



AGENDA

METROPOLITAN BOARD OF PUBLIC EDUCATION
2601 Bransford Avenue, Nashville, TN 37204
Regular Meeting – October 13, 2020 – 5:00 p.m.
Christiane Buggs, Chair

I. CONVENE and ACTION

- A. Call to Order
- B. Establish Quorum

II. PUBLIC PARTICIPATION

The Board will hear from those persons who have requested to appear at this Board meeting. In the interest of time, speakers are requested to limit remarks to three minutes or less. Comments will be timed.

III. GOVERNANCE ISSUES- OUR ORGANIZATION

- A. Actions
 - 1. Consent
 - a. Approval of Minutes - 08/11/2020 - Meeting
 - b. Recommended Approval of Request #1 for Large Scope Projects at Various Schools (Cane Ridge High School) – Carter Group
 - c. Recommended Approval of Request #2 for Large Scope Projects at Various Schools (Administrative Building Business Office) – Carter Group
 - d. Awarding of Purchases and Contracts
 - 1. Tennessee Department of Human Services
 - 2. TESOL International Association
 - e. Board Policy 6.304 Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation
 - 2. Chartering Oversight

IV. ANNOUNCEMENTS

V. ADJOURNMENT

METROPOLITAN NASHVILLE PUBLIC SCHOOL BOARD MEETING –
August 11, 2020 - *This meeting was held virtually in accordance with Governor Bill Lee’s Executive Order #16 that allows Local Governments to hold public meeting electronically to the COVID-19 health crisis.*

Members Present: Amy Frogge, chair, Freda Player-Peters, Fran Bush, Gini Pupo-Walker, Rachael Anne Elrod, Christiane Buggs, Amy Frogge vice-chair, Jill Speering, Berthena Nabaa-Mckinney and Sharon Gentry

Meeting called to order: 5:00 p.m.

CONVENE AND ACTION

- A. Call to Order
Amy Frogge called the meeting to order.
- B. Dr. Gentry read a brief In Memoriam in honor of Leonard H. Morton Sr.

GOVERNANCE ISSUES

- A. 1. Consent
 - a. **Approval of Minutes – 05/26/20 – Regular Meeting**
 - b. **Recommended Revision to the Previously Approved Memorandum of Understanding (MOU) between MNPS and Belmont University**
 - c. **Awarding of Purchases and Contracts**
 - 1. **Apple Inc.**
 - 2. **AssetGenie, Inc.**
 - 3. **Attainment Company, Inc.**
 - 4. **Best One Tire of Nashville**
 - 5. **Binkley Garcia Architecture**
 - 6. **CDW-G (2 Contracts)**
 - 7. **Communities in Schools of Tennessee**
 - 8. **Cumberland International**
 - 9. **Curriculum Associates, LLC**

**10. Education, Training, and Research dba
ETR**

Associates

11. GHA Technologies, Inc.

12. Grainger Industrial Supply

13. Lexia Learning Systems LLC

14. McCarthy Jones & Woodard LLC

15. MID TENN Ford Trucks

16. Mid TN Constructors, Inc.

**17. Music Sales Digital Services dba
MusicFirst**

18. n2y LLC

19. Newsela

**20. Personal Computer Systems Inc. (2
contracts)**

**21. Pitney Bowes Global Financial Services
LLC**

22. Rush Truck Center of Nashville

23. Snider Fleet Solutions

24. STAR Autism Support, Inc.

25. Turnitin, LLC

26. Upper Edge Technologies

27. Voyager Sopris Learning, Inc.

d. Board Policy 6.200 - Attendance

e. Board Policy 3.210 - Naming of Facilities

Dr. Sharon Gentry pulled item b. Recommended Revision to the Previously Approved Memorandum of Understanding (MOU) between MNPS and Belmont University

Motion to approve consent agenda

By Jill Speering, seconded Rachael Anne Elrod

Motion Passes

Vote: 9-0

**Motion to defer vote on Item b. Recommended
Revision to the Previously Approved Memorandum of
Understanding (MOU) between MNPS and Belmont
University
By Sharon Gentry, seconded Jill Speering
Motion Passes
Vote: 9-0**

COMMITTEE REPORT

- A. Gini Pupo-Walker gave a brief Governance Committee Report.

DIRECTOR'S REPORT

- A. Openings of Schools Update Report - Dr. Battle and staff presented the report to the Board.

ANNOUNCEMENT

- A. Gini Pupo-Walker welcomed the returning and newly elected Board members.
- B. Fran Bush thanked the teachers and staff of their hard worked within the virtual environment.
- C. Christiane Buggs thanked My Brother's Keepers organization for their support and outreach with MNPS.
- D. Berthena Nabaa-McKinney thanked the Board and the community for their warm welcome as she begins her tenure as a Board Member.
- E. Jill Speering announced that she would like to recommend that a MNPS be named after John Lewis, civil rights advocate and national leader.

Ms. Frogge adjourned the meeting at 6:15 p.m.



Chris M. Henson
Board Secretary

Amy Frogge
Board Chair

Date

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. RECOMMENDED APPROVAL OF REQUEST #1 FOR LARGE SCOPE PROJECTS AT VARIOUS SCHOOLS (CANE RIDGE HIGH SCHOOL) – CARTER GROUP

We are requesting approval to issue a purchase order for emergency foundation repairs at Cane Ridge High School in the amount of \$58,028.

It is recommended that this request be approved.

Legality approved by Metro Department of Law.

FUNDING: 45118.80405118

DATE: October 13, 2020

c. RECOMMENDED APPROVAL OF REQUEST #2 FOR LARGE SCOPE PROJECTS AT VARIOUS SCHOOLS (ADMINISTRATIVE BUILDING BUSINESS OFFICE) – CARTER GROUP

We are requesting approval to issue a purchase order for Construction Services to expand the Business Office at the Administrative Building in the amount of \$48,284.

It is recommended that this request be approved.

Legality approved by Metro Department of Law.

FUNDING: 45118.80405118

DATE: October 13, 2020

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

d. AWARDING OF PURCHASES AND CONTRACTS

(1) VENDOR: Tennessee Department of Human Services

SERVICE/GOODS (SOW): Grant agreement for the provision of Pre-Employment Transition Services ("Pre-ETS") School to Work program.

SOURCING METHOD: Grant

TERM: October 1, 2020 through September 30, 2021

FOR WHOM: MNPS Exceptional Education students enrolled in the Pre-ETS program

COMPENSATION: Total revenue received under this grant contract is not to exceed \$168,280.

OVERSIGHT: Exceptional Education and Federal Programs

EVALUATION: Timeliness of payments received.

MBPE CONTRACT NUMBER: 7501134

SOURCE OF FUNDS: Revenue

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

d. AWARDING OF PURCHASES AND CONTRACTS

(2) VENDOR: TESOL International Association

SERVICE/GOODS (SOW): Contractor is to provide TESOL Advocacy Workshops for ELT Professionals and Administrators.

SOURCING METHOD: Sole Source

TERM: October 14, 2020 through October 13, 2025

FOR WHOM: ELT Professionals and Administrators

COMPENSATION: Contractor to be paid in accordance with Exhibit A for the 2020-21 school year.

Total compensation under this contract is not to exceed \$60,000.

OVERSIGHT: English Learners

EVALUATION: Quality and effectiveness of the workshops provided.

MBPE CONTRACT NUMBER: 7500696

SOURCE OF FUNDS: Federal – Title III

Metropolitan Nashville Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation	Descriptor Code: 6.304	Issued Date: 07/14/20
		Rescinds: 6.304	Issued: 08/14/18

1 In order to maintain a safe, civil, and supportive environment in school for students to learn and achieve
2 high academic standards, acts of bullying, cyber-bullying, discrimination, harassment, intimidation,
3 hazing, or any other victimization of students, based on any actual or perceived traits or characteristics,
4 are prohibited.¹

5 This policy shall be disseminated annually to all school staff, students, and parent(s)/guardian(s).² This
6 policy shall cover employees, employees' behaviors, students, and students' behaviors while on school
7 property, at any school-sponsored activity, on school-provided equipment or transportation, or at any
8 official school bus stop. If the act takes place off of school property or outside of a school-sponsored
9 activity, this policy is in effect if the conduct is directed specifically at a student and has the effect of
10 creating a hostile educational environment or otherwise creating a substantial disruption to the education
11 environment or learning process.

12 The principal/designee is responsible for educating and training respective staff and students as to the
13 definition and recognition of discrimination/harassment.³

14 The Director of Schools shall develop forms and procedures to ensure compliance with the
15 requirements of this policy and state law.

16 **DEFINITIONS⁴**

17 "Bullying/Intimidation/Harassment" is an act that substantially interferes with a student's educational
18 benefits, opportunities, or performance, and the act has the effect of:

- 19 1. Physically harming a student or damaging a student's property;
- 20
- 21 2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to
22 the student's property;
- 23
- 24 3. Causing emotional distress to a student; or
- 25
- 26 4. Creating a hostile educational environment.

27 Bullying, intimidation, or harassment may also be unwelcome conduct based on a protected class
28 (race, nationality, origin, color, sex, sexual orientation, gender identity/expression, age, disability,
29 religion) that is severe, pervasive, or persistent and creates a hostile environment. **If the bullying,
30 intimidation, or harassment is based on sex the procedures set forth in policy 6.3041 should be
31 followed and the Title IX coordinator notified within 24 hours.**

1 “Cyber-bullying” is a form of bullying undertaken through the use of electronic devices. Electronic
2 devices include, but are not limited to, telephones, cellular phones or other wireless telecommunication
3 devices, text messaging, emails, social networking sites, instant messaging, videos, web sites, or fake
4 profiles.

5 “Hazing” is an intentional or reckless act by a student or group of students that is directed against any
6 other student(s) that endangers the mental or physical health or safety of the student(s) or that induces
7 or coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees
8 of the school district shall not encourage, permit, condone, or tolerate hazing activities.⁵

9 Hazing does not include customary athletic events or similar contests or competitions and is limited to
10 those actions taken and situations created in connection with initiation into or affiliation with any
11 organization.

12 **COMPLAINTS AND INVESTIGATIONS**

13 Any individual who has knowledge of behaviors that may constitute a violation of this policy shall
14 promptly report such information to the principal/designee.⁶

15 While reports may be made anonymously, an individual's need for confidentiality shall be balanced with
16 obligations to cooperate with police investigations or legal proceedings, to provide due process to the
17 accused, to conduct a thorough investigation, or to take necessary actions to resolve a complaint. The
18 identity of parties and witnesses may be disclosed in appropriate circumstances to individuals with a
19 need to know.

20 The principal/designee at each school shall be responsible for investigating and resolving complaints.
21 Once a report is received, the principal/designee shall initiate an investigation within forty-eight (48)
22 hours of receipt of the report. If an investigation is not initiated within forty-eight (48) hours, the
23 principal/designee shall provide the Director of Schools with appropriate documentation detailing the
24 reasons why the investigation was not initiated within the required timeframe.⁷ The principal/designee
25 shall immediately notify the parent(s)/guardian(s) when a student is involved in an act of discrimination,
26 harassment, intimidation, bullying, or cyber-bullying. The principal/designee shall provide information
27 on district counseling and support services. Students involved in an act of discrimination, harassment,
28 intimidation, bullying, or cyber-bullying shall be referred to the appropriate school counselor by the
29 principal/designee when deemed necessary.⁸

30 The principal/designee is responsible for determining whether an alleged act constitutes a violation of
31 this policy, and such act shall be held to violate this policy when it meets one of the following conditions:

- 32 1. It places the student in reasonable fear or harm for the student’s person or property;
33
- 34 2. It has a substantially detrimental effect on the student’s physical or mental health;
35
- 36 3. It has the effect of substantially interfering with the student’s academic performance; or
37
- 38 4. It has the effect of substantially interfering with the student’s ability to participate in or benefit
39 from the services, activities, or privileges provided by a school.

1 Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and
2 complete investigation of each alleged incident. All investigations shall be completed and appropriate
3 intervention taken within twenty (20) calendar days from the receipt of the initial report.⁷ If the
4 investigation is not complete or intervention has not taken place within twenty (20) calendar days, the
5 principal/designee shall provide the Director of Schools with appropriate documentation detailing the
6 reasons why the investigation has not been completed or the appropriate intervention has not taken
7 place.⁷ Within the parameters of the federal Family Educational Rights and Privacy Act,⁹ a written report
8 on the investigation will be delivered to all involved parties and the Director of Schools.

9 **RESPONSE AND PREVENTION**¹⁰

10 The principal/designee shall consider the nature and circumstances of the incident, the age of the
11 individual, the degree of harm, previous incidences or patterns of behavior, or any other factors, as
12 appropriate, to properly respond to each situation.

13 A substantiated charge against an employee shall result in disciplinary action up to and including
14 termination. The employee may appeal this decision by contacting the Executive Director of Civil
15 Rights.

16 A substantiated charge against a student may result in corrective or disciplinary action up to and
17 including suspension. The student may appeal this decision in accordance with disciplinary policies and
18 procedures.

19 **REPORTS**

20 When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of
21 physical harm to a student or a student's property, the principal/designee of each middle school, junior
22 high school, or high school shall report the findings and any disciplinary actions taken to the Director of
23 Schools and the Chair of the Board.¹¹

24 By July 1st of each year, the Director of Schools/designee shall prepare a report of all of the bullying
25 cases brought to the attention of school officials during the prior academic year. The report shall also
26 indicate how the cases were resolved and/or the reasons they are still pending. This report shall be
27 presented to the Board at its regular July meeting, and it shall be submitted to the state department of
28 education by August 1st.¹²

29 **RETALIATION AND FALSE ACCUSATIONS**

30 Retaliation against any person who reports or assists in any investigation of an act alleged in this policy
31 is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation
32 shall be determined by the principal/designee after consideration of the nature, severity, and
33 circumstances of the act.¹³

34 False accusations accusing another person of having committed an act prohibited under this policy are
35 prohibited. The consequences and appropriate remedial action for a person found to have falsely
36 accused another may range from positive behavioral interventions up to and including expulsion.¹⁴

Legal References

1. TCA 49-6-4503(a), (b)(3)
2. TCA 49-6-4503(b)(11)
3. TCA 49-6-4503(b)(12)
4. TCA 49-5-4503(b)(2), (13)
5. TCA 49-2-120
6. TCA 49-6-4503(b)(5)
7. TCA 49-6-4503(b)(6)
8. TCA 49-6-4503(b)(14)
9. 20 USCA § 1232g
10. TCA 49-6-4503(b)(4), (7)-(8)
11. TCA 49-6-4503(d)(3)
12. TCA 49-6-4503(c)(2)(B)
13. TCA 49-6-4503(b)(9)
14. TCA 49-6-4503(b)(10)
15. 20 USCA §§ 1681 to 1686

Cross References

Appeals to and Appearances Before the Board 1.404
Section 504 and ADA Grievance Procedures 1.802
Staff-Student Relations 5.610
Student Goals 6.100
Title IX & Sexual Harassment 6.3041
Student Complaints and Grievances 6.305
Code of Conduct 6.300
Child Abuse and Neglect 6.409
Student Suicide Prevention 6.415



METRO NASHVILLE
PUBLIC SCHOOLS

OFFICE OF CHARTER SCHOOLS

Date: October 7, 2020

Re: State Board Decision – New Charter School Applications

To: Dr. Battle and MNPS Board Members

On September 21, 2020, the State Board of Education voted to overturn the MNPS Board of Education's decision on two new charter school applications. The State Board granted both KIPP Antioch College Prep High School ("KIPP") and Nashville Collegiate Prep's applications.

Pursuant to T.C.A. § 49-13-142(b)(3), there is a 30-day reconciliation period where the charter school and the local board of education can reach an agreement for the local board to be the authorizer, instead of the State Board. At this time, we have received communication from Nashville Collegiate Prep stating that they do not want to be overseen by MNPS.

We have requested that KIPP Antioch College Prep inform the Board if they have any preference between MNPS and the State Board as an authorizer. If both the Board and KIPP agree, MNPS will be the authorizer. To demonstrate a mutual agreement between the two parties, a signed statement from each governing board is required to be submitted to the State Board's general counsel, Angie Sanders, at Angela.C.Sanders@tn.gov, by October 21, 2020. If a mutual agreement is not reached, a staff member for the Tennessee Public Charter School Commission will contact the sponsor regarding next steps.

Thomas H. Lee
Member
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615.251.5551 (f)
tlee@fbtlaw.com

September 25, 2020

VIA ELECTRONIC MAIL

Dr. Sara Heyburn Morrison
Executive Director
Tennessee State Board of Education
500 James Robertson Parkway
5th Floor, Davy Crockett Tower
Nashville, Tennessee 37243

In Re: Nashville Collegiate Prep Tenn. Code Ann. § 49-13-142 notice

Dear Dr. Morrison:

On September 21, 2020, the Tennessee State Board of Education voted to authorize, pursuant to Tenn. Code Ann. § 49-13-108, ReThink Forward, Inc., to operate Nashville Collegiate Prep. We are grateful for the opportunity and the confidence of the State Board to embark on this exciting journey together.

As an initial matter, we note that Tenn. Code Ann. § 49-13-142(b)(3) provides: “A charter school authorized by the state board and the LEA in which the charter school is located may, within thirty (30) calendar days of such authorization, mutually agree that the charter school shall be overseen and monitored by the LEA.” We read § (b)(3) permissively, that is, the use of the term “may” provides Nashville Collegiate Prep the *option* to be overseen and monitored upon agreement with Metropolitan Nashville Public Schools (“MNPS”).

This letter is to provide the State Board—and, by copy, the MNPS Office of Charter Schools—notice that ReThink Forward respectfully declines the option to seek “oversight and monitoring” by MNPS. We further waive the thirty-day period provided by § (b)(3), and request that the State Board proceed immediately toward entering into a charter agreement with ReThink Forward.

Please do not hesitate to contact me if you have any questions. Until then, I remain

Very truly yours,



Thomas H. Lee
Vice Chair, ReThink Forward Board of Directors

Dr. Sara Heyburn Morrison

September 25, 2020

Page 2

cc: Dr. Dan Boone, Chair, ReThink Forward Board of Directors
Ms. Sherry Hage, Noble Education Initiative, Inc.
Dr. John Thomas, Metropolitan Nashville Public Schools, Director of Charter Schools

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