

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Personnel Goals	Descriptor Code: 5.100	Issued Date:
		Rescinds:	Issued:

- 1 The Board's personnel goals are:
- 2 1. To recruit and employ the best qualified individuals to staff the school system;
- 3 2. To provide compensation, benefits, and working environments sufficient to attract and retain
- 4 qualified employees;
- 5 3. To provide an in-service training program for all employees to improve their performance;
- 6 4. To conduct an evaluation program that will contribute to the continuous improvement of staff
- 7 performance; and
- 8 5. To ensure that personnel are assigned so that they are utilized as effectively as possible.

Cross References

School District Goals 1.700

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Lines of Authority	Descriptor Code: 5.101	Issued Date:
		Rescinds:	Issued:

- 1 The director of schools shall establish lines of authority which shall be approved by the Board and
- 2 shown on the system organization chart.

- 3 All personnel shall have the right to appeal any decision made by an administrative officer through
- 4 grievance procedures established through board policy.

- 5 Lines of authority shall not restrict the practical working relationships of all staff members at all levels.

Cross References

Assignment/Transfer 5.115
Complaints and Grievances 5.501

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Classification and Qualifications	Descriptor Code: 5.102	Issued Date:
		Rescinds:	Issued:

1 **ADMINISTRATIVE AND SUPERVISORY PERSONNEL**

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

4 1. Professional teaching certification; and

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

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

11 **PROFESSIONAL PERSONNEL**

12 The professional staff members are the personnel whose employment status *requires* certification in
13 accordance with the rules and regulations of the State Board of Education.

14 **SUPPORT PERSONNEL**

15 The support staff members are personnel whose regular employment does not require certification in
16 accordance with rules and regulations of the State Department of Education.

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Job Descriptions	Descriptor Code: 5.103	Issued Date:
		Rescinds:	Issued:

- 1 The Board shall approve the broad purpose and function of each position in accord with state laws and
- 2 regulations, approve a statement of duties as recommended by the director of schools, and require the
- 3 director of schools or his/her designee to draft a job description for each position.

- 4 A copy of each job description shall be provided to the employee and the immediate supervisor and
- 5 included in the employee's personnel record. Copies of all job descriptions shall be maintained in the
- 6 director of schools' office and shall be used as guides in annual employee evaluations.

Cross References

Evaluation 5.109

Qualifications/Duties of the Director of Schools 5.802

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Recruitment of Employees	Descriptor Code: 5.105	Issued Date:
		Rescinds:	Issued:

- 1 The authorization of all school system positions rests with the Board while personnel decisions shall be
- 2 within the discretion of the director of schools.¹

- 3 The director of schools is responsible for the development of a program for the recruitment of licensed
- 4 personnel.²

- 5 Identification of personnel needs shall be the responsibility of the director of schools, supervisors, and
- 6 building principals.

- 7 Vacancies shall be advertised locally and through the closest placement offices. A deadline for
- 8 receiving applications shall be established and disseminated with the vacancy notice.

Legal References

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

Cross References

Staff Positions 5.116

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date:
		Rescinds:	Issued:

1 APPLICATION

2 An individual desiring a position with the Board shall make application to the director of schools on
3 forms developed by his/her office. To ensure the safety and welfare of students and staff, the district
4 shall require criminal history background checks and fingerprinting of applicants for teaching positions
5 and any other positions that require proximity to children.¹

6 Knowingly falsifying information shall be sufficient grounds for termination of employment and shall
7 also constitute a Class A misdemeanor which must be reported to the District Attorney General for
8 prosecution.²

9 Any costs incurred to perform these background checks and fingerprinting shall be paid by the
10 applicant.³

11 *Professional Employees*

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

17 No person shall be employed:

- 18 1. Who does not hold a valid license to teach from the State Board of Education;⁴
- 19 2. Who does not present a physician's certificate showing a satisfactory health record or has any
20 contagious or communicable disease in such form that might endanger the health of school
21 children;⁵
- 22 3. Who refuses to take and subscribe to an oath to support the Constitution of the State of
23 Tennessee and of the United States of America;⁶
- 24 4. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
25 employment for cause; or
- 26 5. Who does not receive a satisfactory background check.

27 *Support Employees*

28 No person shall be employed:

- 29 1. Who has any contagious or communicable disease in such form that might endanger the health
30 of the children;⁵

- 1 2. Who has not complied with the Immigration Reform and Control Act of 1986;⁷
- 2 3. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
- 3 employment for cause; or
- 4 4. Who does not receive a satisfactory background check.

5 **EMPLOYMENT**

6 *Professional Employees*

7 After checking references and receiving written recommendations, the director of schools shall hire
8 and assign qualified applicants.

9 *Initial Employment*

10 Upon initial employment, the director of schools shall notify such person, in writing, of the offer and
11 conditions of employment. Upon receipt of employment notification, such person shall have forty-
12 eight (48) hours to accept or reject, in writing, the offered employment. From the date of the written
13 acceptance, such person is considered to be under employment with the Board and is subject to all
14 rights, privileges and duties.

15 *Support Employees*

16 After checking references and receiving written recommendations from principals and/or supervisors,
17 the director of schools shall hire and assign qualified applicants. The contract of each support
18 employee shall contain a statement regarding the required ninety (90) day probationary period.

Legal References

1. TCA 49-5-406 (a)(1)
2. TCA 49-5- 406 (a)(2)(A)
3. TCA 49-5-413(b)
4. TCA 49-5-403; TCA 49-5-101
5. TCA 49-5-404; TRR/MS 0520-01-03-.08(2)(f)
6. TCA 49-5-405
7. Immigration Reform and Control Act of 1986

Cross References

Orientation and Probation 5.107
Compensation Guides & Contracts 5.110

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Orientation and Probation	Descriptor Code: 5.107	Issued Date:
		Rescinds:	Issued:

1 **ORIENTATION**

2 All new staff members, including administrative and supervisory personnel, to the school system shall
3 participate in an orientation program prior to the beginning of the academic school year.

4 **PROBATION OF SUPPORT PERSONNEL**

5 A probationary period is defined as the first ninety (90) days of employment for a new, non-certified
6 employee or for a non-certified employee who has been rehired following a break in service.

7 **Purpose** - The probationary period shall be used to allow the immediate supervisor to closely observe
8 and evaluate the employee and to encourage effective adjustment to the position.

9 **Evaluation** - Newly hired non-licensed support personnel shall be evaluated once during the
10 probationary period to aid in improving the employee's performance.

11 **Conditions of Employment** - The following shall apply during the probationary period:

12 *Accumulation of and use of sick leave and vacation days*

13 1. Probationary employees shall be allowed to accumulate sick leave and vacation days in
14 accordance with the appropriate Board policies during the probationary period.

15 2. Holidays for probationary employees shall follow the same procedures as for regular
16 employees.

17 *Transfer*

18 A probationary employee shall not be allowed to submit a request for voluntary transfer during the
19 probationary period.

Cross References

Evaluation 5.109

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="margin: 0;">Supervision</h2>	Descriptor Code: 5.108	Issued Date:
		Rescinds:	Issued:

- 1 Supervision of administrative and supervisory personnel shall be provided by the director of schools.
- 2 Apprentice teachers shall be assisted by supervising teachers in the development of competencies
- 3 required by the Board.¹
- 4 Support personnel shall be supervised by the person designated on the approved job description.
- 5 The immediate supervisor has the responsibility of assigning specific duties and for giving guidance to
- 6 the employee for the satisfactory performance of those duties.

Legal References

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

Cross References

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

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Evaluation	Descriptor Code: 5.109	Issued Date:
		Rescinds:	Issued:

1 The evaluation of performance and its effectiveness must be a cooperative and shared endeavor on the
2 part of the director of schools and administrative and supervisory personnel. The Board shall use a
3 state-approved model for evaluating administrative and supervisory personnel and shall approve
4 standard forms to be used in evaluating support personnel. The director of schools is responsible for
5 ensuring that all administrative and supervisory personnel are evaluated annually.

6 **LICENSED TEACHING PERSONNEL**

7 The Board adopts the State evaluation model. The director shall draft procedures to ensure that the
8 model is implemented throughout the school system. Additionally, the director shall provide
9 information to all licensed teaching personnel regarding the nature of the evaluation and the grievance
10 procedures prescribed by the Tennessee State Board of Education.^{1,2}

11 *Local Level Grievance Procedure*

12 The director of schools shall develop procedures, consistent with State law, for processing evaluation
13 grievances.

14 **NON-LICENSED PERSONNEL**

15 Newly hired non-licensed administrative/support personnel shall be evaluated once during the
16 evaluation period (up to 90 days) and at least one (1) additional time following successful completion
17 of the evaluation period during the first year of employment. Support personnel employed for more
18 than one (1) year shall be evaluated at least once a year.

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

Legal References

1. TRR/MS 0520-02-.01
2. TRR/MS 0520-02-01-.02

Cross References

- Job Descriptions 5.103
Orientation and Probation 5.107

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Compensation Guides & Contracts</h2>	Descriptor Code: <h3 style="text-align: center;">5.110</h3>	Issued Date:
		Rescinds:	Issued:

- 1 Certified personnel must make a written contract with the Board at a fixed salary per month before
2 entering upon their duties.¹

- 3 The director of schools shall establish the salary rating of each person employed and shall recommend
4 such salary rating to the Board for its approval.²

- 5 Contracts for administrators and system-wide professional personnel shall include two-hundred (200)
6 days of responsibility, plus twenty (20) days for each additional month assigned by the Board. Each
7 contract shall provide:³
 - 8 1. A minimum of one hundred and eighty (180) working days;
 - 9 2. A minimum of five (5) days for in-service education;
 - 10 3. Ten (10) vacation days; and
 - 11 4. Five (5) days as designated by the Board (teachers shall use one (1) day for parent-teacher
12 conferences).

- 13 The school calendar adopted by the Board each year shall become part of each employee's contract.

- 14 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided
15 the revenue is deposited with and salaries paid through the Board. This includes donations or
16 contributions from individual, civic or other non-school related sources of funds from individual
17 school activity funds, such as gate receipts and concessions.^{1,4}

Legal References

1. TCA 49-2-203(a)(1); TCA 49-5-408
2. TCA 49-5-402
3. TCA 49-6-3004
4. TCA 49-6-2006; *Tennessee Internal School Financial Management Manual*, Section 5, Title 6

Cross References

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

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Extended Contracts	Descriptor Code: 5.112	Issued Date:
		Rescinds:	Issued:

1 Annually, the director of schools shall be responsible for conducting a needs assessment to determine
 2 the focus of extended contract activities. The assessment shall be conducted by an extended contract
 3 committee, which shall advise on or certify to the need for specific programs served through extended
 4 contracts. The committee shall consist of teachers and administrators (Career Level II and III teachers
 5 where possible) as determined by the Board.¹

6 Extended contract opportunities shall be available to all educators, provided Career Level II and III
 7 educators are given priority.

8 The director of schools shall be responsible for devising a plan for Board approval consistent with the
 9 needs assessment. The plan shall include as a minimum:

- 10 1. A description of each program and a discussion of the benefits of the program as required by
- 11 state law;
- 12 2. Time frames within which the program(s) shall be operated;
- 13 3. The number of students who will benefit from the program;
- 14 4. A list of additional duties which may be assigned to Career Level educators at each Level;
- 15 5. The number and special qualifications of employees desired for each program; and
- 16 6. Local costs to be involved in the program.

Legal References

1. TCA 49-5-5209

Cross References

- Extended School Day/Year Programs 1.8012
 Summer School 4.204

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: In-Service and Professional Learning Opportunities	Descriptor Code: 5.113	Issued Date:
		Rescinds:	Issued:

1 **IN-SERVICE EDUCATION**

2 In-service education¹ is a program of planned activities designed to increase the competencies needed
3 by all personnel in the performance of their responsibilities. Competencies are defined as the
4 knowledge, skills, and attitudes which enable personnel to perform their tasks with maximum
5 effectiveness to increase student achievement.

6 *Administrative and Supervisory Employees*

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

11 Each principal and administrator shall be required to attend the principal-administrator academy for
12 instruction at least once every five (5) years.²

13 *Professional Employees*

14 A system-wide in-service committee, composed of membership from a cross-section of other
15 personnel, shall assess system-wide needs, establish priorities, develop objectives, design activities,
16 and evaluate the in-service program.¹

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

19 *Support Personnel*

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

23 **PROFESSIONAL LEARNING PROGRAM**

24 Professional learning programs and activities shall reflect the Standards for Professional Learning³
25 (Learning Forward, 2011) as listed below and shall reflect the needs identified in school improvement
26 plans.

27 The Board may pay expenses of selected personnel who participate in the training sessions conducted
28 by the State Department of Education.

1 The director of schools shall involve central office personnel and other employees as needed in
2 developing the system-wide professional learning program and shall recommend it to the Board for
3 approval.

4 **Standards for Professional Learning**

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

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

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

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

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

18 IMPLEMENTATION: Professional learning that increases educator effectiveness and results for all
19 students applies research on change and sustains support for implementation of professional learning
20 for long term change.

21 OUTCOMES: Professional learning that increases educator effectiveness and results for all students
22 aligns its outcomes with educator performance and student curriculum standards.

Legal References

1. State Department of Education Guidelines for Planning Approvable In-service Education Activities; TCA 49-1-214; TCA 49-6-3004(c)(1)
2. TCA 49-5-5703 (a)
3. Tennessee State Board of Education Policy 5.200, *Professional Development*

Cross References

School Calendar 1.800
Curriculum Development 4.200
Reporting Student Progress 4.601

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Personnel Records	Descriptor Code: 5.114	Issued Date:
		Rescinds:	Issued:

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

- 4 1. Employee applications and contracts;
- 5 2. Professional certificates and other documents required by state and federal laws and
6 regulations;¹
- 7 3. Evaluations;
- 8 4. Cumulative information files; and
- 9 5. INS Form I-9.²

10 The following guidelines shall be followed:

- 11 1. Information contained in personnel records shall be limited to job-related matters;
- 12 2. The director of schools shall be responsible for notifying all employees of the types of records
13 kept and uses made of such records;
- 14 3. Employees shall be granted an opportunity to respond in writing to material placed in records;
- 15 4. Employee records are public records, except for matters deemed confidential by law, and shall
16 be open for inspection during regular business hours;³
- 17 5. In accordance with federal law, the district shall release information regarding the professional
18 qualifications and degrees of teachers and the qualifications of paraprofessionals to parents
19 upon request for any teacher or paraprofessional who is employed by a school receiving Title I
20 funds and who provides instruction to their child at that school.⁴
- 21 6. Members of the public may not obtain the home telephone number, personal cell phone
22 number, bank account information, social security number, residential street address, driver
23 license information (except where driving or operating a vehicle is considered to be a part of
24 the employee's duties), or the results of individual teacher evaluations of an employee or of the
25 immediate family members or household members of an employee, unless release of this
26 information is expressly authorized by the employee.⁵
- 27 7. A record of the person inspecting and the date of inspection shall be recorded; and
- 28 8. Copies of records may be made under rules determined by the director of schools.⁶

Legal References

1. TCA 49-2-301(b)(1)(M)
2. Immigration Reform and Control Act of 1986
3. TCA 10-7-503-504

Cross References

School Board Records 1.407

4. 20 U.S.C. 6311 § 1111 (6)(A)
5. TCA 10-7-504 (f)(1)
6. TCA 10-7-506; TCA 49-2-301 (b)(1)(CC); TCA 8-50-108

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Teacher Effect Data	Descriptor Code: 5.1141	Issued Date:
		Rescinds:	Issued:

- 1 The estimates of specific teacher effects on the educational progress of students shall not be a public
- 2 record and shall be made available only to the specific teacher, school board members, and the teacher's
- 3 appropriate administrators, as designated by the Board, for the fulfillment of lawful functions.¹

- 4 The guidelines for distribution, security, and application of the teacher effect data shall be kept on file in
- 5 the central office and shall be given to the teacher, the assigned administrator, and all school board
- 6 members and shall become an administrative procedure to be updated as needed by the director of
- 7 schools.²
- 8

Legal References

1. TCA 49-1-606(b); TCA 10-7-504(a)(23)
2. *Guidelines for the Distribution, Security and Application of TVAAS Teacher Effect Data*, State Board Guidelines 1996.

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Assignment / Transfer	Descriptor Code: 5.115	Issued Date:
		Rescinds:	Issued:

1 **ASSIGNMENT**

2 The director of schools shall assign personnel to the various schools or departments by June 15
3 preceding the school year for which such persons are employed while allowing each principal or
4 immediate supervisor to assign more specific responsibilities within each school.¹

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

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

13 **TRANSFER (to move from one school or administrative unit to another)**

14 The director of schools shall transfer employees as necessary for the efficient operation of the schools.²
15 Transfers shall be non-discriminatory and shall not be arbitrary or capricious. The director of schools is
16 responsible for developing and disseminating procedures for transfers.

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

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

20 **REASSIGNMENT (to move to another assignment within the same school or administrative 21 unit)**

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

25 Reassignments shall be made by the employee's immediate supervisor with approval by the director of
26 schools.

27

Legal References

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

Cross References

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

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Procedure for Granting Tenure	Descriptor Code: 5.117	Issued Date:
		Rescinds:	Issued:

- 1 The Board of Education will grant tenure only to those teachers who can present documentation of a
2 record of excellence as a teacher and who are determined by State guidelines to be considered a
3 "highly qualified" teacher or those making appropriate progress toward achieving that status. The
4 director of schools is responsible for documenting and presenting the recommendation for tenure to the
5 Board of Education.¹
- 6 Any teacher who meets all of the following requirements is eligible for "tenure":
- 7 (1) Has a degree from an approved four-year college or any career and technical teacher who has the
8 equivalent amount of training established and licensed by the state board of education;
- 9 (2) Holds a valid teacher license, issued by the state board of education, based on training covering the
10 subjects or grades taught;
- 11 (3) Has completed a probationary period of five (5) school years or not less than forty-five (45)
12 months within the last seven-year period, the last two (2) years being employed in a regular teaching
13 position rather than an interim teaching position;
- 14 (4) Has received evaluations demonstrating an overall performance effectiveness level of "above
15 expectations " or " significantly above expectations" as provided in the evaluation guidelines adopted
16 by the state board of education pursuant to §49-1-302, during the last two (2) years of the
17 probationary period; and
- 18 (5) Is reemployed by the director of schools for service after the probationary period.
- 19 The following additional guidelines will apply:
- 20 1. The decision to grant tenure is solely within the discretion of the Board of Education.³
- 21 2. The director of schools will recommend persons eligible for tenure at a board meeting in ample
22 time for the director of schools to provide notice of non-renewal to each teacher not granted tenure
23 prior to June 15 of the year of eligibility.⁴
- 24 3. Only those teachers who receive a majority vote of the membership of the Board will be granted
25 tenure.
- 26 4. Teachers who earn tenure will be honored by the Board in a special ceremony, either at a board
27 meeting or in some other special public event.

1 5. A teacher who is eligible for tenure, but tenure is denied, shall not be rehired beyond the contract
2 year.

3 6. No person who has been denied tenure by the Board of Education shall be employed in the school
4 system in any position which requires a license.

5 **Teacher Returning to Employment**

6 A teacher who has attained tenure status in the school system and later resigns shall serve a two-year
7 probationary period upon reemployment, unless the probationary period is waived by the Board upon
8 request of the director of schools. Upon completion of the two-year period, the teacher shall either be
9 recommended by the director for tenure or non-renewed. If tenure is not granted, the teacher cannot
10 continue in employment.⁴

11

Legal References

1. Tenn. Code Ann. § 49-2-301(b)(1)(J)
2. Tenn. Code Ann. § 49-1-606(a)
3. Tenn. Code Ann. § 49-2-203(1)
4. Tenn. Code Ann. § 49-5-504 (b);
Tenn. Code Ann. § 49-5-409

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Tenured Teachers	Descriptor Code: 5.200	Issued Date:
		Rescinds:	Issued:

1 SUSPENSION PENDING AN INVESTIGATION ¹

2 The director of schools may suspend a teacher at any time that may seem necessary, pending investigation or
 3 final disposition of a case before the board or an appeal. Under no circumstances shall the director of schools
 4 suspend a teacher with pay. If reinstated, the teacher shall be paid full salary for the period of suspension,
 5 unless suspension without pay is deemed to be an appropriate penalty.

6 SUSPENSION OF THREE DAYS OR LESS ^{2,3,4}

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

13 Under no circumstances shall a director of schools suspend a tenured teacher with pay. If reinstated, the tenured
 14 teacher shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an
 15 appropriate penalty.

16 DISMISSAL OR SUSPENSIONS GREATER THAN THREE DAYS ⁵

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

19 When charges are made against a tenured teacher, charging the teacher with offenses which may justify
 20 dismissal or a suspension greater than three days, the charges shall be made in writing, specifically stating the
 21 offenses which are charged and shall be signed by the party or parties making the charges.

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

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

28 The director of schools shall, within five (5) days after receipt of request, assign a hearing officer from the list
 29 maintained by the Board.

30 The hearing officer shall notify the parties, or their attorney, of the officer's assignment and direct the parties or
 31 the attorneys for the parties, or both, to appear before the hearing officer for simplification of issues and the

1 scheduling of the hearing. That hearing shall be set no later than thirty (30) days following receipt of the initial
2 request for a hearing. In the discretion of the hearing officer, all or part of any prehearing conference may be
3 conducted by telephone if each participant has an opportunity to participate, be heard, and to address proof and
4 evidentiary concerns. The hearing officer is empowered to issue appropriate orders and to regulate the conduct
5 of the proceedings.

6 Either party may appeal to the Board of Education an adverse ruling by giving written notice of appeal within
7 ten (10) working days of the hearing officer's delivery of the hearing officer's written findings and conclusions.
8 The director of schools shall prepare a copy of the proceedings, including all transcripts and evidence,
9 documentary or otherwise, and transmit the same to the Board within twenty (20) days of the receipt of the
10 notice of appeal.

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

19 RESIGNATION

20 A teacher shall give the director of schools notice of resignation at least thirty (30) days before the effective date
21 of the resignation. A teacher who fails to give such notice, in the absence of justifiable extenuating
22 circumstances, shall forfeit all tenure status. The Board may waive the thirty (30) days notice requirement and
23 permit a teacher to resign in good standing.

24 The conditions under which it is permissible to break a contract with the Board are as follows:

- 25 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement
26 of a physician approved by the Board;
- 27 2. The release by the Board of the teacher from the contract which the teacher has entered into with the
28 Board.⁶

29 Any teacher on leave shall notify the director of schools in writing at least thirty (30) days prior to the date of
30 return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to
31 render such notice may be considered a breach of contract.⁷

32 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the
33 Commissioner and request the suspension of a teacher's certificate. After the Commissioner has provided the
34 teacher an opportunity for defense during a hearing, the Commissioner may suspend the certificate for no less
35 than thirty (30) and no more than three hundred sixty-five (365) days.⁸

36 RETIREMENT

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

- 1 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the
2 responsibility of the retiring employee to provide verification of eligibility in writing from TCRS to the central
3 office. It shall be the responsibility of the retiring employee to file for benefits.
- 4 Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year without loss
5 of retirement benefits. Retired teachers may substitute teach for an additional ninety (90) days if the director of
6 schools certifies in writing to the Board that no other qualified personnel are available to substitute teach.⁹
- 7 The director of schools may employ teachers retired for at least one year for full-time employment as a
8 kindergarten through twelfth grade teacher on a year-to-year basis. Retirement benefits will not be lost or
9 suspended under certain conditions, which include but are not limited to the following:¹⁰
- 10 1. The director of schools of the employing system must certify in writing that no other qualified
11 individuals are available to fill the position;
 - 12 2. The Commissioner of Education must certify that the employing school system serves an area that lacks
13 qualified teachers to serve in the position to be filled;
 - 14 3. The retired teacher must hold a valid license and shall not be entitled to tenure status;
 - 15 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or receive
16 medical insurance coverage; and
 - 17 5. The salary paid to the retired member shall not be less than the rate of compensation set by the Board
18 for teachers with no experience filling similar positions, nor more than eighty-five percent (85%) of the
19 rate of compensation set by Board for teachers with comparable training and years of experience filling
20 similar positions.

Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301 (b)(1)(EE), TCA 49-5-512(d)
3. TCA 49-5-511(a)(2)
4. TCA 49-5-511 through 513
5. TCA 49-5-512, 513
6. TCA 49-5-508
7. TCA 49-5-706
8. TCA 49-5-411
9. TCA 8-36-805
10. TCA 8-36-821

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Non-Tenured Teachers	Descriptor Code: 5.201	Issued Date:
		Rescinds:	Issued:

1 **SUSPENSION PENDING AN INVESTIGATION**¹

2 The director of schools may suspend a teacher at any time that may seem necessary, pending investigation or
3 final disposition of a case before the board or an appeal. Under no circumstances shall the director of schools
4 suspend a non-tenured teacher with pay. If reinstated, the non-tenured teacher shall be paid full salary for the
5 period of suspension, unless suspension without pay is deemed to be an appropriate penalty.

6 **SUSPENSION OF THREE DAYS OR LESS**²

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

13 **DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS**

14 The director of schools may dismiss or suspend for more than three days any non-tenured teacher **during the**
15 **contract year** for incompetence, inefficiency, insubordination, improper conduct or neglect of duty after giving
16 the non-tenured teacher, in writing, due notice of the charges.

17 The director of schools shall give the non-tenured teacher an opportunity for a full and complete hearing before
18 an impartial hearing officer.²

19 The Board will appoint an impartial hearing officer to conduct such hearings. The hearing officer will hear the
20 case and the employee shall have the right to:

- 21 1. be represented by counsel;
- 22 2. call and subpoena witnesses;
- 23 3. examine all witnesses; and
- 24 4. require that all testimony be given under oath.

25 Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the
26 affected employee within ten (10) working days following the close of the hearing. The employee may appeal
27 the decision to the Board within ten (10) working days of the hearing officer rendering the written decision to
28 the employee. Written notice of appeal to the Board shall be given to the director of schools. Within twenty (20)
29 days' of receipt of notice, the director shall prepare a copy of the proceedings, transcript, documentary and other
30 evidence presented and provide the Board a copy of the same.

1 The Board shall hear the appeal. No new evidence shall be introduced. The non-tenured teacher may appear in
2 person or be represented by counsel and argue why the decision should be modified or reversed. The Board shall
3 take one of the following actions:

- 4 1. sustain the decision;
- 5 2. send the record back if additional evidence is necessary; or
- 6 3. revise the penalty or reverse the decision.

7 Before any decision to dismiss is made, a majority of the membership of the Board shall concur in sustaining the
8 charges. The Board shall render a decision on the appeal within ten (10) working days after the conclusion of the
9 hearing.

10 The director of schools shall also have the right to appeal any adverse ruling by the Hearing Officer in same
11 manner as the non-tenured teacher. Within twenty (20) days after receipt of notice of the decision of the Board,
12 either party may appeal to the chancery court in the county where the school system is located. The Board shall
13 provide the entire record of the hearing to the court.

14 **NONRENEWAL**

15 Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of
16 employment enjoyed by tenured teachers except that they have no claim upon continuing employment or tenure
17 protections. The principal is responsible for discussing deficiencies as part of the evaluation process with the
18 non-tenured teacher and providing assistance for overcoming these deficiencies.

19 The director of schools is under no obligation to re-employ non-tenured teachers at the end of their con- tract
20 period. If the director of schools determines not to renew the contract of a non-tenured teacher,¹ the following
21 action shall be taken:

- 22 1. The Board shall be notified at the next regular board meeting; and
- 23 2. Written notice of non-renewal shall be hand delivered or sent to the employee by registered mail so that
24 it will be received by the employee prior to June 15.³

25 **RESIGNATION**

26 A teacher shall give the director of schools notice of resignation at least thirty (30) days before the effective date
27 of the resignation.⁴ The Board may waive the thirty (30) days-notice requirement and permit a teacher to resign
28 in good standing.

29 The conditions under which it is permissible to break a contract with the Board are as follows:

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

34 Any teacher on leave shall notify the director of schools in writing at least thirty (30) days' prior to the date of
35 return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to
36 render such notice may be considered a breach of contract.⁵

37 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the
38 Commissioner and request the suspension of a teacher's certificate. After the Commissioner has provided the

1 teacher an opportunity for defense during a hearing, the Commissioner may suspend the certificate for no less
2 than thirty (30) and no more than three hundred sixty-five (365) days.⁶

3 **RETIREMENT**

4 Retirement shall mean a termination of services under conditions which will allow the employee to draw
5 benefits from retirement plans and/or social security benefits.

6 Employees eligible for retirement benefits may elect to retire at any age according to the provisions of the
7 retirement system. Central office personnel shall assist employees in securing retirement benefits; however, it
8 shall be the responsibility of the retiring employee to provide verification of eligibility in writing from TCRS to
9 the central office. It shall be the responsibility of the retiring employee to file for benefits.

10 Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year without loss
11 of retirement benefits. Retired teachers may substitute teach for an additional ninety (90) days if the director of
12 schools certifies in writing to the Board that no other qualified personnel are available to substitute teach.⁷

13 The director of schools may employ teachers retired for at least one year for full-time employment as a
14 kindergarten through twelfth grade teacher on a year-to-year basis. Retirement benefits will not be lost or
15 suspended under certain conditions, which include but are not limited to the following:⁸

- 16 1. The director of schools of the employing system must certify in writing that no other qualified
17 individuals are available to fill the position;
- 18 2. The Commissioner of Education must certify that the employing school system serves an area that lacks
19 qualified teachers to serve in the position to be filled;
- 20 3. The retired teacher must hold a valid license and shall not be entitled to tenure status;
- 21 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or receive
22 medical insurance coverage; and
- 23 5. The salary paid to the retired member shall not be less than the rate of compensation set by the Board
24 for teachers with no experience filling similar positions, nor more than eighty-five percent (85%) of the
25 rate of compensation set by Board for teachers with comparable training and years of experience filling
26 similar positions.

27 *(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and does NOT*
28 *follow the suspension/dismissal procedures outlined in this policy. Rather, nonrenewal of non-tenured teachers*
29 *after the contract year follows the nonrenewal procedures outlined in this policy.)*
30

Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301 (b)(1)(GG), TCA 49-5-512(d)
3. TCA 49-5-409
4. TCA 49-5-508
5. TCA 49-5-706
6. TCA 49-5-411
7. TCA 8-36-805
8. TCA 8-36-821

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Non-Certified Employees	Descriptor Code: 5.202	Issued Date:
		Rescinds:	Issued:

1 **SUSPENSION**

2 A director of schools/designee may suspend an employee at any time when deemed necessary.¹

3 Under no circumstances shall a director of schools suspend an employee with pay. If reinstated, the employee
4 shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an
5 appropriate penalty.

6 **DISMISSAL**

7 All non-certified (classified) employees are employed at the will of the director. The director of schools may
8 dismiss any non-certified employee during the year for any lawful reason.

9 **RESIGNATION**

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

13 The immediate supervisor shall forward copies the day received to the director of schools' office. The payroll
14 office will prepare final payment for the next appropriate scheduled pay day.

15 **RETIREMENT**

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

19 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the
20 responsibility of the retiring employee to obtain verification of eligibility in writing from TCRS to the central
21 office. It shall be the responsibility of the retiring employee to file for eligible benefits. Employees who retire
22 under TCRS may be employed up to one-hundred-twenty (120) days per year without loss of retirement
23 benefits.
24

Legal References

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

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Short Term Leaves of Absence</h2>	Descriptor Code: 5.300	Issued Date:
		Rescinds:	Issued:

- 1 Short term leaves of absence shall consist of the following: Emergency, legal, sick, personal and pro-
- 2 fessional leave.¹
- 3

Legal References

1. TRR/MS 0520-1-2-.04(8)

Cross References

- Emergency & Legal Leave 5.301
- Sick Leave 5.302
- Personal & Professional Leave 5.303
- Vacations and Holidays 5.310

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Emergency and Legal Leave	Descriptor Code: 5.301	Issued Date:
		Rescinds:	Issued:

1 **EMERGENCY LEAVE**

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

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

9 **JURY DUTY**

10 If a teacher summoned for jury duty is eligible for a postponement of jury service,² that teacher shall request a
11 postponement until a time outside the academic year so that disruption to the instructional year may be avoided.
12 The following procedures shall regulate the leave for jury duty for teachers:

- 13 1. The teacher shall present written evidence that s/he had been summoned to serve on a jury; and
- 14 2. The teacher shall be entitled to the usual compensation, less the amount paid by the court.³

15 **COURT APPEARANCES**

16 If a teacher appears in state court because of a personal interest, whether as a plaintiff, defendant or witness or
17 voluntarily appears in behalf of family or friends, or when a teacher is required to appear in court either as a
18 defendant or plaintiff in a civil case, personal leave or leave without pay shall be granted in accordance with the
19 established board policies on leaves.

20 *Support Personnel*

21 Support personnel called for jury duty or who serve as court witnesses shall present the subpoena or other
22 documents which give reporting instructions to the immediate supervisor. The employee shall obtain a form
23 indicating the days served and the court pay to be received from the court's clerk for submitting to the payroll
24 office. The employee shall receive the usual compensation less the amount paid by the court.³

Legal References

1. TCA 49-5-711 (c)(1)(2)
2. TCA 22-2-315(a)
3. TCA 22-4-106(b)

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sick Leave	Descriptor Code: 5.302	Issued Date:
		Rescinds:	Issued:

1 PROFESSIONAL PERSONNEL

2 Professional personnel shall earn one (1) day of sick leave for each month employed during the school
3 year, and these days shall accumulate for an unlimited number of days.¹

4 Sick leave shall be defined as: illness of a teacher from natural causes or accident, quarantine, or
5 illness or death of a member of the immediate family of a teacher, including the teacher's wife or
6 husband, parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law,
7 daughter-in-law, son-in-law, brother-in-law, and sister-in-law.²

8 A signed statement listing the cause of absence shall be provided by the employee on forms furnished
9 by the director of schools and shall promptly be given to the immediate supervisor in support of all
10 claims for sick leave pay. A falsified statement shall be grounds for dismissal.

11 A certificate from the physician on forms furnished by the Board may be required in support of any
12 claim for sick leave pay.¹

13 The principal shall notify the director of schools' office at once if an employee is sick beyond the limit
14 of his/her sick leave accumulation.

15 Permanent, cumulative sick leave records for each active professional employee shall be kept in the
16 director of schools' office.

17 A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee
18 school system, provided that the director of schools of the system in which the accumulated leave was
19 held provides notarized verification.¹

20 Sick leave for maternity purposes may be taken during the period of physical disability only. A teacher
21 may use up to thirty (30) days of accumulated sick leave for the adoption of a child. If both adoptive
22 parents are teachers, only one parent may request leave. Written verification from the adoption agency
23 or other entity handling the adoption shall be required before the leave is granted.¹

24 SICK LEAVE BANK

25 The purpose of the sick leave bank is to provide sick leave to teachers who have suffered an unplanned
26 personal illness, injury, disability, or quarantine and whose personal sick leave is exhausted.

27 To form a sick leave bank, a minimum of twenty (20) teachers from the school system shall petition
28 the Board for permission to establish a sick leave bank. Upon approval, teachers wishing to participate
29 shall initially give a maximum of three (3) days of sick leave. These days are to be deducted from the

- 1 teacher's personal accumulation and donated to the sick leave bank. Donations of sick leave to the
2 bank are nonrefundable and nontransferable.³
- 3 At any time the number of days in the sick leave bank is less than twenty (20), or one (1) per teacher if
4 there are more than twenty (20) members (teachers), or at any time deemed advisable, the trustees shall
5 assess each member (teacher) one (1) or more days of accumulated sick leave. If a teacher has no
6 accumulated sick leave at the time of assessment, the first earned days shall be donated as they are
7 accrued by the teacher.³
- 8 A teacher who is a member of the sick leave bank may request an allotment of days (for the employee's
9 personal illness only) in the manner designated by the trustees. The need for these days must be veri-
10 fied by a statement from a doctor.
- 11 By written notice to the trustees, a teacher may withdraw from bank participation on June 30 of any
12 year.⁴ Membership withdrawal results in forfeiture of all days contributed.
- 13 The sick leave bank shall be operated in accordance with state law.
- 14 **SUPPORT PERSONNEL**
- 15 Support personnel shall earn one (1) day of sick leave for each month an employee is employed.
- 16 At the termination of the employment of any employee, all unused sick leave accumulated by the
17 employee shall be forfeited.
- 18 The immediate supervisor may require a physician's certificate stating the reason for absence.

Legal References

1. TCA 49-5-710
2. TRR/MS 0520-1-2-.04(2)
3. TCA 49-5-807
4. TCA 49-5-806

Cross References

- Family and Medical Leave 5.305
Physical Assault Leave 5.307

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: <h2 style="text-align: center;">Personal and Professional Leave</h2>	Descriptor Code: <h3 style="text-align: center;">5.303</h3>	Issued Date:
		Rescinds:	Issued:

- 1 Personal and professional leave shall be granted in accordance with the laws of the State of Tennessee and the
 2 rules and regulations of the State Board of Education.
- 3 Certified employees shall earn personal and professional leave at the rate of one day for each half-year
 4 employed for a total of two (2) days per year. Any personal and professional leave remaining unused at the end
 5 of a year shall be credited to sick leave.¹
- 6 If, at the termination of services, any employee has been absent for more days than leave has been earned, an
 7 amount sufficient to cover the excess days used shall be deducted from the employee's final salary payment.
- 8 Subject to the following conditions, personal leave may be taken at the discretion of the employee:
- 9 1. Except in emergency, each employee shall give the principal at least one day's notice in writing of
 10 intent to take leave;
- 11 2. The approval of the principal of the school shall be required:²
- 12 a. If more than ten percent (10%) of the teachers in any given school request its use on the same
 13 day;
- 14 b. If requested during any prior established student examination period;
- 15 c. If requested on the day immediately preceding or following a holiday or vacation period;
- 16 d. If personal leave is requested for days scheduled for professional development or in-service
 17 training, according to a school calendar adopted by the local board of education prior to the
 18 commencement of the school year; or
- 19 e. If personal leave is requested for days scheduled for parent-teacher conferences, according to a
 20 school calendar adopted by the local board of education prior to the commencement of the
 21 school year.
- 22 Professional leave is a short, temporary absence for the purpose of attending workshops and other meetings
 23 relating to school business or serving on boards and commissions which meet during daytime hours when
 24 appointed by a mayor, city council, county executive or county commission.³
- 25 Requests shall be submitted to the principal at least five (5) days prior to requested leave of absence.
 26

Legal References

1. TCA 49-5-711; TRR/MS 0520-01-02-.04(3)
2. TCA 49-5-711 (c)(1)
3. TCA 49-5-205

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Long-Term Leaves of Absence for Professional Personnel	Descriptor Code: 5.304	Issued Date:
		Rescinds:	Issued:

1 All personnel holding a position that requires a teacher's license shall be granted leave for military
2 service, legislative service, maternity, adoption, recuperation of health, or visitation of a spouse, child or
3 parent deployed for military duty out of the country who has been granted rest and recuperation leave.
4 Such personnel may be granted leave for educational improvements or other sufficient reasons as
5 determined by the director of schools. If granted, such leave shall not result in the forfeiture of ac-
6 cumulated leave credits, tenure status or other fringe benefits.¹

7 All leaves shall be requested in writing at least thirty (30) days in advance on forms provided by the
8 director of schools. The 30-day notice may be waived or reduced by the director of schools upon sub-
9 mission of a certified statement by a physician. The application for leave forms shall require:

- 10 1. A description of the type of leave requested;
- 11 2. The requested dates for beginning and ending the leave; and
- 12 3. A statement of intent to return to the position from which leave is granted.¹

13 Each request for leave must be acted upon by the director of schools within fifteen (15) days. Each
14 applicant shall be notified in writing of the action of the director and the beginning and ending dates of
15 the leave which is granted.²

16 All leaves, except military leave, shall be from a specific date to a specific date. However, any leave
17 may be extended by the director of schools upon written request from the teacher. Military leave shall
18 be granted for whatever period may be required. The procedure and condition for extending a leave are
19 the same as those used when originally requesting and granting the leave.

20 Leave to visit a spouse, child, or parent deployed for military duty out of the country who has been
21 granted rest and recuperation leave shall be granted for no longer than ten (10) days.³

22 Positions vacated for less than twelve (12) months by teachers on leave shall be filled with an interim
23 teacher while the teacher is on leave. If the teacher returns from leave within 12 months, the interim
24 teacher shall relinquish the position. If the leave exceeds twelve (12) months, the teacher shall be placed
25 in the same or a comparable position upon return.⁴

26 Part-time leaves may be granted by the director of schools upon written request for the same conditions
27 as for full-time leave.

28 Any teacher on leave shall notify the director of schools at least thirty (30) days prior to the date of return
29 if the teacher does not intend to return to the position from which he/she is on leave. Failure to give such
30 notice shall be considered breach of contract.⁵

31 **PAY AND BENEFITS**

- 1 All leave granted in conformance with this policy shall be without pay except as may be covered by
- 2 sick leave in the case of maternity and recuperative leaves. Employees shall have the opportunity to
- 3 continue participation, at their own expense, in group insurance plans subject to restrictions of the
- 4 insuring carrier.
- 5

Legal References

1. TCA 49-5-702
2. TCA 49-5-703
3. TCA 49-5-704
4. TCA 49-5-705
5. TCA 49-5-706

Cross References

Family and Medical Leave 5.305
Military Leave 5.306
Physical Assault Leave 5.307
Sabbatical Leave 5.308
Legislative Leave 5.309
Interim Employees 5.700

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Family and Medical Leave	Descriptor Code: 5.305	Issued Date:
		Rescinds:	Issued:

1 PURPOSE

2 To entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the
3 care of a child, spouse or parent who has a serious health condition.

4 ELIGIBILITY

5 Anyone who has been employed for at least twelve (12) months by the school system or anyone who has at least
6 1,250 hours of service (hours used for leave, even FMLA leave, shall not be credited for service for purposes of
7 FMLA eligibility¹) during the previous twelve month period.²

8 GENERAL PRINCIPLES

- 9 1. Any employee shall be granted, upon request, up to twelve (12) weeks unpaid leave for the birth or
10 adoption of a child, the care of a child, spouse, or parent who has a serious health condition or for
11 qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is on active duty,
12 or has been notified of an impending call or order to active duty, in support of a contingency operation.
13 (Any employee requesting leave due to pregnancy, childbirth, or adoption shall be granted up to four (4)
14 months leave.)³
- 15 2. Any employee on maternity leave shall be permitted to use accumulated sick leave during the period of
16 actual physical disability only. Otherwise, the maternity leave shall be unpaid leave. A teacher may use
17 up to thirty (30) days of accumulated sick leave for the adoption of a child. If both adoptive parents are
18 teachers, only one parent may request leave. Written verification from the adoption agency or other entity
19 handling the adoption shall be required before the leave is granted.⁴
- 20 3. A physician's statement may be required by the director of schools when determining the period of actual
21 physical disability.⁵
- 22 4. Request for leaves and extension of leaves shall conform to state law governing all leaves of absence.

23 QUALIFYING EXIGENCIES

24 Qualifying exigencies include:

- 25 Issues arising from a covered service member's short notice deployment (i.e., less days of notice) for a
26 period of seven days from the date of notification;
- 27 Military events and related activities, such as official ceremonies, programs, or events sponsored by the
28 military or family support or assistance programs and informational briefings sponsored or promoted by
29 the military, military service organizations, or the American Red Cross that are related to the active duty
30 or call to active duty status of a covered service member;

- 1 Making or updating financial and legal arrangements to address a covered service member's absence;
- 2 Attending counseling provided by someone other than a health care provider for oneself, the covered
3 service member, or the child of the covered service member, the need for which arises from the active
4 duty or call to active duty status of the covered service member;
- 5 Taking up to 15 days of leave to spend time with a covered service member who is on short-term
6 temporary, rest and recuperation leave during deployment;
- 7 Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration
8 briefings and events, and other official ceremonies or programs sponsored by the military for a period of
9 90 days following the termination of the covered service member's active duty status, and addressing
10 issues arising from the death of a covered service member;
- 11 Any other event that the employee and employer agree is a qualifying exigency.

12 **MILITARY CAREGIVER LEAVE**⁸

13 An eligible employee who is a spouse, child, parent, or next of kin of a covered service member or covered veteran
14 with a serious injury or illness shall be granted up to a total of 26 workweeks of unpaid leave during a "single 12-
15 month period" to care for the covered service member or covered veteran. A covered service member is a current
16 member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical
17 treatment, recuperation, or therapy, is otherwise in out-patient status, or is otherwise on the temporary disability
18 retired list, for a serious injury or illness. A covered veteran is an individual who was a member of the Armed
19 Forces at any time during the period of 5 years preceding the date of the medical treatment, recuperation, or
20 therapy that has a serious injury or illness who is currently receiving medical treatment, recuperation, or therapy.
21 The calculation of this 5-year period shall not include the interval of October 28, 2009 through March 8, 2013.

22 For covered service members, a serious injury or illness is one that was incurred by a service member in the line
23 of duty on active duty that may render the service member medically unfit to perform the duties of his or her
24 office, grade, rank, or rating. For covered veterans, a serious injury or illness is defined as:

- 25 i. A continuation of a serious injury or illness that was incurred or aggravated in the line of duty
26 while on active duty that rendered the veteran unable to perform the duties of the veteran's office,
27 grade, rank, or rating;
- 28 ii. A physical or mental condition for which the veteran has received a U.S. Department of
29 Veterans Affairs Service Related Disability Rating (VASRD) of 50 percent or higher and such
30 VASRD rating is based, in whole or in part, on the condition precipitating the need for military
31 caregiver leave;
- 32 iii. a physical or mental condition that substantially impairs the veteran's ability to secure or follow a
33 substantially gainful occupation by reason of a disability or disabilities related to military service, or
34 would do so absent treatment; or
- 35 iv. an injury, including a psychological injury, on the basis of which the veteran has been enrolled
36 in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

37 The "single 12-month period" for leave to care for a covered service member or covered veteran with a serious
38 injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless
39 of the 12 month period established by the employer for other types of FMLA leave. An eligible employee is

1 limited to a combined total of 26 workweeks of leave for any FMLA- qualifying reason during the “single 12-
2 month period.”

3 RESTRICTIONS

- 4 1. For foreseeable leave, the employee shall provide the director of schools with at least thirty (30) days
5 written notice before the beginning of the anticipated leave.
- 6 2. The director may require that a request for leave be supported by certification issued by a health care
7 provider with the following information:
8 a. the date on which the serious health condition commenced;
9 b. the probable duration of the condition;
10 c. the appropriate medical facts within the knowledge of the health care provider regarding the
11 condition; and
12 d. a statement that the eligible employee is needed to care for the son, daughter, spouse or parent
13 and an estimate of the amount of time that such employee is needed.
- 14 3. If there is any reason to doubt the validity of the certification provided, the director may require, at the
15 expense of the school system, an opinion of a second health care provider.
- 16 4. Once it has been established that the leave requested qualifies for FMLA, the director of schools/
17 designee shall notify the employee within two (2) business days (absent extenuating circumstances) that
18 —
19
20 Any leave taken pursuant to state leave statutes (paid vacation leave, personal leave, sick leave or
21 worker's compensation) shall run concurrently with FMLA leave.⁶
22
23 The notice may be given orally or in writing. If the notice is oral, it shall be confirmed in writing, no
24 later than the following pay day.⁷
- 25 5. Intermittent Leave - When a licensed employee requests foreseeable leave for planned medi- cal treatment
26 and the employee would be on leave for greater than 20% of the total number of working days in the
27 period during which the leave would extend, the school may require that such employee elect either to
28 take the leave for periods of a particular duration, not to exceed the duration of the planned medical
29 treatment or to transfer temporarily to an available alternative position offered by the school system for
30 which the employee is qualified, and that has equivalent pay and benefits and better accommodates
31 recurring periods of leave.
- 32 6. Period Near the End of an Academic Term (Professional employees) - If leave is taken more than five (5)
33 weeks prior to the end of the term, the director of schools may require the employee to continue taking
34 leave until the end of the term if the leave is at least three (3) weeks of duration and the return of
35 employment would occur during the three (3) week period before the end of the term.
- 36
37 If the leave is taken five (5) weeks prior to the end of the term, the director of schools may require the
38 employee to continue taking leave until the end of the term if the leave is greater than two (2) weeks
39 duration and the return to employment would occur during the two (2) week period before the end of the
40 term.
- 41 7. Spouses employed by the same employer are limited to a combined total of 26 workweeks in a “single
42 12-month period” if the leave is to care for a covered service member or covered veteran with a serious

- 1 injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or
2 foster care, or to care for a parent who has a serious health condition.

3 REQUIREMENTS OF THE BOARD

- 4 1. The employee shall be restored to the same position of employment or an equivalent position with no
5 loss of benefits, pay or other terms of employment.
- 6 2. The employee shall be kept under any group health plan for the duration of the leave.
- 7 3. The Board may recover the premium paid under the following conditions:
8 a. the employee fails to return from leave after the period of leave has expired.
9 b. the employee fails to return to work for a reason other than the continuation, recurrence, or
10 onset of a serious health condition or other circumstances beyond the control of the employee.

Legal References

1. *Hinson v. Tecumseh Products Co.* 234 F.3d 1268, 6th Cir.(2000)
2. Federal Family and Medical Leave Act 1993
3. TCA 49-5-702; TCA 4-21-408
4. TCA 49-5-710
5. TCA 49-5-704
6. 29 CFR § 825.207
7. OP Tenn. Atty Gen 94-006 (Jan 13, 1994); *Plant v. Morton International, Inc* 212 F. 3d 929, 6th Cir. (2000)
8. 29 CFR § 825.127

Cross References

- Sick Leave 5.302
Long Term Leaves 5.304

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Military Leave	Descriptor Code: 5.306	Issued Date:
		Rescinds:	Issued:

1 Employees who are members of any reserve component of the Armed Forces of the United States shall
 2 be granted leave of absence for all periods of military service during which they are engaged in the
 3 performance of duty or training in the service of the state or the United States. Reservists who anticipate
 4 military duty during the school year must give written notice to the director of schools, within thirty (30)
 5 days of the beginning of the school year, of the dates of the anticipated duty. While performing such
 6 duty or training, the employee shall be paid his/her regular salary up to a maximum of twenty (20)
 7 working days in any one (1) calendar year, plus such additional days as may result from any call to active
 8 state duty.¹ An employee called to active duty by the governor to enforce the laws of the state shall be
 9 paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty, and any
 10 time spent in active state duty shall not count against the twenty-day period of leave allowed for military
 11 service.²

12 Request for leaves and extension of leaves shall conform to state law and board policy governing all
 13 leaves of absence. Failure to comply with applicable laws and policies shall constitute grounds for
 14 dismissal.

15 The employee shall supply a copy of the orders for duty, including the dates of departure and return it to
 16 the director of schools prior to, or simultaneous with, requesting leave.

Legal References

1. TCA 8-33-109; TCA 49-5-702 (a)
2. TCA 58-1-106(d); TCA 58-1-109

Cross References

Long Term Leaves of Absence 5.304

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Physical Assault Leave	Descriptor Code: 5.307	Issued Date:
		Rescinds:	Issued:

- 1 A teacher who is absent from assigned duties as a result of personal injury caused by physical assault or
 2 other violent criminal acts committed in the course of the teacher's employment duties, shall receive
 3 workers' compensation or comparable benefits without loss of accumulated or granted sick, personal or
 4 professional leave.¹
- 5 The school system shall continue to pay the teacher's full benefits including, but not limited to health
 6 insurance benefits, until the earlier of the date on which the teacher is released by the teacher's physi-
 7 cian to return to work or the date on which the teacher is determined by the teacher's physician to be
 8 permanently disabled from returning to work.²
- 9 A signed statement listing the cause of the absence shall be provided by the employee on forms fur-
 10 nished by the director of schools and shall promptly be given to the immediate supervisor in support of
 11 all claims. A certificate from the physician on forms furnished by the director of schools may also be
 12 required to verify the extent of the injury.³
 13

Legal References

1. TCA 49-5-714 (a)
2. TCA 49-5-714 (b)
3. TRR/MS 0520-01-02-.04(5)(b)

Cross References

- Worker's Compensation 3.602
 Long Term Leaves of Absence 5.304

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sabbatical Leave	Descriptor Code: 5.308	Issued Date:
		Rescinds:	Issued:

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

Cross References

Long Term Leaves of Absence 5.304

Collierville Schools Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Legislative Leave	Descriptor Code: 5.309	Issued Date:
		Rescinds:	Issued:

1 Certified employees who have been elected to state or local law-making bodies shall be granted personal
 2 leave or leave without pay for the time those law-making bodies are in official session or while attending
 3 official meetings outside the session.¹

4 In addition, certified employees shall be granted leave to serve on any board or commission of the state
 5 when the appointment is made by the Governor or General Assembly. Such leave shall not be counted
 6 against any other accumulated leave credits. The employee shall notify the principal at least five (5)
 7 days prior to leave being taken.²
 8

Legal References

1. TCA 49-5-702; TCA 49-5-713
2. TCA 49-5-205

Cross References

Long Term Leaves of Absence 5.304

Collierville Schools Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Vacations and Holidays	Descriptor Code: 5.310	Issued Date:
		Rescinds:	Issued:

1 VACATIONS

2 Vacation will be granted to regular, full time employees subject to the following provisions:

3 A. General Provisions

4 1. Temporary and part-time employees are not eligible for vacation.

5 2. Vacation leave credited to new employees may not be used until the employee has
6 completed six (6) months of continuous service.

7 3. In no event shall any employee who has not completed six (6) months of service receive
8 vacation pay.

9 4. An employee that worked full-time in a Shelby County School during the 2013-2014
10 school year and now works full-time for Collierville Schools is not considered a new employee.

11 5. An employee who resigns or terminated from Collierville Schools shall be paid for any
12 unused or earned vacation leave, provided the employee has completed six (6) months of
13 service.

14 6. Full-time ten (10) month classified employees will receive one (1) day each year in
15 addition to earned sick leave to be used for personal business. There are no provisions for this
16 day to carry over to the next fiscal year.

17 B. Twelve (12) Month Employees

18 1. Any full-time twelve (12) month employee who is employed by Collierville Schools
19 will be granted twenty (20) paid vacation days each calendar year. These days will be credited
20 to the employee on July 1 each year.

21 2. Any employee may carry forward, after June 30, to the next fiscal year no more than
22 five (5) days of vacation.

23 3. Designated Collierville Schools holidays that fall within the vacation schedule are not to
24 be counted as vacation days.

25 4. Vacation schedules that shall be approved by the employee's immediate supervisor
26 should be planned in such a way that the operational procedures are not interrupted.

- 1 C. Full time employees working less than twelve (12) months
- 2 1. Employees affected: school clerical, cafeteria staff, special education assistants,
- 3 educational assistants, study hall teacher, ISS monitor.
- 4 2. Schedule-Ten (10) days annual vacation per year will be paid as a separate check at the
- 5 end of the school year and there is no carry over for less than twelve (12) month employees.
- 6 3. A new employee must work at least six (6) months in a school year before being
- 7 eligible for vacation days. Any new employee that has worked at least six (6) months in the
- 8 school year but less than ten (10) months will receive prorated vacation pay.

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Legal References

- 1. TCA 5-23-101;104

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Personnel Health Examinations / Communicable Diseases	Descriptor Code: 5.400	Issued Date:
		Rescinds:	Issued:

- 1 All employees, prior to entering service, shall present a certificate showing a satisfactory health record.¹
- 2 Employees shall inform the director of schools whenever they contract a contagious or communicable
- 3 disease.

- 4 No employee who has any communicable disease shall perform his/her duties in any location where such
- 5 might endanger the health of school children. The Board shall require any employee to submit to a
- 6 physical examination by a physician whenever there is reason to believe that the employee has any
- 7 communicable disease.²

- 8 The director of schools shall reassign or suspend any employee who is suspected of having a commu-
- 9 nicable disease which might endanger the health of children, pending investigation and final disposition
- 10 of the case before the Board.³

- 11 To assist the Board in making final disposition of the case, the director of schools may refer the case to
- 12 the County Health Office or other medical experts.

- 13 The Board shall use the written report to determine the employment status of the employee.

Legal References

1. TRR/MS 0520-1-3-.08(2)(f)
2. TCA 49-2-203(b)(2); TCA 49-5-710(a)(7); TCA 49-5-404
3. TCA 49-5-511

Cross References

Section 504 & ADA Grievance Procedures 1.802
 Suspension/Dismissal 5.200-202

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Acquired Immune Deficiency Syndrome (AIDS)	Descriptor Code: 5.401	Issued Date:
		Rescinds:	Issued:

1 **LIABILITY AND NON-DISCRIMINATION**

2 No employee who is diagnosed with HIV infection or AIDS shall be prevented from continuing their
3 employment. No disciplinary action may be taken against an employee solely on the basis of HIV in-
4 fection or AIDS.

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

7 The Board shall make reasonable accommodation to enable the employee to perform employment duties
8 as may be required by state or federal law.¹

9 **HIV/AIDS TESTING**

10 No school official can require any employee to undergo an HIV antibody test or other HIV-related test.
11 This does not preclude school officials from requiring an employee to undergo an examination when
12 another communicable illness is suspected.²

13 **CONFIDENTIALITY**

14 If information is received regarding an employee's HIV status, the director of schools may consult with
15 the school board attorney on the appropriate course of action to pursue, bearing in mind the school
16 system's potential liability for defamation, employment discrimination, and breach of confidentiality
17 requirements.³

18 Information about an employee's HIV status is not to be documented in the employee's personnel file
19 and shall not be faxed.^{1,3}

20 Information obtained is confidential and may not be released to anyone except:³

- 21 1. Persons named on an Authorization for Release of Confidential HIV-Related Information Form;
- 22 2. Persons listed on a court order, and
- 23 3. Persons authorized to receive such information without a release or court order according to
24 TCA 68-10-113.

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

1 INFECTION CONTROL

2 To prevent and manage exposure in the workplace, all school system employees will receive in-service
3 training and education annually regarding HIV/AIDS and OSHA's Blood-borne Pathogens Standard.
4 The Board shall follow the most current Centers for Disease Control and Prevention (CDC) Universal
5 Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and
6 Other Blood-borne Pathogens in Health Care Settings.¹

7 EDUCATION AND TRAINING

8 Annually, the director of schools shall ensure that all employees, including newly hired staff, receive
9 current HIV training. These programs can utilize the educational/training resources of agencies or private
10 institutions with personnel trained in the areas of HIV/AIDS prevention education.¹

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

Legal References

1. State Board of Education Policy No. 5.300,
HIV/AIDS Policy for Employees and Students of
Tennessee Public Schools Revised, August 18, 2005
2. 29 CFR § 1630.13(b)
3. TCA 68-10-113

Cross References

Section 504 & ADA Grievance Procedures 1.802

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Hepatitis B (HBV)	Descriptor Code: 5.402	Issued Date:
		Rescinds:	Issued:

1 All schools shall provide a sanitary environment and shall establish routines for handling body fluids
2 that are recommended by appropriate health professionals.¹

3 All school district personnel shall be advised of routine procedures to follow in handling body fluids.
4 These procedures shall provide simple and effective precautions against transmission of diseases to
5 persons potentially exposed to the blood or body fluids of another. These procedures shall be standard
6 health and safety practices. No distinction shall be made between body fluids from individuals with a
7 known disease and individuals without symptoms or with an undiagnosed disease.

8 The administration shall develop, in consultation with medical personnel, a regulation to be distributed
9 to all staff. Training and appropriate supplies shall be available to all personnel including those involved
10 in transportation and custodial services.

11 In addition to insuring that these health and safety practices are carried out on a districtwide basis, spe-
12 cial emphasis shall be placed in those areas of school district operation that potentially present a greater
13 need for these precautions.

14 **CONFIDENTIALITY AND NON-DISCRIMINATION²**

15 In all instances, district personnel shall respect the individual's right to privacy and treat any medical
16 diagnosis as confidential information. The director of schools shall initiate procedures to ensure that all
17 medical information will be held in strict confidence. Any school staff member who violates confi-
18 dentiality shall be subject to appropriate disciplinary measures.

19 Under no circumstances shall information identifying an employee with HBV be released to the pub-
20 lic.

21 **SAFETY**

22 Employees who are at high risk of occupational exposure shall be identified and provided with personal
23 protective equipment, including HBV vaccinations. Employees considered to be at high risk shall
24 include custodians, school nurses, special education teachers and instructional assistants, playground
25 supervisors, coaches and physical education teachers.

26 When any employee is known to have been exposed to HBV on the job site, the employee will be noti-
27 fied immediately by a supervisor, and the Board shall provide vaccinations.

28 The principal will ensure that an accident report is fi led for all accidents. The report will include the
29 employee's name, date of the accident, an explanation of the accident and the care used in treating the
30 individual. These reports will be kept on fi le in the principal's office for a minimum of one (1) year.

1 EDUCATION AND UNIVERSAL PRECAUTIONS

- 2 HBV education, including universal precautions on handling blood and other body fluids, will be
3 provided to all school personnel and volunteers and may include members of the Board.
4

Legal References

1. 29 CFR Part 1910.1030
2. TCA 68-10-113

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Drug & Alcohol Testing for Employees	Descriptor Code: 5.403	Issued Date:
		Rescinds:	Issued:

1 REASONABLE SUSPICION DRUG TESTING

2 Trained supervisors have the responsibility to observe and document the cause for reasonable suspicion
3 and when appropriate, refer the matter to the director of schools/designee. It is not the supervisor's
4 responsibility to attempt diagnosis. All information, facts and circumstances leading to and supporting
5 this suspicion, should be included in a written report detailing the basis for the suspicion. After the
6 report is filed, the employee should be notified.

7 Any employee may be required to submit to substance screening if the following conditions exist: (list
8 is not inclusive)

- 9 1. Observed use, possession or sale of illegal drugs and/or use, possession, sale, or abuse of alcohol
10 and/or prescription drugs.
- 11 2. Apparent physical state of impairment of motor functions.
- 12 3. Marked changes in personal behavior not attributed to other factors.
- 13 4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is
14 reasonably suspected or employee involvement in a pattern of repetitive accidents whether or not
15 they involve actual or potential injury.
- 16 5. Violation of criminal statutes involving the use of illegal drugs, alcohol or prescription drugs
17 and/or violations of drug statutes.

18 TESTING FOR CDL EMPLOYEES

19 All drivers and applicants for driver positions who are required to hold a Commercial Driver's License
20 (CDL) to perform their job function must adhere to the requirements of this policy and all procedures
21 relating to this policy.¹

22 The use, possession, sale, purchase or transfer of any controlled substances except medically prescribed
23 drugs on school property, while on school business or while operating school vehicles and equipment is
24 prohibited. Drinking alcoholic beverages during working hours, four (4) hours before reporting to work
25 or having any measurable amount of alcohol in their system during working hours is prohibited, whether
26 on or off school property. Working hours include all breaks. Off-duty use of drugs and alcohol is
27 prohibited to the extent that it affects driver's attendance or performance and their ability to pass required
28 DOT alcohol and controlled substance tests. Any violation of this policy is grounds for termination as
29 an employee of the Board and possible legal prosecution.

1 The use of any prescription drug that could affect the central nervous system or one that would impair
2 reaction time shall be reported to the director of schools/director of transportation. Notice shall be given
3 of non-prescription (over-the-counter) drugs being taken on a regular basis. The notice shall include the
4 duration of ingestion and the possible side effects.

5 **Procedures**

6 The execution and enforcement of this policy will follow set procedures to screen bodily fluids, conduct
7 breath testing, and/or search all employee/applicants for alcohol and drug use, and those employees
8 suspected of violating this policy who are involved in a reportable accident or who are periodically or
9 randomly selected. The procedures are designed not only to detect violations of this policy, but also to
10 ensure fairness to each employee. Disciplinary action will be taken as necessary.

11 **Implementation**

12 The director of schools/director of transportation is authorized to implement this policy and procedures
13 for the drug testing program, including a periodic review of the program to address any problems,
14 changes and/or revisions of it, maintenance of all records required by the federal regulations, and
15 determination upon Board approval of how the program will be accomplished, whether in-house,
16 contracted or by consortium.

17 **Dissemination**

18 The director of schools/director of transportation shall be responsible for communicating this policy and
19 the procedures to all employees affected by this policy and shall be accountable for its consistent
20 enforcement.² The director of schools/director of transportation is designated to answer questions about
21 this policy, procedures and all other matters involved in alcohol and controlled substance testing of CDL
22 drivers and the reasonable suspicion testing of all other employees.
23

Legal References

1. Alcohol and Controlled Substances Testing
(Omnibus Transportation Employee Testing Act of
1991).
2. 49 C.F.R. 382.601

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Discrimination / Harassment of Employees (Sexual, Racial, Ethnic, Religious)	Descriptor Code: 5.500	Issued Date:
		Rescinds:	Issued:

1 Employees shall be provided a work environment free from sexual, racial, ethnic and religious
2 discrimination/ harassment. It shall be a violation of this policy for any employee or any student to
3 discriminate against or harass an employee through disparaging conduct or communication that is sexual,
4 racial, ethnic or religious in nature. The following guidelines are set forth to protect employees from
5 discrimination/ harassment.

6 Employee discrimination/harassment will not be tolerated.¹ Discrimination/harassment is defined as
7 conduct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or religious
8 nature that:

- 9 1. Unreasonably interfere with the individual's work or performance; or
- 10 2. Create an intimidating, hostile or offensive work environment; or
- 11 3. Imply that submission to such conduct is made an explicit or implicit term of employment;
- 12 4. Imply that submission to or rejection of such conduct will be used as a basis for an employment
13 decision affecting the harassed employee.

14 Alleged victims of sexual, racial, ethnic and religious discrimination/harassment shall report these inci-
15 dents immediately.² This report should be made to the immediate supervisor, except when the immediate
16 supervisor is the offending party. If the immediate supervisor is the offending party, the report may be
17 made to the Federal Rights Coordinator. Allegations of discrimination/harassment shall be fully
18 investigated (as set forth in *Complaints and Grievances* 5.501). An oral complaint may be submitted;
19 however, such complaint must be reduced to writing to ensure a more complete investigation. The
20 complaint should include the following information:

- 21 Identity of the alleged victim and person accused;
- 22 Location, date, time and circumstances surrounding the alleged incident;
- 23 Description of what happened;
- 24 Identity of witnesses; and
- 25 Any other evidence available.

26 The privacy and anonymity of all parties and witnesses to complaints will be respected. However,
27 because an individual's need for confidentiality must be balanced with obligations to cooperate with
28 police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough
29 investigation or to take necessary action to resolve a complaint, the identity of parties and witnesses may
30 be disclosed in appropriate circumstances to individuals with a need to know.

31 A substantiated charge against an employee shall result in disciplinary action up to and including
32 termination. A substantiated charge against a student may result in corrective or disciplinary action up
33 to and including suspension.

- 1 There will be no retaliation against any person who reports discrimination/harassment or participates in
- 2 an investigation. However, any employee who refuses to cooperate or gives false information during the
- 3 course of any investigation may be subject to disciplinary action. The willful filing of a false report will
- 4 itself be considered harassment and will be treated as such.

- 5 An employee disciplined for violation of this policy may appeal the decision by contacting the Federal
- 6 Rights Coordinator.
- 7

Legal References

1. 29 CFR §1604.11
2. 20 U.S.C. § 1681

Cross References

- Appeals To & Appearances Before the Board 1.404
Complaints and Grievances 5.501

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Complaints and Grievances	Descriptor Code: 5.501	Issued Date:
		Rescinds:	Issued:

1 EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES

2 The Board believes that differences of opinions arising in the course of employment should be resolved as quickly
3 as possible and at the lowest supervisory level.

4 In instances of questions by an individual staff member concerning the interpretation of policies and procedures
5 to that staff member, administrative practices within the staff member's particular school, and relationships with
6 other employees, the staff member concerned must consult the administrative or supervisory personnel to whom
7 they are responsible. If a satisfactory resolution of the problem cannot be reached after ample opportunity for
8 consideration of the matter, the staff member concerned may discuss the matter with the next level of supervision
9 up to and including the director of schools.

10 In instances where an individual staff member feels, for personal reasons, that they cannot discuss a problem with
11 their immediate superior, the staff member may take the problem directly to the director of schools. After review
12 of the case, the director of schools shall take action as they deem appropriate and within a prompt, reasonable time
13 shall notify all parties concerned of their decision.

14 HARASSMENT/DISCRIMINATION GRIEVANCES

15 Employees should notify any district complaint manager if they believe the Board, its employees or agents have
16 violated their rights guaranteed by the state or federal constitution, state or federal statute or board policy
17 including: ^{1,3,4}

- 18 1. Title II of the Americans with Disabilities Act ²
- 19 2. Title IX of the Education Amendments of 1972 ⁷
- 20 3. Section 504 of the Rehabilitation Act of 1973 ⁵
- 21 4. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the Education
22 Amendments of 1972 ^{6,7}

23 The complaint manager will endeavor to respond and resolve complaints without resorting to this grievance
24 procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to
25 prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies.
26 Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance
27 procedure does not extend any filing deadline related to the pursuit of other remedies.

28 1. Filing a Complaint — An employee who wishes to avail themselves to this grievance procedure may do
29 so by filing a complaint with any district complaint manager. The employee may request a complaint
30 manager of the same sex. The complaint manager may assist the employee in filing a grievance.

31 2. Investigation — The complaint manager will investigate the complaint or appoint a qualified person to
32 undertake the investigation on their behalf. The complaint and identity of the complainant will not be
33 disclosed except (1) as required by law or this policy; or (2) as necessary to fully investigate the complaint;

1 or (3) as authorized by the complainant. The complaint manager shall file a written report within ten (10)
 2 days of the filing of the grievance, of his or her findings with the director of schools. If a complaint of
 3 sexual harassment contains allegations involving the director of schools, the written report shall be filed
 4 with the Board. The director of schools shall keep the Board informed of all complaints.

- 5 3. Decision and Appeal — After receipt of the complaint manager's report, the director of schools shall
 6 render a written decision within five (5) days of the receipt of the report that shall be provided to the
 7 employee. If the employee is not satisfied with the decision, the employee may appeal the decision to the
 8 Board by making a written request to the complaint manager. The complaint manager shall be responsible
 9 for promptly forwarding all materials relative to the complaint and appeal to the Board. Thereafter, the
 10 Board shall render within thirty (30) days from the date the appeal was received, review the report and
 11 affirm, overrule or modify the decision and render a written finding that shall be provided to the
 12 complainant. This grievance procedure shall not be construed to create an independent right to a Board
 13 hearing.

14 APPOINTING COMPLAINT MANAGERS

15 The director of schools shall appoint at least two complaint managers, one of each gender. The Federal Rights
 16 Coordinator may be appointed as a complaint manager. The director of schools shall insert into this policy the
 17 names, addresses and telephone numbers of current complaint managers. (*see note*)

18 (*Note: Title IX regulations require districts to identify the name, address and telephone number of the person*
 19 *who is responsible for coordinating the district's compliance efforts. A policy should not be adopted with a*
 20 *person's name in it; rather, the identifying information can be added and amended as necessary.*)

Legal References

1. Age Discrimination Employment Act, 29 U.S.C. § 621 et seq.
2. Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.
3. Equal Pay Act, 29 U.S.C. § 206(d)
4. Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
5. Rehabilitation Act, 29 U.S.C. § 791 et seq.
6. Title VII of Civil Rights Act, 42 U.S.C. § 2000e et seq.
7. Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq.

Cross References

Appeals To and Appearances Before the Board 1.404
 Section 504 & ADA Grievance Procedures 1.802
 Equal Opportunity Employment 5.104
 Discrimination/Harassment of Employees 5.500

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: <h2 style="text-align: center;">Staff Rights & Responsibilities</h2>	Descriptor Code: <h3 style="text-align: center;">5.600</h3>	Issued Date:
		Rescinds:	Issued:

1 In fulfilling any citizenship rights and responsibilities, employees shall give proper consideration to the
 2 educational welfare of students and ensure that no conflict exists with their actual duties.

3 Each staff member has the right to:

- 4 1. A work environment free from sexual, racial, ethnic and religious discrimination/harass- ment.¹
- 5 2. Academic freedom within the confines of state law and board policy in order to create an
 6 atmosphere of freedom in the classroom.

7 Each staff member has the responsibility to:

- 8 1. Make themselves familiar with and abide by, the laws of the state as these affect their work, the
 9 policies of the Board and the procedures designed to implement them.²
- 10 2. To adhere to the Teacher Code of Ethics.³
- 11 3. Exercise good judgment in selecting issues for discussion and balance the relative maturity of
 12 students and the students' right to know.
- 13 4. Be courteous and helpful in interacting and responding to parents, visitors and members of the
 14 public.
- 15 5. Keep all records and prepare and submit promptly all reports that may be required by state law,
 16 state board regulations, board policy and administrative procedures.
- 17 6. Wear appropriate dress for work according to board guidelines and local school rules.

Legal References

1. 42 U.S.C.A. § 2000 E-E-2; TCA 49-6-8002 through 8006
2. TCA 49-5-201
3. TCA 49-5-1001-1005

Cross References

- Curriculum Development 4.200
- Controversial Issues 4.800
- Religion in the Curriculum 4.804

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Conflict of Interest	Descriptor Code: 5.601	Issued Date:
		Rescinds:	Issued:

1 ADMINISTRATIVE PERSONNEL

2 Administrative and supervisory personnel shall have no financial interest, directly or indirectly, in sup-
3 plying books, maps, school furniture, or apparatus for the schools or to act as agent for any author,
4 publisher, bookseller, or dealer in school furniture or apparatus, however a spouse or family member of
5 a principal, teacher or other school administrative employee may participate in business transactions
6 with the school system where a sealed competitive bid system is used, provided that the employee does
7 not have discretion in the selection of bids or specifications.¹

8 It shall be a misdemeanor for the director of schools to take any other contract under the Board, to per-
9 form any other service for additional compensation, to act as principal or teacher in any school, or to
10 become the owner of a school warrant other than that allowed for his/her service as director of schools
11 or as secretary to the Board.²

12 PROFESSIONAL AND SUPPORT PERSONNEL

13 Employees of the Board will not engage in, or have financial interest in, any activity that raises a
14 reasonable question of conflict of interest with their duties and responsibilities as members of the school
15 staff. This includes but is not limited to the following:

- 16 1. School employees may not purchase for sale to students any goods or equipment or render any
17 service to the school system on a commission basis;¹
- 18 2. Employees who have patented or copyrighted any device, publication, or other item will not
19 receive royalties for use of such item in the school system;
- 20 3. Employees will not engage in any type of work where the source of information concerning a
21 customer, client, or employer originates from information obtained through the school system;
- 22 4. The Board shall make no purchase of supplies, materials, or equipment from a school system
23 employee; and
- 24 5. Employees shall not solicit for the purpose of selling instructional supplies, equipment and
25 reference books in a territory that includes the parents of the children of the school in which the
26 employee is assigned.
27

Legal References

1. TCA 49-6-2003
2. TCA 49-2-301(c)

Cross References

Purchasing 2.805
Bids and Quotations 2.806
Purchase Orders and Contracts 2.808
Employee-Developed Materials 4.405

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Staff Time Schedules	Descriptor Code: 5.602	Issued Date:
		Rescinds:	Issued:

1 **WORK SCHEDULES**

2 The workday for full-time licensed and professional staff will be a minimum of seven hours and thirty
3 minutes¹ and will continue until professional responsibilities to the student and the school are completed.
4 Administrative meetings, curriculum development, student supervision, assigned duties, parent
5 conferences, group or individual planning and extra-curricular activities may require hours beyond the
6 stated minimum. Teachers shall be allotted a duty-free planning period of two and one-half (2 1/2)
7 hours each week to provide time for planning, preparation for effective teaching and attention to major
8 program improvement.² Work schedules for other employees will be defined by the director of schools
9 or their designee, consistent with the Fair Labor Standards Act and provisions of this policy.

10 **WORKWEEK DEFINED**

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

18 **OVERTIME ⁴**

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

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

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

5 ATTENDANCE EXPECTATIONS

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

Legal References

1. TRR/MS 0520-1-3-.03(1)
2. TRR/MS 0520-1-3-.03; TCA 49-1-302
3. 29 CFR 553.20-23
4. 29 CFR 54.204 / 541.303

Cross References

- School Day 1.801
- Curriculum Development 4.200
- Reporting Student Progress 4.601
- In-Service & Staff Development Activities 5.113
- Supervision of Students 6.408

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Staff Meetings	Descriptor Code: 5.603	Issued Date:
		Rescinds:	Issued:

- 1 Staff meetings shall be held in each school for the purpose of promoting school improvement and pro-
- 2 fessional growth and may be conducted by the principal, teachers or committees.
- 3 All staff members are expected to attend all meetings called by the administration and all in-service
- 4 programs designed to improve the total school, unless excused by the person calling the meeting.
- 5 Teachers' meetings may include but not be limited to:
 - 6 1. Meetings of the entire staff of school;
 - 7 2. Meetings of teachers in the same subject area or on the same grade level;
 - 8 3. System-wide in-service meetings; and
 - 9 4. Committee meetings dealing with specific problems.

Cross References

In-Service & Staff Development Opportunities 5.113

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Overtime Pay of Support Personnel	Descriptor Code: 5.604	Issued Date:
		Rescinds:	Issued:

1 The Board expects that employees will work in excess of standard hours when requested. When work
2 in excess of standard hours is required, employees will be compensated for the unscheduled hours
3 worked.¹

4 Overtime is defined as hours physically worked in excess of forty (40) hours per week. When an em-
5 ployee is requested to work over regularly scheduled hours, the following shall apply:

6 *Compensation for Unscheduled Hours*

- 7 1. Hours worked over the scheduled hours must be approved by the immediate supervisor.
- 8 2. All payment for overtime shall be processed through the payroll office.

9 *Overtime Pay*

- 10 1. Overtime pay shall be paid for all hours worked over forty (40) hours per week.

11 *Payroll Provisions*

- 12 1. Time and one-half (1 1/2) shall be paid for all hours physically worked in excess of forty (40) in
13 a week.
- 14 2. An authorization for overtime payment must be submitted by the immediate supervisor.
- 15 3. Payment for overtime will be included in the paycheck for the period immediately following the
16 one in which it was earned.

17 *Discipline*

- 18 1. Persons who have been assigned to work overtime, whether voluntary or mandatory, shall be
19 expected to report to work as scheduled.
- 20 2. Failure to report shall subject an employee to disciplinary procedures as specified for any other non-
21 appearance for a regularly scheduled work time.
- 22 3. Employees shall be released from mandatory overtime, without fear of discipline, when they can
23 provide a reasonable excuse such as the following:
 - 24 a. Personal family emergency;
 - 25 b. Personal or family health maintenance;
 - 26 c. Important family function; weddings, etc.

27 If there is doubt concerning the employee's sincerity in offering such an excuse, the burden of proof
28 will rest with the employee.

Legal References

1. TCA 5-23-101;104; Section 7(o) 29 CFR § 553.20; 21

Collierville Schools Board of Education			
Monitoring: Review: Annually, in March	Descriptor Term: Staff Gifts and Solicitations	Descriptor Code: 5.605	Issued Date:
		Rescinds:	Issued:

1 **GIFTS**

2 Employees of the Board shall not accept gifts from students unless the gifts are of token value only.

3 Individual employees of the Board will refrain from giving gifts to staff members who exercise admin-
4 istrative or supervisory jurisdiction over them, either directly or indirectly. The collection of money for
5 group gifts is discouraged except in special circumstances such as bereavement, serious illness, or for
6 mementos at retirement.

7 Employees are prohibited from accepting things of material value from individuals, companies or orga-
8 nizations doing business with the school system. Exceptions to this policy are the acceptance of minor
9 items which are generally distributed to all by the companies through public relations programs.

10 **SOLICITATIONS**

11 No organization may solicit funds from employees within the schools. Flyers or other materials related
12 to fund drives shall not be distributed through the schools without the written approval of the director of
13 schools.

14 Employees will not be responsible for the collection of any money or the distribution of any fundraising
15 materials within the schools unless such activity has the director of schools' written approval.

Cross References

- Advertising & Distribution of Materials in Schools 1.806
- Vendor Relations 2.809
- Staff Conflicts of Interest 5.601
- Student Solicitations/Fund-Raising 6.701
- Student Gifts 6.710

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Political Activities	Descriptor Code: 5.606	Issued Date:
		Rescinds:	Issued:

- 1 Employees have a right to express their views on any issue, but must in each case make clear that the
- 2 view expressed is not the official view of the Board or school system.

- 3 Employees may, on their own time, campaign for or against any candidate or referendum, but are
- 4 prohibited from using system owned property to engage in political activity. System owned property
- 5 includes, but are not limited to: all buildings, signage, message boards, telephonic equipment, electronic
- 6 equipment and email accounts. Employees shall not use audio or video messages to engage in any
- 7 political promotion or solicitation during school hours.¹

Legal References

1. TCA 49-6-2009

Cross References

- Board-Community Relations 1.500
News Releases, News Conferences & Interviews 1.503
Advertising & Distribution of Materials in Schools 1.806

Collierville Schools Board of Education			
Monitoring: Review: Annually, in March	Descriptor Term: Non-School Employment	Descriptor Code: 5.607	Issued Date:
		Rescinds:	Issued:

1 **PROFESSIONAL PERSONNEL**

2 A given professional position may require additional hours during evenings or other times when offices
3 may be closed. Outside employment is regarded as employment for compensation that is not within the
4 duties and responsibilities of the employee's regular position with the school system.

5 An employee will not perform any duties related to an outside job during their regular working hours or
6 during the additional time that the responsibilities of the position require, nor will an employee use any
7 district facilities, equipment or materials in performing outside work. This includes the Board's
8 computer systems and networks and any configuration of hardware and software. The systems and net-
9 works include all of the computer hardware, operating system software, stored text and data fi les. This
10 includes but is not limited to, electronic mail, local databases, externally accessed databases (such as the
11 Internet), CD-ROM, optical media, clip art, digital images, digitized information, communications
12 technologies, and new technologies as they become available. The Board reserves the right to have all
13 technology resource activity monitored.

14 The Board's technology resources will be used only for learning, teaching and administrative purposes
15 consistent with the Board's mission and its goals. Commercial use of the Board's system is strictly pro-
16 hibited.

17 When the periods of work are such that certain evenings, days or vacation periods are duty-free, the
18 employee may use such off-duty time for the purposes of compensation provided all the following
19 conditions are met:

- 20 1. The work in no way interferes with the degree of effectiveness of their work in the school system;
- 21 2. The work in no way reflects detrimentally upon the school system or its prestige;
- 22 3. Such outside obligations do not prevent the individual from assuming duties required by the
23 regular position; and
- 24 4. The individual does not receive compensation for work that is customarily within their regular
25 position.¹

26 **SUPPORT PERSONNEL**

27 Support personnel shall not be prohibited from holding employment outside the school system so long
28 as such employment does not interfere with regular and overtime scheduled duties for the school system.
29

Legal References

1. TCA 49-5-410

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Tutoring for Pay	Descriptor Code: 5.608	Issued Date:
		Rescinds:	Issued:

- 1 Any teacher may enter into an agreement with parents for tutoring children for a fee, but this practice
- 2 must be limited to those children who the teacher is not currently exercising teaching, administrative or
- 3 supervisory responsibility.¹
- 4 School facilities may not be used for private profit.

Legal References

1. TCA 49-5-1003

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Consultants	Descriptor Code: 5.609	Issued Date:
		Rescinds:	Issued:

- 1 Administrative and supervisory personnel may be authorized by the director of schools to make
- 2 consulting or speaking engagements of a professional nature outside the school system, provided that
- 3 such commitment do not adversely affect the performance of their system assignments. Personnel may
- 4 accept honoraria in connection with these authorized out-of-system activities.

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Staff-Student Relations	Descriptor Code: 5.610	Issued Date:
		Rescinds:	Issued:

- 1 Staff members shall maintain professional relationships with students at all times and develop
 2 wholesome and constructive relationships with them. Staff members shall be expected to regard each
 3 student as an individual and to accord each student the rights and respect that is due.
- 4 Staff members shall promote a learning environment that encourages fulfillment of each student's
 5 potential in regard to their program, consistent with district goals and with optimal opportunities for
 6 students. This goal may be reached by adapting instruction to individual needs by:
- 7 1. Insisting on reasonable standards of scholastic accomplishment for all students;
 - 8 2. Creating a positive atmosphere in and out of the classroom;
 - 9 3. Extending courtesy and respect to students; and
 - 10 4. Treating all students with consistent fairness.¹
- 11 Staff members shall use good judgment in their relationships with students beyond their work
 12 responsibilities and/or outside the school setting and shall avoid excessive informal and social
 13 involvement with individual students. Any appearance of impropriety shall be avoided. Sexual
 14 relationships between employees and students shall be prohibited.²

Legal References

1. TCA 49-5-1003
2. TCA 39-13-506; TCA 39-13-527

Cross References

- Staff Rights & Responsibilities 5.600
 Ethics 5.611

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: <h2 style="margin: 0;">Ethics</h2>	Descriptor Code: 5.611	Issued Date:
		Rescinds:	Issued:

1 An effective educational program requires the services of men and women of integrity, high ideals and
 2 human understanding. To maintain and promote these essentials, all employees are expected to
 3 maintain high standards in their school relationships.¹ These standards include the following:

- 4 1. The maintenance of just and courteous professional relationships with students, parents, staff
 5 members and others;
- 6 2. The maintenance of their own efficiency and knowledge of the developments in their fi elds of
 7 work;
- 8 3. The transaction of all official business with the properly designated authorities of the school
 9 system;
- 10 4. The establishment of friendly and intelligent cooperation between the community and the
 11 school system;
- 12 5. The representation of the school system on all occasions that the contributions of the school
 13 system to the community are recognized;
- 14 6. The welfare of children as the first concern of the school system when placing professional per-
 15 sonnel. The use of pressure on school officials for appointments or transfers is unethical;
- 16 7. Restraint from using school contacts and privileges to promote partisan politics, sectarian
 17 religious views or selfish propaganda of any kind;
- 18 8. The responsibility to make any criticism of other staff members or of the school system directly
 19 to the particular school administrator who has the administrative responsibility for improving
 20 the situation and then to the director of schools, if necessary; and
- 21 9. The proper use and protection of all school properties, equipment and materials.

Legal References

1. TCA 49-5-501(3)(D); TCA 49-5-1003; TCA 49-5-1004

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Interim Employees	Descriptor Code: 5.700	Issued Date:
		Rescinds:	Issued:

1 Employees shall be hired on an interim contract only when a vacancy is created by an employee taking
 2 a leave of absence as set forth in TCA 49-5-702.¹ Such interim employees shall be considered as tem-
 3 porary replacements for the remainder of the school year and the contract term will not be considered as
 4 initial employment.

5 Said positions will be filled at the discretion of the director of schools in a manner that is the least
 6 disruptive on the educational process of students. Said positions shall be filled as quickly as possible to
 7 ensure a continuous function of the specified position.

8 Persons filling any temporary positions shall have no expectancy of continued employment, but such
 9 person may be considered for employment in filling vacancies as specified in the section dealing with
 10 initial employment. The contract of each temporary employee shall contain the following statement: *I*
 11 *understand that in filling a temporary position, I have no expectancy of continued employment, but may*
 12 *be considered for initial employment to fill other vacancies.*

Legal References

1. TCA 49-2-203(a)(1)(A); TCA 49-5-702

Collierville Schools Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Substitute Teachers	Descriptor Code: 5.701	Issued Date:
		Rescinds:	Issued:

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.^{1,2}
 2 Substitute teachers may be employed and paid directly by the board of education or by a third party
 3 public or private employer through an agreement between such third party employer and the board of
 4 education.

5 Substitute teachers employed by third party entities shall be subject to the same unemployment benefit
 6 eligibility conditions as substitute teachers employed directly by the board of education.²

7 **APPLICATION/QUALIFICATIONS**

8 Criminal history record checks and fingerprinting of applicants for substitute teaching are required.³

9 Applicants with revoked licenses or certificates according to the Department of Education shall not be
 10 hired.⁴

11 Qualifications for substitute teachers shall be determined by the director of schools in compliance with
 12 state laws and regulations.

13 A list of substitute teachers will be prepared by the [*director of schools, personnel director, etc.*] who
 14 will maintain files which may include transcripts, credentials, recommendations and other pertinent
 15 information.

16 **COMPENSATION**

17 If employed directly by the board of education, the compensation of substitute teachers shall be deter-
 18 mined annually by the Board.

19 **CERTIFICATION**

20 When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a substi-
 21 tute teacher must possess a teaching certificate with endorsement in the discipline(s) to be taught.⁵ When
 22 substituting for a teacher without sick leave, the substitute shall be certified and paid according to the
 23 state salary schedule.¹

24 Retired teachers may substitute one-hundred twenty (120) days per year without loss of retirement ben-
 25 efits,¹ and may substitute for additional ninety (90) days if the director of schools certifies in writing to
 26 the State Board of Education that no other qualified personnel are available to substitute teach.⁶

27

1 EMERGENCY NEEDS

2 All teacher aides, secretaries and clerks are approved substitute teachers for use in emergency situations.
3 Emergency use shall be defined as less than a full day due to the regular or substitute teacher being
4 unable to arrive on time or remain for the full day.

5 Said substitutes shall receive the proportionate equivalent salary regular substitute teachers would re-
6 ceive under similar circumstances or their regular salary, if higher; however, they shall not receive pay
7 for both positions at the same time.

8 TRAINING AND ORIENTATION

9 The director of schools shall be responsible for ensuring that there are appropriate training and
10 development programs for substitute teachers.

11 RESPONSIBILITIES

12 Substitute teachers shall assume the same responsibilities as the regular teacher, including, but not lim-
13 ited to, bus duty and playground supervision.

14 RE-EMPLOYMENT/TERMINATION

15 On an annual basis, the director of schools, with input from the principals, shall determine which
16 substitute teachers performed at an acceptable level. Substitute teachers who performed below an
17 acceptable level shall not be re-employed.

18 All substitutes shall be responsible for providing correct addresses and phone numbers and for notifying
19 the principal and/or third party employer if they wish to terminate their service as substitutes.

Legal References

1. TRR/MS 0520-1-2-.04 (6)
2. TCA 49-5-709
3. TCA 49-5-413
4. TCA 49-2-203(a)(15)
5. TCA 49-3-312; TRR/MS 0520-1-2-.04(b)
6. TCA 8-36-805 (1-3)

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Student Teachers	Descriptor Code: 5.702	Issued Date:
		Rescinds:	Issued:

- 1 Student teachers shall be accepted by both the principal and the cooperating teacher.
- 2 Student teachers will be expected to observe all policies and procedures established by the Board.
- 3 A student teacher shall be granted the same protection of the laws as a certified teacher and shall comply
- 4 with all policies and procedures of the Board and observe all duties of teachers as set forth in state
- 5 statute.¹
- 6 In addition, student teachers shall be required to fulfill all normal local responsibilities, both school and
- 7 extracurricular.
- 8 No classroom student shall have more than one (1) student teacher per year in a given subject. Any
- 9 exception to this policy must have prior approval from the director of schools .
- 10 The evaluation of a student teacher shall be based upon a joint agreement between the cooperating
- 11 teacher and the student's supervising teacher.
- 12 A student teacher may be asked to terminate his or her service upon the mutual consent of the principal,
- 13 the cooperating teacher and the supervising teacher at any time during the term.

Legal References

1. TCA 49-5-403 (c); TCA 49-5-201; TRR/MS 0520-2-3.11(3)

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Substitute Workers	Descriptor Code: 5.703	Issued Date:
		Rescinds:	Issued:

- 1 Substitute workers shall be paid from funds from the same account as the regular employee. The im-
- 2 mediate supervisor of the absent employee shall secure the necessary substitute and make the necessary
- 3 report to the proper authority. Pay for the substitute will be the minimum hourly wage according to the
- 4 federal wage and hour laws.

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: <b style="text-align: center;">Interns	Descriptor Code: <b style="text-align: center;">5.704	Issued Date:
		Rescinds:	Issued:

- 1 Interns shall be accepted by both the principal and the cooperating teacher. The principal shall be re-
2 sponsible for implementation of the internship program.
- 3 Interns will be expected to follow all guidelines of the internship program that have been established by
4 the Board and the participating institution of higher education.¹
- 5 An intern shall be granted the same protection of the laws as a licensed teacher and shall comply with
6 all policies and procedures of the Board and observe all duties of interns as set forth in the State Board
7 Rules and Regulations.
- 8 In addition, interns shall be required to fulfill all normal local responsibilities, both school and
9 extracurricular.
- 10 Interns shall spend at least half of the school year in direct teaching activities.
- 11 Interns shall be evaluated at the beginning and the end of the internship period based upon a joint
12 agreement between the cooperating teacher, the principal, and the student's supervising teacher. The
13 principal shall have final responsibility for recommending or not recommending the intern for apprentice
14 licensure status.
- 15 An intern may be asked to terminate his or her service upon the mutual consent of the principal, the
16 cooperating teacher and the supervising teacher at any time during the term.
- 17 Supervision of interns by mentor teachers shall be considered as one of the teacher's regular duties and
18 not as an extra duty.

Legal References

1. TRR/MS 0520-2-3-.11(2)

Collierville Schools Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Director of Schools	Descriptor Code: 5.800	Issued Date:
		Rescinds:	Issued:

- 1 The director of schools shall be the chief executive officer of the school system and shall have, under
- 2 the direction of the Board, general supervision of all the public schools, personnel and departments of
- 3 the school system. The director of schools is responsible for the management of the schools under the
- 4 Board's policies and is accountable to the Board.¹

- 5 The director of schools, at their discretion, may delegate any of their duties to other school personnel.
- 6

Legal References

1. TCA 49-2-301(a)

Collierville Schools Board of Education			
Monitoring: Review: Annually, in March	Descriptor Term: Qualifications and Duties of the Director of Schools	Descriptor Code: 5.802	Issued Date:
		Rescinds:	Issued:

1 **QUALIFICATIONS:**

- 2 1. A professional educator's license
3 2. A master's degree in education with a preference for a doctorate degree
4 3. Three (3) years of successful experience in school administration
5 4. Such other qualifications as the Board deems desirable

6 **REPORTS TO:** The Board of Education

7 **SUPERVISES:** All administrative and supervisory personnel in the district

8 **JOB GOAL:** To provide leadership in developing and maintaining the best possible educational
9 programs and services

10 **SCOPE OF RESPONSIBILITY:** The management responsibilities of the director of schools shall
11 extend to all activities of the district, to all phases of the educational program, to all aspects of the
12 financial operation, to all parts of the physical plant, and to the conduct of such other duties as may be
13 assigned by the Board. The director of schools may delegate these duties together with appropriate
14 authority, but may not delegate nor relinquish ultimate responsibility for results or any portion of
15 accountability.

16 **ESSENTIAL FUNCTIONS:**

17 **General Administrative**

- 18 1. Provides leadership in identification of priorities and assures that all activities reflect those
19 board- established priorities.
- 20 2. Prepares and recommends short- and long-range plans for board approval and implements those
21 plans when approved.
- 22 3. Prepares, in conjunction with the board chairman, agenda recommendations relative to all
23 matters requiring board action, including all facts, information, options, and reports needed to
24 assure informed decisions. Provides advice and counsel to the Board on matters before it.
- 25 4. Attends all regular and special meetings of the Board and keeps a complete and accurate record
26 of the proceedings of all meetings of the Board and of its official acts.
- 27 5. Recommends drafts of new policies or changes to the Board. Anticipates potential problems.
28 Recommends policies or courses of staff action.

- 1 6. Develops administrative procedures to implement board policy or for the items deemed
2 necessary for the efficient operation of the schools and disseminates these procedures to
3 appropriate staff.
- 4 7. Keeps the Board informed regarding development in other districts or at state and national levels
5 that would be helpful to the district.
- 6 8. Ensures that all local, state/federal standards for the health and safety of the students and staff
7 are maintained and that required reports are maintained.
- 8 9. Fulfills all statutory obligations and implements the education law of the State of Tennessee and
9 the rules and regulations of the State Board.¹

10 **Financial Management**

- 11 1. Provides direction to and supervision of school business functions. Encourages development and
12 implementation of sound business practices. Continually assesses business practices to achieve
13 efficiency.
- 14 2. Prepares annually, a budget and submits it to the Board for approval. Presents approved budget
15 to the appropriate local funding body for adoption.
- 16 3. Makes appropriate written reports for the Board detailing all receipts and expenditures of the
17 public school funds and submits them to the local funding body.
- 18 4. Ensures that funds are spent prudently by providing adequate control and accounting of the
19 district's financial and physical resources.

20 **Personnel Administration**

- 21 1. Establish lines of authority which shall be approved by the Board and shown on the system or-
22 ganization chart. Lines of authority shall not restrict the practical working relationships of all
23 staff members at all levels.
- 24 2. Employs such personnel as may be necessary within the limits of budgetary provisions and
25 recommends to the Board teachers who are eligible for tenure.
- 26 3. Develops recruitment procedures to assure well-qualified applicants for professional and non-
27 professional positions.
- 28 4. Assigns and transfers employees as the interest of the district may dictate and reports such action
29 to the Board for information and record.
- 30 5. Holds meetings of teachers and other employees as necessary for the discussion of matters
31 concerning the welfare and improvement of the schools.
- 32 6. Communicates directly or through delegation all actions of the Board relating to personnel
33 matters to all and receives from employees communications to be made to the Board.

- 1 7. Evaluates principals annually.

2 **Instructional Leadership**

- 3 1. Serves as the chief school executive. Ensures the development and maintenance of a positive
4 educational program designed to meet the needs of the community and to carry out the policies
5 of the Board. Ensures that a system of thorough and efficient education, as defined by state law,
6 is available to all students.
- 7 2. Recommends to the Board for its adoption all courses of study, curriculum guides, and major
8 changes in tests and time schedules to be used in the schools.
- 9 3. Oversees the timely revisions of all curriculum guides and courses of study.
- 10 4. Develops guidelines and direction for monitoring the effectiveness of existing and new pro-
11 grams.
- 12 5. Conducts a periodic audit of the total school program and advises the Board of recommendations
13 or the educational advancement of the schools.
- 14 6. Seeks out available sources for grant funding to support programs and projects.
- 15 7. Ensures that the goals of the school system are adequately reflected in its educational program
16 and operations.

17 **Community/Public Relations**

- 18 1. Promotes community support of the schools. Interprets district programs and services, reports
19 plans, events and activities of interest and solicits community opinions regarding school and
20 educational issues.
- 21 2. Identifies available community resources and links to social service agencies that support
22 education and healthy child development.
- 23 3. Develops strategies to promote parental involvement in their children's education and provides
24 opportunities for parent-teacher interaction.
- 25 4. Maintains contact and good relations with local media. Acts as the Board's spokesperson.
- 26 5. Ensures that the district interests will be represented in meetings and activities of municipal and
27 other governmental agencies.
- 28 6. Represents the school system and its interests in community organizations, activities, and
29 projects.

30 **TERMS OF EMPLOYMENT:** Serves in accordance with the terms of the contract between the board
31 and the director of schools. Salary to be determined by the Board.

- 1 **EVALUATION:** Performance of this job will be evaluated in accordance with provisions of state law
- 2 and the board's policy on evaluation of the director of schools.
- 3 **GENERAL REQUIREMENTS:** The above statements are intended to describe the general nature and
- 4 level of work being performed by the person assigned to this position. They are not intended to be a
- 5 complete list of responsibilities, duties, and skills required of personnel so assigned.

Legal References

1. TCA 49-2-301