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To: School Board Members
From: Misty Shelton
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1st Reading:

Policy 1.102 - Board Members

Public Chapter 114 requires acceptance of GED, HiSET, and other types of high school equivalency credentials approved by the State Board of Education.

Policy 1.106 - Code of Ethics

A new change to state law, Public Chapter 37, requires local Boards of Education to notify the Tennessee Ethics Commission of the primary person responsible for administering and enforcing their ethical standards. The Board has discretion as to implementation and could select a different individual to be in charge of this reporting.

Policy 1.400 - School Board Meetings

Public Chapter 350 creates additional opportunities for board members to attend board meetings electronically. Now, board members will be able to use this method of attendance for two additional reasons: (1) if they are sick or in a period of convalescence on the advice of a healthcare professional; and (2) due to inclement weather.

Policy 1.402 - Notification of Meetings & Policy 1.404 - Appeals to and Appearances Before the Board- Already have in place in 1.404

State law, Public Chapter 300, now requires that notice of board meetings include information on how individuals may provide public comment on agenda items. Additionally, each board meeting with actionable items on the agenda is required to have a time dedicated to public comment. The law allows Boards to establish reasonable restrictions on the length of the comment period, number of speakers, and the length of time per speaker. This is an area in which Boards have significant flexibility, and TSBA encourages modifying their model policy to meet local needs.

Policy 3.202 - Emergency Preparedness Plan
Policy 3.204 - Threat Assessment Team- Already have a policy on this
Policy 3.205 - Security

A new law that affects many aspects of school safety (Public Chapter 367) requires several policy changes. This new legislation requires an armed intruder drill, an incident command drill, and an emergency safety bus drill (policy 3.202) as well as a policy on threat assessment teams (policy 3.204). Many Boards currently maintain a policy on threat assessment teams, however, this new

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legislation requires that all Boards have a policy on this topic. There is also now a requirement for all exterior doors to remain locked during school hours. For events occurring after school hours, Boards can choose to create a local plan on how to admit community members. TSBA has updated model policy 3.205 with information about the default practice found in the new legislation. Per state law, this default practice will be in effect if the Board does not include an alternate local plan.

Policy 4.204 - Summer Instructional Programs

State Board of Education Policy 3.300 - Promotion and Retention was updated during the State Board of Education's May meeting. This policy change requires local Boards of Education to include additional information on make up days for summer programs in their policies.

Policy 4.300 - Extracurricular Activities
Policy 6.4001 - Student Surveys, Analyses, and Evaluations
Policy 6.402 - Physical Examinations and Immunizations

Public Chapter 353 includes new options for parents/guardians regarding certain extracurricular activities and district actions. Specifically, this new law: (1) requires parents/guardians to opt-in before their minor child joins a school club or participates in the activities of a club; (2) requires parents/guardians to opt-in before a minor child participates in a non-instructional survey, analysis, or evaluation; and (3) gives parents/guardians the ability to opt-out of health screenings conducted as part of the coordinated school heath program.

Policy 4.403 - Library Materials

A new state law, Public Chapter 472, changes the process for school districts to respond to challenged library materials. Previously, state law required that all complaints proceed to the Board of Education. This new law includes flexibility for districts by permitting the Board to create a process with several tiers of review. Please note that Boards may revise this model language to align with local standards. TSBA encourages reaching out to their local board attorney if there are legal concerns.

Policy 5.106 - Application and Employment

School districts are prohibited from hiring individuals on Tennessee's Department of Children's Services list of perpetrators of child abuse and those on the registry of abuse of vulnerable persons maintained by the Department of Health. A change to state law, Public Chapter 222, clarifies that districts may not hire individuals who appear on similar lists maintained by other states.

Policy 5.119 - Employment of Retirees

Due to ongoing teacher shortages, the General Assembly passed Public Chapter 425 which allows more flexibility in hiring retirees. This change allows retirees to work as substitutes beyond the typical 120 day contract and permits retirees to serve as regular classroom teachers on an ongoing basis.

Policy 5.302 - Sick Leave- HCSS does not operate a sick leave bank

For districts that operate sick leave banks, state law contains restrictions on how those days can be used by employees. Public Chapter 151 adds additional options for employees by creating an option to use this time to care for minor children in addition to being used for the employee's own illness.

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2nd reading:

3.218.2- Use of AKC trained Dogs- New policy

6.319 Alternative Education- change to reflect grades 1-12 on line 2 of page 1

Up for Review:

6.409 Reporting Child Abuse
6.410 Accidnets and Illnesses
6.411 Student Wellness
6.413 Prevention and Treatment of Sports Related Concussions
6.414 Prevention and Treatment of Sudden Cardiac Arrest
6.415 Student Suicide Prevention
6.500 Special Education Students
6.501 Married and/or Pregnant Students
6.502 Foreign Exchange Students
6.503 Homeless Students
6.504 Migrant Students
6.505 Students in Foster Care
6.506 Students from Military Families
2.805 Purchasing
2.806 Bids and Quotations
2.808 Purchase Orders and Contracts
2.809 Vendor Relations
2.810 Payment Procedures
2.900 Student Activity Funds Management

Informational Items

While these items do not necessarily require any policy changes, TSBA wanted you to be aware of the new legal requirements and how they may impact board policy and operations.

Public Chapter 111 - Use of Remote Instruction

This law allows districts with virtual schools to contract with other districts to provide remote instruction to students who have been suspended or expelled.

View this Public Chapter 111 by clicking here.

Public Chapter 165 - Transfer Students

Public Chapter 165 requires that school districts treat transfer students and home school students who enroll or re-enroll in the district the same as other students. Specifically, this law addresses student access to academic and arts programs, clubs, and events offered by the district.

View this Public Chapter 165 by clicking here.

Public Chapter 269 - Testing for Credit

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Policy 5.305 - Family Medical Leave
Public Chapter 399 gives employees who are required by law to hold a valid license of qualification for employment and who have been employed with the school district for at least twelve consecutive months six weeks of paid leave that can be used after the birth, stillbirth, or adoption of a newly placed minor child. This leave must be used within twelve months of the qualifying event and does not have to be used consecutively. Additionally, this leave counts towards federally granted leave under the Family Medical Leave Act. TSBA has added a provision on this new option to their model policy.

Policy 5.307 - Physical Assault Leave
A new state law, Public Chapter 343, clarifies that teachers will receive their full salary while on leave due to a physical assault.

Policy 5.600 - Staff Rights & Responsibilities
Teachers are now required to report students who commit certain offenses on school property that endanger the life, health, or safety of others per Public Chapter 153.

Policy 6.200 - Attendance
Boards can award credit to students who take released time courses pursuant to the conditions outlined in their board policy. Previously, Boards could award one-half credit. Public Chapter 130 now allows Boards to offer one full credit for these courses. Please note that this is optional for Boards.

Policy 6.202 - Home Schools
Public Chapter 114 requires the acceptance of GED, HiSET, and other types of high school equivalency credentials approved by the State Board of Education. TSBA has updated their model policy to include these other types of credentials in accordance with state law. Additionally, Public Chapter 296 removes the requirement that parents of home school students provide proof of immunizations.

Policy 6.300 (6.313 for HCSS) - Code of Conduct & Policy 6.309 - Zero Tolerance Offenses
A new zero tolerance offense has been added to state law. Public Chapter 299 adds threats of mass violence to the list of offenses punishable by a one year expulsion.

Policy 6.314 - Corporal Punishment
Boards have discretion as to whether corporal punishment is used in the district. If this is a disciplinary option, a new state law (Public Chapter 275) requires further actions be taken before corporal punishment occurs.

Policy 6.319 - Alternative Education
Public Chapter 279 provides an additional statutory reason that a Director of Schools could require a student to serve a suspension at home rather than on school property. This change to state law allows the Director of Schools discretion if assigning the student to an alternative school or program may endanger the safety of the students or staff.

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Students will now be allowed to test out of certain courses per Public Chapter 269. For courses with no end of course exam, high school students will be able to receive credit for the class if they earn a qualifying score on the exam. The school district will determine the score needed for these exams. This will be an option after the State Board of Education approves a list of eligible courses. We will be monitoring forthcoming State Board action and update our model policy based on those changes.

View Public Chapter 269 by clicking here.

Public Chapter 280 - PE Endorsement Exemption

Under this change to state law, the Commissioner has the authority to grant an endorsement exemption for a teacher to teach a physical education class. In order to receive the exemption, the Director of Schools must certify to the Commissioner that no qualified teacher is available to teach the class.

View this Public Chapter 280 by clicking here.

Public Chapter 437 - Payroll Deductions

School districts may no longer deduct dues from an employee's paycheck on behalf of a professional employees' organization per this new state law.

View this Public Chapter 437 by clicking here.

Public Chapter 438 - Implicit Bias Training

A change to state law, Public Chapter 438, prevents a school district from requiring employees to complete or participate in implicit bias training. This new law also prohibits a school district from taking an adverse employment action against an employee for failure to undergo such training.

View this Public Chapter 438 by clicking here.

Public Chapter 448 - Use of Pronouns

Public Chapter 448 clarifies that school district employees are not required to use a student's preferred pronoun if it is inconsistent with the student's biological sex. Further, school districts are not civilly liable if the employee refuses to use the preferred pronoun.

View this Public Chapter 448 by clicking here.

Thank you for your careful consideration of these policies.

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