

September 20, 2021
Franklin, Tennessee

The Franklin Special School District Board of Education met at 6:30 p.m. on Monday, September 20, 2021, at Freedom Intermediate School, 840 Glass Lane, Franklin. A link to the recording may be found at https://www.youtube.com/watch?v=cp6QJ_-_uEo.

The following members were present: Chair Robert Blair, Allena Bell, Robin Newman, Tim Stillings and Kevin Townsel. Not present: Alicia Barker.

Others present were: Dr. David Snowden, Dr. David Esslinger, Dr. Mary Decker, Susannah Gentry, Mark Anderson, Amy Fisher, Celby Glass, Lisa Chatman, Carol Riordan, Dr. Pax Wiemers, Dr. Cheryl Robey, Chip Sternenberg, Bo Alexander, Amanda Parks, Josh Bracamontes, Shelly Robinson, Summer Carlton, principals and other district leadership team members and community members.

I. MEETING CALLED TO ORDER

The meeting was called to order at 6:34 following the Board in private counsel at 6:27 with Attorney Chuck Cagle in an Executive Session to discuss pending litigation, using attorney/client privilege. After the session Attorney Cagle announced the meeting was for pending litigation discussion and did not violate the Sunshine Law.

II. PLEDGE OF ALLEGIANCE

Freedom Intermediate Principal Dr. Joel Hoag welcomed those in attendance and led the Pledge of Allegiance. Chair Robert Blair called for a moment of silence before being seated.

III. 2021-22 ELECTION OF BOARD OFFICERS

Board Policy 1.200 establishes September as the date the Board organizes through the election of a Chairman, Vice-Chairman, Secretary and Treasurer. As Director of Schools, Dr. Snowden opened the floor for nomination of the 2021-22 Board.

Kevin Townsel nominated a **slate of officers for 2021-22** as follows:

Chairman: Robert Blair

Vice Chair: Allena Bell

Treasurer: Robin Newman

Secretary: Kevin Townsel

Dr. Snowden asked for other nominations and hearing none called for the vote.

The slate of officers nominated was elected by roll call vote, 5 ayes, 0 nays, 1 absence.

IV. PUBLIC INPUT

1. Ce'cile Laine', 396 Forrest Park Circle – Mother of children at MES and FMS, thanked the Board for unanimously voting for the mask mandate at the last meeting, noted declining cases in district, spoke in favor of mask mandate.
2. Jenny Johnson, 1617 Cabot Drive – Mother of Kindergartner requiring extra services that was excluded already this year as a close contact not wearing a mask; quoted article in issue of New York Magazine; spoke against a mask mandate.

V. REPORTS / PRESENTATIONS / DISCUSSIONS

1. **City of Franklin Parks & Rec/FSSD Ball Field Construction Presentation**– Parks Director Lisa Clayton and Assistant Parks Director Paige Cruse presented the memorandum of June 22, 2021 to the Board of Mayor and Aldermen and Resolution to Award the Construction Contract to Sain Construction Company for the Freedom Ball Fields Project in the Amount of \$6,132,200. Funding for the project will be a collaborative effort between the City of Franklin and FSSD and all project costs shall be split 50/50. Director Clayton clarified the increase between the estimated and actual cost for the Board. The City of Franklin owns the contract with Sain through the Engineering Department; FSSD is listed as an additional insurer and will have joint decision making. Director Clayton requests approval by the FSSD Board of Sain Construction Company as they are listed in the Resolution by the Board of Mayor and Aldermen of the City of Franklin (on file).
2. **Teaching and Learning Spotlight, "Summer Learning Camp (SLC) 2021"** – Presented by Dr. Collins and Dr. Wallace, each shared thoughts and reflections from the camps after a short video of students giving their impressions of what they enjoyed and learned at the camps. This and more information is presented in the Summary of T&L Activity for September (on file).
3. **Construction Report** – Presented by Dr. Esslinger (on file), a pictorial report of the gym and PAC were shared, also a time frame of ball fields was discussed. The City will provide opportunities for our teams to play during their season, as our fields will not be ready this coming Spring. There was a time designated for questions and discussion from the report provided to the Board.
4. **2021-22 Community Pre-K Advisory Council Board Representative** – Kevin Townsel will serve in this capacity for 2021-22.
5. **2021-22 TSBA Legislative Liaison** - Robin Newman will service as our representative with TSBA this year.
6. **2021 TSBA Convention Delegates** – Robin Newman, Allena Bell and Kevin Townsel will serve as the FSSD delegates this year.
7. **NSBA CUBE Conference** – Takeaways of Board members attending were highlighted.

VI. APPROVAL OF BOARD AGENDA

Kevin Townsel made a **motion** to approve the board agenda **with the addition of Consent Agenda Item 7. Approval of Sain Construction Company**. Robin Newman **seconded** the motion, which **carried 5-0**.

VII. APPROVAL OF CONSENT AGENDA

Allena Bell made a **motion** to approve the consent agenda as presented. Kevin Townsel **seconded** the motion, which **carried 5-0**.

Approved under Consent Agenda (on file) were:

1. **Minutes of Board Meeting dated August 9, 2021**
2. **Minutes of Special Called Meeting dated August 20, 2021**
3. **Student Disciplinary Hearing Authority Appointment** – Mrs. Tosha Robinson-Baugh, Dr. Joel Hoag and Dr. JP Orman will serve on this panel.
4. **Bids: Transportation Department Buses – Type A and Type D**
5. **Bids: Transportation Department Maintenance and Repairs**
6. **Budget Amendments**
7. **Sain Construction Company** Construction Contract for the Freedom Ball Fields Project in the Amount of \$6,132,200 as awarded by the City of Franklin.

VIII. BUSINESS BEFORE THE BOARD

1. **Consideration of Extension of the Temporary Mask Requirement** – Dr. Snowden’s report to the Board: “As we all have seen, COVID cases within Williamson County continue to be at a significantly high level. From the district data perspective, the number of positive student cases and the number of student exclusions for the week of September 6-10 dropped significantly from the previous two weeks. The number of staff positive cases and exclusions remained fairly constant. Our school district and individual schools continue to utilize the mitigation protocols that were in place at the beginning of the school year as well as the mask requirement that became effective on August 23rd. We are optimistic the wearing of masks is helping, in conjunction with our other mitigation protocols, to lessen the spread of the virus. We do know the use of masks by a significant number of our students and staff have contributed to the exclusion of a smaller number of students due to the wearing of masks by both the positive case and the close contacts. We are very appreciative of the overall support for the use of this protocol as we continue to do our best to continue in-person learning for the students in the FSSD. We recommend the extension of the current mask requirement through the end of the first semester until January 11, 2022 to expire at midnight, which would follow the January meeting. The Board may address the subject at our meetings in the meantime.”

Tim Stillings made a **motion to extend the current mask requirement until October 11, 2021 at 12:00 a.m.** (the next Board meeting) and to evaluate monthly. Robin Newman **seconded** the motion. Discussion followed with main goals of 1) keeping students and staff as safe as possible and 2) to keep students in school. Vaccinations of children 5-11 will not

be available until late Fall, early Winter. Mr. Townsel noted that for lack of a quorum at a future Board meeting, counting on re-evaluating each month, the mandate would die. With consultation of Celby Glass of the COVID Team, the recommendation that we continue the mask mandate through the end of the first semester is driven by data collection and community trends.

The motion and second to extend the current mask requirement until October 11, 2021 at 12:00 a.m. were withdrawn by Tim Stillings and Robin Newman, respectively.

Tim Stillings made a **motion to extend the current mask requirement through the end of the first semester until January 11, 2022 to expire at midnight.** Kevin Townsel **seconded** the motion, which **carried 5-0.**

2. **Ratification of the FSSD Tax Rate FY 2021-22** – Dr. Snowden reviewed the FSSD Tax Rate approved at the July meeting following budget approval at that meeting before recommending ratification of the FSSD Tax Rate FY 2021-22. Budget approval FY 2021-22 “provides the school district with the opportunity to thank our employees for their remarkable work during the 20-21 school year by providing a salary increase of 5% to demonstrate our vast appreciation; three percent (3%) is a Cost of Living adjustment and two percent (2%) is a step increase for all employees (regardless of their current status on the salary scale). A step increase equates to an average of approximately two percent (2%) for FSSD employees. The CPI in June, on a seasonally adjusted basis, increased 0.9 percent from the last month, and during the last 12 months, the all items index increased 5.4%, which was the largest increase of the same amount for the period ending in August, 2008. This increase has a significant impact on all consumers.

The total cost to fund the 2021-2022 increased compensation package for all FSSD employees is \$2,342,721. The amount of additional tax revenue needed to fund the employees’ increase of \$2,342,721 and to partially offset the positions being funded by one-time federal dollars, is 7.80 cents. It will take 6.2 cents of the increase to fund the increase for employees, which will leave 1.6 cents to partially off-set those one-time funded employees. I know you as a School Board take your fiscal responsibility extremely seriously and our goal is to not to have to increase taxes to our constituents. The last time the FSSD increased taxes was in FY 2015-16 and the total of that increase was 7.66 cents.”

The administration recommended the ratification of the FSSD tax rate for FY 2021-22 as approved at the July 19, 2021 Board meeting.

Robin Newman made a **motion to ratify the FSSD Tax Rate FY 2021-22**, which has been set at \$.5311 for the General Purpose Fund and \$.1740 for the Debt Service Fund, with a total Tax Rate of \$.7051 FY 2021-22. Allena Bell **seconded** the motion. **By roll call vote, the motion carried 5-0.**

3. **Additional Contract with Nabholz Construction Management Services** – In January 2020, the FSSD contracted with Nabholz Construction to provide construction management at risk services for the project that included the FSSD Performing Arts Center and the Poplar Grove gym. As a reminder, the process for the selection of this professional service involved the Executive Committee and the Associate Director of Schools for Finance and

Administration holding meetings with each of the Construction Management Firms who responded to the Request for Proposal (RFP).

The administration is now recommending to add another project contract that would include the Transportation/Maintenance/Central Office complex on the Eddy Lane property. The proposed project includes a renovation of the larger building located on the back part of the property and the eventual construction of a new Central Office facility. Mr. Cagle has reviewed and approved all legal aspects of the contract with Nabholz.

Dr. Snowden and Dr. Esslinger agreed that Nabholz has performed exceptionally well, are professional, have good communication and are solution-oriented, with safety at the forefront, and have done a phenomenal job.

Tim Stillings made a **motion** to approve the contract with Nabholz Construction to provide construction management at risk services for the project that would include the Transportation/Maintenance/ Central Office complex on the Eddy Lane property. Robin Newman **seconded** the motion. **By roll call vote, the motion carried 5-0.**

4. **Annual Contract to Audit Accounts** - Matlock Clements, P.C. has provided the contracts to conduct financial audits of the FSSD for the period July 1, 2021 through June 30, 2022 at a fixed auditor fee of \$28,500. The fee is the same amount that has been in our contracts for the past nine years. There are two contracts, one for the district accounts and one for the individual school activity funds. The administration recommended approval.

Robert Blair made a **motion** to approve the annual contracts to audit accounts for the period July 1, 2021 through June 30, 2022 using Matlock Clements, P.C. and paying a fixed auditor fee of \$28,500. Allena Bell **seconded** the motion. By roll call vote, the **motion carried 5-0.**

5. **Policy Revision: Teacher Tenure (5.117) – 2nd Reading** - As reviewed in the last regular Board meeting, TSBA Director of Policy & Staff Attorney has given updates to this policy based on recently passed legislation. “Due to the cancellation of TNReady tests during the pandemic, there are no teacher evaluation scores from the 2019-20 school year. Public Chapter 2 from the Special Legislative Session clarifies that the two most recent evaluation scores can be used when determining tenure. Additionally, Public Chapter 378 changes the requirements for providing notice of nonrenewal to teachers. This notice must now be sent to teachers by certified mail, overnight carrier, or email so that it will be received within five business days following the last instructional day. The model policy has been updated to align with both of these legal changes.” The title changes from “Procedures for Granting Tenure”; references are also updated. There were no updates requested by the Board upon 1st Reading. The administration recommended approval of the 2nd Reading.

Kevin Townsel made a **motion** to approve the policy revisions for **Teacher Tenure (5.117) – 2nd Reading** as presented. Allena Bell **seconded** the motion, which **carried 5-0.**

6. **Policy Revision: Alternative Education (6.319) – 2nd Reading** – Per TSBA Director of Policy & Staff Attorney, “Public Chapter 229 creates another exception regarding assignment to an alternative school or program. Now, a Director of Schools is not required

to assign a student to the alternative school or program if **either** (1) The student committed an offense of violence or threatened violence or an offense that threatened the safety of other students in the school; **or** (2) The location of the alternative school or program is on the same grounds from which the student was disciplined.” TSBA has provided model language to update our policy to include this exception. Clarification on wording of the description (above) was requested at the 1st Reading. Either reason listed above is reason for not assigning a suspended or expelled student to an alternative school or program. There were no changes requested by the Board on the policy itself upon 1st Reading. The administration recommended approval of the 2nd Reading.

Robert Blair made a **motion** to approve the policy revisions for **Alternative Education (6.319) – 2nd Reading** as presented. Allena Bell **seconded** the motion. The motion **carried 5-0**.

7. **Policy Revision: Security (3.205) – 1st Reading** - Districts must now include cybersecurity in their safety plans. This will be included in the state-level template; districts are tasked with identifying how to keep these networks and technologies safe from cyberattacks and other cybersecurity threats and incidents. A review and update of the policy is based on the TSBA model policy and adapted for our district, as well as bringing the policy up to current practice. The administration recommended approval of the 1st Reading.

Allena Bell made a **motion** to approve the policy revisions for **Security (3.205) – 1st Reading as presented and to waive the 2nd Reading**. Kevin Townsel **seconded** the motion, which **carried 5-0**.

8. **Policy Revision: Insurance Management (3.600) – 1st Reading** - This revision request is to further outline the stipulations of the post-retirement benefit for retirees of paying the cost of health insurance at retirement until the age of 65 who were employed prior to FY 2009-2010 without a break in service. This better meets the intent of this benefit provided by the Board for this group of personnel. The administration recommended approval of the 1st Reading.

Robin Newman made a **motion** to approve the policy revisions for **Insurance Management (3.600) – 1st Reading** as presented. Kevin Townsel **seconded** the motion, which **carried 5-0**.

9. **Policy Revision: Special Programs – Homebound Instruction (4.2061) – 1st Reading** - This policy revision is from review due to a change to State Board of Education Regulation 0520-01-13-.01 for homebound instruction. Noted is the addition of specifying the *treating* physician to certify or recertify the homebound need. Duplicate language has been removed and references have been updated. The administration recommended approval of the 1st Reading.

Allena Bell made a **motion** to approve the policy revisions for **Special Programs – Homebound Instruction (4.2061) – 1st Reading** as presented. Robin Newman **seconded** the motion, which **carried 5-0**.

- 10. Policy Revision: Textbooks and Instructional Materials (4.400) and Deletion: Textbooks (4.401) – 1st Reading** - TSBA has provided a model policy for direction on combining the current policies for instructional materials (4.400) and textbooks (4.401) to clarify the relationship between textbooks and instructional materials. With approval of this update, the title of Policy 4.400 changes from “Instructional Materials” and is rewritten to combine policies, and Policy 4.401, “Textbooks”, will be deleted. Also included in the rewriting of this policy under the “Selection” heading is the provision for seeking a waiver to use materials that are not included on the list approved by the State Textbook Commission, based on a new State Board of Education regulation. To date we have selected materials on the State list and have not requested a waiver. The administration recommended approval of the 1st Reading.

Tim Stillings made a **motion** to approve the policy revisions for **Textbooks and Instructional Materials (4.400) and Deletion: Textbooks (4.401) – 1st Reading** as presented. Allena Bell **seconded** the motion, which **carried 5-0**.

- 11. New Policy: COVID-19 Sick Leave (5.3023) – New Policy - 1st Reading** – The previous adoption of this policy expired as of June 30th, and deleted at the July meeting. Due to the fact that many personnel have been negatively impacted again this year by COVID-19, many have requested the reinstatement of a COVID Sick Leave policy. The administration requests that this policy be reinstated and retroactive to July 1, 2021, and that it carry through December 17, 2021 for an employee being unable to work because the employee has a confirmed diagnosis of COVID-19. The administration recommended approval of the 1st Reading.

Robin Newman made a **motion** to approve the reinstatement of **COVID-19 Sick Leave (5.3023) – New Policy - 1st Reading** as presented. Allena Bell **seconded** the motion. Discussion followed as to whether an un-vaccinated person with a confirmed diagnosis of COVID should receive paid COVID leave. Dr. Snowden stated that legal counsel’s recommendations were that we do not distinguish between a vaccinated or non-vaccinated person as they could have a legitimate health or religious reason why they are not vaccinated. The number of personnel this has entailed since the beginning of this fiscal year and the financial impact was also discussed.

The motion and second to approve the policy revisions for COVID-19 Sick Leave (5.3023) – 1st Reading were **withdrawn** by Robin Newman and Allena Bell, respectively.

Kevin Townsel made a **motion to table** the policy until the next meeting pending clarification or further counsel. Allena Bell **seconded** the motion, which **carried 5-0**.

- 12. Policy Deletion: FFCRA Leave (5.3051) – 1st Reading for Deletion** - As written into the policy, the expiration date of this policy was December 31, 2020 coinciding with the expiration of the Families First Corona Virus Response Act. This request is to delete the policy.

Kevin Townsel made a **motion** to approve the policy revisions for **FFCRA Leave (5.3051) – 1st Reading for Deletion as presented and to waive the 2nd Reading**. Tim Stillings **seconded** the motion, which **carried 5-0**.

- 13. Policy Revision: Physical Examinations and Immunizations (6.402) – 1st Reading -** State law now includes an additional vaccine exemption in TCA 49-6-5001. If in the future any COVID-19 or variant vaccine is required for students, an exemption will be granted for individuals whose religious tenets and practices conflict with vaccination. This is *in addition* to exemption provided by TCA 49-6-5001 due to medical reasons if the student has a written statement from his or her doctor excusing him/her from such immunization. TSBA has provided updated language for this additional exemption. The administration recommended approval of the 1st Reading.

Robin Newman made a **motion** to approve the policy revisions for **Physical Examinations and Immunizations (6.402) – 1st Reading** as presented. Robert Blair **seconded** the motion, which **carried 5-0**.

VIII. DIRECTOR OF SCHOOLS REPORT

- **Monitoring of COVID-19 Data Spread** – We continue to review the COVID-19 Data in the County and locally. We will continue to provide weekly notifications to parents and employees and will be transparent with information within the guidelines and compliance of HIPAA and any related confidentiality requirements. In our weekly meeting with the Mayors, Williamson Medical health officials and other local government officials, there continues to be a concern about the high numbers our County is experiencing. Medical officials don't expect the number of cases with the variant to peak until a few weeks from now.
- **Five Schools Earn “Reward School” Status** – We are so pleased that, despite all the challenges teachers, administrators and personnel had during this past year, Franklin, Liberty, Moore and Poplar Grove Elementary, as well as Freedom Intermediate, received Reward School status. Based on a 0-4 score, schools are scored annually on a calculation of student achievement results (TCAP), student growth (TVAAS), chronically out of school student percentages, and the growth of students taking the English Language Proficiency Assessment. These five schools scored at least a 3.1 overall grade on the calculated results.
- **Director of Schools Advisory Council** - The members of the Director of Schools Advisory Council are in the process of being selected from each site. Our first meeting is scheduled for October 21st. The Advisory Council is composed of an employee and alternate from each school, representatives from the central office, the central office annex, FSSDEA, maintenance/landscaping and transportation. The meetings offer opportunities to celebrate successes at each site/department, as well as to bring concerns and questions to the Director of Schools.

- **Complaint Managers for the FSSD** - The Director of Schools has appointed the Associate Directors or designees as Complaint Managers for the FSSD in accordance with the Complaints and Grievances Policy (5.501).
- **Fall Break** - The FSSD's student Fall Break will occur October 11-15. District offices will be closed as well during this time.
- **Board of Distinction Status** – You are coming up on the two-year expiration of this recognition of outstanding performance. To renew, you have been sent your individual self-evaluation of the Board - after completion and submittal to TSBA from all Board members, the Board Chair will receive a review from TSBA to share with the members. The only other item that the Board must complete is a critique from other Boards. We are currently making arrangements for a visit at this next meeting. We look forward to your renewal, and know how hard you work for the benefit of our district. Thank you.
- **Conferences and meetings update:** Updates were provided separately.

X. UPDATES

Teaching & Learning – Dr. Mary Decker, Associate Director for Teaching & Learning, provided the following (on file):

- Demographics Report for September 2021

Finance & Administration – David Esslinger, Associate Director for Finance & Administration, provided the following (on file):


- Personnel Change Report August/September 2021
- Investment Report
- Revenue and Expenditure Reports
- Sales Tax Revenue Comparison Report for September

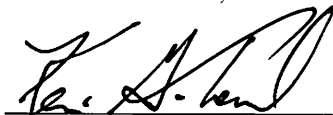
XI. ANNOUNCEMENTS

Dr. Esslinger reported that tax collections are up 19.3% from last year at this time.

XII. ADJOURNMENT

Chair Blair adjourned the meeting at 8:08 p.m.


 _____ 10/18/21
 Robert Blair, Chair Date

ATTEST: 
 _____ 10.18.21
 Kevin Townsel, Secretary Date