

MINUTES

MURFREESBORO CITY BOARD OF EDUCATION
SPECIAL CALLED BOARD MEETING--
POLICY WORK SESSION
Tuesday, July 12, 2011
6:30 p.m.—Central Administration Building

ATTENDANCE

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

Staff: Director Linda Gilbert, Gary Anderson, Ralph Ringstaff, Caresa Brooks, Karen Hawkins, and Priscilla Van Tries.

Others: City Staff Attorney Kelley Baker and MEA President Natalie Hopkins.

ORDER OF BUSINESS

I. CALL TO ORDER BY BOARD CHAIR

Vice Chair Nancy Duggin called the meeting to order at approximately 6:38 p.m. (Chair Mary Wade arrived at approximately 7:00 p.m.)

On motion by Mr. Rainier and second by Mr. Campbell, the agenda was approved as presented by acclamation.

II. BOARD POLICY REVIEW

For Further Discussion:

BO 29—School Visitors

STU 57—Release of Students During School Hours

STU 3—School Admission

Mrs. Baker requested that the policies being presented to the Board this evening receive a vote on final reading in order to meet the deadline for publishing the handbook.

Mr. Campbell pointed out that these three policies regarding this issue were not consistent. BO 29 states that the administration “may” require a photo I.D. He also stated that he does not support school personnel having the responsibility of taking a photo I.D. for parents.

Mrs. Baker stated that she would clarify the process involved by reviewing STU 3—School Admission, BO 29—School Visitors, and STU 57—Release of Students as they relate to this issue.

The following revision was proposed for STU 3:

DIGITAL PHOTOGRAPHIC RECORD OF ADULT INDIVIDUAL(S) ENROLLING STUDENTS

At the time a child is initially enrolled in school, the principal or principal's designee shall inform the adult individual(s) enrolling the child of School Board Policy STU 57 governing release of students during school hours and specifically of the policy's requirement that school officials confirm the identity of the person removing a child from school either by that person's presentation of an acceptable form of identification or by a digital photograph of the adult individual(s) enrolling the child taken by a school official at the time of the child's enrollment. Any adult individual enrolling a student in school shall have the option of having his or her photograph taken by a school official and having that photograph retained by the school as part of that student's permanent record.

Ms. Baker referred to a U.S. Supreme Court Case, Plyler v. Doe which held that undocumented children have a constitutional right to receive a free public K-12 education. Thus, according to the case, the Board should not pass any policy which would have a "chilling effect" on a child's access to a free public education. Any policy which might result in a "chilling effect" on enrollment must demonstrate a "substantial goal." The Board's "substantial goal" in revising these policies is to ensure the safety of the children when being released from school and when visitors enter the school buildings. Requiring a government-issued photo I.D. could have a "chilling effect" on parents who might not have the documentation to acquire such identification. She noted that the Board's substantial goal is to ensure the safety of children by knowing that either a parent or legal guardian or a person authorized by the parent is picking up the student.

Mr. Campbell provided information regarding cases in Texas and Oklahoma regarding abductions and stressed the importance of a parent having to provide this identification. Mrs. Baker responded that the issue that is pertinent to the school is the safety of the child. The compromise of the school providing the service of taking a photo I.D. at the time a parent registers a child would not only avoid the possibility of the system causing a "chilling" effect but would also insure that regardless of the parents' status or circumstances, a photo I.D. is available to allow school personnel to appropriately identify the adult who requests to remove a student during school hours. Mrs. Duggin stated that we should be cognizant of the laws, allow the children to register, and then perhaps give the parents a predetermined number of days to provide the appropriate I.D.

Mrs. Baker noted that with the homeless and with undocumented parents of children, the system could run into issues, so there needs to be some flexibility. She also referenced the McKinney-Vento Act. The system should avoid causing a "chilling effect" that would keep parents from registering their children for school.

In response to Mr. Rainier, Mrs. Baker clarified that in BO 29, Line 13, "at the time of registration" means when the parent signs the log-in book in the school's office. Mrs. Phillips asked that if parents are not offered this alternative for a photo I.D., would the school system be vulnerable. Mrs. Baker stated that if a parent is denied access to their child because they do not have a photo government-issued photo I.D., the system could be vulnerable as it might create the "chilling effect." Mrs. Phillips stated that the system should focus on the child and provide this alternative as it would only be for a small

percentage of the parents and is not an “official” form of identification that could be used by the parent for other purposes. Mr. Campbell pointed out that in STU 57, it is noted that system personnel would be allowed to assist in an emergency situation, illness, transportation to receive medical attention, etc.

In response to Mr. Rainier, Mrs. Baker explained that in BO 29—School Visitors, the administration is given discretion to not ask for a photo I.D. once the office staff has become familiar with the parent. Staff will ask for a photo I.D. until the staff becomes familiar with the parent. This practice would not create a safety issue, which is the substantial goal of the Board.

Mr. Rainier moved to approve BO 29 with the added revision on line 13: at the time of registration *in the visitor’s log*; Dr. Butrum seconded the motion. On roll call: Butrum—yes; Campbell—yes; Duggin—yes; Phillips—yes; Rainier—yes; Wade—yes. The motion carried.

In response to Board questions regarding STU 3—School Admission and the requirement of documents as listed in lines 41-50, Mr. Anderson explained that the Mobile Health Unit has been an asset in that it helps parents meet the requirements of a medical examination and updated immunizations.

Following the suggestion that the parent be allowed to register a child with the school taking a photo I.D. of parents who are unable to provide one, but specifying a certain length of time for the parent to return with a government issued photo I.D., Dr. Gilbert asked for clarification on how the system would address the situation if the parent does not return with the government-issued I.D. within the specified time. Dr. Butrum stated that the system does have social workers and others who can work with parents who might have difficulty meeting the time limit. Mr. Campbell noted that the driver’s license department can be used to obtain a government issued I.D. Thirty days would not be unreasonable; however, this specific time frame would not be specified in board policy, allowing the administration to address this on a case-by-case basis. He also stated that the safety measures put in place should still be adhered to even during special events when a large number of people are entering the building.

In reference to STU 57—Early Release of Students, Mrs. Baker referenced the issue that until the photo I.D. is available, the parent would not be able to pick their child up; the compromise would be that the system provide a photo I.D. that can be maintained within the system’s records. Persons listed on the registration card that can sign students out during school hours, as specified by the parent at the time of registration, will be asked for a photo I.D. She emphasized that school staff must check the log in/out book to determine that it is signed appropriately and matches the I.D. provided and that the purpose for releasing the child is specified. Mrs. Duggin stated that an administrative directive is needed to assure this takes place.

Mr. Rainier asked that the school administration provide Dr. Gilbert with feedback on how effective these procedures are, what difficulties they had to deal with, etc. Dr. Board

Gilbert can then report to the Board, allowing the Board to determine if the procedures mandated in the board policies are effective or need further review by the Board.

Dr. Butrum moved to approve STU 3—School Admission with the addition of the sentence: *The parent would be required to return within a reasonable length of time to provide an official government-issued photo I.D.*; Mrs. Wade seconded the motion. On roll call: . On roll call: Butrum—yes; Campbell—yes; Duggin—yes; Phillips—no; Rainier—yes; Wade—yes. The motion carried.

Dr. Gilbert voiced her concern that STU 57 specifies that administrative staff might be required to take responsibility for a student in an emergency situation if the parent does not have an official photo I.D. when signing a child out during school hours. Mrs. Baker pointed out that the addition of the section “acceptable forms of identification” was added to provide a compromise to possibly avoid this situation. Mr. Anderson provided the Board with information on two electronic systems available for purchase to provide additional safety features. The Board will take the information with them to review; this item will be placed on the August policy review agenda.

Mrs. Wade moved to approve STU 57—Release of Students During School Hours as presented; Mr. Campbell seconded the motion. On roll call: Butrum—yes; Campbell—yes; Duggin—yes; Phillips—yes; Rainier—yes; Wade—yes. The motion carried.

STU 33—Child Custody Policy

Mrs. Baker stated that STU 33—Child Custody Policy has been revised to put parents on notice that they must provide to the school system appropriate legal documentation regarding the custodial status or change in status of the custodial parent, legal guardian, or legal custodian.

Mr. Rainier moved to approve STU 33—Child Custody Policy as presented; Mr. Campbell seconded the motion. . On roll call: Butrum—yes; Campbell—yes; Duggin—yes; Phillips—yes; Rainier—yes; Wade—yes. The motion carried.

(Note: Dr. Butrum had to leave the meeting at this point due to a commitment.)

STU 53—Bullying (*Proposed Revision*)

Mrs. Baker noted that the policy needs to be revised due to a recent change in state law which adds “cyberbullying” to the current state law which is the basis for this policy.

Mrs. Phillips moved to approve STU 53—Bullying as presented; Mr. Campbell seconded the motion. On roll call: Campbell—yes; Duggin—yes; Phillips—yes; Rainier—yes; Wade—yes. The motion carried.

PER 9—Fringe Benefits for Full-Time Employees (*Proposed Revision*)

Mr. Ringstaff stated that employees hired after July 1, 2004 are eligible to receive a \$1,500 annual incentive if they choose to not enroll in the system's medical insurance plan. He noted that with the change in state law, the employee can choose to enroll or not enroll only at the initial hire date. The decision to take the stipend or enroll in the system's insurance plan would only be available to them at the time they are hired. Open enrollment periods no longer exist. The only option is that an employee already enrolled in the system's medical insurance plan could change their specific plan to another plan offered by the system during a specified time during the year.

Mr. Rainier moved to approve PER 9—Fringe Benefits for Full-Time Employees on first reading as presented; Mrs. Phillips seconded the motion. On roll call: Campbell—yes; Duggin—yes; Phillips—yes; Rainier—yes; Wade—yes. The motion carried.

STU 58—Interscholastic Sports (*Proposed New Policy*)

Mr. Ringstaff stated that new board policy STU 58—Interscholastic Athletics is being proposed to specify that only students enrolled in Murfreesboro City Schools can participate in the system's athletic programs. Other programs, such as those offered through the Parks and Recreation Department, are available to students who are home schooled.

Mr. Rainier moved to approve STU 58—Interscholastic Sports on first reading as presented; Mr. Campbell seconded the motion. On roll call: Campbell—yes; Duggin—yes; Phillips—yes; Rainier—yes; Wade—yes. The motion carried.

Mrs. Phillips and Mr. Rainier asked that the administration provide policies to the Board for review early enough to avoid the necessity of having to approve them on final reading during a non-televised policy review or special meeting. Mrs. Phillips expressed concern that important policies weren't being discussed in a venue with easy public access.

III. REVIEW OF DRAFT JULY 26, 2011 BOARD MEETING AGENDA

Dr. Gilbert noted that a presentation will be made at the July 26 board meeting by a representative of Junior Achievement. This item will be added to the agenda.

IV. REPORT ON MODEL SCHOOLS CONFERENCE—NANCY DUGGIN

Mrs. Duggin asked to delay this report until the August 9 policy review session and that Mrs. Phillips and Dr. Butrum be included on the agenda to allow all three participants at this conference to share information with the Board.

V. DISCUSSION OF EDUCATION LEGISLATION

Mrs. Duggin emphasized that the Board be aware of the legislation that is being considered/passed by legislators and the impact that this has on the school system. She reviewed the following legislation in particular: Page 76—Changes to tenure and appeal process; Page 85—Date for beginning of school year (has not yet been passed); Page 86—Charter schools, lifting the cap and open enrollment. Mrs. Baker noted that she believed that additional information on some legislation will be provided at the Summer Law Institute, and she will share that information with the Board.

Mrs. Duggin also referred to Public Chapter No. 351 that would affect third grade teachers/students:

Beginning with the 2011-12 school year, a student in the third grade shall not be promoted to the next grade level unless the student has shown a basic understanding of curriculum and ability to perform the skills required in the subject of reading as demonstrated by the student's grades or standardized test results. However, such student may be promoted if the student participates in an LEA approved, research-based intervention prior to the beginning of the next school year. This section shall not apply to students who have IEPs pursuant to 20 U.S.C. §1400 et seq.

Mrs. Duggin noted the impact this could have on the system's budget. She also pointed out that parents would need to be notified in the fall or by January at the latest.

VI. OTHER BUSINESS

Mrs. Duggin asked that the administration provide a report to the Board on vouchers and charter schools.

Mr. Rainier noted the system's recent recognition by the Governor of the substantial improvement in test scores. He asked that the Board consider entering into discussion with Dr. Gilbert regarding an extension of her contract/developing a new contract. Mrs. Baker stated that she would first review the existing contract and provide information to the Board. Mr. Campbell agreed that the process should begin. Mr. Rainier asked Mrs. Baker to explain to the Board at the next discussion session what options are available to the Board.

Mrs. Duggin asked that a letter from the Board be sent to all teachers expressing the Board's appreciation for the hard work and dedication that resulted in the system's increase in TCAP scores.

Mrs. Wade stated that she would ask Mrs. Ridley to poll the Board to determine a date the Board can meet in retreat. She asked that the Board forward any questions they might have relative to entering into discussions regarding Dr. Gilbert's contract to Mrs. Baker.

VII. ADJOURNMENT

Chair Wade adjourned the meeting at approximately 8:45 p.m.

Director of Schools

MISSION STATEMENT

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