

Section A: School District Organization	Knox County Board of Education Policy		
	Descriptor Term: School Board Legal Status, Authority, Duties and Powers	Descriptor Code: A-100	Issued: 7/95
		Reviewed: 2/24	Revised: 4/24

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LEGAL BASIS FOR BOARD OF EDUCATION AUTHORITY

The legal basis for education in Tennessee is expressed in the state Constitution and state statutes, as interpreted by the courts. In Knox County, the county’s home rule charter is also a legal basis for public education within the county. Boards of Education are instruments of the state, and members of the Board are elected officers representing local citizens and the state in the management of the public schools.¹

The governing body shall be the Board of Education, serving residents within the boundaries of the school system and non-residents under conditions specified by state law and the Tennessee State Board of Education. Within the Knox County school system, there are nine districts consisting of the wards and precincts as determined by the Knox County Commission with one Board member to represent each district.²

All powers of the Board lie in its action as a body; therefore, individual Board members exercise their authority over school system affairs only as they vote to take action at an official meeting of the Board.

In other instances, an individual Board member, including the Chair, shall have only those powers specified by state law.

QUALIFICATIONS

Members of the Board shall be residents of and elected from districts of substantially equal population,³ and shall be citizens of recognized integrity, intelligence, and ability to administer the duties of the office. To qualify as a candidate, an individual must show proof of graduation from high school or receipt of a high school equivalency credential. An employee of Knox County Schools may not be sworn into office as an elected or appointed member of the Board.

No person shall be eligible to serve as a member of the Board of Education unless that person shall have attained the age of eighteen (18) and is a resident of, and a registered voter in, the district from which such person seeks election on the date he/she files his/her nominating petition and has been a resident of both the County and the district for one (1) year prior to such person’s election; provided, however, that the district residency requirement shall not apply in the first year after redistricting for the general election at which a seat on the Board of Education appears on the ballot. A member of the Board shall remain a resident of the Board district which such member represents during his/her term of office. No member of the Commission or any other public official or employee of the Board of Education shall be eligible for appointment or election to the Board of Education.⁴

TERMS OF OFFICE

Members of the Board shall serve four (4) year terms, and may succeed themselves.^{5, 10}

2 **VACANCIES**

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4 Vacancies shall be declared to exist on account of death, resignation, ceasing to be a resident of the district
5 which elected the Board member⁶, or through due process proceedings.⁴

6
7 When a vacancy occurs, the unexpired term shall be filled at the next regular or special meeting of the
8 local legislative body. Such appointment shall continue until the next regular election.⁷

9
10 **DUTIES OF THE BOARD OF EDUCATION⁸**

11
12 The constitutional and statutory duties of the Board of Education include, but are not limited to:

- 13
14 1. Elect [Employ], upon the recommendation of the Director of Schools, teachers who have attained
15 or are eligible for tenure and fix the salaries of and make written contracts with the teachers;
16
17 2. Manage and control all public schools established or that may be established under its jurisdiction;
18
19 3. Purchase all supplies, furniture, fixtures and material of every kind through the Executive
20 Committee;
21
22 4. Order warrants drawn on the County Trustee on account of the elementary and the high school
23 funds, respectively;
24
25 5. Visit the schools whenever, in the judgment of the Board, such visits are necessary;
26
27 6. Except as otherwise provided in this title, dismiss teachers, principals, supervisors and other
28 employees upon sufficient proof of improper conduct, inefficient service or neglect of duty;
29 provided, that no one shall be dismissed without first having been given in writing due notice of
30 the charge or charges and an opportunity for defense;
31
32 7. Suspend, dismiss or alternatively place pupils, when the progress, safety or efficiency of the
33 school makes it necessary or when disruptive, threatening or violent students endanger the safety
34 of other students or school system employees;
35
36 8. Provide proper record books for the Director of Schools, and should the appropriate local
37 legislative body fail or refuse to provide a suitable office and sufficient equipment for the Director
38 of Schools, the Board of Education may provide the office and equipment out of the elementary
39 and the high school funds in proportion to their gross annual amounts;
40
41 9. Require the Director of Schools and Chair of the Board to prepare a budget on forms furnished by
42 the Tennessee Commissioner of Education, and when the budget has been approved by the Board,
43 to submit it to the appropriate local legislative body;
44
45 10. Prepare, or have prepared, a copy of the minutes of each meeting of the board of education and
46 provide a copy of the minutes no more than thirty (30) days after the board meeting or at the time
47 they are provided to or otherwise provided to members of the board, if such is earlier, to the
48 president of each local education association. Any subsequent corrections, modifications or
49 changes shall be distributed in the same manner;
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- 2 11. Adopt and enforce, in accordance with guidelines prescribed by the Tennessee State Board of
3 Education pursuant to §49-6-3002, minimum standards and policies governing student attendance,
4 subject to availability of funds;
5
- 6 12. Develop and implement an evaluation plan for all certificated employees in accordance with the
7 guidelines and criteria of the state board of education, and submit the plan to the commissioner
8 for approval;
9
- 10 13. Notwithstanding any other public or private act to the contrary, employ a Director of Schools
11 under a written contract of up to four (4) years' duration, which may be renewed;
12
- 13 14. Adopt policies on the employment of substitute teachers;
14
- 15 15. Develop and implement an evaluation plan to be used annually for the Director of Schools.
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17 **DISCRETIONARY POWERS OF THE BOARD OF EDUCATION⁸**

18 The discretionary powers of the Board of Education include, but are not limited to:
19

- 20 1. Consolidate two (2) or more schools whenever in its judgment the efficiency of the schools would
21 be improved by the consolidation;
22
- 23 2. Require school children and any employees of the board to submit to a physical examination by a
24 competent physician whenever there is reason to believe that the children or employees have
25 tuberculosis or any other communicable disease;
26
- 27 3. Establish night schools and part-time schools whenever in the judgment of the Board they may be
28 necessary;
29
- 30 4. Permit school buildings and school property to be used for public, community or recreational
31 purposes under rules, regulations and conditions as prescribed from time to time by the Board of
32 Education;
33
- 34 5. The Knox County Law Director shall execute and administer all of the legal affairs of the Board
35 of Education. If there exists a conflict of interest, legal representation will follow the process
36 defined in the 2003 Order of Compromise⁹;
37
- 38 6. Make rules providing for the organization of school safety patrols in the public schools under its
39 jurisdiction and for the appointment, with the permission of the parents, of pupils as members of
40 the safety patrols;
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- 42 7. Establish minimum attendance requirements or standards as a condition for passing a course or
43 grade;
44
- 45 8. Provide written notice to probationary teachers of specific reasons for failure of reelection
46 pursuant to this title; provided, that any teacher so notified shall be given, upon request, a hearing
47 to determine the validity of the reasons given for failure of reelection;
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- 2 9. Lease or sell buildings and property or the portions of buildings or property it determines are not
- 3 being used or are not needed at present by the public school system in the manner deemed by the
- 4 Board to be in the best interest of the school system and the community that the system serves;
- 5
- 6 10. Establish and operate before and after school care programs in connection with any schools, before
- 7 and after the regular school day and while school is not in session;
- 8
- 9 11. Contract for the management and operation of the alternative schools provided for in §49-6-3402
- 10 with any other agency of local government;
- 11
- 12 12. Include in student handbooks, or other information disseminated to parents and legal guardians,
- 13 information on contacting child advocacy groups and information on how to contact the Tennessee
- 14 State Department of Education for information on student rights and services;
- 15
- 16 13. Cooperate with community organizations in offering extended learning opportunities; and
- 17
- 18 14. Apply for and receive federal or private grants for educational purposes.
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34 Legal References:

- 36 1. T.C.A. § 49-1-101; T.C.A. § 49-1-102; T.C.A. § 49-1-103.
- 37 2. Knox County Charter § 6.01. B
- 38 3. T.C.A. § 49-2-201.
- 39 4. T.C.A. § 8-47-101 et seq.; (see also, T.C.A. § 49-1-611), Knox County Charter § 6.01.E.
- 40 5. T.C.A. § 49-2-201 (a) (1).
- 41 6. T.C.A. § 49-2-202 (e); T.C.A. § 8-48-101.
- 42 7. Tennessee Constitution, Article VII, § 2.
- 43 8. T.C.A. § 49-2-202, T.C.A. § 49-2-203.
- 44 9. Knox County Charter Article § 3.08; Order of Compromise, *KCBE v. KCC, et al.*, 152623-3 (April 21, 2003).
- 45 10. *State Deselm v. Jordan*, No. E2008-00908-COA-R3-CV, Tenn. Ct. App. 9-12-2008; and Diane Jordan, et al. v. Knox
- 46 County, Tennessee, et al. Supreme Court of Tennessee (Jan. 12, 2007).

47 Approved as to Legal Form
 48 By Knox County Law Director 2/22/2024
 49 /Gary T. Dupler/Deputy Law Director

<u>Section A:</u> School District Organization	Knox County Board of Education Policy		
	School District Planning, Goals and Objectives	Descriptor Code:	Issued:
		A-110	7/95
		Reviewed:	Revised:
	2/24	12/18	

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PLANNING

The Board of Education is charged, on behalf of the public, with the responsibility for determining the educational goals of the school system. In concert with the Board, the Director of Schools shall develop and maintain a strategic plan which addresses at least a five-year period of time that will be adopted by the Board.¹ The plan will be updated every two years and include a mission statement, goals, objectives and strategies and address the State Board of Education master plan. The strategic plan will also include performance measures by which the success of the plan and its various components will be assessed.

EVALUATION

The Board will routinely review progress in each area of the strategic plan and may revise the plan as necessary so all administrative and curricular practices will properly support the stated goals and objectives. The Board will also endeavor to base major budget decisions on the priorities established within the strategic plan.

Legal Reference:

1. TRR/MS § 0520-01-02-.31(8).

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By Knox County Law Director 1/19/2022
/Gary T. Dupler/Deputy Law Director

<u>Section A:</u> School District Organization	Knox County Board of Education Policy		
	School Attendance Areas	Descriptor Term:	Descriptor Code: Issued:
			A-120 7/95
		Reviewed:	Revised:
	2/24	4/24	

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The Board shall establish school attendance areas and periodically review boundary adjustments. The Superintendent shall enforce these areas as established by the Board.¹

The primary considerations governing the establishment of a school attendance area are:²

1. The educational opportunity afforded students;
2. The capacity of each school; and
3. The geographic location of each school in relationship to the surrounding student population.

School attendance area boundaries shall be maintained by the Transportation Department on behalf of the Board and the Director of Schools. The Transportation Department shall determine each student's school attendance area.

Children residing on any parcel that is assessed Knox County property taxes are eligible to attend Knox County Schools.

Children residing on properties in a subdivision or other development situated in an adjacent county with NO road access into the adjacent county may attend schools within the school system, providing they have an approved transfer and meet all other requirements described as part of Policy J-150.³

Children residing on properties situated dually in Knox County and an adjacent county may attend Knox County Schools in the school attendance area within the boundaries of Knox County.⁴

A student's official residence shall be determined by the Director of Schools or his or her designee. Please reference Policy J-151.

Students who use transportation services provided by Knox County Schools must attend the school in the zone in which they reside, with the exception of Magnet Schools or other special programs. Students who do not use transportation services provided by Knox County Schools shall be permitted to attend any school which is appropriate for their level, provided 1) there is available space in their chosen school and 2) they have an approved transfer.

Legal References:

1. T.C.A. § 49-6-3102.
2. T.C.A. § 49-6-3103.
3. T.C.A. § 49-6-3104.
4. T.C.A. § 49-6-3112.

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By Knox County Law Director 2/22/2024
/Gary T. Dupler/Deputy Law Director

<u>Section A:</u> School District Organization	Knox County Board of Education Policy			
	School Calendar	Descriptor Term:	Descriptor Code:	Issued:
			A-130	7/95
			Reviewed:	Revised:
	2/24	3/11		

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2 Upon the recommendation of the Director of Schools, the Board will endeavor to adopt an official school
3 calendar 18-24 months prior to the beginning of the school year concerned, but no later than three (3)
4 months prior. The primary consideration in the development of school calendars shall be to support and
5 enhance student learning.
6

7 The calendar will identify instructional days, in-service days, administrative days, student holidays and
8 school holidays. The calendar may be revised by the Board, upon recommendation of the Director of
9 Schools, due to inclement weather or other factors.
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11 The regular school year shall be 200 days¹ and scheduled as follows:
12

- 13 A minimum of 180 student attendance days;
- 14 A minimum of five (5) days in-service education for all certificated personnel;
- 15 One (1) day for parent-teacher conferences;
- 16 Ten (10) days paid vacation for all certificated personnel; and
- 17 Four (4) discretionary days.

18

19 The Director of Schools shall plan each year's program accounting for a 200-day year and shall
20 recommend it to the Board for approval. The calendar shall be distributed to the school staff prior to the
21 opening of the school term.
22

23 STUDENT ATTENDANCE DAYS

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25 When schools are closed due to emergencies or unforeseen circumstances such as epidemics or inclement
26 weather, the time lost shall be made up to the required minimum unless otherwise approved by the State
27 Department of Education.
28

29 IN-SERVICE EDUCATION

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31 Each day of in-service education included in the school calendar shall be equivalent to not less than six (6)
32 hours of planned activities.²
33

34 DISCRETIONARY DAYS

35

36 Four (4) discretionary days shall be included in the calendar and may be designated by the Board as
37 student attendance days, in-service days or administrative days. Administrative days may be used by
38 administrators, faculty and staff for preparation for commencement of classes, record keeping, grading
39 examinations, parent-teacher conferences and other educational functions.¹
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Legal References:

1. T.C.A. § 49-6-3004.
2. State Board of Education Guidelines for Planning Approvable In-service Education Activities

<u>Section A:</u> School District Organization	Knox County Board of Education Policy		
	Descriptor Term: School Day	Descriptor Code:	Issued:
		A-140	7/95
		Reviewed:	Revised:
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The minimum length of the school day shall be seven hours for elementary, middle, and high school except for days set aside for teacher collaboration through student late start or early release.¹

Teachers and administrative staff shall be on duty for a minimum of seven hours and forty-five minutes per day. Additional time may be required by the principal when necessitated by the needs of the system or requirements of the job.² Additional time is interpreted to include faculty meetings, in-service programs, committee meetings, general meetings, conferences, school-sponsored activities, and other extra duties before and after school.

Legal References:

1. TRR/MS § 0520-1-3-.02(1)(a).
2. TRR/MS § 0520-1-3-.03(1).

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 By Knox County Law Director
 /Gary T. Dupler/Deputy Law Director

<u>Section A:</u> School District Organization	Knox County Board of Education Policy			
	Emergency Closings	Descriptor Term:	Descriptor Code:	Issued:
			A-141	7/95
			Reviewed:	Revised:
	2/24	3/11		

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The Board authorizes the Director of Schools to close schools in the event of hazardous weather or any other emergency which presents a threat to the safety of students, staff members or school property.

As soon as the decision to close schools is made, the Director of Schools will use all means available to inform the public including news media, internet, e-mail, text and mass telephone notification.

If school is not in session or is dismissed early due to inclement weather, all scheduled activities in which students are involved will generally be postponed or cancelled.

Section A: School District Organization	Knox County Board of Education Policy		
	Descriptor Term:	Descriptor Code:	Issued:
	Extended School Day/Year Programs and School-Age Childcare	A-142	7/95
		Reviewed:	Revised:
	2/24	12/16	

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The Board authorizes the establishment and operation of Extended School Day/Year Programs in any of its schools. These programs should be conducted before and/or after the regular school day, during the summer months, and/or any other time when school is not in session. Emphasis shall be placed upon extended education services such as Community Schools programs, tutoring, after-school care, and interventions.

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By Knox County Law Director
/Gary T. Dupler/Deputy Law Director