia, etc.)

95 T.C.A. 49-6-3401 (Suspension of Students)

96 T.C.A. 49-6-4209

97 T.C.A. 49-6-3402

# Murfreesboro City School Board

Monitoring:  <b>Review: Annually, in April</b>	Descriptor Term:  <h2 style="text-align: center;">Admission of Suspended or Expelled Students</h2>	Descriptor Code: <h3 style="text-align: center;">6.318</h3>	Issued Date:  
		Rescinds: <h3 style="text-align: center;">STU 8</h3>	Issued: <h3 style="text-align: center;">05/13/14</h3>

- 1 The Board may deny admission of any student (except those in state custody) who has been expelled
- 2 or suspended from another school system in Tennessee or another state even though the student has
- 3 established residency in the system in which he/she seeks enrollment.
  
- 4 After a request for enrollment is made, the Director of Schools shall investigate the facts surrounding
- 5 the suspension/expulsion from the former school system and make a recommendation to the Board to
- 6 approve or deny the request.
  
- 7 The Board shall not deny enrollment beyond the length of the imposed suspension/expulsion.
  
- 8 If the action of the Board is to deny admission, the Director of Schools shall, on behalf of the Board of
- 9 Education, notify the Commissioner of Education of the decision.
  
- 10 A student may be dismissed if it is determined subsequent to the enrollment that the student has been
- 11 suspended or expelled from the former school system.<sup>1</sup>

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Legal References

1. TCA 49-6-3401(f); 20 USCS § 1232G(b)(4), (h)

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Cross References

School Admissions 6.203  
 Student Records 6.600-604

**MURFREESBORO CITY SCHOOL BOARD POLICY**

<b>Descriptor Term:</b>  <b>ADMISSION OF SUSPENDED OR EXPELLED STUDENTS</b>	<b>Descriptor No:</b>  <b>STU 8</b>	<b>Date Adopted:</b>  <b>1/01</b>
	<b>Reviewed/Revision Adopted:</b>  <b>5/13/14</b>	

1 The Board may deny admission of any student (except those students in state custody) who has  
2 been expelled or suspended from another school system in Tennessee or another state even  
3 though the student has established residency in the system in which the student seeks enrollment.  
4

5 After a request for enrollment is made, the Director of Schools shall investigate the facts  
6 surrounding the suspension/expulsion from the former school system and make a  
7 recommendation to the Board to approve or deny the request.  
8

9 The Board shall not deny enrollment beyond the length of the imposed suspension/expulsion.  
10 If the action of the Board is to deny admission, the Director of Schools shall, on behalf of the  
11 Board of Education, notify the Commissioner of Education of the decision.  
12

13 Any school system that accepts enrollment of a student from another school system may dismiss  
14 the student if it is determined subsequent to the enrollment that the student has been suspended  
15 or expelled from the former school system.  
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32 Legal Reference:  
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34 T.C.A. §49-6-3401(f)  
35 20 U.S.C.A §1232B(b)(4)(h)

# Murfreesboro City School Board

Monitoring: <b>Review: Annually, in May</b>	Descriptor Term: <b>Acquired Immune Deficiency Syndrome</b>	Descriptor Code: <b>6.404</b>	Issued Date:
		Rescinds: <b>STU 32</b>	Issued: <b>06/01/12</b>

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

2 Students infected with HIV shall not be denied enrollment in school. The Board shall not prevent an HIV  
3 infected student from participating in the continuation of his/her education on the sole basis of HIV  
4 infection. To the extent practical with medical and educational needs, the student shall be subject to the  
5 same rules for class assignment, privileges and participation in any school-sponsored activities as all  
6 other students.<sup>1</sup> The Board shall strive to maintain a respectful school climate for HIV infected students.

7 Mandatory screening for communicable diseases not spread by casual everyday contact, such as HIV  
8 infection, shall not be a condition for school entry or attendance.<sup>2</sup>

## 9 **ADMINISTRATIVE RESPONSIBILITIES FOR CONFIDENTIALITY**

10 If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to that  
11 student shall be directed by procedures initiated by the Director of Schools.

12 The Director of Schools shall be responsible for requesting medical records from the parent/guardian  
13 and a statement from the student's physician regarding health status of the student reported to have HIV/  
14 AIDS. In addition, the Director of Schools shall gather information regarding the student's cumulative  
15 school record.

## 16 **CONFIDENTIALITY**

17 No information concerning an HIV infected student shall be divulged, directly or indirectly, to any other  
18 individual or group without the written consent of the parent/guardian. All medical information and  
19 written documentation of discussions, telephone conversations, proceedings and meetings shall be kept  
20 by the Director of Schools in a locked file. If the HIV infected student is under the age of eighteen (18),  
21 access to this file shall be granted only to those persons who have the written consent of the infected  
22 student's parents/guardians.

23 Under no circumstances shall information identifying a student with AIDS be released to the public.<sup>2,3</sup>

## 24 **APPROPRIATE ALTERNATIVE EDUCATION PROGRAMS**

25 In determining the educational placement of a student known to be infected with HIV, school authorities  
26 shall follow established policies and procedures for students with disabilities. School authorities shall  
27 reassess placement if there is a change in the student's need for accommodations or services.

## 28 **HIV PREVENTION EDUCATION/CURRICULUM**

29 The Director of Schools shall be responsible for developing instructional objectives to address each  
30 terminal objective in the state AIDS curriculum framework and provide each teacher responsible for  
31 teaching AIDS education with these objectives. Students shall further be taught universal precautions  
32 through the K-8 Healthful Living and Lifetime Wellness curricula and through the Board's HIV  
33 prevention education program.

34 The state AIDS curriculum and related instructional objectives shall be used in grades K-12.<sup>4</sup> Parents  
35 and guardians shall have convenient opportunities to preview all HIV prevention curricula and materials  
36 in accordance with the provisions of the Family Life Curriculum.

37 Students shall have access to voluntary and confidential counseling about matters related to HIV.  
38 Administrators shall maintain a list of counseling and testing resources for student use.

### 39 **INFECTION CONTROL**

40 The Director of Schools shall develop an Occupational Safety and Health Administration (OSHA)-based  
41 infection control plan in which each school will provide for: 1) well-maintained and easily accessible  
42 materials necessary to follow universal precautions, and 2) designate first responders responsible for  
43 implementing infection control guidelines, including investigating, correcting, and reporting on  
44 instances of exposure. All schools shall further follow the most current Centers for Disease Control and  
45 Prevention (CDC) Universal Precautions for Prevention of Transmission of Human Immunodeficiency  
46 Virus, Hepatitis B Virus, and Other Bloodborne Pathogens in Health Care Settings and the OSHA  
47 bloodborne pathogens standard.<sup>5</sup>

48 The Director of Schools shall develop procedures to implement this policy as well as the State Board of  
49 Education HIV/AIDS Policy for Employees and Students of Tennessee Public Schools.<sup>2</sup>

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#### Legal References

1. TRR/MS 0520-01-03-.08(2)(g)
2. Tennessee State Board of Education Policy 5.300,  
*HIV/AIDS Policy for Employees and Students of  
Tennessee Public Schools*
3. TCA 68-10-113
4. TRR/MS 0520-01-03-.05(1)(c)
5. 20 USCS 1232(g); 34 CFR § 300.622, .623

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#### Cross References

- Section 504 & ADA Grievance Procedures 1.802  
Special Education 4.202  
Special Programs 4.206

**MURFREESBORO CITY SCHOOL BOARD POLICY**

<b>Descriptor Term:</b>  <b>ACQUIRED IMMUNE DEFICIENCY SYNDROME STUDENT/PERSONNEL</b>	<b>Descriptor No:</b>  <b>STU 32</b>	<b>Date Adopted:</b>  <b>8/88</b>
	<b>Reviewed/Revision Adopted:</b>  <b>7/01; 6/12</b>	

1    **LIABILITY AND NON-DISCRIMINATION**

2  
3    Students infected with HIV shall not be denied enrollment in school. The Board shall not  
4    prevent an HIV infected student from participating in the continuation of the student's education  
5    on the basis of HIV infection. The Murfreesboro City School Board accepts the responsibility for  
6    providing public education within the least restrictive environment to students infected with  
7    HIV. HIV-infected students will not be prevented from participating in the educational process  
8    solely based on the diagnosis, and the student's educational program shall be restricted only to  
9    the extent necessary to minimize the risk of disease transmission.

10  
11    Mandatory screening for communicable diseases not spread by casual everyday contact, such as  
12    HIV infection, shall not be a condition for school entry or attendance.<sup>1</sup>

13  
14    **ADMINISTRATIVE RESPONSIBILITIES FOR CONFIDENTIALITY**

15  
16    If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to  
17    that student will be under the supervision of the Director of Schools.

18  
19    The Director of Schools shall be responsible for requesting medical records from the  
20    parent/guardian and a statement from the student's physician regarding health status of the  
21    student reported to have HIV/AIDS. In addition, the Director of Schools will gather information  
22    regarding the student's cumulative school record.

23  
24    **CONFIDENTIALITY**

25  
26    No information concerning an HIV infected student shall be divulged, directly or indirectly, to  
27    any other individual or group without the written consent of the parent/guardian. All medical  
28    information and written documentation of discussions, telephone conversations, proceedings and  
29    meetings shall be kept by the Director of Schools in a locked file. If the HIV infected student is  
30    under the age of eighteen (18), access to this file will be granted only to those persons who have  
31    the written consent of the infected student's parents/guardians.

32  
33    Under no circumstances shall information identifying a student with AIDS be released to the  
34    public.<sup>2,3</sup>

36 APPROPRIATE ALTERNATIVE EDUCATION PROGRAMS

37

38 In determining the educational placement of a student known to be infected with HIV, school  
39 authorities shall follow established policies and procedures for students with disabilities.

40

41 An educational program shall be developed for each student infected with HIV-AIDS. If a  
42 change in an HIV infected student's educational program becomes necessary (due to a secondary  
43 infection that constitutes a medically recognized risk of HIV transmission in the school setting or  
44 deteriorating health of the student) the Director of Schools, parent/guardian, and the treating  
45 physician will develop an appropriate educational program in the least restrictive environment  
46 which is medically, legally and educationally sound. If the HIV infected student is receiving  
47 special education services, these services will be in agreement with established policies.

48

49 School authorities shall reassess placement if there is a change in the student's need for  
50 accommodations or services.

51

52 HIV PREVENTION EDUCATION/CURRICULUM

53

54 The Director of Schools shall be responsible for developing instructional objectives to address  
55 each terminal objective in the state AIDS curriculum framework and provide each teacher  
56 responsible for teaching AIDS education with these objectives.

57

58 The state AIDS curriculum and related instructional objectives will be used in grades K-6.

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Legal References:

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1. TRR/MS 0502-1-3-.08(2)(g)

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2. T.C.A. §68-10-113

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3. 20 USC 1232(g); 34 CFR 300.571-2

77

4. TRR/MS 0520-1-3-.05(1)(c)

# Murfreesboro City School Board

Monitoring: <b>Review: Annually, in May</b>	Descriptor Term:  <b>Special Education Behavioral Support</b>	Descriptor Code: <b>6.501</b>	Issued Date:
		Rescinds: <b>STU 59</b>	Issued: <b>06/01/13</b>

1 The Murfreesboro City school district shall comply with the Tennessee Department of Education  
2 restraint and isolation regulations and guidelines pursuant to the Special Education Behavioral Support  
3 Act.<sup>1</sup> Maintaining a school environment that is conducive to student learning requires that the  
4 environment be orderly and safe. The primary technique used to de-escalate any situation is verbal in  
5 nature; however, if the situation warrants physical holding restraint, then physically restraining a  
6 student may be necessary. Students in the district are protected by law from the unreasonable, unsafe  
7 and unwarranted use of isolation and physical restraint. Murfreesboro City Schools policy has an  
8 emphasis on positive behavioral support, prevention and de-escalation, which reduces the risk of injury  
9 to both students and program staff. The emphasis is always on the care, safety and wellbeing of our  
10 students and staff.

## 11 **Definitions**

- 12 1. “Behavior intervention training program” means a training program in positive behavioral  
13 supports, crisis intervention and the safe use of restraint and isolation;  
14
- 15 2. “Chemical restraint” means a medication that is prescribed to restrict a student's freedom of  
16 movement for the control of extreme violent physical behavior. Chemical restraints are  
17 medications used in addition to, or in replacement of, a student's regular drug regimen to  
18 control extreme violent physical behavior. The medications that comprise the student's regular  
19 medical regimen, including PRN medications, are not considered chemical restraints, even if  
20 their purpose is to treat ongoing behavioral symptoms;  
21
- 22 3. “Emergency situation” means that a child's behavior poses a threat to the physical safety of the  
23 student or others nearby;  
24
- 25 4. “Isolation” or “seclusion” means the confinement of a student alone in a room with or without a  
26 door, or other enclosed area or structure pursuant to § 49-10-1305(g) where the student is  
27 physically prevented from leaving. Pursuant to T.C.A. §49-10-1305(g), any space used as an  
28 isolation room shall be:
  - 29 a. Unlocked and incapable of being locked;
  - 30 b. Free of any condition that could be a danger to the student;
  - 31 c. Well ventilated and temperature controlled;
  - 32 d. Sufficiently lighted for the comfort and well-being of the student;
  - 33 e. Where school personnel are in continuous direct visual contact with the student at all  
34 times;
  - 35 f. At least forty square feet (40 sq. ft.); and  
36

37 g. In compliance with all applicable state and local fire, health, and safety codes.  
38

39 5. Isolation or seclusion does not include time-out, a behavior management procedure in which  
40 the opportunity for positive reinforcement is withheld, contingent upon the demonstration of  
41 undesired behavior; provided, that time-out may involve the voluntary separation of an  
42 individual student from others;  
43

44 6. "Isolation room" means any space, structure, or area pursuant to § 49-10-1305(g) used to  
45 isolate a student.  
46

47 7. "Mechanical restraint" means the application of a mechanical device, material or equipment  
48 attached or adjacent to the student's body, including ambulatory restraints, which the student  
49 cannot easily remove and that restrict freedom of movement or normal access to the student's  
50 body. Mechanical restraint does not include the use of restraints for medical immobilization,  
51 adaptive support, or medical protection;  
52

53 8. "Noxious substance" means the use of any defense spray or substance as defined by  
54 departmental rule;

55 9. "Physical holding restraint" means the use of body contact by school personnel with a student  
56 to restrict freedom of movement or normal access to the student's body;

57 10. "Positive behavioral supports" means a systematic approach using evidence-based practices to  
58 improve school environments, and to prevent and respond to problem behavior that:

59 a. Is proactive and instructional, rather than reactive and punitive;

60 b. Operates on the following three (3) levels:

61 i. Individual;

62 ii. Group or classroom; and

63 iii. The whole school;

64 c. Includes a system of continual data collection;

65 d. Utilizes data-based decision-making;

66 e. Applies research-validated positive behavioral interventions; and

67 f. Improves academic and social outcomes for all students, including those with the most  
68 complex and intensive behavioral needs.  
69

70  
71 11. "School personnel" means an individual employed on a full-time or part-time basis by a public  
72 school.

### 73 **Implementation of Restraint**

74 Only the principal, or the principal's designee, may authorize the use of isolation or restraint in the  
75 case of emergency or by IEP signature. Trained school staff may use physical holding restraint only:  
76 (1) when non-physical interventions have been ineffective and the student's behavior poses threat of  
77 imminent, serious harm to self and/or others and when the student's behavior is more dangerous than  
78 the danger of using physical restraint; or (2) pursuant to a student's IEP or other written plan

79 developed in accordance with state and federal law and approved by the school and parent or guardian.  
80 Physical holding restraint will be practiced in strict accordance with all applicable laws.

81 School personnel shall remain in the physical presence of any restrained student and shall continuously  
82 observe a student who is in time out, isolation, or being restrained to monitor the health and wellbeing  
83 of such student.

#### 84 **Prohibited Forms of Restraint**

85 The following forms of restraint are prohibited:

- 86 1. Administering a chemical restraint to a student receiving special education services is  
87 prohibited; provided, that nothing in this policy shall prohibit the administration of a chemical  
88 restraint when administered for therapeutic purposes under the direction of a physician and  
89 with the child's parent or guardian's consent to administer such chemical restraint.  
90
- 91 2. Administering a noxious substance to a student receiving special education services is  
92 prohibited.  
93
- 94 3. The use of any mechanical restraint on any student receiving special education services is  
95 prohibited.  
96
- 97 4. Any form of life threatening restraint, including restraint that restricts the flow of air into a  
98 person's lungs, whether by chest compression or any other means, to a student receiving special  
99 education services is prohibited.  
100
- 101 5. The use of isolation or physical holding restraint as a means of coercion, punishment,  
102 convenience or retaliation on any student receiving special education services is prohibited.  
103
- 104 6. Removing or disabling any equipment or device that a student requires, including, but not  
105 limited to, a power wheelchair, brace, augmentative communication device, or walker, as a  
106 means of coercion, punishment, convenience, or retaliation on any student receiving special  
107 education services is prohibited.  
108
- 109 7. The use of a locked door, or any physical structure, mechanism, or device that substantially  
110 accomplishes the function of locking a student in a room, structure, or area, is prohibited.

#### 111 **Authorized Forms of Restraint**

112 The use of physical holding restraint in the following circumstances is permitted. The school is not  
113 required to notify the student's parent or guardian in any of the circumstances listed below:

- 114 1. The brief holding by an adult in order to calm or comfort;  
115
- 116 2. The minimum contact necessary to physically escort a student from one area to another;  
117

- 118 3. Assisting a student in completing a task or response if the student does not resist, or resistance  
119 is minimal in intensity or duration; or  
120
- 121 4. Holding a student for a brief time in order to prevent any impulsive behavior that threatens the  
122 student's immediate safety.

123 Actions undertaken by school personnel to break up a fight or to take a weapon from a student are not  
124 prohibited; however, these acts shall be reported in accordance with administrative procedures  
125 developed by the Director of Schools.

### 126 **Staff Training**

127 Physical restraint should only be used by faculty and staff who have received specific district approved  
128 crisis intervention training in the use of physical restraint procedures and non-violent crisis  
129 intervention.

130 Other school personnel may use physical restraint only in rare and clearly unavoidable emergency  
131 circumstances when fully trained school personnel are not immediately available. Untrained staff  
132 should request assistance from trained staff as soon as possible. The school must identify specific staff  
133 to serve as school-wide resources to assist in ensuring proper administration of physical restraint.  
134 These individuals must participate in in-depth training with respect to restraint and implementation.

### 135 **Reporting Requirements and Follow Up**

136 The building administrator or designee must receive a written report documenting the circumstances of  
137 the incident. School personnel authorized by MCS shall see and evaluate the student's condition within  
138 a reasonable time after the intervention. The student's parent or guardian shall be notified orally and in  
139 writing the same day the isolation or restraint was used. School personnel shall be held harmless for  
140 failure to notify if reasonable effort has been made to notify the student's parent or guardian.

141 A student receiving special education services may be restrained or isolated only if such restraint or  
142 isolation is provided for in the student's IEP, or in emergency situations, if necessary to assure the  
143 physical safety of the student or others nearby. If the student's IEP does not provide for the use of  
144 isolation or restraint for the behavior precipitating such action or if school personnel are required to use  
145 isolation or restraint over an extended period of time, an IEP meeting shall be convened within ten (10)  
146 days following the use of such isolation or restraint. If the behavior precipitating such action also  
147 warrants a change of placement, the child will have all rights provided under applicable state and  
148 federal law.

149 School personnel who have used isolation or restraint shall provide a written report to the school  
150 principal or the principal's designee on the form developed by the Tennessee State Department of  
151 Education. A copy of the report form must be provided to the Special Education Supervisor who, after  
152 review of the report, will maintain statistics related to the student and the school's use of isolation  
153 and/or restraint and discuss findings with the Director of Schools and school principals.  
154 Documentation of each incident of restraint and/or isolation will be forwarded immediately to the  
155 Special Education Department, who will be responsible for completing the Easy IEP portion of  
156 documentation.

**157 Required Reports**

158 Each school shall maintain all records of isolation and restraint. On a semi-annual basis, using existing  
159 student-level data collection systems to the extent feasible, each school shall submit a report to the  
160 LEA that includes:

- 161 1. The number of incidents involving the use of isolation and restraint since the previous semi-  
162 annual report;
- 163 2. The number of instances in which the school personnel imposing physical restraint or isolation  
164 were not trained and certified;
- 165 3. Any injuries, deaths, or property damage that occurred;
- 166 4. The timeliness of parental notification;
- 167 5. Demographic information to determine whether disproportionate use of these interventions  
168 exists.
- 169
- 170
- 171
- 172

173 The LEA shall use the information obtained from records of isolation and restraint in developing its  
174 behavior intervention training program. The LEA shall submit information to the Tennessee  
175 Department of Education each year on the use of isolation and restraint in the school district.  
176

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**Legal References**

1. TCA 49-10-1301 through 1307

## MURFREESBORO CITY SCHOOL BOARD POLICY

<b>Descriptor Term:</b>  <b>SPECIAL EDUCATION BEHAVIORAL SUPPORT</b>	<b>Descriptor No:</b>  <b>STU 59</b>	<b>Date Adopted:</b>  <b>6/13</b>
	<b>Reviewed/Revision Adopted:</b>	

1 The Murfreesboro City school district shall comply with the Tennessee Department of Education  
2 restraint and isolation regulations and guidelines pursuant to the Special Education Behavioral  
3 Support Act. Maintaining a school environment that is conducive to student learning requires  
4 that the environment be orderly and safe. The primary technique used to de-escalate any  
5 situation is verbal in nature; however, if the situation warrants physical holding restraint, then  
6 physically restraining a student may be necessary. Students in the district are protected by law  
7 from the unreasonable, unsafe and unwarranted use of isolation and physical restraint.  
8 Murfreesboro City Schools policy has an emphasis on positive behavioral support, prevention  
9 and de-escalation, which reduces the risk of injury to both students and program staff. The  
10 emphasis is always on the care, safety and well being of our students and staff.

### 11 Definitions:

- 12
- 13
- 14 (1) “Behavior intervention training program” means a training program in positive behavioral  
15 supports, crisis intervention and the safe use of restraint and isolation;  
16
- 17 (2) “Chemical restraint” means a medication that is prescribed to restrict a student's freedom of  
18 movement for the control of extreme violent physical behavior. Chemical restraints are  
19 medications used in addition to, or in replacement of, a student's regular drug regimen to  
20 control extreme violent physical behavior. The medications that comprise the student's  
21 regular medical regimen, including PRN medications, are not considered chemical restraints,  
22 even if their purpose is to treat ongoing behavioral symptoms;  
23
- 24 (3) “Emergency situation” means that a child's behavior poses a threat to the physical safety of  
25 the student or others nearby;  
26
- 27 (4) “Isolation” or “seclusion”:  
28
- 29 a. Means the confinement of a student alone in a room with or without a door, or  
30 other enclosed area or structure pursuant to § 49-10-1305(g) where the student is  
31 physically prevented from leaving. Pursuant to T.C.A. §49-10-1305(g), any space  
32 used as an isolation room shall be:  
33 i. Unlocked and incapable of being locked;  
34 ii. Free of any condition that could be a danger to the student;

- 35                   iii. Well ventilated and temperature controlled;
- 36                   iv. Sufficiently lighted for the comfort and well-being of the student;
- 37                   v. Where school personnel are in continuous direct visual contact with the
- 38                   student at all times;
- 39                   vi. At least forty square feet (40 sq. ft.); and
- 40                   vii. In compliance with all applicable state and local fire, health, and safety
- 41                   codes.

- 42           b. Does not include time-out, a behavior management procedure in which the
- 43           opportunity for positive reinforcement is withheld, contingent upon the
- 44           demonstration of undesired behavior; provided, that time-out may involve the
- 45           voluntary separation of an individual student from others;
- 46

47 (5) "Isolation room" means any space, structure, or area pursuant to § 49-10-1305(g) used to  
48 isolate a student. Pursuant to T.C.A. §49-10-1305(g), any space used as an isolation room  
49 shall be:

- 50           a. Unlocked and incapable of being locked;
- 51           b. Free of any condition that could be a danger to the student;
- 52           c. Well ventilated and temperature controlled;
- 53           d. Sufficiently lighted for the comfort and well-being of the student;
- 54           e. Where school personnel are in continuous direct visual contact with the student at
- 55           all times;
- 56           f. At least forty square feet (40 sq. ft.); and
- 57           g. In compliance with all applicable state and local fire, health, and safety codes.
- 58

59 (6) "Mechanical restraint" means the application of a mechanical device, material or equipment  
60 attached or adjacent to the student's body, including ambulatory restraints, which the student  
61 cannot easily remove and that restrict freedom of movement or normal access to the student's  
62 body. Mechanical restraint does not include the use of restraints for medical immobilization,  
63 adaptive support, or medical protection;

64  
65 (7) "Noxious substance" means the use of any defense spray or substance as defined by  
66 departmental rule;

67  
68 (8) "Physical holding restraint" means the use of body contact by school personnel with a  
69 student to restrict freedom of movement or normal access to the student's body;

70  
71 (9) "Positive behavioral supports" means a systematic approach using evidence-based practices  
72 to improve school environments, and to prevent and respond to problem behavior that:

- 73           a. Is proactive and instructional, rather than reactive and punitive;
- 74           b. Operates on the following three (3) levels:
  - 75                   i. Individual;
  - 76                   ii. Group or classroom; and
  - 77                   iii. The whole school;
  - 78                   iv. Includes a system of continual data collection;
  - 79                   v. Utilizes data-based decision-making;
  - 80                   vi. Applies research-validated positive behavioral interventions; and
  - 81                   vii. Improves academic and social outcomes for all students, including those
  - 82                   with the most complex and intensive behavioral needs.
- 83
- 84
- 85
- 86

87 Implementation of Restraint

88

89 Only the principal, or the principal’s designee, may authorize the use of isolation or restraint.  
90 Trained school staff may use physical holding restraint only (1) when non-physical interventions  
91 have been ineffective and the student’s behavior poses threat of imminent, serious harm to self  
92 and/or others and when the student’s behavior is more dangerous than the danger of using  
93 physical restraint or (2) pursuant to a student’s IEP or other written plan developed in accordance  
94 with state and federal law and approved by the school and parent or guardian. Physical holding  
95 restraint will be practiced in strict accordance with the Rules of Tennessee State Board of  
96 Education.

97

98 The use of isolation or physical holding restraint as a means of coercion, punishment,  
99 convenience or retaliation on any student is prohibited.

100

101 School personnel shall remain in the physical presence of any restrained student and shall  
102 continuously observe a student who is in time out, isolation, or being restrained to monitor the  
103 health and well being of such student.

104

105 Prohibited Forms of Restraint

106

107 The following forms of restraint are prohibited:

108

- 109 1. Administering a chemical restraint to a student receiving special education services is  
110 prohibited; provided, that nothing in this policy shall prohibit the administration of a  
111 chemical restraint when administered for therapeutic purposes under the direction of a  
112 physician and with the child's parent or guardian's consent to administer such chemical  
113 restraint.
- 114 2. Administering a noxious substance to a student receiving special education services is  
115 prohibited.
- 116 3. The use of any mechanical restraint on any student receiving special education services is  
117 prohibited.
- 118 4. Any form of life threatening restraint, including restraint that restricts the flow of air into  
119 a person's lungs, whether by chest compression or any other means, to a student receiving  
120 special education services is prohibited.
- 121 5. The use of isolation or physical holding restraint as a means of coercion, punishment,  
122 convenience or retaliation on any student receiving special education services is  
123 prohibited.
- 124 6. Removing or disabling any equipment or device that a student requires, including, but not  
125 limited to, a power wheelchair, brace, augmentative communication device, or walker, as  
126 a means of coercion, punishment, convenience, or retaliation on any student receiving  
127 special education services is prohibited.
- 128 7. The use of a locked door, or any physical structure, mechanism, or device that  
129 substantially accomplishes the function of locking a student in a room, structure, or area,  
130 is prohibited.

131

132 Authorized Forms of Restraint

133

134 The use of physical holding restraint in the following circumstances is **not** prohibited. The  
135 school is not required to notify the student's parent or guardian in any of the circumstances listed  
136 below:

137

- 138 1. The brief holding by an adult in order to calm or comfort;

- 139 2. The minimum contact necessary to physically escort a student from one area to another;
- 140 3. Assisting a student in completing a task or response if the student does not resist, or
- 141 resistance is minimal in intensity or duration; or
- 142 4. Holding a student for a brief time in order to prevent any impulsive behavior that
- 143 threatens the student's immediate safety.

144  
145 Actions undertaken by school personnel to break up a fight or to take a weapon from a student  
146 are not prohibited; however, these acts shall be reported in accordance with T.C.A. §49-6-4018.

#### 147 Staff Training

148  
149  
150 Physical restraint should only be used by faculty and staff who have received specific district  
151 approved crisis intervention training in the use of physical restraint procedures and non-violent  
152 crisis intervention.

153  
154 Other school personnel may use physical restraint only in rare and clearly unavoidable  
155 emergency circumstances when fully trained school personnel are not immediately available.  
156 Untrained staff should request assistance from trained staff as soon as possible.

157 The school must identify specific staff to serve as school-wide resources to assist in ensuring  
158 proper administration of physical restraint. These individuals must participate in in-depth  
159 training with respect to restraint and implementation.

#### 160 Reporting Requirements and Follow-up

161  
162  
163 The building administrator or designee must receive a written report documenting the  
164 circumstances of the incident. School personnel authorized by MCS shall see and evaluate the  
165 student's condition within a reasonable time after the intervention. The student's parent or  
166 guardian shall be notified orally and in writing the same day the isolation or restraint was used.  
167 School personnel shall be held harmless for failure to notify if reasonable effort has been made to  
168 notify the student's parent or guardian.

169  
170 A student receiving special education services may be restrained or isolated only if such restraint  
171 or isolation is provided for in the student's IEP, except that such student may be restrained or  
172 isolated in emergency situations, if necessary, to assure the physical safety of the student or  
173 others nearby. If the student's individualized education program does not provide for the use of  
174 isolation or restraint for the behavior precipitating such action or if school personnel are required  
175 to use isolation or restraint over an extended period of time, an IEP meeting shall be convened  
176 within ten (10) days following the use of such isolation or restraint. If the behavior precipitating  
177 such action also warrants a change of placement, the child will have all rights provided under  
178 applicable state and federal law.

179  
180 School personnel who have used isolation or restraint (as defined in this policy) shall provide a  
181 written report to the school principal or the principal's designee on the form developed by the  
182 Tennessee State Department of Education. A copy of the report form must be provided to the  
183 Special Education Supervisor who, after review of the report, will maintain statistics related to  
184 the student and the school's use of isolation and/or restraint and discuss findings with the  
185 Director of Schools and school principals. Documentation of each incident of restraint and/or  
186 isolation will be forwarded immediately to the assigned school psychologist, who will be  
187 responsible for completing the Easy IEP portion of documentation.

190 Required Reports

191  
192 Each school shall maintain all records of isolation and restraint. On a semiannual basis, using  
193 existing student-level data collection systems to the extent feasible, each school shall submit a  
194 report to the Board that includes:

- 195  
196 (1) The number of incidents involving the use of isolation and restraint since the previous  
197 semiannual report;  
198 (2) The number of instances in which the school personnel imposing physical restraint or  
199 isolation were not trained and certified;  
200 (3) Any injuries, deaths, or property damage that occurred;  
201 (4) The timeliness of parental notification; and  
202 (5) Demographic information to determine whether disproportionate use of these  
203 interventions exists.

204  
205 The Board shall use the information obtained from records of isolation and restraint in  
206 developing its behavior intervention training program. The Board shall submit information to  
207 the Tennessee Department of Education each year on the use of isolation and restraint in the  
208 school district.

209  
210 Attachment: Sample Crisis Plan

211  
212 \_\_\_\_\_  
213 Legal References:

214  
215 T.C.A. §49-10-1301 through 1306, “Special Education Behavioral Support Act”  
216 TRR/MS 0520-01-09-.23, Isolation and Restraint for Students Receiving Special Education  
217 Services

Murfreesboro City Schools  
Safety /Crisis Intervention Plan

**Student:** \_\_\_\_\_

The following procedural steps will take place if said student behaves in a manner that is harmful to the student and or others:

1. Restraint will be utilized if physically harming self or others
2. Parent(S) or guardian(S) will be contacted
3. If student is unable to be calmed within \_\_\_\_\_ minutes, parents will be contacted to pick student up from school.
4. If parents, guardians, or emergency contacts have been called with NO response within \_\_\_\_\_ minutes, the following steps WILL be implemented if child is not able to remain calm without being a physical or verbal threat to self and or others:

1. DCS will be contacted
2. Police will be contacted
3. If suicidal or homicidal ideations are verbalized, a mobile crisis unit will be contacted
4. Ambulance will be contacted if medically necessary

\* These steps have been put into place if parents, guardians, or other indicated (by documentation of parents) are unable to be reached in the pre-determined time allotment. It is for the safety of the student and only utilized if the child is unable to remain calm and safe.

I \_\_\_\_\_  
(Parent or guardian)

understand and give my permission for \_\_\_\_\_ to enforce the  
(School)  
safety plan written for my child: \_\_\_\_\_.

Date:

Time:

**Signatures~**

Administration:

Parent/guardian:

School Psychologist:

Guidance Counselor:

Behavioral Support:

Teacher:

c/c: Central office upon completion: attn: SPED



Murfreesboro City Schools  
 Special Education  
 2552 South Church St  
 Murfreesboro, TN 37127  
 Phone: 615-893-2313

RESTRAINT REPORT

**To be completed immediately following a restraint**

**Student information:**

Student: \_\_\_\_\_ School: \_\_\_\_\_ Date: \_\_\_\_\_

Birthdate: \_\_\_\_\_ Disability: \_\_\_\_\_ Grade: \_\_\_\_\_

Date of isolation or restraint: \_\_\_\_\_ Time of incident: \_\_\_\_\_ Location: \_\_\_\_\_

**Description of Incident:**

Antecedent(s) to event:

---

Specific Behavior addressed:

---



---

Length of restraint or isolation: \_\_\_\_\_

Was staff certified in the restraint technique approved and utilized by Murfreesboro City Schools System? Y N

Was the restraint: \_\_\_\_\_ as provided for in the student's IEP\*

\_\_\_\_\_ in an emergency/crisis situation

**Post restraint:**

Student's demeanor: \_\_\_\_\_ Return to class: Y N

Sent home: Y N Suspension: Y N

**Student evaluation for injury:**

Injured: Y N

If student is reported injured, specify: \_\_\_\_\_

---



Murfreesboro City Schools  
 Special Education  
 2552 South Church St  
 Murfreesboro, TN 37127  
 Phone: 615-893-2313

RESTRAINT REPORT

**Staff evaluation for injury:**

Injured: Y N

If staff is reported injured, specify:

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Did staff file C-20 form: Y N

If Yes, attach documentation.

**IF ANY OF THE ABOVE ARE NOT SELECTED AND THE STUDENT WAS INJURED AS A RESULT OF THE RESTRAINT:**

The incident is to be self reported to the Department of Children’s Services at 1-877-237-0004.

\* If use is not provided for in the IEP, or if the action was employed over an extended period of time as defined in department rules, an IEP meeting must be convened within 10 days of the above date.

Was the staff response employed as defined in department rules? \_\_\_Yes \_\_\_No

Person authorized and administered the above action: \_\_\_\_\_

Person designated to report the above action: \_\_\_\_\_

**Isolation:**

If Isolation was utilized please attach the following:

- a) A certification that any space used for isolation is at least (40) square feet.
- b) A certification that school personnel are in continuous direct visual contact at all times with said isolated student.



Murfreesboro City Schools  
 Special Education  
 2552 South Church St  
 Murfreesboro, TN 37127  
 Phone: 615-893-2313

RESTRAINT REPORT

**Parent Contact:**

Parent/Guardian notified on (date) \_\_\_\_\_ by \_\_\_\_\_.

Method of notification to parent/guardian

\_\_\_ Orally      \_\_\_ Copy of form      Other \_\_\_\_\_

FAX THIS FORM BY THE END OF THE WORK DAY TO The Special Education Supervisor AT CENTRAL OFFICE.

**SIGNATURES:**

Building administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Staff member(s) involved in incident:

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

Witness:

\_\_\_\_\_ Date: \_\_\_\_\_

**Pre-K Partnership Agreement Between  
Mid-Cumberland Community Action Head Start Program and  
Murfreesboro City Schools**

THIS AGREEMENT is made as of August 1, 2019 between Mid-Cumberland Community Action Agency and Murfreesboro City Schools to outline the scope of services and terms for a partnership serving four-year-old children enrolled in Voluntary PreK and also income-eligible for Head Start.

In the event of a conflict in the provisions of any attachments hereto and the provisions set forth in this Agreement, the provisions of such attachments shall govern. This partnership agreement may be terminated for cause and convenience at any time with 90 day written notice.

The services listed in the Scope of Services and executed by Murfreesboro City Schools and Mid-Cumberland Community Action Agency (MCCAA). Such services are hereinafter referred to as "Services."

**Murfreesboro City Schools agrees to provide (for):**

- Participation in ongoing communication & will attend meetings as needed with Head Start Management to ensure the effectiveness of the partnership and implementation of education services with Head Start children and families according to the Head Start Performance Standards (CFR 1304).
- Participation by a decision-making representative on the Head Start School Readiness Advisory Team.
- Documentation on shared Head Start children selected by the approved criteria to include: child application, birth certificate, immunization record, proof of income and physical.
- Classroom space in school system's facilities and will provide all maintenance and upkeep necessary to ensure safe and handicapped accessible environments appropriate for pre-school age children.
- Classroom and all maintenance and upkeep necessary to ensure safe and handicapped accessible environments appropriate for pre-school age children with appropriate child-sized furniture and equipment;
- Equipment and maintenance for playgrounds with appropriate safety barriers and resilient surfaces.
- Maintenance of facilities and playgrounds to meet the Department of Education's equivalent of Day Care Licensing regulations and compliance

with all federal, state and local safety, health, fire regulations and the requirements of the Head Start Performance Standards and, upon request, provide verification documents to Mid Cumberland Community Action Agency Head Start.

- Maintain classroom quality at required levels as measured by the Classroom Assessment Scoring System (minimum average score of 4 in Emotional Support, 3 in Classroom Organization, and 2 in Instructional Support)
- Provide developmentally appropriate early childhood education services to be implemented by state certified ECE teachers and Assistant Teachers who meet the minimum requirements of a CDA or equivalent or show progress towards working on this credential.
- Implement a research-based early childhood curriculum that promotes young children's school readiness in the areas of language and cognitive development, early reading and mathematics skills, social-emotional development, physical development, and approaches to learning; is based on scientifically valid research and has standardized training procedures and curriculum materials to support implementation; is comprehensive and linking to ongoing assessment, with developmental and learning goals and measurable objectives; is focused on improving the learning environment, teaching practices, family involvement, and child outcomes across all areas of development; and is aligned with the Head Start Child Development and Early Learning Framework and TN-ELDS.
- Use research-based assessment tools, including a MyTeachingStrategies Assessment Checklist provided by Head Start or a comparable standardized and structured tool, in order to support the educational instruction and school readiness of children in the program. Information from these assessment tools should be collected at three different intervals throughout the program year (baseline, mid-point, and end). There should be documentation of providing individualized education services to children based on information gathered from this assessment.
- Provide breakfast and lunch at no charge to all participating Head Start eligible children served through the partnership in accordance with the CACFP age-appropriate standards for meals and meet the Head Start guidelines for Nutrition services, which includes family-style dining. Ensure oral health practices, including daily tooth brushing, are taking place.
- Identify and assess the need for disability services, targeting 10%, and providing services to all who qualify for disability services .
- Provide copies of documentation of children's developmental screenings, assessment reports completed at three intervals, two parent/teacher conferences and two education home visits completed by teaching staff;

Individual Education Plans for any Head Start child; and classroom attendance rosters for shared Head Start/PreK children. Assessment results on all children will be aggregated to measure progress towards school readiness goals as defined by the Office of Head Start.

- Avoid the suspension and/or expulsion of any Head Start child. These exclusionary methods should only be used as a last resort in extraordinary circumstances when there is a determination of serious safety threat that cannot otherwise be reduced or eliminated by the provision of reasonable modifications. Mid-Cumberland CAA Head Start leadership will be included in the decision-making process in any cases involving shared children.
- Inform MCCA Head Start leadership immediately or as soon as reasonably possible when any instances of child abuse occur involving children served through this partnership. Inform MCCA Head Start leadership immediately or as soon as reasonably possible of instances of child abuse/corporal punishment used by teachers/staff who have access to the children served through this partnership.
- Provide MCCA Head Start leadership with copies of incidents reports and abuse reports, including access to video recordings if applicable, of any incidents involving children served through this partnership.
- A work space for Head Start employees, and use space for parent trainings/resources.

Murfreesboro City Schools agrees that Mid-Cumberland Community Action Agency or any of its duly authorized representatives, including Head Start monitors, shall have ready access to the School District staff, classrooms, students, and any books, documents and records that are specific to the partnership in order to perform and monitor the required services provided for in this contract.

Murfreesboro City Schools agrees that Mid-Cumberland Community Action Agency will be provided with the following personnel documents for any classroom staff in classrooms with Head Start children, which include:

- Proof of education qualifications (copy of teaching license and/or transcript)
- Fingerprint/Background Check through the Tennessee Bureau of Investigation or other State and/or Federal Bureau of Investigation, or a signed verification that TBI background clearance has been received and is on file with Murfreesboro City Schools and accessible for federal, state or local authorities as required.
- Initial health exam with proof of TB, re-exam documentation (if applicable)
- Standards of Conduct

In addition, as required by Head Start's funding source, Murfreesboro City Schools agrees that Mid-Cumberland Community Action Agency will have access to the following personnel documents for any classroom staff in classrooms with Head Start children, which include: employment application; letters of reference & verification; verified work history of previous five years; job description; proof of pre-employment orientation; initial and ongoing training (evidence of at least 15 hours of classroom focused professional development each year); corporal & child abuse & neglect training; evaluations which should be completed annually.

All personnel information will be kept in confidential locked files and will be reviewed by federal, state or local authorities as required.

The services shall be performed by Murfreesboro City Schools and their staff. Mid-Cumberland Community Action Agency shall not be required to hire, supervise or pay any additional staff or assistants to perform the education services described in this agreement.

**Mid-Cumberland CAA Head Start agrees to provide (for):**

- Participation in ongoing communication and attendance at monthly meetings or as often as deemed necessary with a School Representative to ensure effectiveness of partnership and implementation of services with the Head Start children and families according to the Federal Performance Standards.
- Health Screenings for all Head Start children enrolled in the system. Mid-Cumberland Community Action Agency Head Start will provide staff to assist with maintaining the following Head Start records:
  1. Dental Screening
  2. Dental Services (including cleaning and fluoride for children who are Head Start eligible)
  3. Height and Weight with BMI
  4. Hearing screen
  5. Vision screen
  6. Blood Pressure
  7. Speech Screening (Joint responsibility)

Non- Head Start children identified with a failed screening will be referred to the designated school system staff member for follow-up action.

A Family Service Associate will be assigned to assist in meeting these objectives.

- Family partnership services for the Head Start families, including the following: goal setting, referrals, family partnership home visits, parent trainings, and leadership opportunities such as serving on the Head Start

Policy Council and parent committees (three full-time family service coordinators will be assigned to assist with these objectives).

- Staff development services provided by a Staff Development Coordinator, including the following: classroom observations and feedback, positive behavior support, training and technical assistance to include CDA trainings/webinars.
- Mental health services, including the following: access to a Mental Health Coordinator and Mental Health Consultant, classroom observations, and individualized support for children with challenging behavior.
- MCCA will provide a Family Service Associate who will assist with record keeping and documentation of other Head Start Services and provide transportation of Head Start children to and from medical/dental appointments if necessary.

Any Head Start staff working in the school will be under the authority of the school's principal while in the school facility and will follow all rules and guidelines established by said principal, as long as said rules and guidelines do not conflict with MCCA policy. Any issues that arise will be resolved between the appropriate Murfreesboro City Schools central office and the Mid-Cumberland CAA Head Start leadership staff.

When parent complaints occur, MCCA staff will direct the parent to the lowest level for resolution (teacher and/or principal) before taking the complaint.

**Rate of Payment for Services**

Monetary reimbursement for education services for up to **160** Head Start eligible children for a minimum of 160 days. Mid-Cumberland Community Action Agency agrees to pay the Murfreesboro City Schools at a rate of \$1,000 per child, divided into nine monthly payments, for education services for 160 Head Start eligible children for a minimum of 160 days. Payments will be made monthly for a nine-month period beginning in September 2019 through May 2020. Payments will be paid by the 28<sup>th</sup> of each month as outlined below when the invoice is submitted timely. The total payments may not exceed **\$160,000** for the partnership agreement period.

Month #	Service Month	Submit Bill By	Month #	Service Month	Submit Bill By
1	Aug/Sept Service	10/8/19	6	Feb Service	03/8/20
2	Oct Service	11/8/19	7	March Service	04/8/20
3	Nov Service	12/8/19	8	April Service	05/8/20
4	Dec Service	01/8/20	9	May Service	06/8/20
5	Jan Service	02/8/20			

### **Invoicing**

Murfreesboro City Schools will submit a request for payment by the 8<sup>th</sup> of each aforementioned nine months following the services, beginning in September with a billing date of October 12<sup>th</sup>, 2019 for nine months ending with final billing by June 8<sup>th</sup>, 2020. With the request, Murfreesboro City Schools will submit a verification of the number of children served through the partnership. Payment vouchers will be issued by the 28<sup>th</sup> day of each month when the invoice is submitted timely. An emailed request and associated records will be submitted by the 8<sup>th</sup> of each month to:

***accountspayable@midcumberland.org***

### **Confidentiality**

Both parties, Murfreesboro City Schools and MCCA, acknowledge that during the performance of this partnership agreement, they may learn or receive confidential client information and agree all such information relating to both parties client's will be kept confidential, revealed on a need to know basis to the extent that such information is required by law, by either funding source, staff or associates to enable the performance of the contract obligation.

### **Training**

Both parties will share training resources and opportunities for all staff across programs.

### **Operating Period**

The operating period will coincide with the Murfreesboro City School's operational calendar.

### **Liability**

- a. Mid-Cumberland CAA Head Start will provide Certificate of Child accident insurance for each of the eligible children enrolled under this agreement if requested.
- b. Murfreesboro City School will provide MCCA with certification of insurance - a certificate of workers compensation coverage for the annual contract audit if requested by insurer or auditor.

### **Duration**

Either party may cancel this contract for cause and convenience with 90 days written notice; otherwise, the contract shall remain in force for a term of the school year, from August 1, 2019 –May 30, 2020.

### **Notices**

(i). Notices to Mid-Cumberland Community Action Agency may be mailed or e-mailed as follows:

**Mid-Cumberland Community Action Agency**  
**P.O. Box 310**  
**Lebanon, TN 37088**  
**Phone Number: 615-742-1113**  
**Attention: Debra Holmes, Executive Director**  
**dholmes@midcumberland.org**

(ii). Notices to Murfreesboro City Schools should be sent to:

Murfreesboro City Schools

Address: \_\_\_\_\_

\_\_\_\_\_

Attention: \_\_\_\_\_

Name, Title

\_\_\_\_\_  
School System Official Signature

\_\_\_\_\_  
MCCAA Official Signature

\_\_\_\_\_  
School System Official - Title

\_\_\_\_\_  
MCCAA Official - Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



**CINCIBOND®**  
Surety Made Simple®

The Cincinnati Insurance Company  
PO BOX 145496, FAIRFIELD, OH 45250-5496

AGENCY:  
Miller, Loughry & Beach Insurance Services, Inc.  
41001  
P.O. Box 7001  
Murfreesboro, TN 37133

**Billing  
Notice**

BOND NUMBER	BOND DESCRIPTION	RENEWAL PERIOD	RENEWAL PREMIUM
0572634	\$1,508,900.00 School Treasurer or Fiscal Agent Bond	07/01/2019 - 07/01/2020	\$1580

PRINCIPAL:  
GARY B ANDERSON

OBLIGEE:  
STATE OF TENNESSEE  
DIRECTOR FINANCE AND ADMINISTRATIVE SERVICES  
505 DEADERICK ST STE 1500  
NASHVILLE, TN 37243-1402

RENEWAL INSTRUCTIONS:  
A new bond form or a continuation certificate must be issued under this bond number and filed with the obligee.

PREMIUM INCLUDES SURCHARGE & TAXES IF APPLICABLE:  
SURCHARGE: 0  
MUNICIPAL TAX: 0  
COUNTY TAX: 0

**FOR CANCELLATION:**

PLEASE HAVE THE BELOW RELEASE COMPLETED, SIGNED AND DATED BY THE OBLIGEE AND RETURN TO SURETY, ATTN: BOND & EXECUTIVE RISK

**BOND RELEASE**

The Cincinnati Insurance Company

You are hereby released from any and all liability that may otherwise accrue on or after \_\_\_\_\_ for bond number 0572634, issued on behalf of \_\_\_\_\_

GARY B ANDERSON

in favor of STATE OF TENNESSEE

for the sum total amount of \$1,508,900.00

Additional Comments:

Signed this \_\_\_\_\_ day of \_\_\_\_\_,

STATE OF TENNESSEE

Signature: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

**ANNUAL AGENDA**  
2019-2020  
MURFREESBORO CITY SCHOOLS BOARD OF EDUCATION

The following items appear on your agenda **monthly**:

- Approval of Minutes
- Approval of School Fees
- Approval of Board Policies
- Attendance Report (except June and July)
- Personnel Update
- Monthly Revenue/Expenditure Report

The following items appear on your agenda **as needed or when available**:

- Board Self-Assessment (in the Spring of Odd years; i.e. 2013, 2015, etc.)
- Residential Development/Zoning
- Budget Adjustments/Amendments
- Construction Update
- Five-Year Plan for New Construction, Zoning, and Related Issues Update
- Strategic Plan
- Sick Leave Bank Appointments
- Recommendations for Tenure
- Director's Evaluation

The following items appear on your agenda **within the month listed**:

**JULY (TBD)**

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**AUGUST**

- ❖ Recommendations
  - Extended School Advisory Board
  - Approval of Coordinator of School Health as the individual who is responsible for coordination of all training/communications on HIV/AIDS and OSHA's Blood borne Pathogens Standard
  - Pre-K Advisory Council
- ❖ Reports
  - Enrollment Update

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## SEPTEMBER

- ❖ Recommendations
    - Election of Board Chair and Vice Chair (Attends TSBA’s October “New Board Chair Orientation” session; assumes office at November Board meeting.)
    - Certification of Compliance with T.C.A. §49-3-310(4)(1)—Textbooks
    - Report of School System/School Compliance—Tennessee Statutes/Rules, Regulations, and Minimum Standards
    - Approve Contract with Fiscal Auditor (when needed)
  - ❖ Reports
- 

## OCTOBER

- ❖ Recommendations
    - Teacher Waivers or Permits (if any)
    - Approval of Textbook Adoption Committee Members
  - ❖ Reports
- 

## NOVEMBER

- ❖ Recommendations
  - ❖ Reports
    - Audit Report
    - Board Chair and Vice Chair assume duties of their office
    - TSBA Leadership Conference and Convention
    - American Education Week
    - Inclement Weather/School Closing Procedure
    - Budget Preparation Calendar
- 

## DECEMBER (TBD)

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## JANUARY

- ❖ Recommendations
- ❖ Reports

- Tennessee School Board Week
  - Proposed School Year Calendar
- 

## **FEBRUARY**

- ❖ Recommendations
    - Approval of New School Year Calendar
    - Approval of Apply to United Way (every 3 years)
  - ❖ Reports
    - System Teachers of the Year
- 

## **MARCH**

- ❖ Recommendations
    - Textbook Adoption Committee Recommendation
  - ❖ Reports
    - Budget Discussion (or special meeting—date to be determined)
- 

## **APRIL**

- ❖ Recommendations
    - Approval of Advisory Board/Family Resource Center
    - Approval of General Fund, Federal Funds, ESP and Cafeteria Budgets
  - ❖ Reports
    - Announce date and time of Retirement Celebration
    - Budget Discussion (or special meeting)
    - Announce May Teacher Appreciation Day/Week
- 

## **MAY**

- ❖ Recommendations
  - Budget Revisions (if needed)
- ❖ Reports
  - Instructional/Program Updates (as needed)
  - Staff Development Report
  - Upcoming Year's Board Meeting Dates

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## JUNE

- ❖ Recommendations
  - Sick Leave Bank/Recommendation for Trustees (if needed) to take effect August 1
  - Approval of Surety Bond for Finance Director
  - Contract Between United Way of Rutherford County/Cannon County and MCS
  - Approval of Agreement with Mid-Cumberland Head Start
  
- ❖ Reports
  - Tentative Assignment Lists

**COMPARISON OF BUDGET TOTALS**  
**July 1, 2018 Through May 31, 2019**

<b>TOTAL INCOME</b>	<b>7/1/18 - 5/31/19</b>	<b>\$</b>	<b>71,343,168</b>
<b>TOTAL EXPENSES</b>	<b>7/1/18 - 5/31/19</b>		<b>65,746,977</b>
			<hr/>
<b>NET INCOME</b>	<b>5/31/19</b>	<b>\$</b>	<b>5,596,191</b>
			<hr/> <hr/>

**YEAR-TO-DATE REVENUE COMPARISON**

MAY 2019

PAGE 1

	BUDGET CLASS.	2017-18 BUDGET	2017-18 YTD REV.	2017-18 OVR/(UNDR) BUDGET	2017-18 %	2018-19 BUDGET	2018-19 YTD REV.	2018-19 OVR/(UNDR) BUDGET	2018-19 %
1	40110-Current Prop. Tax	\$13,523,000.00	13,542,303.00	19,303	100.1%	\$13,972,500.00	13,832,734	\$ (139,766)	99.0%
2	40210-Local Option Sales Tax	10,968,000	9,093,225	(1,874,775)	82.9%	10,980,000	9,557,505	(1,422,495)	87.0%
3	40000-41110-Other County Rev	1,773,000	1,261,207	(511,793)	71.1%	1,736,000	1,341,974	(394,026)	77.3%
4	44000-Other Local Revenue	515,750	531,833	16,083	103.1%	582,750	623,921	41,171	107.1%
5	46511-Basic Educ. Program	40,843,453	37,393,300	(3,450,153)	91.6%	44,430,513	39,387,500	(5,043,013)	88.6%
6	46512-BEP ARRA	-	-	-	N/A	-	-	-	N/A
7	46530-Energy Efficient Sch	-	-	-	N/A	-	-	-	N/A
8	46615-Ext. Contract-ARRA	-	-	-	N/A	-	-	-	N/A
9	46990-Other State Funds	337,100	269,038	(68,062)	79.8%	650,190	489,030	(161,160)	75.2%
10	46592-CONNECT TEN ARRA	-	-	-	N/A	-	-	-	N/A
11	46595-Family Resource ARRA	-	-	-	N/A	-	-	-	N/A
12	46595-SSMS ARRA	-	-	-	N/A	-	-	-	N/A
13	47000- Federal Funds	45,000	24,325	(20,675)	54.1%	24,325	74,160	49,835	304.9%
14	49810-Approp./City Gen. Fund	5,310,103	4,867,594	(442,509)	91.7%	6,585,103	6,036,344	(548,759)	91.7%
15	49820-Operating Transfers	-	-	-	N/A	-	-	-	N/A
	<b>TOTALS</b>	<b>\$ 73,315,406</b>	<b>\$66,982,825</b>	<b>\$ (6,332,581)</b>	<b>91.4%</b>	<b>\$78,961,381.00</b>	<b>\$ 71,343,168</b>	<b>\$ (7,618,213)</b>	<b>90.4%</b>

**YEAR-TO-DATE EXPENDITURE COMPARISON**

MAY 2019

PAGE 1

	<b>2017-18 BUDGET</b>	<b>2017-18 YTD EXP.</b>	<b>2017-18 OVR/(UNDR) BUDGET</b>	<b>2017-18 %</b>	<b>2018-19 BUDGET</b>	<b>2018-19 YTD EXP.</b>	<b>2018-19 OVR/(UNDR) BUDGET</b>	<b>2018-19 %</b>	
1	71100-Reg. Instruction	41,477,278	34,524,088	\$ (6,953,190)	83.2%	43,503,848	35,634,351	\$ (7,869,497)	81.9%
2	71200-Sp. Ed. Instr.	7,644,423	6,241,502	(1,402,921)	81.6%	8,401,413	6,902,452	(1,498,961)	82.2%
3	71400-Student Body Ed.	38,706	32,244	(6,462)	83.3%	45,000	36,253	(8,747)	80.6%
4	72110-Attendance	152,743	128,019	(24,724)	83.8%	152,854	136,516	(16,338)	89.3%
5	72120-Health Services	730,446	585,358	(145,088)	80.1%	779,372	631,890	(147,482)	81.1%
6	72130-Guidance	1,998,065	1,588,000	(410,065)	79.5%	2,433,099	1,999,104	(433,995)	82.2%
7	72210-Reg. Instr. Spprt.	2,251,653	1,859,622	(392,031)	82.6%	2,097,264	1,649,628	(447,636)	78.7%
8	72220-Sp. Ed. Support	1,625,873	1,309,154	(316,719)	80.5%	1,566,956	1,251,610	(315,346)	79.9%
9	72250-Technology	1,435,989	1,228,968	(207,021)	85.6%	1,652,406	1,200,564	(451,842)	72.7%
10	72310-Bd. Of Educ.	1,109,057	893,528	(215,529)	80.6%	1,737,593	1,099,135	(638,458)	63.3%
11	72320-Office of Supt.	324,923	266,656	(58,267)	82.1%	370,119	304,168	(65,951)	82.2%
12	72410-Office of Prin.	4,170,150	3,626,910	(543,240)	87.0%	4,329,922	3,703,945	(625,977)	85.5%
13	72510-Fiscal Services	538,980	489,419	(49,561)	90.8%	560,918	513,762	(47,156)	91.6%
14	72520-Personnel Services	372,495	329,163	(43,332)	88.4%	425,023	350,386	(74,637)	82.4%
15	72610-Oper. Of Plant	5,827,275	4,137,343	(1,689,932)	71.0%	5,908,626	4,294,585	(1,614,041)	72.7%
16	72620-Maint. Of Plant	2,254,631	1,595,123	(659,508)	70.7%	2,728,945	1,885,598	(843,347)	69.1%
17	72710-Pupil Transp.	2,865,694	2,432,296	(433,398)	84.9%	2,899,934	2,459,275	(440,659)	84.8%
18	73300-Community Servic	506,730	409,854	(96,876)	80.9%	518,682	411,131	(107,551)	79.3%
19	73400-Early Childhood Educ	89,500	25,098	(64,402)	28.0%	16,500	2,967	(13,533)	18.0%
20	76100-Reg. Cap. Outlay	747,824	542,907	(204,917)	72.6%	631,559	481,319	(150,240)	76.2%
21	99100-Operating Transfers	822,909	351,780	(471,129)	42.7%	860,431	798,338	(62,093)	92.8%
	<b>TOTALS</b>	<b>76,985,344</b>	<b>62,597,032</b>	<b>\$ (14,388,312)</b>	<b>81.3%</b>	<b>81,620,464</b>	<b>65,746,977</b>	<b>\$ (15,873,487)</b>	<b>80.6%</b>