



AGENDA

METROPOLITAN BOARD OF PUBLIC EDUCATION
2601 Bransford Avenue, Nashville, TN 37204
Regular Meeting – November 9, 2021 – 5:00 p.m.
Christiane Buggs, Chair

I. CONVENE and ACTION

- A. Call to Order
- B. Establish Quorum
- C. Pledge of Allegiance

II. AWARDS AND RECOGNITION

- A. AA Volleyball State Championship - Hume-Fogg High School
- B. A.F. Bridges Award – Whites Creek High School

III. 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.

IV. GOVERNANCE ISSUES- OUR ORGANIZATION

- A. Actions
 - 1. Consent
 - a. Approval of Minutes – 09.28.2021 - Minutes
 - b. Awarding of Purchases and Contracts
 - 1. Advanced Mechanical Contractors, Inc.
 - 2. Aventura Community School
 - 3. CIGNA Health & Life Insurance Co.
 - 4. Cogna
 - 5. Corlew & Perry, Inc.
 - 6. McCloskey Mechanical
 - 7. Mercedes-Benz of Nashville
 - 8. Planning Design & Research Engineers, Inc.
 - 9. The NCHERM Group, LLC
 - 10. YWCA of Nashville and Middle Tennessee
 - c. 2022-23 School Calendar
 - d. Certification of Charges – Jennifer Jarrett
 - e. Board Policies – 4.204 Summer Instructional Programs, 4.301 – Interscholastic Athletics, 6.300 – Code of Conduct, 6.306 – Interference/Disruption of School Activities, 6.402 – Physical Examinations and Immunizations, 6.4081 Safe Relocation of Students

2. Nashville Classical II

V. BOARD COMMITTEE REPORT

A. Governance

VI. ANNOUNCEMENTS

VII. ADJOURNMENT

METROPOLITAN NASHVILLE PUBLIC SCHOOL BOARD MEETING –
September 28, 2021

Members Present: Christiane Buggs, chair, Gini Pupo-Walker, Rachael Anne Elrod, vice-chair, Emily Masters, Abigail Tylor, Freda Player-Peters, and John Little

Student members: Abenezer Haile and Angelie Quimbo

Members Absent: Fran Bush and Sharon Gentry

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

CONVENE AND ACTION

- A. Call to Order
Christiane Buggs called the meeting to order.
- B. Pledge of Allegiance – Led by Ms. Akers, Principal of Rosebank Elementary

AWARDS AND RECONGNITIONS

- A. Service Award - Robert Fisher – The Board and Dr. Battle presented Chancellor Fisher with an Award of Service.
- B. 2021 National Blue-Ribbon Award - Meigs Middle School – The Board and Dr. Battle recognized Meigs Middle School as a 2021 National Blue Ribbon School.

DIRECTOR'S REPORT

- A. Vanderbilt University MNPS Research Practice Partnership – Dr. Battle and staff presented to the Board.

GOVERNANCE ISSUES

A. 1. Consent

- a. Approval of Minutes - 08/24/2021 – Minutes**
- b. Recommended Approval of Supplement #7 for New Hillwood High School – Hastings Architecture, LLC**
- c. Recommended Approval of Change Order #4 for Hillsboro High School Additions and Renovations – American Constructors, Inc.**
- d. Awarding of Purchases and Contracts**
 - 1. 808Education LLC**
 - 2. A-Z Office Resource, Inc.**
 - 3. Education Resource Strategies, Inc.**
 - 4. Four Seasons, Inc.**
 - 5. ~~In Class Today, Inc.~~**
 - 6. Nexstar Broadcasting dba WKRN**
 - 7. Personal Computer Systems, Inc.**
 - 8. Public Consulting Group**
- e. Legal Settlement Claim #C-41318 (\$27,572.77)**
- f. Legal Settlement Claim #C-41336 (\$28,160)**
- g. Legal Settlement Claim #L-16066 (\$117,000)**

Abigail Tylor pulled Item A-1-d-5 – In Class Today, Inc.

**Motion to approve the consent agenda with changes.
By Gini Pupo-Walker, seconded John Little
Motion Passes
Vote: 7-0**

**Motion to approve Item A-1-d-5 – In Class Today, Inc.
By Abigail Tylor, seconded John Little
Motion Passes
Vote: 7-0**

2. A Resolution Recognizing Hispanic Heritage Month

WHEREAS, from September 15, 2021, through October 15, 2021, the United States celebrates Hispanic Heritage Month; and WHEREAS, National Hispanic Heritage Month was first observed in 1968 under President Lyndon Johnson and enacted into law in 1988 as an annual proclamation, starting September 15th; and WHEREAS, this law celebrated Hispanic Americans, the anniversaries of independence for the Latin American countries of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua; while Mexico and Chile celebrate September 16th and 18th, respectively; and WHEREAS, the 2020 Census estimates the Latino population living in Davidson County at over 98,000, making Latinos 14% percent of the total population of the of our city, an increase of 65% over the past decade and the fastest growing racial or ethnic group in the city, as well as the country; and WHEREAS, currently, there are more than 25,000 Latino students in Metro Nashville Public Schools, which represents over 30 percent of our student enrollment; or more than 1 in 3 public school students in our district; hailing from 25 countries in South and Central America, the Caribbean, and the United States; and WHEREAS; there are approximately 300 Latino teachers and staff in Metro Nashville Public Schools, comprising nearly 3% of our employees, and who contribute daily to the accomplishments and education of our youth. WHEREAS; the Metropolitan Nashville Board of Education believes that each and every student must be known, and that we celebrate and build upon the strengths and knowledge that Hispanic students and staff bring with them to school, including cultural perspectives, lived experiences, practices, and languages; and WHEREAS, throughout history and into current day, Hispanics have made significant contributions in fields such as education, government, science, law, medicine, entertainment, literature, sports, and the military, thereby enhancing and shaping the vibrancy of the United States with centuries-old traditions that reflect the multiethnic and multicultural customs of their communities; and WHEREAS, Latinos harbor a deep commitment to family and community, and a perseverance to succeed and

contribute to the betterment of our city and our community; THEREFORE, BE IT RESOLVED, that we, the METROPOLITAN NASHVILLE BOARD OF EDUCATION recognize the celebration of Hispanic Heritage Month and this year's national theme, "Esperanza: A Celebration of Hispanic Heritage and Hope." FURTHERMORE, hold in esteem the integral role of Hispanics and the heritage of Hispanics in the culture and identity of our city and schools. FURTHERMORE, urge our staff and schools to observe Hispanic Heritage Month with appropriate programs and activities that celebrate the contributions of Hispanics to the United States.

**Motion to approve A Resolution Recognizing Hispanic Heritage Month
By Gini Pupo-Walker, seconded Freda Player-Peters
Motion Passes
Vote: 7-0**

BOARD COMMITTEE REPORTS

- A. Rachael Anne Elrod gave a brief Naming of Schools Committee report.

ANNOUNCEMENTS

- A. Gini Pupo-Walker offered condolences to the family of student Ganiah Birdsong.
- B. John Little thanked the PAC for their participation and help within the district. Freda Players-Peters and Emily Masters also thanked the PAC for their district support and involvement.
- C. Abigail Tylor announced the activities of the Hillwood High School Alumni weekend which will start October 1st.
- D. Angelie Quimbo encouraged students to submit their college applications before the deadlines.
- E. Christiane Buggs announced that the October 12th Board Meeting will be canceled due to Fall Break.

WRITTEN INFORMATION TO THE BOARD

A. Sales Tax Collections as of September 20, 2021

Ms. Buggs adjourned the meeting at 7:01 p.m.



Chris M. Henson
Board Secretary

Christiane Buggs
Board Chair

Date

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(1) VENDOR: Advanced Mechanical Contractors, Inc.

SERVICE/GOODS (SOW): Provision of HVAC upgrades at Cane Ridge High School.

SOURCING METHOD: ITB 168236

TERM: November 10, 2021 through Project Completion

FOR WHOM: Students and Faculty at Cane Ridge High School

COMPENSATION: Total compensation for this contract is not to exceed \$1,480,600.

OVERSIGHT: Facilities

EVALUATION: The quality and timeliness of goods and services provided.

MBPE CONTRACT NUMBER: 7522488

SOURCE OF FUNDS: Federal Funds – ESSER 2

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(2) VENDOR: Aventura Community School

SERVICE/GOODS (SOW): Charter School Agreement

SOURCING METHOD: Board Approved Charter Application

TERM: July 1, 2022 through June 30, 2032

FOR WHOM: Students attending the Charter School

Year 1: Grades K-1

Year 2: Grades K-2

Year 3: Grades K-3

Year 4: Grades K-4

Year 5: Grades K-5

Year 6: Grades K-6

Year 7: Grades K-7

Year 8 and beyond: Grades K-8

COMPENSATION: Compensation to the school shall be based on state/local revenue per pupil allocation set by the Tennessee Department of Education. Ten (10) payments will be made from approximately August through June of each year.

OVERSIGHT: Charter Schools Office

EVALUATION: At least annually, MNPS will monitor and periodically report on the charter school's progress in relation to the indicators, measures, metrics, and targets set out in the Performance Frameworks. Such reporting shall become part of the charter school's annual report to MNPS and the state commissioner of education.

MBPE CONTRACT NUMBER: 7521080

SOURCE OF FUNDS: Operating Budget

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(3) VENDOR: CIGNA Health & Life Insurance Co.

SERVICE/GOODS (SOW): Contractor will provide dental insurance for the certificated (teaching) employees and certificated retirees.

SOURCING METHOD: RFQ 146218

TERM: January 1, 2022 through December 31, 2026

FOR WHOM: Certificated Employees and Retirees

COMPENSATION: Total compensation for this contract shall not exceed \$35,000,000.

OVERSIGHT: Human Resources/Employee Benefits

EVALUATION: Quality and effectiveness of services provided.

MBPE CONTRACT NUMBER: 7521905

SOURCE OF FUNDS: Insurance Trust Fund

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(4) VENDOR: Cogna

SERVICE/GOODS (SOW): Contract is for a yearly membership for School Accreditation for all MNPS schools.

SOURCING METHOD: (Sole Source) This Contract Replaces a Previously Approved Board Contract

TERM: November 10, 2021 through August 24, 2026

FOR WHOM: All MNPS Schools

COMPENSATION: Total compensation for this purchase is \$1,000,000.

OVERSIGHT: Division of Academics and Schools

EVALUATION: Quality of products and timeliness of services provided.

MBPE CONTRACT NUMBER: 7514293

SOURCE OF FUNDS: Operating Budget

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(5) VENDOR: Corlew & Perry, Inc.

SERVICE/GOODS (SOW): Provision of qualified contractors to provide quotes on Athletic Wood Floors on an as-needed basis.

SOURCING METHOD: RFP 159210

TERM: November 10, 2021 through June 23, 2025

FOR WHOM: Facilities

COMPENSATION: Total compensation for this contract is not to exceed \$5,000,000.

OVERSIGHT: Facilities

EVALUATION: The quality and timeliness of services provided.

MBPE CONTRACT NUMBER: 7521874

SOURCE OF FUNDS: Operating Budget

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(6) VENDOR: McCloskey Mechanical

SERVICE/GOODS (SOW): Provision of HVAC upgrades at HG Hill Middle School.

SOURCING METHOD: ITB 164227

TERM: November 10, 2021 through Project Completion

FOR WHOM: Students and Faculty at HG Hill Middle School

COMPENSATION: Total compensation for this contract is not to exceed \$726,000.

OVERSIGHT: Facilities

EVALUATION: The quality and timeliness of goods and services provided.

MBPE CONTRACT NUMBER: 7522141

SOURCE OF FUNDS: Federal Funds – ESSER 2

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(7) VENDOR: Mercedes-Benz of Nashville

SERVICE/GOODS (SOW): Provision of parts, service, recalls and warranties for Freightliner Sprinter Vans.

SOURCING METHOD: Sole Source

TERM: November 10, 2021 through November 9, 2026

FOR WHOM: Transportation

COMPENSATION: Total compensation for this contract is not to exceed \$100,000.

OVERSIGHT: Transportation

EVALUATION: The quality and timeliness of goods and services provided.

MBPE CONTRACT NUMBER: 7515759

SOURCE OF FUNDS: Operating Budget

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(8) VENDOR: Planning Design & Research Engineers, Inc.

SERVICE/GOODS (SOW): Provision of asbestos and lead-based paint consulting services.

SOURCING METHOD: RFP 140213

TERM: November 10, 2021 through October 26, 2026

FOR WHOM: MNPS Facilities

COMPENSATION: Total compensation for this contract is not to exceed \$500,000.

OVERSIGHT: Facilities

EVALUATION: The quality and timeliness of services provided.

MBPE CONTRACT NUMBER: 7520700

SOURCE OF FUNDS: Operating Budget

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(9) VENDOR: The NCHERM Group, LLC

SERVICE/GOODS (SOW): Title IX Coordinator support to include, but not be limited to, consulting with school administrators, sexual harassment investigation oversight, and Office of Civil Rights responses. These services will help augment MNPS' Title IX Coordinator position by having a contingency solution during vacation and other longer periods of absence such as maternity leave.

SOURCING METHOD: RFP 20210622

TERM: November 10, 2021 through November 9, 2023

FOR WHOM: Civil Rights & Title IX Coordinator

COMPENSATION: Contractor shall be paid the following:

- \$150 per hour for time spent in the Interim TIX Coordinator Role
- \$250 per hour for any time spent on compliance and auditing/review or policy/procedure review

Total compensation for this contract is not to exceed \$50,000.

OVERSIGHT: Student Support Services

EVALUATION: Quality of the services provided and adherence to the statement of work.

MBPE CONTRACT NUMBER: 7522248

SOURCE OF FUNDS: Operating Budget

GOVERNANCE ISSUES

A. ACTIONS

1. CONSENT

b. AWARDING OF PURCHASES AND CONTRACTS

(10) VENDOR: YWCA of Nashville and Middle Tennessee

SERVICE/GOODS (SOW): Amendment #3 extends the term of the contract until June 30, 2023 and increases the total compensation by \$60,000. Contract provides the mentoring programs "Girls Inc." and "Amend Together" in select MNPS schools.

SOURCING METHOD: Amendment to a Previously Board Approved Contract

TERM: November 10, 2020 through June 30, 2023

FOR WHOM: MNPS students in select MNPS schools

COMPENSATION: Amendment #3 increases the total compensation by \$60,000 for a new not-to-exceed amount of \$150,000.

OVERSIGHT: Community Achieves

EVALUATION: Quality of the services provided.

MBPE CONTRACT NUMBER: 7497721

SOURCE OF FUNDS: Operating Budget

NOT FINAL UNTIL APPROVED BY THE BOARD OF EDUCATION

JULY, 2022						
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SEPTEMBER 2022						
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MAY 2023						
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JUNE 2023						
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KEY DATES

July 11: Assistant principals report

August 2: Teachers report; teacher in-service day

August 3-5: Teacher in-service days

August 8: First full day for grades 1-12; Half day for Pre-K and K

August 9: Full day for grades 1-12; Half day for Pre-K and K

August 10: Full day for all grades

September 2: Stockpiled professional development day (Students do not report)

September 5: Labor day holiday (District closed)

September 6: Progress reports issued

October 6: First quarter ends

October 7: Stockpile professional development day (Students do not report)

October 10-14: Fall break holiday

October 17: Second quarter begins

October 25: Report cards issued

October 28: Parent conference day (Students do not report)

November 8: Election day; Stockpile professional development day (Students do not report)

November 11: Veterans day holiday (District closed)

November 15: Progress reports issued

November 23-25: Thanksgiving holiday

December 13-15: Half day for exams grades 9-12; Other grades full day

December 16: Half day for all students; Second quarter ends

December 19-January 2: Winter break holiday

January 3-6: Stockpile professional development day (Students do not report)

January 9: Third quarter begins

January 10: Report cards issued

January 16: MLK holiday (District closed)

February 7: Progress reports issued

February 20: Stockpile professional development day (Students do not report)

March 10: Half day for all students Third quarter ends

March 13-17: Spring break holiday

March 20: Fourth quarter begins

March 28: Report cards issued

April 6: Stockpile professional development day (Students do not report)

April 7: Spring holiday (District closed)

April 18: Progress reports issued

May 22-24: Half day for exams grades 9-12; Other grades full day

May 25: Last day for exams; Half day for all students; End of school year; Report cards issued (elementary and middle schools)

May 26: Teacher in-service day; Last day for teachers

May 29: Memorial day holiday (District closed)

June 2: Report cards issued (high schools); Last day for assistant principals

** Potential snow make-up days: May 26, 30, 31, June 1, 2*

** 4 Stockpiled Inclement Weather Days; 9 Stockpile PD Days*

CALENDAR KEY

	Students in school
	Teacher in-service day (Students do not report)
	Stockpiled professional development day (Students do not report)
	Students out of school
	Students out of school; district closed
	Half day for all students
	Half day for exams (grades 9-12 only); Half virtual day

Draft Date: October 28, 2021



METRO
NASHVILLE
PUBLIC
SCHOOLS

November 9, 2021

Members of the Board
Metropolitan Board of Public Education
2601 Bransford Avenue
Nashville, TN 37204

Re: Charges Supporting the Dismissal of Jennifer Jarrett

Dear Board Members:

I am writing to recommend the dismissal of Jennifer Jarrett from employment as a tenured Instructional Specialist with Metropolitan Nashville Public Schools ("MNPS"), pursuant to T.C.A. §49-5-511. I have charged her with conduct unbecoming a member of the teaching profession. Ms. Jarrett admitted to being under the influence of drugs and alcohol at work and refused to test in violation of MNPS Drug and Alcohol Testing for Employees Procedure 5.403.1. MNPS Procedure 5.403.1 states that a refusal to test shall be viewed the same as a positive result. These are grounds for her dismissal pursuant to T.C.A. §49-5-511.

Evidence supporting these charges was set forth in my letter to Jennifer Jarrett on November 1, 2021, a copy of which is attached. I am asking you to certify these charges by voting that, if proven true, these charges warrant Ms. Jarrett's dismissal. Should you certify these charges, I will inform Ms. Jarrett of your action and formally advise her of the right to request a hearing before an impartial hearing officer.

At the present time, I am only asking you to certify the charges. I am not asking you to weigh evidence either for or against dismissal. I am merely asking you to vote that the charges, if proven true, warrant dismissal. If Ms. Jarrett requests a hearing, it will occur at some point in the future.

Accordingly, it is my recommendation that Jennifer Jarrett be dismissed from employment with the Metropolitan Nashville Public Schools.

Sincerely,

Dr. Adrienne Battle,
Director of Schools

Attachment – Notice of Charges for Dismissal

cc: Melissa Roberge, Esq., Chief Human Resources Officer
Amelia Dukes, Executive Principal, Una Elementary School
John Whitaker, Esq., Department of Law
MNEA
Personnel File (certificated)



METRO
NASHVILLE
PUBLIC
SCHOOLS

Dr. Adrienne Battle
Director of Schools
Adrienne.Battle@mnps.org
615-259-8421 office
615-214-8850 fax

November 1, 2021

via Email U.S. Mail and Certified Mail

Jennifer Jarrett
3169 Hidden Creek Drive
Cane Ridge, TN 37013

Re: Notice of intent to terminate

Dear Ms. Jarrett:

You have engaged in unprofessional conduct or conduct unbecoming a teacher with Metropolitan Nashville Public Schools. Improper use of narcotics or intoxicants establishes “conduct unbecoming to a member of the teaching profession” and is grounds for dismissal. Tenn. Code Ann. § 49-5-501(3)(E), 49-5-511(a)(2). On September 14, 2021, after displaying signs of impairment, you admitted to being under the influence of opioids and alcohol. You also refused to submit to a drug test, which is viewed as a positive test under MNPS Procedure 5.403.1. Therefore, I must recommend that your employment with MNPS be terminated.

This letter serves as written notice to you of the charges that are being made against you. These charges, as described in the attached and incorporated Notice of Charges for Dismissal, are sufficient to warrant your dismissal. Accordingly, be advised that I plan to present the charges against you to the Metropolitan Board of Education at its meeting on November 9, 2021.

At this meeting, the Board will vote whether to certify the charges against you. Under Tenn. Code Ann. §49-5-512(a), if the Board certifies the charges, you will be promptly advised and may then request a hearing on the charges before an impartial hearing officer.

Furthermore, pursuant to my authority set out in Tenn. Code Ann. § 49-5-511(a)(3), I hereby suspend you without pay pending the final disposition of this matter.

Regards,

Dr. Adrienne Battle
Director of Schools

Attachment – Notice of Charges for Dismissal

Cc: Melissa Roberge, Chief Human Resources Officer/General Counsel
Shawn Lawrence, Executive Director Elementary Schools South
Amelia Dukes, Executive Principal, Una Elementary School
John Whitaker, Esq., Metro Legal
Employee Central Office Personnel File (Certificated)



**METRO
NASHVILLE
PUBLIC
SCHOOLS**

Dr. Adrienne Battle
Director of Schools
Adrienne.Battle@mnps.org
615-259-8421 office
615-214-8850 fax

November 1, 2021

via Email, U.S. Mail and Certified Mail

Jennifer Jarrett
3169 Hidden Creek Drive
Cane Ridge, TN 37013

Re: Notice of Charges for Dismissal

Dear Ms. Jarrett:

This is to inform you that I am recommending that you be dismissed from employment as a tenured Instructional Specialist with Metropolitan Nashville Public Schools ("MNPS".) The basis for your dismissal stems from your admissions that you were under the influence of drugs and alcohol at work and your refusal to submit to a drug test when requested. MNPS Policy 5.403 prohibits the use of legal drugs in a manner which might interfere with the employee's performance of duties. It also mandates that a refusal to test is considered a positive test.

Improper use of narcotics or intoxicants establishes "conduct unbecoming to a member of the teaching profession" and is grounds for dismissal. Tenn. Code Ann. § 49-5-501(3)(E), 49-5-511(a)(2). The following are the specific factual allegations that warrant your dismissal:

1. On September 14, 2021, you reported to work at Una Elementary School under the influence of drugs and alcohol. During a training session with a fellow instructional coach, you were slumped over your chair, inattentive, and incoherent. All of these are indicators of possible impairment. As a result of your condition, you were unable to perform your duties as an Instructional Specialist.
2. The instructional coach notified the Executive Principal, Amelia Dukes. Principal Dukes observed that you appeared to be sleeping at your computer. Once she began a conversation with you, your words were slurred and incomprehensible.
3. Based on your behavior, Principal Dukes reasonably believed that you were under the influence of drugs or alcohol. Accordingly, Principal Dukes requested that you submit to drug and alcohol testing. Instead of submitting to the drug testing, you confessed to using opioids and drinking.

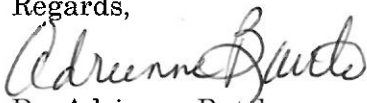
4. Principal Dukes contacted Wyntriss Patterson, an Employee Relations Manager. Principal Dukes described to Ms. Patterson your behaviors that she and the instructional coach observed. Principal Dukes also relayed your admission of using opioids and consuming alcohol.
5. Based on that conversation, Ms. Patterson agreed that you should be sent for reasonable suspicion drug and alcohol testing.
6. When directed to submit to drug testing, you stated that because you had already admitted to drug use that you would not participate in testing.
7. Ms. Patterson followed up with a phone conversation advising that you would be placed on administrative leave. She also advised you on the reasonable suspicion testing protocols, explaining that a refusal to test will be considered a positive test. Once again you declined to test and admitted to being under the influence of intoxicants.

I am also considering the written reprimand for excessive absences and poor work performance that you received on May 18, 2021 in making the decision to terminate your employment. I am not seeking to punish you again for that conduct, but I am taking the fact that you received that reprimand into account in recommending your dismissal.

The facts described above establish that you used opioids and/or alcohol improperly and that it impacted your ability to function in your role. The facts also establish that you were unwilling to submit to drug testing. MNPS Drug and Alcohol Testing for Employees Procedure 5.403.1 states that "any refusal to submit to a test shall be viewed the same as a positive result." Accordingly, your repeated refusal to test is viewed as a positive result.

Your actions meet the statutory definition of "conduct unbecoming to a member of the teaching profession" and is grounds for dismissal. Tenn. Code Ann. § 49-5-511(a)(2). I am, therefore, recommending your dismissal.

Regards,



Dr. Adrienne Battle
Director of Schools

cc: Melissa Roberge, Chief Human Resources Officer/General Counsel
Shawn Lawrence, Executive Director Elementary Schools South
Amelia Dukes, Executive Principal, Una Elementary School
John Whitaker, Esq., Metro Legal
Employee Central Office Personnel File (Certificated)

Metropolitan Nashville Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Summer Instructional Programs	Descriptor Code: 4.204	Issued Date: 11/09/21
		Rescinds:	Issued: 08/13/19

1 *General*

2 The following programs will be made available to students:^{1,2}

- 3 1. Traditional summer school;
- 4
- 5 2. Learning loss bridge camps;
- 6
- 7 3. After-school learning mini camps (2021-2023); and
- 8
- 9 4. Summer learning camps (2021-2023).

10 These programs shall be organized and operated in accordance with state law as well as guidelines
11 provided by the Tennessee Department of Education. Funding for all programming shall be provided
12 for in the annual budget and take into account any available grants. The Board may adopt tuition rates
13 for those students attending a traditional summer school program.³

14 **SUMMER PROGRAMMING²**

15 The Director of Schools shall present for approval, any recommended changes to the summer
16 programming plan to the Board, no later than January 15th of the year prior to the implementation of
17 the proposed change in the following:

- 18 1. Courses offered;
- 19
- 20 2. Transportation;
- 21
- 22 3. Class size ratios;
- 23
- 24 4. Budget, including staff compensation;
- 25
- 26 5. School nutrition needs;
- 27
- 28 6. Staffing;
- 29
- 30 7. Enrollment criteria; and
- 31
- 32 8. Any additional necessary information.

1 **ATTENDANCE REQUIREMENTS²**

2 Upon a vote of by the Board, priority students, as defined by state law, may be required to attend
3 summer programs.

4 The Director of Schools shall be responsible for developing administrative procedures regarding the
5 attendance requirements of priority students in each program.

Legal References

1. TRR/MS 0520-01-03-.03(9)
2. Public Acts of 2021, Special Legislative Session, Chapter No. 1
3. TCA 49-6-3003

Cross References

Extended Contracts 5.112

Metropolitan Nashville Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Interscholastic Athletics	Descriptor Code: 4.301	Issued Date: 11/09/21
		Rescinds:	Issued: 08/24/21

1 *General*

2 No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be
3 treated differently from another person, or otherwise be discriminated against in any athletic program of
4 the school. Equal athletic opportunities shall be provided for members of both sexes.¹ Students
5 participating in interscholastic must meet the eligibility requirements set forth by the state and the
6 governing body of the sport.² The Director of Schools/designee shall require the parent/guardian to
7 provide any necessary documents prior to participation in any interscholastic athletics.

8 Interscholastic athletics shall be administered as a part of the regular school program and shall be the
9 principal's responsibility. Principals shall ensure that school regulations regarding participation in a sport
10 are reasonable. Athletic schedules shall be filed in each principal's office. The principal/designee shall
11 accompany an athletic team on trips. Transportation of teams to athletic games is approved by the Board,
12 provided the team's school reimburses the Board for mileage.

13 Bylaws of the Tennessee Secondary School Athletic Association shall regulate the operation and control
14 of athletics.³ The Director of Schools shall develop a code of conduct for all coaches to follow in order
15 to ensure the health and safety of athletes.⁴

16 **INSURANCE & PHYSICAL EXAMINATIONS**

17 In the event that the school's insurance provider does not extend coverage to an athlete, the athlete shall
18 provide proof of independently secured catastrophic coverage and liability coverage, with the school
19 district as a named insured, of not less than the limits set forth in state law.⁵ It shall be the responsibility
20 of the parent(s)/guardian(s) to provide health and hospitalization insurance for all students participating
21 in interscholastic athletics.

22 Prior to participation in interscholastic athletics, every student shall complete an annual physical
23 examination.⁶ The parent(s)/guardian(s) of each student shall be responsible for covering the cost of the
24 examination, and these records shall be on file in the principal's office.

25 **SCHEDULING CONFLICTS**

26 No principal or teacher shall dismiss his/her school or any group of students for the purpose of attending
27 the practice of any interscholastic sport during the school day without written permission from the
28 Board.⁷ This does not prevent regular physical training lessons in the daily school program.

29 Students shall not be required to attend a school athletic event, or event related to participation on a
30 school athletic team, if the event is on an official school holiday, observed day of worship, or religious

1 holiday. The student's parent/guardian shall notify the coach in writing three (3) full school days prior
2 to the event.⁸

3 **SEVERE WEATHER⁴**

4 Severe weather is any type of weather that could impede the safety of any athlete by compromising the
5 playing conditions of the interscholastic sport. Severe weather includes, but is not limited to, thunder,
6 lightning, and extreme temperatures. When severe weather is forecasted, suspension of play shall be
7 discussed with all players, coaches, and officials, if applicable.

8 All coaches who oversee or participate in outdoor training, practice, or competition shall annually
9 complete a heat illness prevention course approved by the Tennessee Department of Health as well as
10 receive training on activity modifications based on environmental conditions.

11 **PROHIBITION AGAINST HAZING**

12 Coaches, employees, and volunteers of the school district shall not encourage, permit, condone, or
13 tolerate hazing activities.⁹

Legal References

1. 34 CFR § 106.41; 20 USCA § 1681 et seq.
2. Public Acts of 2021, Chapter No. 40
3. TRR/MS 0520-01-02-.08(1)
4. Public Acts of 2021, Chapter No. 272
5. TCA 29-20-403
6. 20 USCA § 1232h(c); TRR/MS 0520-01-13-.01(1)(a)
7. TCA 49-6-1002(a)
8. TCA 49-6-1002(c)
9. TCA 49-2-120

Cross References

- Special Use of School Vehicles 3.402
- Student Insurance Program 3.601
- Extracurricular Activities 4.300
- Attendance 6.200

Metropolitan Nashville Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Code of Conduct	Descriptor Code: 6.300	Issued Date: 11/09/21
		Rescinds: 6.300	Issued: 11/12/19

1 The Board delegates to the Director of Schools the responsibility of developing specific codes of
2 conduct which are appropriate for each level of school.¹ Codes of conduct for students in pre-
3 kindergarten or kindergarten shall utilize alternative disciplinary approaches implemented through a
4 trauma-informed and restorative lens. Exclusionary discipline shall only be used as a measure of last
5 resort.² The development of each code shall involve principals and staff members of each level and
6 shall be based on evidence-based behaviors supports and interventions.³

7 The following levels of misbehavior and disciplinary procedures and options are standards designed to
8 protect all members of the educational community in the exercise of their rights and duties and to
9 maintain a safe learning environment where orderly learning is possible and encouraged.⁴ These
10 misbehaviors apply to student conduct on school buses, on school property, and while students are on
11 school-sponsored outings. Staff members have the authority to enforce the code of conduct³ and shall
12 ensure that disciplinary measures are implemented in a manner that:⁵

- 13 1. Balances accountability with an understanding of traumatic behavior;
- 14
- 15 2. Teaches and provides opportunities for students to practice school and classroom rules while
16 reinforcing that violent or abusive behavior is not allowed at school;
- 17
- 18 3. Minimizes disruptions to education with an emphasis on positive behavioral supports and
19 behavioral intervention plans;
- 20
- 21 4. Creates consistent and positive rules and consequences; and
- 22
- 23 5. Models respectful, non-violent relationships.

24 In order to ensure that these goals are accomplished, the school district shall utilize a **Multi-Tiered**
25 **System of Supports, implemented through a restorative and trauma-informed lens.** Principals shall use
26 appropriate discipline management techniques when enforcing the code of conduct.

27 **All level of misbehaviors, the disciplinary procedures, and the various disciplinary options shall be**
28 **found in the Parent and Student Handbook approved annually by the board.**

29 MISBEHAVIORS: LEVEL I

30 This level includes minor misbehavior on the part of the student which impedes orderly classroom
31 guidelines or interferes with the orderly operation of the school but which can usually be handled by an
32 individual staff member.

1 MISBEHAVIORS: LEVEL II

2 This level includes misbehavior whose frequency or seriousness tends to disrupt the learning climate of
 3 the school. These misbehaviors do not represent a direct threat to the health and safety of others but
 4 have educational consequences serious enough to require corrective action on the part of
 5 administrative personnel.

6 MISBEHAVIORS: LEVEL III

7 This level includes acts directly against persons or property but whose consequences do not seriously
 8 endanger the health or safety of others in the school.

9 MISBEHAVIORS: LEVEL IV

10 This level of misbehavior includes acts which result in violence to another's person or property or
 11 which pose a threat to the safety of others in the school. These acts are so serious that they usually
 12 require administrative actions which result in the immediate removal of the student from the school,
 13 the intervention of law enforcement authorities, and/or action by the Board.

14 If a student's action poses a threat to the safety of others in the school, a teacher, principal, school
 15 employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or
 16 death to another person.⁷

 Legal References

1. TCA 49-6-4005
2. TCA 49-6-3024
3. Public Acts of 2021, Chapter No. 77
4. TCA 49-6-4002
5. TCA 49-6-4109
6. TCA 49-6-4009
7. TCA 49-6-4008

 Cross References

Traffic and Parking Controls 3.403
 Procedural Due Process 6.302
 Student Discrimination, Harassment, Bullying,
 Cyber-bullying, and Intimidation 6.304
 Title IX & Sexual Harassment 6.3041
 Interference/Disruption of School Activities 6.306
 Bus Safety and Conduct 6.308
 Zero Tolerance Offenses 6.309
 Dress Code 6.310
 Corporal Punishment 6.314
 Detention 6.315
 Suspension 6.316
 Safe Relocation of Students 6.4081

Metropolitan Nashville Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: <h2 style="text-align: center;">Interference/Disruption of School Activities</h2>	Descriptor Code: 6.306	Issued Date: 11/09/21
		Rescinds:	Issued: 08/14/18

1 *General*

2 A student shall not engage in conduct which causes the disruption or interference with the operation of
 3 the school while on school property, in school vehicles or buses, or at school-sponsored events,
 4 whether on or off campus. The student shall not urge other students to engage in such conduct.

5 Employees are authorized to take reasonable measures to establish appropriate school behavior and
 6 have the authority to control the conduct of any student while under the supervision of the school
 7 district.¹

8 A student may receive disciplinary action ranging from verbal reprimand to suspension and/or expulsion
 9 depending on the severity of the offense and the student’s prior record.²

10 **REMOVAL OF STUDENT³**

11 If a student repeatedly or substantially interferes with the learning environment, the teacher may
 12 submit a written request along with the required documentation to the principal/designee to remove the
 13 student from the teacher’s classroom. The student will be given notice of the rationale for the request
 14 as well as the opportunity to offer an explanation.

15 The principal/designee will investigate the request and make a decision regarding the student’s
 16 placement. The principal will notify the teacher as to his/her decision.

17 If a teacher abuses or overuses the student removal process, the principal/designee shall address the
 18 abuse or overuse with the teacher and may require the teacher to complete additional professional
 19 development to improve the teacher’s classroom management skills.

20 *Appeal Process*

21 If the teacher’s request for removal is denied, he/she may file an appeal with the Director of
 22 Schools/designee. He/she will review the teacher’s request for removal as well as the decision of the
 23 principal/designee and make a determination as to the student’s placement.

Legal References

1. TCA 49-6-4102
2. TCA 49-6-3401
3. Public Acts of 2021, Chapter No. 77

Cross References

- Code of Conduct 6.300
- Suspension 6.316
- Safe Relocation of Students 6.4081

Metropolitan Nashville Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Physical Examinations and Immunizations	Descriptor Code: 6.402	Issued Date: 11/09/21
		Rescinds:	Issued: 08/14/18

1 **PHYSICAL EXAMINATIONS¹**

2 The principal shall ensure that there is a complete physical examination of each student prior to:²

- 3 1. Entering school for the first time; and
- 4
- 5 2. Participating as a member of any athletic team or in any other strenuous physical activity
- 6 program.

7 Cost of the examination shall be covered by the parent/guardian of the student. These records shall be
8 on file in the principal's office.

9 Screening tests as required by the Tennessee Department of Education and the Department of Health
10 will be conducted. Parent(s)/guardian(s) will receive written notice of any screening result that indicates
11 a condition that might interfere with the student's progress. The school district will not conduct physical
12 examinations of a student without parental consent or by court order, unless the immediate health or
13 safety of the student or others is in question.³

14 **IMMUNIZATIONS**

15 Students will not be permitted to attend school without proof of immunization as determined by the
16 Commissioner of Health unless circumstances outlined in state or federal law prevent a student from
17 producing such records. It is the responsibility of the parent(s)/guardian(s) to have their children
18 immunized and to provide such proof to the principal of the school which the student is to attend.⁴

19 **Exceptions will be granted to any student whose parent/guardian files with school authorities a signed,
20 written statement that such measures conflict with the one of the following:**

- 21 **1. His/her religious tenets and practices if in the absence of an epidemic or immediate threat of an**
22 **epidemic, except in the event of a COVID-19 or any variant outbreak;⁵ or**
- 23
- 24 **2. Due to medical reasons if the student has a written statement from his/her doctor excusing**
25 **him/her from the immunization.⁶**

26 The Director of Schools shall ensure that appropriate immunization records are maintained for each
27 student.

Legal References

1. 20 USCA § 1232h(c)
2. TRR/MS 0520-01-13-.01(1)(a)
3. Tennessee School Health Screening Guidelines,
https://www.tn.gov/content/dam/tn/education/csh/csh_school_health_screening_guidelines.pdf; 20 USCA § 1232h(c)(2)(C)
4. TCA 49-6-5001(a),(c)
5. TCA 49-6-5001(b)(2); Public Acts of 2021, Chapter No. 513
6. TCA 49-6-5001(c)(2)

Cross References

Promoting Student Welfare 6.400

Metropolitan Nashville Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Safe Relocation of Students	Descriptor Code: 6.4081	Issued Date: 11/09/21
		Rescinds:	Issued: 07/14/20

1 Teachers who are directly responsible for a student's education or other employees who interact with
2 students on a professional basis may relocate a student from the student's present location to another
3 location when such relocation is necessary for the student's safety or the safety of others.¹ If relocation
4 is necessary, the process will comply with all special education laws. Such employees may also intervene
5 in a physical altercation between two (2) or more students or between a student and a district employee.
6 Reasonable or justifiable force may be used to physically relocate or intervene in a conflict if a student
7 is unwilling to cooperate.² If an employee is unable to resolve the matter with the use of reasonable or
8 justifiable force, the employee shall follow the district's administrative procedures relative to the
9 relocation of students.

10 In the event that physical relocation becomes necessary, the employee shall immediately file a brief
11 report of the incident with the principal. If the student's behavior constitutes a violation of the Board's
12 zero tolerance policy, the report shall be placed in the student's permanent record. Otherwise, the report
13 shall be kept in the student's discipline record and not become a part of that student's permanent record.
14 The principal/designee shall notify the employee involved of the actions taken to address the behavior
15 of the relocated student.¹

16 The Director of Schools shall develop administrative procedures regarding the safe relocation of students
17 consistent with state law. Each principal shall fully support the employees' authority to relocate a student
18 and ensure appropriate implementation and reporting.

Legal References

1. Public Acts of 2021, Chapter No. 77
2. TCA 39-11-603; TCA 39-11-609 to 614

Cross References

Code of Conduct 6.300
Interference/Disruption of School Activities 6.306
Zero Tolerance Offenses 6.309
Special Education Students 6.500



STATE OF TENNESSEE
TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

BILL LEE
GOVERNOR

5th FLOOR, DAVY CROCKETT TOWER
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TESS STOVALL
EXECUTIVE DIRECTOR

www.tn.gov/tn-public-charter-school-commission/

October 13, 2021

VIA E-MAIL

Shereka Roby-Grant, Director of Charter Schools
Metro Nashville Public Schools
2601 Bransford Avenue
Nashville, TN 37204
Shereka.Roby@mnps.org

Charlie Friedman, Founder
Nashville Classical II
2000 Greenwood Avenue
Nashville, TN 37206
cfriedman@nashvilleclassical.org

RE: Nashville Classical II Appeal

Dear Ms. Roby-Grant and Mr. Friedman,

On behalf of the Tennessee Public Charter School Commission, I am writing to inform you that the Charter Commission voted on October 12, 2021 to overturn the decision of the Metro Nashville Board of Education denying the amended application of Nashville Classical II and to approve the amended application.

Pursuant to T.C.A. § 49-13-142(b)(3), the approved charter school and the LEA may agree within 30 calendar days of the decision by the Charter Commission to authorize the school that the charter school will be overseen and monitored by the LEA. Any such agreement shall be submitted to the Charter Commission in accordance with the provisions contained in Charter Commission Policy 2.200. In such case, the LEA will be the chartering authority. If no agreement is reached within 30 days, the Charter Commission will remain the chartering authority.

My staff and I are available to discuss any issues or to answer questions during the next 30 days. Your primary point of contact is Ashley Thomas, General Counsel. She can be reached at CharterSchools.Appeals@tn.gov or (615) 289-5367. We are excited about the opportunity to partner with you in an effort to increase families' access to high-quality schools.

Sincerely,

A handwritten signature in cursive script that reads "Tess Stovall".

Tess Stovall
Executive Director

TS:at

cc: Office of School Choice, Tennessee Department of Education