

MINUTES  
MURFREESBORO CITY SCHOOL BOARD  
Tuesday, October 25, 2011  
6:30 p.m.—Council Chambers

ATTENDANCE

Board: Chair Mary Wade, Susan Andrews, Butch Campbell, Nancy Duggin, Nancy Phillips, Collier Smith, and Council Liaison Ron Washington. Absent: Dennis Rainier.

Staff: Director Linda Gilbert, Gary Anderson, Caresa Brooks, Crystal Farris, Tammy Grizzard, Karen Hawkins, Ralph Ringstaff, Lisa Trail, and Priscilla Van Tries.

Others: Staff Attorney Kelley Baker, *Daily News Journal* Reporter Mealand Ragland-Hudgins, and others.

ORDER OF BUSINESS

I. CALL TO ORDER BY BOARD CHAIR

Chair Mary Wade called the board meeting to order at approximately 6:30 p.m. followed by the Pledge of Allegiance and a moment of silence.

Chair Wade and the Board welcomed newly appointed Board member Mrs. Collier Smith to her first televised board meeting.

II. APPROVAL OF AGENDA

On motion by Mrs. Phillips and second by Dr. Andrews, the agenda was approved as presented.

III. COMMUNICATIONS

- November 13-19 is American Education Week. Theme—*Great Public Schools: A Basic Right and Our Responsibility*
- The “Excellence in Education Celebration” honoring former Representative John Hood will be held on February 10, 2012, at Stones River Country Club.
- *Franklin Heights Family Learning and Resource Center—Andrea Bell and Tonya Hobbs*. Ms. Tonya Hobbs, Coordinator of Social Services, shared with the Board that the Franklin Heights FRC has been provided a building that fronts to Bridge Avenue. It is a larger facility provided through the generosity of Patsy Noland and the Murfreesboro Housing Authority. The facility has been completely furnished and decorated through partnerships. The Center

- collaborates with approximately 71 organizations in the Franklin Heights coalition to provide subsistence to the community as well as support their education. New Vision Baptist Church adopted Franklin Heights and has been instrumental in their support of the Center, providing volunteers in a number of areas. Mr. Washington thanked New Vision Baptist Church for their work and provision of resources and stated that an acquaintance has shared with him the many things going on at the center and the positive impact it is having on the students and parents in that community. The center serves approximately 25-30 children a day from the housing units and the Section 8 Housing area. Approximately 80 participate during the year, but the center is available to anyone in MCS. The system works with students on academics with a tutoring program, after-school homework help, a computer area, etc. Good behavior is also a focus with a point reward system; each month, ten students with the highest number of points are treated to a field trip. Adults are provided services such as GED, Financial Planning classes, Project PASS computer readiness, etc., with childcare provided. Services are being expanded as funders recognize their work in the community.

Dr. Andrews shared that the school district has received national recognition because of the Family Resource Center program, and lives have been changed as a result of this program. Mrs. Phillips thanked Dr. Gilbert for her ability to bring groups together to support these efforts.

#### IV. CONSENT ITEMS (Tab 1)

On motion by Nancy Duggin and second by Dr. Andrews, the following consent agenda items were approved by acclamation:

- A. Minutes of September 27, 2011 Board Meeting and the October 11, 2011 Special Called Board Meeting—Retreat
- B. School Fees
- C. Board Policies—Second Reading
  - PER 16—Tenure and Nontenure
  - PER 17—Evaluation of Professional Staff

#### V. ACTION ITEMS

- A. Approval of Board Policies—First Reading (Tab 2)

#### BO 39—School Support Organizations

Mrs. Baker stated that as a result of questions she received from organizations, she added the actual definitions and other language from the state statute, and the policy is based strictly on state statute. For our system, support organizations include PTAs, PTOs, and the City Schools Foundations. For other districts:

***"School support organization" means a booster club, foundation, parent teacher association, parent teacher organization, parent teacher support association, or any other nongovernmental organization or group of persons whose primary purpose is to support a school district, school, school club, or academic, arts, athletic or social activities related to a school, that collects or receives money, materials, property or securities from students, parents or members of the general public;***

On motion by Mrs. Phillips and second by Mr. Campbell, BO 39 was approved on first reading by acclamation.

#### STU 24—Disciplinary Hearing Authority

Mrs. Baker explained that if a student has been suspended for ten or more consecutive days or has been expelled, they have the right to appeal that decision by requesting a hearing with the Disciplinary Hearing Authority (DHA). If the Board approves the proposed revision to STU 24, the Board would be delegating to the Director of Schools the authority to appoint members of the Disciplinary Hearing Authority. Since the time frame for the hearing is a short turnaround, the appointment of the members must be done quickly, which would be difficult if the Board were required to meet on very short notice. Many other systems use this approach. In response to Mrs. Smith, Mrs. Baker stated that the need for the DHA is rare, as she has only experienced two cases in the past six years. Dr. Andrews added that during her tenure as a Board member, it had never reached the point where the cases have been brought before the Board. Mrs. Phillips voiced a concern regarding the Board delegating this responsibility.

The DHA would consist of seven members, three school administrators and at least two licensed employees of the Board. The principal would not serve on the DHA. If the student has been verified as having a disabling condition, the Special Education Supervisor would serve. Board members would not serve. The Director would serve as a non-voting chair of the DHA.

The DHA shall give written notice of the time and place of the hearing to the parent or guardian, the student, the school official who ordered the suspension, and the MCS licensed employee who filed the request for the hearing if applicable. If the

parent/student is not satisfied with the decision of the DHA, an appeal can be made only by those specified in the policy within five days after the DHA has made the decision. The Board can choose to review the materials presented to the DHA, or the Board may choose to hold an actual hearing. If the Board chooses to review the materials, the actual vote to uphold or change the decision of the DHA would be taken at a Board meeting. The policy takes into consideration the confidentiality of the student and any students who would testify at this hearing. If the parents do not request an open meeting, the meeting would be closed to the public.

Mrs. Baker further clarified:

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

***The action of the Board shall be final.***

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

Mr. Campbell noted that the state statute was developed for K-12 grades, and there would be more of a need for DHA hearings in the middle and high schools. Mrs. Baker stated that this process only comes into play if a student is suspended ten or more consecutive days or is expelled from school. Mrs. Duggin stated that this is a well-written policy and is in compliance with law.

Mrs. Duggin moved to approve STU 24 as presented on first reading; Mrs. Smith seconded the motion. The motion carried by acclamation.

B. Contract with Director of Schools (Tab 3)

Mrs. Baker explained that the proposed new contract would become effective after July 4, 2012 for the four-year term of the contract, July 4, 2012 to June 30, 2016. The proposed salary of \$110,000 is an increase of \$7,000, which brings the Director within the low range indicated in the compensation study provided in 2004, which we were not in the range before. The medical evaluation and background check that were required on initial employment of Dr. Gilbert was deleted. Mrs. Baker and Mrs. Wade had met with Dr. Gilbert to review the contract, and she did take into consideration the input of each individual Board member which was incorporated in the contract before them.

In response to Mr. Campbell's question, Mr. Anderson stated that the \$7,000 increase would not impact the existing budget as it would not go into effect until the next fiscal budget.

Mrs. Smith stated that she appreciates the salary increase but is concerned with the length of the contract. One of the primary responsibilities of the Board is to renew a contract with the Director of Schools or to hire the Director of Schools. With an April election and the possibility of newly elected board members who would serve four years, the same as the term of the Director, that Board would not have the opportunity to hire a Director of Schools. She preferred a three-year contract versus the four years.

Mr. Campbell pointed out that the contract would not go into effect until July 4, 2012, so newly elected Board members coming on in May would have that opportunity. In response to Mrs. Duggin, Mrs. Baker stated that the Director's contract would be a legal binding document if the Board approves the contract, and she obtains the signatures on the contract by Chair Wade and Dr. Gilbert. Mrs. Duggin stated that the Director has not in the past claimed mileage or requested a car allowance.

Dr. Andrews stated that she is looking forward to an excellent and stable school system. It is important for teachers and principals to have stability in light of the new evaluation system and other changes. Teachers have our support and Dr. Gilbert should have it for the next four years, too. She did not ask for a raise, but it was more important to her to have the four-year contract to deal with the issues the system will face. Dr. Andrews stated that she does support a four-year contract noting the difficulty to find a director of schools but that Dr. Gilbert has done an incredible job, and the system needs the security and stability of the four years.

Mrs. Smith restated that with four seats up for election in April, new Board members would not have the opportunity to take part in a new contract. One of the major responsibilities of a Board is to hire a director of schools. Mrs. Duggin noted that new

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board members would have the opportunity to evaluate the Director. She also would like to see stability for the school system.

Mrs. Smith stated that Dr. Gilbert has nine months left on this contract and four years after that. Mrs. Baker stated that although she did not bring the blackout dates with her, the blackout dates for the contract would be 30 days prior to the election and 45 days following the election or vice versa. The two contracts would not be parallel but are two distinct contracts.

Dr. Andrews asked if perhaps the contract could begin on January 1, 2012 and the contract would be up while the new Board was still serving. Mrs. Baker stated that the Board is legally bound by the current contract. The Board would have to have a basis for ending the current contract early or reach a mutual consent with Dr. Gilbert. These are two separate contracts so Dr. Gilbert would have to agree to any revision of the existing contract. The new contract would not take effect until July 4, 2012.

Mr. Campbell asked if the Board would like for Mrs. Baker, Mrs. Wade, and Dr. Gilbert to meet again to consider what has been discussed at this meeting.

Dr. Gilbert stated that she would not reconsider her request for a new four-year contract.

Mrs. Wade commended Mrs. Baker and Dr. Gilbert for their discussions with her regarding the contract and stated that now it appears the consideration is for a three-year or for a four-year contract. She agrees with Mrs. Duggin wholeheartedly that that is why you have the evaluation system in place. On page 4 and 5, the contract provides an opportunity for the Board to respond to the Director's performance. She stated that there is a lot going on, and new Board members would need a year to take their classes and learn what is going on, policies, etc. The Board has had an opportunity to provide Mrs. Baker with input on the contract. She also would like to see the stability that a four-year contract will provide. Unless there is an amendment, she would not like to wait to take action on the contract.

Mrs. Phillips moved to approve the proposed contract between the Board and Dr. Gilbert as presented; Mr. Campbell seconded the motion. On roll call: Andrews—yes; Campbell—yes; Duggin—yes; Phillips—yes; Smith—Nay; Wade--yes. The motion carried.

## VI. REPORTS/INFORMATION

### A. Personnel Update (Tab 4)

1. Licensed Personnel Hired
2. Classified Personnel Hired
3. Leave of Absence—Instructional Personnel
4. Resignations

### B. Monthly Revenue and Expenditure Report (Tab 5)

Mr. Anderson stated that there is a drop in revenue on Other County Revenue and Local Revenue, but sales tax revenue is up. The system has completed 25% of the fiscal year. The Board of Education expense is at 39% due to the workers compensation bill coming early, but the good news is that the amount is less than was budgeted. Another area that reflects an increase is pupil transportation due to bus purchases. Line Item 72801 increased due to improving technology and installation of upgrades over the summer. These items will work themselves out over the year. Overall, expense is at 23.1%, so the system is in good shape.

In response to Mr. Campbell's question, Mr. Anderson replied that all buses are running, the system has received the newly purchased buses, two new drivers have been hired, so transportation should be stabilized soon. He is also anxiously waiting for when the system can expand the extra route discussed earlier.

### C. Attendance Report (Tab 6)

Enrollment has increased by nine students over the last reporting period and is up 185 students over this time last year. Pupil:teacher ratios are: K-3 is 18.83; grades 4-6 is 20.82; and, overall is 19.56. Attendance is 96.3%, which exceeds the state average. Pre-K enrollment is 437 students. Special ed enrollment increased to 57 students but it is expected to continue to increase to approximately 70 over the school year due to the fact that a special needs child can enter the system at their third birthdate. This is a typical pattern, and a classroom was added in anticipation of the growth. Right now the pupil:teacher ratio is 8:1 but could increase to 10:1.

## VII. OTHER BUSINESS

Mrs. Wade reported that the next School Board meeting will be held November 29 instead of November 22.

Mrs. Duggin asked that a discussion of charter schools be added to the next policy work session.

Mrs. Wade and other Board members sent a hello and best wishes to Dennis Rainier.

Mrs. Phillips asked that information be provided to the Board regarding interest-based bargaining at the next policy meeting.

Mr. Campbell stated that he appreciated the feedback received from teachers and administrators regarding the Board's letter sent to the Commissioner regarding evaluations. Mrs. Duggin thanked Mrs. Payne and Mrs. Schmidt for their efforts to make the new evaluation procedure work in a preschool setting, as it is not designed for preschool.

Dr. Gilbert stated that principals have done an amazing job of working with the continuous flow of information received from the state. Principals will also now be working through their own evaluation process. Central office and others have worked hard on this process.

Mrs. Smith stated that she appreciates the visits to meet principals and the efforts she sees as principals work to reduce the stress being placed on teachers.

#### VIII. ADJOURNMENT

There being no further business, Chair Wade adjourned the board meeting at approximately 7:35 p.m.

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Director of Schools

***MISSION STATEMENT***  
***To assure academic and personal success***  
***for each child.***