

**OAK RIDGE SCHOOLS
OAK RIDGE BOARD OF EDUCATION
REGULAR MEETING
SCHOOL ADMINISTRATION BUILDING BOARD ROOM
MONDAY
AUGUST 27, 2012
7:00 p.m.**

AGENDA

COMMITTEE OF THE WHOLE

- I. Call to Order – Pledge of Allegiance – Jefferson Middle School
- II. Public Forum
- III. Adjournment

REGULAR MEETING

- I. Call to Order
- II. Approval of Agenda
- III. ***SPECIAL REPORT/PRESENTATION***
 - A. Good News
- IV. ***CONSENT AGENDA***
 - A. Approval of Maternity Leave Request
 - B. Approval of Maternity Leave Request
 - C. Approval of the 2012-2013 USDA/CACFP Food Program Grant for the Oak Ridge Schools' Preschool
 - D. Approval of FY'13 Budget Amendment #082712 – Transfer of Funds – First Reading
 - E. Approval of FY'13 Budget Amendment #080612 – Transfer of Funds – Second Reading
- V. ***ITEMS FOR ACTION***
 - School Board Operations***
 - A. Approval of Revised School Board Meetings Policy 1.400 – First Reading

Curriculum and Instruction

- A. Approval of Teacher and Principal Evaluation Grievance Policy – Second Reading

Old Business
New Business
Communications
Adjournment

CONSENT AGENDA

Approval of Maternity Leave Request

I recommend approval of this request for leave.

Please find a request for maternity leave for Jessica Bresnan, a Fourth Grade Teacher at Willow Brook Elementary School, for the birth of her child beginning October 15, 2012 through December 21, 2012. Ms. Bresnan intends to use her personal days, sick leave and FMLA benefits. Physician's documentation has been received.

July 27, 2012

Dr. Thomas E. Bailey
304 New York Avenue
P.O. Box 6588
Oak Ridge, TN 37830

Dear Dr. Bailey:

I am writing to inform you that I will be taking maternity leave and parental leave from approximately October 15, 2012 to December 21, 2012. I will be returning on January 4, 2012 at the start of the third quarter.

It is my intention to use any personal and sick leave days I have remaining during this time and will take the rest of my leave using unpaid FMLA benefits for the remainder of my absence.

Enclosed, please find my doctor's certificate confirming I am pregnant and stating my expected date of delivery.

Thank you for your consideration in this matter.

Sincerely,
Jessica L. Bresnan
Willow Brook Elementary School

Encl. Medical Certificate

CONSENT AGENDA

Approval of Maternity Leave Request

I recommend approval of this request for leave.

Please find a request for maternity leave for Christy Munsey, a School Counselor at Jefferson Middle School, for the birth of her child beginning October 19, 2012 through the end of the 2012 – 2013 school year. Ms. Munsey intends to use her personal days, sick leave and unpaid FMLA benefits. Ms. Munsey plans to return to her position at the start of the 2013 – 2014 school year. Physician's documentation has been received.

August 22, 2012

Dr. Bailey
304 New York Avenue
Oak Ridge, TN 37830

Dear Dr. Bailey,

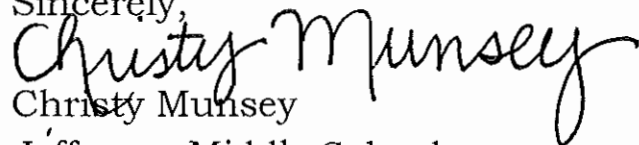
Please accept this letter as my official request for maternity leave. My due date is November 12, 2012. I request my last day of work prior to delivery to be Friday, October 19th; making the start date of my leave Monday, October 29th. I will return to work for the 2013-2014 school year on Monday, July 22, 2013.

I request the combined use of sick leave, unpaid FMLA benefits and unpaid leave to cover my maternity leave.

I am providing medical documentation of my pregnancy.

Thank you for your consideration of this request.

Sincerely,



Christy Munsey
Jefferson Middle School
cmunsey@ortn.edu

CONSENT AGENDA

Approval of the 2012-2013 USDA/CACFP Food Program Grant for the Oak Ridge Schools' Preschool.

I recommend the Board approve the 2012-2013 USDA/CACFP Food Program Grant for the Oak Ridge Schools' Preschool

Attached is a copy of the 2012-2013 USDA/SACFP Food Program Grant for the Oak Ridge Schools' Preschool. The items included in the grant have been reviewed by all personnel involved with maintaining the grant.



Child and Adult Care Food Program (CACFP)
Annual Information Certification for Child or Adult Center Sponsor

Section A. Sponsor Information

1. Enter the following information:				
Name of Sponsoring Organization			Agreement No. (12 digits)	
Oak Ridge Schools' Preschool			034759931005	
Mailing Address				
Street		City	Zip Code	
304 New York Ave.		Oak Ridge TN.	37830	
If Sponsoring Organization operates under another name enter it below:			Employer Identification Number	
			62-6014956	
2. Contact Information:				
Telephone Number:		Fax Number:	E-Mail Address:	
865-428-9101		865-425-9120	dlane@ortn.edu	
3. Name and Title of Person Responsible at Sponsoring Organization for CACFP:				
Melinda White, Principal				
4. For Private Non-Profit, Public or Church Sponsoring Organization Only:				
Name of Executive Director:		Home Address of Executive Director:	Date of Birth of Executive Director:	
Melinda White		155 Grandcove Ln Oak Ridge, TN. 37830	1-9	
Name of Board Chairperson:		Home Address of Board Chairperson:	Date of Birth of Board Chairperson:	
Keys Fillaur		17 Palisades Pkwy. Oak Ridge, TN. 37830		
5. For Proprietary (Privately Owned) Sponsoring Organization Only:				
Name of Owner (Or Name/Title of Corporate Representative):		Home Address of Owner (Or Corporate Representative):	Date of Birth of Owner (Or Corporate Representative):	
8. Did the total federal funds received by your sponsoring organization through the State of Tennessee and expended during the sponsoring organization's prior fiscal year, and the total federal funds received by the sponsoring organization directly from the federal government and expended during the sponsoring organization's prior fiscal year exceed \$500,000: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If the total federal funds exceeded \$500,000, the sponsoring organization is required to have an audit of the funds to participate in the CACFP.				
7. Are copies of the updated child or adult care licenses attached for your sponsored facilities? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A				
8. Is your organization's Sponsored Facilities Exhibit attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
9. Is a roster attached for your sponsoring organization's personnel who completed the Annual Civil Rights Training <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
10. Has a (Media) Release been issued for all feeding sites under your organization's sponsorship for the new program year? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
11. If your organization is a proprietary entity, is least 25% of each sponsored facilities' enrollment or license capacity, whichever is less, beneficiaries of the TDHS Child Care Certificate Program; or eligible for free or reduced-price meal payments in the CACFP. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				

Section B. Budget

Each sponsoring organization must have adequate financial resources to operate the program on a daily basis. To address this requirement, please complete the attached budget. All program costs must be necessary, reasonable and allowable.

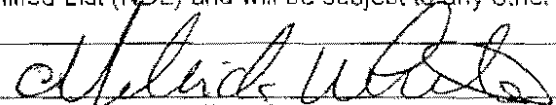
Section C. Certification

This is to certify that the above named sponsoring organization meets all of the requirements for renewing sponsoring organizations that are contained in 7 CFR §226.6(b)(2). This means the sponsoring organization certifies that:

1. The management plan on file with the TDHS is complete and up to date;
2. No sponsored facility or principal of a sponsored facility is currently on the CACFP National Disqualified List;
3. The outside employment policy most recently submitted to the TDHS remains current and in effect;
4. The names, mailing addresses, and dates of birth of all current sponsoring organization principals have been submitted to the TDHS;
5. The sponsoring organization itself, and the sponsoring organization's principals, are not currently on the CACFP National Disqualified List;
6. The list of any publicly funded programs the sponsoring organization and principals have participated in during the past seven years is current;
7. The sponsoring organization itself, and the sponsoring organization's principals, have not been determined ineligible for any other publicly funded programs due to violation of that program's requirements in the past seven years;
8. No principals of the sponsoring organization have been convicted of any activity that occurred during the past seven years and that indicated a lack of business integrity; and
9. The sponsoring organization is currently compliant with the required performance standards of financial viability and management, administrative capability, and program accountability as described in 7 CFR §226.6(b)(2)(vii).

Any of the above information that has changed since the initial application has already been submitted to the TDHS or is being submitted with this certification.

I certify that the above information is true and correct to the best of my knowledge, and that I will immediately report to the Tennessee Department of Human Services any changes that occur to the information submitted in my application. I also certify that reimbursement will be claimed only for approved meals served to eligible participants during the hours they are in attendance at the facilities approved for CACFP participation. I understand that deliberate misrepresentation or withholding of information will result in prosecution under applicable state and federal statutes. I also understand that the submittal of false information in this document will result in the denial of my sponsoring organization's application and termination of my sponsoring organization's agreement to participate in the CACFP. I further understand that my sponsoring organization and all individuals providing false information in this document will be placed on the National Disqualified List (NDL) and will be subject to any other applicable civil or criminal penalties.



Signature - Official of Sponsoring Organization

8/9/12

Date

Melinda White

Printed Name of the Signing Official

Principal

Title of the Sponsoring Organization Official

For TDHS Use Only

- Approved
- Denied (If checked, provide explanation below):

CACFP. FOOD SERVICE BUDGET FOR SPONSOR OF AFFILIATED CHILD OR ADULT CARE CENTERS

Name of Sponsor:		Estimated Payments for Application Period: \$			
EXPENSES BY OBJECT	PROPOSED OPERATING COSTS	APPROVED COSTS (TO BE COMPLETED BY DHS ONLY)	PROPOSED ADMINISTRATIVE COSTS	APPROVED COSTS (TO BE COMPLETED BY DHS ONLY)	TOTAL APPROVED COSTS (TO BE COMPLETED BY DHS ONLY)
Salaries/wages to prepare/ serve meals (excluding benefits/payroll taxes)	\$ 36,762	\$			\$
Fringe benefits/payroll taxes for employees who prepare/serve meals	\$ 10,019	\$			\$
Food Costs (must be at least 50% of est. CACFP payments for program year)	\$ 77,745	\$			\$
Expendable Supplies (i.e., napkins, straws, dishwashing detergent, etc.)	\$ 10,800	\$			\$
Durable Supplies (i.e., items costing less than \$5,000 with life expectancy of more than 1 year)	\$ 6,211	\$			\$
Contracted meal services (enter amount if meals to be purchased from private company)	\$ 0	\$			\$
Contract personnel (non-employees who are under contract to prepare/serve meals)	\$ 0	\$			\$
Food service equipment purchase (must attach description of each equipment item)	\$ 0	\$			\$
Food service equipment rental and maintenance	\$ 0	\$			\$
Salaries/wages for CACFP administrative employees (excluding benefits/payroll taxes)			\$ 12,055	\$	\$
Fringe benefits/payroll taxes for CACFP administrative employees			\$ 4,220	\$	\$
Office Supplies			\$ 200	\$	\$
Communications			\$ —	\$	\$
Postage, Printing and Publications			\$ 100	\$	\$
Contract personnel (non-employees who perform administrative duties)			\$ 0	\$	\$
Occupancy			\$ 0	\$	\$
Travel (If any projected costs, complete Page 4 of the budget)			\$ 0	\$	\$
Indirect administrative costs			\$ 0	\$	\$
TOTAL OPERATING AND ADMINISTRATIVE COSTS	\$ 141,537	\$	\$ 16,575	\$	\$

PERSONNEL SALARY SCHEDULE FOR SPONSOR OF AFFILIATED CHILD OR ADULT CARE CENTERS

OPERATING PERSONNEL (TO BE CHARGED TO THE CACFP)				
Employee Name	Position Title	Duties	Annual Salary or Wage (including Fringe Benefits and Taxes)	Amount of Employee Salary or Wages to be Charged to CACFP
REBECCA LEAGER	CAFETERIA MANAGER		\$ 34,900	\$ 3,367
DEAN HARDIN	COOK		\$ 16,478	\$ 16,478
GWYNETH WILKINSON	FOOD SERVICE WORKER		\$ 26,936	\$ 26,936

ADMINISTRATIVE PERSONNEL (TO BE CHARGED TO THE CACFP)				
Employee Name	Position Title	Duties	Annual Salary or Wages (including Fringe Benefits and Taxes)	Amount of Employee Salary or Wages to be Charged to CACFP
SARAH WILKINSON	FOOD SERVICE DIRECTOR		\$ 86,955	\$ 12,206
AMMY WEBB	FOOD SERVICES SECRETARY		\$ 16,393	4,069

PROPOSED TRAVEL BUDGET

TRAVEL (In-State)	Name of Employee/Contract Individual: _____ Reason for Travel: _____ Estimated Cost: \$ _____
TRAVEL (In-State)	Name of Employee/Contract Individual: _____ Reason for Travel: _____ Estimated Cost: \$ _____
TRAVEL (In-State)	Name of Employee/Contract Individual: _____ Reason for Travel: _____ Estimated Cost: \$ _____
TRAVEL (In-State)	Name of Employee/Contract Individual: _____ Reason for Travel: _____ Estimated Cost: \$ _____
TRAVEL (Out-of-State)	Name of Employee/Contract Individual: _____ Reason for Travel: _____ Estimated Cost: \$ _____

USDA/CACFP
CIVIL RIGHTS TRAINING
2012-2013

Preschool

Date

Dianna Lane

7-16-12

J. Stevens

7-16-12

Melinda White

7-17-12

Margaret Johnston

8-3-12

Food Service

Date

G.A.

7/16/12

Swynn Whitel

7/19/12

Go To: Powerpoint

http://www.tn.gov/humanserv/adfam/ccfp_forms/ccfp_15.html



TENNESSEE DEPARTMENT OF EDUCATION
CERTIFICATION OF APPROVAL

Woodland Elementary Pre-K

This agency has met the minimum standards for child care program approval

pursuant to TCA 49-1-302(i) et seq.

Maximum number of children enrolled (20) Fiscal Year 2011-2012

Location: 168 Manhattan Avenue

County: Anderson

Handwritten signature of the Commissioner in cursive script.

Commissioner

Handwritten signature of Jan Bushing in cursive script.

Director, Child Care



TENNESSEE DEPARTMENT OF EDUCATION

CERTIFICATION OF APPROVAL

Oak Ridge School's Preschool Program

This agency has met the minimum standards for child care program approval

pursuant to TCA 49-1-302(l) et seq.

Maximum number of children enrolled (270) Fiscal Year 2011-2012

Location: 304 New York Avenue

County: Anderson

Handwritten signature of the Commissioner in cursive script.

Commissioner

Handwritten signature of the Director, Child Care in cursive script.

Director, Child Care

Oak Ridge Schools' Preschool
Playground, Bus, Health and Food Handling Safety
Inservice
25 July 2012

Confidentiality

Housekeeping

Food Handling and Safety

Bloodborne Pathogens

Birth Certificates - Dads' names

Playground Safety

Stations

Playground rules and monitoring

Heat

Transportation Safety— our system is set up with fail safes, if performed properly

Safety Plan

**CACFP REIMBURSEMENT RATES
JULY 1, 2012, THROUGH JUNE 30, 2013**

MEALS SERVED IN CHILD AND ADULT CARE CENTERS			
Eligibility	Breakfast	Lunch/Supper	Supplement
Free	\$1.55	\$3.0875	\$0.78
Reduced	\$1.25	\$2.6875	\$0.39
Paid	\$0.27	\$0.4975	\$0.07

MEALS SERVED IN CHILD CARE HOMES			
Eligibility	Breakfast	Lunch/Supper	Supplement
Tier 1	\$1.27	\$2.38	\$0.71
Tier 2	\$0.46	\$1.44	\$0.19

ADMINISTRATIVE PAYMENTS FOR CHILD CARE HOME SPONSORS	
Number of Homes	Rate
First 50 homes	\$107.00 per home per month
Next 150 homes	\$82.00 per home per month
Next 800 homes	\$64.00 per home per month
Over 1000 homes	\$56.00 per home per month

MEALS SERVED IN EMERGENCY SHELTERS			
Eligibility	Breakfast	Lunch/Supper	Supplement
Free	\$1.55	\$3.0875	\$0.78

AFTER-SCHOOL CARE FOR AT-RISK CHILDREN	
Supplement	\$0.78
Meal	Free Rate for Meals

CONSENT AGENDA

Approval of FY '13 Budget Amendment #082712 – Transfer of Funds – First Reading

I recommend the approval of the transfer of funds (as outlined below) to cover expenditures incurred by the "High Schools That Work" program.

The following represents the changes being recommended:

\$549.96 from 141-71300-429-000-00078 to 141-72230-499-000-00078. This transfer is requested due to cuts in instructional funds.

\$777.20 from 142-72230-355-802 to 142-72130-355-802. This transfer is requested due to a data entry error. The 142-72230-355-802 account code does not exist.

\$643.34 from 142-72230-355-50 to 142-72130-355-801. This transfer is requested because HSTW grant notification has not yet been received.

No new monies are being requested. All purchases will follow the proper Oak Ridge Schools protocol

This will not change the overall appropriation approved by the City and requires no action of City Council.

*Must GO TO BOE *KG*

Budget Transfer Request

Please fill out all fields completely

		Date	Fund	Account	Object	Project	Location	Program	Total \$
*	EXAMPLE FROM	7/15/2011	141	71100	429	300	00071	306	-\$25.00
*	EXAMPLE TO	7/15/2011	141	71100	435	306	00000	000	\$25.00
<u>1</u>	FROM Account #	8/2/2012	141	71300	429		78		-\$549.96
	TO Account #	8/2/2012	141	72230	499		78		\$549.96
<u>2</u>	FROM Account #	8/2/2012	142	72230	355	802			-\$777.20
	TO Account #	8/2/2012	142	72130	355	802			\$777.20
<u>3</u>	FROM Account #	8/2/2012	142	72230	355	50			-\$643.34
	TO Account #	8/2/2012	142	72130	355	801			\$643.34

* When the TO and FROM Fund or Account is different, transfer requires BOE approval.
 i.e. FROM: 141, TO: 142 or FROM: 71100 TO: 71200

Total \$ Fund Change	\$0.00
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Reason For Request (Attach Separate Sheet or State or Federal Approval if Necessary)

1. Moved to administrative allocation due to budget cuts in instructional funds.
2. Data entry error - 142-72230-355-802 line does not exist.
3. HSTW grant notification has not been received so expense has to be moved to another account.

APPROVALS: Must Occur Before the Accounting Entry Takes Place

<i>Hayde E. Ward</i> Department/Program Manager	<i>8-3-12</i> Date	<i>L. D'Agliano</i> Director of Business & Support Services	<i>8-7-12</i> Date
<i>J. B. Willy</i> Superintendent	<i>8/6/12</i> Date	<i>[Signature]</i> Budget & Finance	<i>8/6/12</i> Date

CONSENT AGENDA

Approval of FY '13 Budget Amendment #080612 – Transfer of Funds – Second Reading

I recommend the approval of the transfer of funds (as outlined below) to cover band instrument repair.

There was no funding allocated for the repair of band instruments in the FY'13 budget as approved. As a result, a transfer of funds must first be approved in order to cover the anticipated expenditures. No new monies are being requested. Therefore, I am requesting that \$2,000 be moved from account number 141-72210-196-00081 and \$3,000 be moved from account number 141-72210-429-00081 to line item number 141-71100-711-00000-307, which is Band Instrument Repair. All purchases will follow the proper Oak Ridge Schools protocol.

This will not change the overall appropriation approved by the City and requires no action of City Council.

(X) Needs To GO TO BOE

(E.G.)

Budget Transfer Request

Please fill out all fields completely

		Date	Fund	Account	Object	Project	Location	Program	Total \$
*	EXAMPLE FROM	7/15/2011	141	71100	429	300	00071	306	-\$25.00
*	EXAMPLE TO	7/15/2011	141	71100	435	306	00000	000	\$25.00
1	FROM Account #	07/24/12	141	72210	196	0	81	0	-\$2,000.00
	TO Account #	07/24/12	141	71100	711	0	0	307	\$2,000.00
2	FROM Account #	07/24/12	141	72210	196	0	82	0	-\$3,000.00
	TO Account #	07/24/12	141	71100	711	0	0	307	\$3,000.00
3	FROM Account #								
	TO Account #								

* When the TO and FROM Fund or Account is different, transfer requires BOE approval.
 i.e. FROM: 141, TO: 142 or FROM: 71100 TO: 71200

Total \$ Fund Change	\$0.00
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Reason For Request (Attach Separate Sheet or State or Federal Approval if Necessary)

Funds to cover band instrument repairs

APPROVALS: Must Occur Before the Accounting Entry Takes Place

<i>see below</i>		<i>Karen Magliaro</i>	<i>7-30-12</i>
Department/Program Manager	Date	Director of Business & Support Services	Date
<i>Thomas Bailey</i>	<i>7/27/12</i>	<i>[Signature]</i>	<i>7/27/12</i>
Superintendent	Date	Budget & Finance	Date

(*) Needs To Go To BOE
 KG

Budget Transfer Request

Please fill out all fields completely

		Date	Fund	Account	Object	Project	Location	Program	Total \$
*	EXAMPLE FROM	7/15/2011	141	71100	429	300	00071	306	-\$25.00
*	EXAMPLE TO	7/15/2011	141	71100	435	306	00000	000	\$25.00
1	FROM Account #	07/24/12	141	72210	429	0	81	0	-\$3,000.00
	TO Account #	07/24/12	141	71100	711	0	0	307	\$3,000.00
2	FROM Account #	07/24/12	141	72210	429	0	82	0	-\$2,000.00
	TO Account #	07/24/12	141	71100	711	0	0	307	\$2,000.00
3	FROM Account #								
	TO Account #								

* When the TO and FROM Fund or Account is different, transfer requires BOE approval.
 i.e. FROM: 141, TO: 142 or FROM: 71100 TO: 71200

Total \$ Fund Change	\$0.00
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Reason For Request (Attach Separate Sheet or State or Federal Approval if Necessary)

Funds to cover band instrument repairs

APPROVALS: Must Occur Before the Accounting Entry Takes Place

see below		7-30-12 (*)
Department/Program Manager	Date	Director of Business & Support Services
<i>Thomas Bailey</i>	<i>7/27/12</i>	<i>Robert [Signature]</i>
Superintendent	Date	Budget & Finance
		<i>7/27/12</i>

ITEM FOR ACTION

Approval of Revised School Board Meetings Policy 1.400 – First Reading

I recommend approval of the revised School Board Meetings Policy 1.400

This policy addresses the recent TSBA policy change to allow electronic attendance by board members at board meetings and addresses the use of photographic equipment during board meetings. Changes are noted in red.

OAK RIDGE BOARD OF EDUCATION

Monitoring: Review: Annually, in September	Descriptor Term: SCHOOL BOARD MEETINGS	Descriptor Code: 1.400	Issued Date: 08-27-12
		Rescinds: App. I-B-1-3; App. II-Sec.6	Issued: 05/22/02 09/29/08

The Board will transact all business at official meetings which may be either regular or special.

Every meeting of the Board, except with the attorney to discuss pending or threatened litigation, will be open to the public.¹ Open meetings will be physically accessible to all students, employees, and interested citizens.³

No one shall bring a camera, camcorder or other photographic equipment to Board meetings without the consent of the Board.⁴

REGULAR MEETINGS

Regular meetings of the Board shall be held on the fourth (4th) Monday of the month at 7:00 p.m. in the school administration building, unless another time and place are provided for by the Board.

In instances when any regular meeting date falls on a legal holiday, the meeting shall be rescheduled by the chair.

SPECIAL MEETINGS

The Board shall hold such special meetings as necessary to transact the business of the Board. Such meetings shall be called by the chair whenever, in the chair's judgment, the interests of the schools require it, or when requested to do so by a majority of the Board.²

Only business related to the call of the meeting, and details related to agenda items shall be discussed or transacted by the Board at a special meeting.

ADJOURNED SESSIONS

~~Any regular or special meeting of the Board of Education may be adjourned to a specific time and place. Only topics appropriate to the agenda of the meeting adjourned may be acted upon at the adjourned session.~~

COMMITTEE OF THE WHOLE

~~The Board may meet as a committee of the whole to develop concepts or consider background information to proposed actions. No legal action shall be taken at such meetings.~~

~~Meetings of the committee of the whole may be called by the chairman of the board or the superintendent of schools by verbal or written notice.~~

ELECTRONIC ATTENDANCE

Absent Board members may attend a regular or special meeting by electronic means if the member is absent from the county because of work, is unable to attend due to a family emergency, or due to the member's military service. Such participation is subject to the following.⁵

General Requirements

The following requirements apply to all electronic attendance, regardless of the reason for the member's absence:

1. A quorum of the Board must be physically present at the meeting in order for any member to attend electronically.
2. Any member wishing to participate electronically must do so using technology which allows the Chair to visually identify the member.
3. The responsibility for the connection lies with the member wishing to participate electronically. No more than three (3) attempts to connect shall be made, unless the Board chooses to make additional attempts.

Work Related Absence

The following requirements apply to electronic attendance due to a work related absence:

1. The Board member must be absent from the county due to work.
2. The member wishing to participate must give the Chair and director at least five (5) days notice prior to the meeting of the member's desire to participate electronically.
3. No member may participate more than twice per year due to a work related absence.

Family Emergency

The following requirements apply to electronic attendance due to a family emergency:

1. The member must be absent due to the hospitalization of the member or the death or hospitalization of the member's spouse, father, mother, son, daughter, brother, sister, son-in-law, daughter-in-law, step-son, step-daughter, father-in-law, mother-in-law, brother-in-law, or sister-in-law.
2. No member may participate more than twice per year due to a family emergency.

Legal References:

1. Tenn. Code Ann. § 8-44-102
2. Tenn. Code Ann. § 49-2-202 (c)(1)
3. 28 CFR § 36.201(a); 36-202
4. OP Tenn. Atty. Gen. 95-101 (Oct. 2, 1995)
5. Tenn. Code Ann. § 49-2-203 (c)

Cross References:

- School Board Legal Status and Authority 1.100
Section 504 & ADA Grievance Procedures 1.802

Item for Action

Approval of Teacher and Principal Evaluation Grievance Policy – Second Reading

Per Tennessee Board of Education Teacher and Principal Evaluation Policy #5.201 and Tennessee Code Annotated 49-1-302 a grievance policy must be developed by local boards of education. The grievance policy requires a procedure be in place to provide a means for evaluated teachers and principals to challenge only the accuracy of the data used in the evaluation and the adherence to the evaluation policies.

Oak Ridge Schools Evaluations of Teachers and Principals

- I. Oak Ridge Schools (ORS) shall use the Model Plan for Teachers and Principal Evaluations that has been adopted by the Tennessee State Board of Education.
- II. Anyone conducting a Teacher or Principal Evaluation and/or observation must complete a training process approved by the Tennessee Department of Education. The approved training process must be conducted by a trainer certified by the Tennessee Department of Education.
- III. Evaluations shall be a factor in employment decisions, including, but not limited to, promotion, retention, termination, compensation and attainment of tenure status.
- IV. Pursuant to Tennessee State Board Rule 0520-02-01-.01, ORS adopts the following grievance procedure which shall provide a means:
 - (a) To resolve grievances as expeditiously as possible, grievances may be filed at the end of each of the three components of the evaluation model – 1) qualitative appraisal; 2) student growth measures; and 3) other measures of student achievement. A grievance must be filed no later than 15 days from the date teachers and principals receive the results for each component, otherwise the grievance will be considered untimely and invalid.
 - (b) To efficiently and fairly resolve grievances regarding procedural errors in the evaluation process, not to address disputes regarding employment actions taken based on the results of an evaluation. More significant due process rights are provided pursuant to state law to teachers when actual employment actions are taken;
 - (c) To ensure evaluations are fundamentally fair because correct procedures have been followed;
 - (d) To address grievances objectively, fairly, and expeditiously by resolving them at the lowest possible step in the procedure; and
 - (e) To provide teachers and principals a process for resolving grievances without fear, discrimination, or reprisal.

Further, also in accordance with the State Board Policy 0520-02-01-.01, evaluated Teachers and Principals may challenge only the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted by the Tennessee State Board of Education.

(1) Definitions

- A. "Accuracy of the data" means only that the data identified with a particular teacher is correct.
- B. "Minor procedural errors" shall be defined as errors that do not materially affect or compromise the integrity of the evaluation results.
- C. "Grievance Issues" means the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted by the Tennessee State Board of Education. No other issues stated in the grievance shall be considered "grievances" under this Policy.

(2) Each grievance must contain the following information:

- a. the teacher or principal's name, position, school, and additional title if any;
- b. the name of the teacher or principal's immediate supervisor;
- c. the name of the evaluator/reviewer;
- d. the date the challenged evaluation component was received;
- e. the evaluation period in question;
- f. the basis for the grievance;
- g. the corrective action desired by the grievant; and
- h. sufficient facts or other information to begin an investigation.

(3) Grievance forms will be available on the system's TEAM website and in the Assistant Superintendent's Office; however, grievances may be submitted in other formats as long as all required components are included.

(4) Procedures

Grievances shall be processed by working through the three steps to finality as follows:

STEP I – Evaluator

- A. To allow disputes to be resolved at the lowest level possible, within fifteen (15) days of receiving each of the three components (qualitative, growth, achievement) of evaluation that is being challenged, a Teacher or Principal must complete and submit an ORS Grievance Form and all written evidence supporting the "grievance issues" to: (i) his/her evaluator of the evaluation which is being challenged and (ii) a copy to his/her Principal if the grievant is a Teacher and the Assistant Superintendent if the grievant is a Principal.
 - (a) Failure to provide specific reasons for the grievance shall invalidate the grievance and constitute a waiver of the right to file a grievance.
 - (b) Failure to submit the grievance within fifteen (15) days of receipt of the evaluation which is being challenged shall invalidate the grievance and constitute a waiver of right to file a grievance.

- B. Within fifteen (15) days of receiving the grievance: (i) if the grievant is a Teacher, the Principal shall meet with the grievant, review and investigate the issues stated on the grievance form and shall provide to the grievant written findings of his/her review; (ii) if the grievant is a Principal, the Assistant Superintendent shall meet with the grievant, review the issues stated on the grievance form and shall provide to the grievant written findings of his/her review.
- C. In the event that the findings reflect that procedural errors have been made in the evaluation process or that the accuracy of the data used in the evaluation are inaccurate, those issues in need of correction shall be made and the evaluation shall be corrected in a timely manner.

STEP II – Superintendent

- A. If after receiving the findings, the grievant does not believe that the “grievance issues” have been resolved, within fifteen (15) days of receiving the Step I findings, the grievant may submit the original grievance to the Assistant Superintendent or the Superintendent along with a copy of the Step I findings. The Assistant Superintendent or Superintendent shall have had no input or involvement in the evaluation for which the grievance has been filed. Failure to submit the original grievance and the Step I findings to the Superintendent within fifteen (15) days of receipt of the Step I findings shall invalidate the grievance and constitute a waiver of the right to file a grievance.
- B. As soon as practicable, after receiving the submission of the original grievance and Step I findings, if the grievant is a Teacher, the Assistant Superintendent shall informally meet with the grievant and/or his/her representative or attorney, and hear facts and testimony by witnesses having information pertaining to the “grievance issues” only. If the grievant is a Principal the informal meeting shall be conducted by the Superintendent. The Superintendent or the Assistant Superintendent may also have an attorney present during the informal meeting and the attorney may participate in the meeting.
- C. Within fifteen (15) days after the conclusion of the informal meeting with the grievant and/or his representative or attorney, and hearing facts and testimony as provided above, the Assistant Superintendent, if the grievant is a Teacher, or the Superintendent if the grievant is a Principal, shall provide the grievant with a final written decision concerning the grievance.
- D. In the event that the Assistant Superintendent’s decision, if the grievant is a Teacher, or the Superintendent’s decision, if the grievant is a Principal, reflects that procedural errors have been made in the evaluation process or that the accuracy of the data used in the evolution

are inaccurate, those issues in need of correction shall be made and the evaluation shall be corrected in a timely manner.

STEP III – Board of Education

- A. If after receiving the Step II findings, the grievant does not believe the “grievance issues” have been resolved, within fifteen (15) days of receiving the Step II decision, the grievant may submit the original grievance to the ORS Board of Education (Board) along with a copy of the Step I findings, all written materials presented during the Step II informal meeting in support of the “grievance issues”, the Step II decision and a request for a Board hearing. Failure to submit the original grievance to the Board along with a copy of the Step I findings, all written materials presented during the Step II informal meeting in support of the “grievance issues”, the Step II decision and a request for a Board hearing, within fifteen (15) days of receipt of the Step II decision shall invalidate the grievance and constitute a waiver of the right to file a grievance.
- B. Based upon a review of the “record”, which shall be defined as the original grievance, a copy of the Step I findings, all written materials presented during the Step II informal meeting, the Step II decision and a request for a Board hearing, the Board may grant or deny a request for a full Board hearing.
- C. Based upon a review of the “record”, as defined above, the Board with or without a hearing may affirm or overturn the Superintendent’s decision (if the grievant is a Principal), or Assistant Superintendent’s decision (if grievant is a Teacher).
- D. If the Board determines that a hearing is necessary, said hearing shall be held no later than thirty (30) days after receipt of the “record” as defined above; the Board Chairman shall provide written notice to the grievant of the time and place of the hearing. The grievant may represent himself/herself at the hearing or may have an attorney represent the grievant at the hearing. The Board may also have an attorney present at the hearing and said attorney may also present evidence at the hearing.
- E. The Board Chairman shall provide all parties to the hearing with a written decision of the Board within thirty (30) days after the conclusion of the hearing.

F. The action of the Board shall be final.

T.C.A. 49-5-5205

Tennessee State Board of Education Rule 0520-02-01-.01

Tennessee State Board of Education Policy No. 5,201

Oak Ridge Schools TEAM Grievance Protocol

What can be challenged?

1. Fidelity to the evaluation process
2. Data Accuracy (TVAAS & Achievement scores)

What cannot be challenged?

1. Observation Ratings
2. Minor Procedural errors (Minor procedural errors should be resolved with your evaluator of lowest possible step in the grievance procedure)

When can a grievance be filed?

Any time throughout the evaluation process, yet no later than what is outlined below:

- Fidelity of the evaluation process must be grieved no later than 15 days after the Qualitative Rating Conference
- Data Accuracy/Quality (TVAAS & Achievement scores) can be grieved no later than 15 days after the Summative Conference

Teachers must "acknowledge" receipt of the observation results through _____ Acknowledgement of results implies receipt of information, not necessarily agreement.

Teacher Grievance Procedure

Step I – Evaluator

1. Efforts should be made for disputes to be resolved at the lowest possible level.
2. Grievant may obtain Grievance forms from the ORS Website or the Assistant Superintendent's Office.
3. Grievant must provide specific reasons for the grievance. Failure to provide specific reasons shall result in the grievance being considered improperly filed and invalid.
4. Grievant will file grievance with the Evaluator and will provide a copy of the Grievance form to his/her Principal.
5. Principal will investigate the grievance.
6. Results of grievance investigation will be provided in writing to the grievant within 15 days of initial receipt of grievance.
7. In the event that the determination of procedural errors in the evaluation process is made or that the data used in the evaluation is inaccurate, those issues in need of correction shall be corrected in a timely manner.

Step II – Superintendent

1. Teachers may request an informal discussion or hearing regarding grievances unresolved after exhausting Step I, before the Assistant Superintendent by submitting the original grievance and findings within 15 days of receipt of decision from Step I.
2. Informal discussion or hearing to be held as soon as practicable by the Assistant Superintendent.
3. Investigation and written final decision communicated to grievant in writing within 15 days of discussion/hearing.
4. In the event that the determination of procedural errors in the evaluation process is made or that the data used in the evaluation is inaccurate, those issues in need of correction shall be corrected in a timely manner.

Step III – ORS Board of Education

1. Teachers may request a hearing, regarding unresolved grievances after exhausting Step II, before the ORS Board of Education by submitting the following with 15 days of receipt of Step II decision:
 - a. original grievance,
 - b. Step I findings,
 - c. Step II decision and all written materials presented during the Step II informal meeting.

Failure to submit the aforementioned within 15 days of receipt of Step II decision shall invalidate the grievance and constitute a waiver of the right to file a grievance.

2. The Board of Education, based upon a review of the record, may grant or deny a request for a full Board hearing and may affirm or overturn the decision of the Superintendent with or without a hearing before the Board.
3. Any hearing granted by the Board of Education shall be held no later than 30 days after receipt of a request for a hearing.
4. If the Board determines that a hearing is necessary, the Board Chairman shall give written notice of the time and place of the hearing to the grievant, Superintendent and all administrators involved.
5. The ORS Board of Education's decision shall be communicated in writing to all parties, no later than 30 days after the conclusion of the hearing.
6. The action of the Board shall be final.

Principal Grievance Procedure

Step I – Evaluator

1. Efforts should be made for disputes to be resolved at the lowest possible level.
2. Grievant completes the Grievance forms, providing specific reasons for the grievance. Failure to provide specific reasons shall result in the grievance being considered improperly filed and invalid.
3. Grievant will file grievance with the Evaluator and will provide a copy of the Grievance form to the Assistant Superintendent.
4. The Assistant Superintendent will investigate the grievance.
5. Results of grievance investigation will be provided in writing to the grievant within 15 days of initial receipt of grievance.
6. In the event that the determination of procedural errors in the evaluation process is made or that the data used in the evaluation is inaccurate, those issues in need of correction shall be corrected in a timely manner.

Step II – Superintendent

1. Principals may request an informal discussion or hearing regarding grievances unresolved after exhausting Step I, before the Superintendent by submitting the original grievance and findings within 15 days of receipt of decision from Step I.
2. Informal discussion or hearing to be held as soon as practicable by the Superintendent.
3. Investigation and written final decision communicated to grievant in writing within 15 days of discussion/hearing.
4. In the event that the determination of procedural errors in the evaluation process is made or that the data used in the evaluation is inaccurate, those issues in need of correction shall be corrected in a timely manner.

Step III – ORS Board of Education

1. Principals may request a hearing, regarding unresolved grievances after exhausting Step II, before the ORS Board of Education by submitting the following with 15 days of receipt of Step II decision:
 - a. original grievance,
 - b. Step I findings,
 - c. Step II decision and all written materials presented during the Step II informal meeting.

Failure to submit the aforementioned within 15 days of receipt of Step II decision shall invalidate the grievance and constitute a waiver of the right to file a grievance.

2. The Board of Education, based upon a review of the record, may grant or deny a request for a full Board hearing and may affirm or overturn the decision of the Superintendent with or without a hearing before the Board.
3. Any hearing granted by the Board of Education shall be held no later than 30 days after receipt of a request for a hearing.
4. If the Board determines that a hearing is necessary, the Board Chairman shall give written notice of the time and place of the hearing to the grievant, Superintendent and all administrators involved.
5. The ORS Board of Education's decision shall be communicated in writing to all parties, no later than 30 days after the conclusion of the hearing.
6. The action of the Board shall be final.

Evaluation Grievance Form – Step I

This form is to be completed by the grievant and submitted to the evaluator no later than fifteen (15) days following the summative evaluation.

Evaluation ratings cannot be challenged. Grievances may only be filed for the following reasons; please check the reason that applies:

_____ Adherence to the evaluation policies adopted by the Board of Education

_____ Accuracy of the TVAAS & Achievement data used in the evaluation

Name of Grievant: _____

School: _____ Assignment: _____

Name of Evaluator: _____

Date Grievance Filed: _____ Evaluation Period: _____

Date the Qualitative Rating Conference was held _____

Date the Summative Conference was held _____

Basis for the grievance: Identify the inaccurate data that was used or describe the procedural error that occurred as part of your evaluation. How did this materially affect or compromise your evaluation? (attach additional sheets or documentation as needed) _____

Corrective action desired: _____

Signature of Grievant: _____

To be completed by the evaluator

Date received: _____ Grievance Disposition: Confirmed _____ Denied _____

Corrective action taken: _____

Signature of Evaluator: _____ Date grievant notified: _____

Evaluation Grievance Form – Step II

This form is to be completed by the grievant and submitted to the Assistant Superintendent or Superintendent no later than fifteen (15) days following receipt of the evaluator's decision on Step I.

Name of Grievant: _____

School: _____ Assignment: _____

Name of Evaluator: _____

Date Step I Decision Received: _____ Evaluation Period: _____

Basis for the grievance: Identify the inaccurate data that was used or describe the procedural error that occurred as part of your evaluation. How did this materially affect or compromise your evaluation? (attach additional sheets or documentation as needed) _____

Corrective action desired: _____

Signature of Grievant: _____

To be completed by the Assistant Superintendent or Superintendent

Date received: _____ Grievance Disposition: Confirmed _____ Denied _____

Corrective action taken: _____

Signature of Assistant Superintendent or Superintendent: _____

Date grievant notified: _____

Evaluation Grievance Form – Step III

This form is to be completed by the grievant and submitted to the Board of Education no later than fifteen (15) days following receipt of the Assistant Superintendent/Superintendent's decision.

Name of Grievant: _____

School: _____ Assignment: _____

Name of Evaluator: _____

Date Step II Decision Received: _____ Evaluation Period: _____

Basis for the grievance: Identify the inaccurate data that was used or describe the procedural error that occurred as part of your evaluation. How did this materially affect or compromise your evaluation? (attach additional sheets or documentation as needed) _____

Corrective action desired: _____

Signature of Grievant: _____

To be completed by the Board of Education

Date received: _____ Superintendent's Decision: Affirmed _____ Overturned _____

Full Board Hearing Granted: No _____ Yes _____, set for: _____

(Date and Time)

Other corrective action taken: _____

Signature of Board Chair: _____

Date grievant notified: _____