

**Policy Committee Meeting
December 13, 2018
Central Services Board Room**

The Policy Committee met on Thursday, December 13, 2018, in the Central Services Principal’s Meeting Room where Mr. Josh Stone called the meeting to order at the approximate hour of 4:30 p.m. He welcomed everyone to the meeting and appreciated everyone for attending.

PRESENT:

Mr. Tom Netherton, District 6	Mr. Josh Stone, District 4
Mr. Tony Brock, District 5	Mrs. Janet Graham, Director of Schools
Dr. Rebecca Wood, CAO	Mr. Earl Patton, Attorney

Absent Mr. Robert Safdie

1. Call to Order – Mr. Josh Stone

2. Moment of Silence/Pledge of Allegiance – Mr. Josh Stone

3. Approval of the November 8, 2018 Minutes –

Stone said he had only one correction of the minutes. On item #5 change Charger to Charter. Stone moved to approve with this change.

VOICE VOTE: Stone (mover- yes)
Netherton (seconder –yes)
All Ayes

MOTION: Carried unanimously

4. Policy 3.203 Emergency Plan and Crisis Management

Graham stated that Mr. Safdie wanted to make these changes. He wanted to take what he considers to be procedures out of this and make it much more simple. We have made the changes he suggested. Stone asked if all the strike through under the Disaster Plan portion would be in procedure. Stone also questioned if TSBA has approved this change. Franklin stated it had been sent to TSBA and they approved this change in the policy. Netherton asked if we take the Disaster Plan out of this policy should we change the title of the policy? Graham responded we have to have a disaster plan as well. Netherton asked how we reflect that this is a disaster plan? Graham responded this is the emergency plan and crisis plan. It is what we plan for emergency or crisis. Brock made a motion to approve.

VOICE VOTE: Brock (mover-yes)
Netherton (seconder-yes)
All Ayes

MOTION: Carried Unanimously

5. Policy 3.205 Security

Stone stated, “We have the MOU’s from the Crossville Police and Sheriff’s department. Graham stated that was brought back from the safety committee session. They wanted to see the MOU’s from both City and County. She discovered she did not have a current MOU with the County Sheriff. Patton reviewed and he was good with this MOU. We have put this on the May planning calendar to reach out to the city and county. Stone explained “the question of the MOU’s came from Teresa Boston’s questioning the wording of the security policy. On #6 starting on line 26 of page 2 of the policy.” Stone read this section of the policy, “The memorandum may be effective for any length of time, including continuing until terminated by the parties, and may contain any reasonable notice requirement for the

termination of the memorandum. However, the memorandum shall contain a provision allowing the Director to suspend the active participation of the SROs in the event that the Director certifies that the health, safety or well being of the students or faculty members require the immediate suspension. The word certified was the culprit of the angst.” Stone addressed Patton to ask his opinion of this wording. Patton replied he did recall some language in the MOU to that effect. Stone commented that the word certify was a funny word. Patton agreed it was a funny word to be used in that context. Patton continued with, “What it means or signifies is that the Director would explain in writing that this is what I think. It would give her the authority to suspend.” Patton said, “it is hard to imagine what the scenario would be but it speaks to the fact that what is important here and the lineation of power. It is wise to maintain that level of control to be able to, for some unimaginable circumstance where it might be in the best interest to suspend that agreement, in the right situation.” Stone mentioned he thought the concern was with the word “certify” and do we want to change that one word in the sentence? Netherton suggested using the word determines. Brock stated he wouldn’t have a problem with that. Stone mentioned he read the City Police MOU and he didn’t see anything there that mentioned the Director having any authority. It always goes back to the SRO supervisor or the captain. Graham commented they had brought this one last spring when we added Phoenix. She did not want to ask them to bring another one for December to May. If there are changes we want, we can make suggestions to that agency. Stone expressed he would prefer to have the same MOU for both City and County. It may be something the Contract Committee wants to take up to see which one they like best or do they want a combination of the two. Stone reiterated he didn’t see anything in the City Police MOU that gives the Director any authority over the SROs. The County seems to have a little more. Graham stated they work closely with both the City and the County when the need arises. They have a good working relationship. Patton said he would look at both the documents and create a uniform contract. Stone said “It does say in the County MOU article #7 outlines dismissal of school resource officer replacement and it says the Principal shall make recommend to the Director of Schools that the SRO assignment be reviewed. That is the one of the few places.” Graham said we should highlight that and make sure it gets in the new document. Netherton and Stone discussed this article and that it does not say the Director can suspend the program. The policy and MOUs should align. Graham said it is a good time for this us to be working on this. We can start working on this in March and April and present to the board in June. The committee and Patton discussed the changes that would protect both parties and the delicate balance. Netherton made a motion to change the word “certify” to “determine” in the policy and make this recommendation to the board.

VOICE VOTE: Netherton (mover-yes)
Stone (seconder-yes)
All Ayes

MOTION: Carried Unanimously

6. Policy 4.701 Maintaining Test and Data Security

Graham said, “We had a recommendation from TSBA on this policy.” She explained “The reason behind the change is the state sends us a lot of information. They send it to us ahead of time before it becomes public. This information is embargoed. Someone leaked some embargoed information. Now they are coming back to the policy that says it is shared with the appropriate personnel, which in our case would Dr. Rebecca Wood. They are very specific regarding the dates and times the information is embargoed. This is a reaction to a release, from the state of data, which was not ready for it to be public. There is also a state board policy referencing the change. Then just a minor change on page 3 referencing not following guidelines and such action will be grounds for dismissal. Such action shall be grounds for revocation of state license.” Stone asked if the title changes as well? Graham confirmed it was. Netherton asked when talking about security guidelines are we talking about items 1 through 33?

Graham confirmed it was, but the data security piece of that was just protecting the state and ourselves. We have to certify that we understand the information is embargoed. Brock asked if the average person would understand what the work embargoed means? The committee discussed changing this terminology. Patton suggested we change the policy to read, "Data designated as embargoed by the Department of Education may be shared with personnel as determined by the Director of Schools as set forth in procedure". Stone remarked that Patton's recommendation provides the clarification we are looking for. Nethertron made a motion to approve.

VOICE VOTE: Nethertron (mover- yes)
Brock (seconder –yes)
All Ayes

MOTION: Carried unanimously

7. Policy 5.303 Personal and Professional Leave

Stone moved to table this policy and have the discussion regarding this policy in the Work Session in January.

VOICE VOTE: Stone (mover- yes)
Brock (seconder –yes)
All Ayes

MOTION: Carried unanimously

8. Policy 6.209 Child Custody/Parental Access

Stone asked if this came from TSBA or from Patton. Patton confirmed it was from him. Stone asked if it was just to provide clarification in custodial situations. Patton explained the situation that brought about these changes. There is a distinction in Tennessee law in the custody statute that says "Unless there is an order of parentage, unless a court has certified that this is the legal father, then the mother has custody. We have not had real clarification exactly, on how to deal with those situations. That is the law and just knowing the father is on the birth certificate isn't good enough. If the mother says the father cannot pick up then the burden is on the father to get the court order that says he can. If he has that court order then he and the mother are on equal footing." Graham asked, how do we know when we have that birth certificate which names them as the parent, how do we know that there is no proof that they are a legal parent? Patton responded "In that circumstance is when we have to put that burden on the father." The committee discussed the difficult situations our front office and attendance clerks have trying to determine what to do in these situations. Patton responded that there are some situations we cannot control. In the case that they are not a legal parent then we can tell them they cannot pick a child up without permission. Stone said that Patton is just trying to give this policy more clarity. Patton said, "this distinguishes if that parentage order is absent, then the mother has custody. Mother has the sole right in that circumstance, if there is not a legal father, then the mother has the sole right to call the shots. The only way the father gets to have a part in it is to be legally declared the father by the court." Brock made a motion to follow Patton's advice and change the policy as written.

VOICE VOTE:
Brock (mover- yes)
Nethertron (seconder –yes)
All Ayes

MOTION: Carried unanimously

8. Other Discussion

9. Adjournment

VOICE VOTE: Netherton (mover- yes)
Brock (seconder –yes)
All Ayes

MOTION: **Carried unanimously**

Mrs. Janet Graham
Director of Schools

Mr. Josh Stone
Chairman of the Policy Committee

Jane Franklin
Executive Assistant for the Director of Schools and BOE