

Marion County Board of Education

Monitoring:

Descriptor Term:

Descriptor Code:

Issued Date:

Review:
Annually,
in April

Conduct on School Property or at School Activities

1.500.1

1/8/24

Rescinds:

Issued:

The school district hosts or participates in many curricular and extracurricular activities attended by parents and the general public. These include, for example but not by way of limitation, interscholastic athletic contests, proms and other social events, dramatic or musical performances, field trips, fund-raisers and meetings for parents, patrons and the public and are referred to herein as "events". Events occur on school district property as well as at other locations or on property (such as school vehicles) leased or licensed to the school district for a particular purpose, all such property being referred herein to as "school district owned or controlled property." Groups and members of the public also use school district owned or controlled property under the district's facilities use policy.

All persons using or appearing at events conducted upon school district owned or controlled property will observe, at a minimum, those standards of behavior and conduct expected of school district staff and students. Specifically, whether they appear as users, participants or observers of an event, such persons shall not:

1. Obstruct, disrupt or interfere with, or threaten to obstruct disrupt or interfere with, teaching, research, service, administration, control, discipline, coaching, officiating or any other district operations sponsored or approved by the district;
2. Physically abuse or threaten to harm any persons or school district owned or controlled property;
3. Damage or threaten to damage school district owned or controlled property of the school district, regardless of location, or property leased or licensed in connection with an event or property of a member of the community when such property is located on district property;
4. Force or make unauthorized entry to school district owned or controlled property, or occupy district facilities, including both buildings and grounds;
5. Use, possess, distribute or sell drugs, other controlled substances, alcohol or other illegal contraband on or in school district owned or controlled property, at district or school-sponsored functions or while using or being in any district vehicle. For purposes of this policy, "controlled substances" means drugs identified and regulated under federal law, including but not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine). (Persons known to be under the influence of alcohol or a controlled substance shall not be permitted to enter school district owned or controlled property, or school sponsored activities or events.)
6. Distribute, manufacture or sell controlled substances or possess controlled substances with intent to distribute them within 1,000 feet of the perimeter of school grounds.
7. Enter District buildings or grounds under the influence of alcohol or a controlled substance.

8. Unlawfully use any tobacco product.

9. Possess a concealed or dangerous weapon, on school district owned or controlled property. For the purpose of this policy, "deadly weapons" means:

a. a firearm, whether loaded or unloaded;

b. a fixed blade knife with a blade that exceeds three inches in length;

c. a spring-loaded knife or pocket knife with a blade exceeding three and one-half inches in length; or

d. any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury including, but not limited to, a BB gun, a slingshot, bludgeon, nunchucks, brass knuckles or artificial knuckles of any kind..

10. Use profanity or verbally abusive language.

11. Engage in any conduct constituting a breach of any federal, state or city law or duly adopted policy and/or regulation of the Board.

Persons determined by the director of schools, his/her designee or the principal, or his or her designee of a host school to be in violation of this policy may be instructed to leave the school district owned or controlled property.

Where repeated violations occur or where a person threatens or appears likely to violate this policy in the future, the director of schools or his/her designee or the principal of a host school may ban or restrict the person's access to events and to the use of school district owned or controlled property. The principal of a host school's authority, however, shall extend only to events and school district owned or controlled property of his/her school.

In appropriate cases, persons violating this policy may be referred to law enforcement authorities for criminal prosecution.

Legal Reference:

1. Student and Employee Safe Environment Act of 1996 ; TCA 49-6-4011, et. al.

Marion County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in January	Purchasing	2.805	02/20/24
		Rescinds:	Issued:
		2.805	04/24/01

The Board shall purchase competitively and seek maximum educational value for every dollar spent. Purchases shall be dependent on need and availability of funds.

All purchases shall be by voucher, purchase order, or contract, and shall be in accordance with bid specifications.

Purchases made by anyone not authorized by the appropriate operating department head shall become the personal responsibility of the person(s) making the purchase.

No school shall be obligated to pay for any expenditure(s) made by a student or staff unless he/she first receives a written purchase order from the proper office or unless prior written permission is made with the principal.

Purchases are authorized in accordance with the bid/quotation limits in policy section 2.806. Purchases shall be categorized as follows:

ROUTINE PURCHASES

Routine purchases shall include expenditures for supplies, materials, services, and recurring expenditures required for the operation of the school system. These expenditures shall be anticipated, budgeted, and will normally be authorized by the Board at the beginning of the fiscal year. The Board shall be promptly informed if any substantial variation from budgeted estimates becomes necessary.

SPECIAL PURCHASES

Special purchases include those which are not routine and which may or may not be specifically identified by line item in the budget. Examples of special purchases are all capital expenditures such as for vehicles, buildings, major contracts, major equipment, items for long-term use and supplies of an unusual quantity or nature.

EMERGENCY PURCHASES

Emergency purchases are those which are necessary to avert hazards which threaten health or safety, to protect property from damage or to avoid major disruption of educational activities. If within budgetary and bid limits and deemed essential, emergency purchases shall be approved by the director of schools and board chairman. However, if the purchase is not within budgetary and bid limits, the chairman shall call a special or emergency meeting of the Board to deal with the matter. In any event, the Board shall be advised promptly of all emergency purchases.

PURCHASING AUTHORITY

The director of schools and other employees designated by the Board shall be authorized to act for the Board in acquiring federal surplus property through the Tennessee General Services Department for surplus property and in entering into agreements, certifications and covenants of compliance concerning the use of federal surplus property.

Further, the director of schools is authorized to purchase any needed items through suppliers approved on the state bid list.

LOCAL PURCHASING

The Board will purchase locally whenever other conditions are comparable.

COOPERATIVE PURCHASING

The Board, at its option, will join in cooperative purchasing with other school systems to take advantage of lower prices for bulk purchasing and to reduce the cost involved in bidding whenever such buying appears to be to the benefit of the system.

The primary factor to determine if the school system must bid out cooperative purchases is whether any other members of the cooperative have previously bid the item out. Provided another member of the cooperative follows their internal bid procedures and properly obtains the item, the school system can rely on that bid process and will not have to bid the program here. If however none of the other members of the cooperative have bids that the school system can rely on for the purchase pursuant to state law, the school system will be required to let bids for the item locally. It is recommended that cooperative purchases by members of the school system contact other members of the cooperative to obtain their contract and bid specs along with a copy of the process used to acquire that bid and place this documentation in the file to support the school systems own internal purchase documents.

Legal Reference:

1. TCA 49-2-206(3); TCA 6-36-115; TCA §12-3-1205

Marion County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in January	Line Item Transfer Authority and Review of Federal Fund Balance	2.201	02/20/2024
		Rescinds: 2.201	Issued: 12/15/1997

Central Office

Line-item transfers within major categories shall be made upon the recommendation of the Director of Schools and approval by the Board.

County Commission approval will only be required for use of fund balance, movements between functions/departments, and salary line items.

The budget for the School Federal Projects Fund shall be the budget approved for separate projects within the fund by the Tennessee Department of Education and the Marion County Board of Education.

Board Action

Each year, the board will review the Federal Fund Balance to determine if adjustments are needed.

Legal Reference:

1. OP Tenn. Atty. Gen. 83-464 (Oct 26, 1983); *Bandy v. State ex. rel. Sullivan County Board*; 186 TN 11, 207 S. W. 2d 1011 (1948)

Marion County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review:	Bonded Employees	2.600	02/20/2024
Annually,		Rescinds:	Issued:
in January		2.600	04/24/2001

General

The director of schools and all other employees who handle school monies shall be bonded in order to indemnify the school system against the loss of any funds.¹

The board will provide a blanket bond to cover all other employees who handle school monies at a minimum of one hundred fifty thousand dollars (\$150,000). The cost of the bonds will be paid by the board.

The board shall determine the amount of the bond, giving consideration to the total amount of money and/or property that is handled.²

Legal References

1. TCA 8-19-101 through 103, TCA 49-2-110(a)(1)
2. Tennessee Internal School Uniform Accounting Policy Manual, Section 4-16

Marion County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in October	Community Use of School Facilities	3.206	02/20/24
		Rescinds: 3.206	Issued: 05/20/03

When not in use for school purposes, school buildings and grounds or portions thereof may be used for public, governmental, charitable, civic, recreational, cultural, and other purposes as approved by the Board.¹

General Guidelines

1. All requests for the use of a school's facilities shall be made at the office of the principal prior to the date of use;
2. All activities must be under adult supervision and approved by the building principal.
 - a. In all cases, an assigned school employee will be present.
 - b. The group using the facilities will be responsible for any damage to the building or equipment;
3. Groups receiving permission for building use are restricted to the dates and hours approved and to the building area and facilities specified, unless requested changes are approved by the principal;
4. Groups receiving permission for building use are responsible for the observance of all fire and safety regulations at all times;
5. The use of alcoholic beverages, tobacco products, drugs, profane language, or gambling in any form is not permitted in school buildings or on school campuses.
6. When school kitchens are requested, the Food Services department must be consulted and grant permission for use of the kitchen area. If the use of equipment is requested, at least one member of the cafeteria staff must be present to supervise the use of the identified equipment;
7. School facilities shall not be used for any non-school purposes on a permanent basis;
8. Groups not already covered by the Board of Education's liability policy must file a certificate of liability insurance copy in the amount of \$1,000,000 with the Marion County Department of Education Director of Finance.
9. Groups requesting use of items such as gymnasium/stadium lighting and other aspects of a school campus beyond normal space and lighting are subject to additional costs no less than the anticipated cost to the district

School Groups & Non-Profits

- All items under General Guidelines apply to all groups requesting use of the facilities.
- Student clubs and activities, parent-teacher associations, and other organizations affiliated with, or providing direct benefit to the schools, or students of Marion County Schools, shall be permitted use of school facilities without charge; and
- The Board will approve and periodically review a fee schedule for the use of school facilities by community or civic organizations and other non-profit, recreational, religious, political or philosophical groups.

Non-School Affiliated Groups including “For Profits”

- All items listed under General Guidelines of this policy shall apply to all groups requesting use of the facilities.
- All requests made by non-school affiliated groups or “For Profit” groups require School Board Approval.
- School facilities may be used by “for-profit” organizations but must pay a fee of \$35/hour for use of the facility.
- Clean-up fees may also be assessed. If applicable, clean-up fees will be no less than the cost to the school system for the employees assigned to the event.
- For professional staff, the Board will waive the facility charge.

Legal References:

1. TCA 49-50-201
2. TCA 49-2-203(b)(4)
3. *Lamb's Chapel v. Center Moriches Union Free School District*, 113 S. Ct. 2141 (1993)

Cross References:

- Tobacco-Free Schools 1.803
- Care of School Property 6.311

Marion County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in February	Personnel Records and Employee References	5.114	02/20/24
		Rescinds: 5.114	Issued: 05/20/03

The Director of Schools or their designee(s) shall be authorized to maintain personnel records and to permit inspection of the same. The following personnel records shall be maintained for all employees as appropriate, including, but not limited to, the following:

1. Employee applications and contracts
2. Professional certificates and other documents required by state and federal laws and regulations
3. Cumulative information files; and
4. INS Form I-9.²

The following guidelines shall apply:

1. Information contained in personnel records shall be limited to job-related matters;
2. The Director of Schools shall be responsible for notifying all employees of the types of records¹ kept and uses made of such records;
3. Employees shall be granted an opportunity to respond in writing to material placed in records;
4. Employee records are public records, except for matters deemed confidential by law, and shall be open for inspection during regular business hours;³
5. A record of the person inspecting, and the date of inspection shall be recorded;
6. Copies of records may be made under rules determined by the Director of Schools;⁴
7. Members of the public may not obtain an employee's home or personal cell phone numbers; bank account; individual health savings account; retirement account or pension account information; residential information, including the street address; city, state and zip code; social security number; or driver's license information, except where driving or operating a vehicle is considered to be a part of the employee's duties, unless release of this information is expressly authorized by the employee. The preceding information may also not be obtained for the employee's immediate family members or household members unless release of this information is expressly authorized by the employee.
8. The Human Resources Department will release to credit agencies only the present employment status of an employee and the length of service in the Marion County School System. Additional salary and personnel information will be released only upon written authorization of the employee.

Employees who wish to review their own file should contact the Human Resources Department. With reasonable advance notice (at least two (2) business days), employees may review their own personnel files in the Human Resources Department and in the presence of an HR employee. Requests to view personnel files by the press, parents, and/or other Tennessee residents shall also require reasonable notice as outlined by the TN Open Records Act.

EMPLOYMENT REFERENCES

No administrator or supervisor may offer an employment reference or a letter of recommendation for any employee or former employee of the Marion County Department of Education unless he or she directly supervised the employee or former employee within the preceding twelve (12) months.

Regarding a former employee, no administrator or supervisor may comment on the former employee's performance or the reasons for the former employee's separation from the Marion County Department of Education unless the administrator or supervisor has direct, personal knowledge of the same. In the case of any questions, the administrator or supervisor must clear the reference or recommendation with the Director of Human Resources.

Legal References:

1. TCA 49-2-301(b)(1)
2. Immigration Reform and Control Act of 1986
3. TCA 49-2-301(b)(1)
4. TCA 10-7-503—504
5. TCA 10-7-504
6. TCA 8-5-108

Cross Reference:

School Board Records 1.407