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State Board of Education Local Education Agency (LEA) Policies

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**The Background:**

Pursuant to Public Chapter 850 of the 108<sup>th</sup> General Assembly, the State Board serves as the chartering authority for any schools that it authorizes on appeal if the local school district and the charter school operator do not mutually agree that the local district will be the authorizer. In Tennessee, the chartering authority serves as the local education agency (LEA) for any authorized charter schools. Additionally, T.C.A. § 49-13-142(b)(1) provides that oversight and monitoring of charter schools authorized by the State Board shall be performed by the State Board.

In order to comply with the oversight and monitoring duties required in statute, the State Board must adopt policies to govern its functions as the LEA for authorized charter schools. These policies will only impact the charter schools under the supervision of the State Board and will not be applicable to any other school or local district. Additionally, these policies will work in conjunction with State Board Policies 6.100 through 6.110 which govern the State Board's duties as a charter school authorizer.

Below is a list of policies that are new since first reading, as well as those that have substantial and minor updates. Any policy not listed below was either not changed or was only updated with grammatical changes. (Page numbers reference the redline attachment).

New Policies

The following new policies have been added since first reading:

- 4300 – Interscholastic Athletics (pg. 62): This policy outlines the school's responsibility to have a policy addressing organizing, conducting, and participating in athletics.
- 5911 – Differentiated Pay and Strategic Compensation (pg. 89): Tennessee Code Annotated § 49-3-306 requires LEAs to adopt and implement differentiated pay plans. This policy outlines the State Board's responsibilities as a charter authorizer as well as the school's responsibilities as the employer around differentiated pay and strategic compensation.
- 6317 – Required Remands and Student Disciplinary Hearing Authority (pg. 109): This policy outlines the process by which the LEA and its authorized schools should handle appeals of disciplinary action and the requirement to remand students to alternative school for a suspension of more than ten (10) days.
- 6921 – Incarcerated Students (pg. 136): This policy outlines the State Board's responsibility to provide educational services to incarcerated youth.

## Substantive Changes

The following policies have had substantial additions or changes since first reading. The updates to these policies add or change the responsibilities of either the State Board LEA or its authorized charter schools:

- 1100 – Adoption of Policies (pg. 4): This policy has been updated to address the communication and distribution of LEA and school policies, as well as outlines the Director of School’s responsibility to approve LEA operating procedures annually.
- 1802 – Americans with Disabilities Act (ADA), Section 504, and Individuals with Disabilities Education Act (IDEA) (pg. 12): This policy has been updated with the LEA’s responsibility to designate a coordinator to monitor ADA, Section 504, and IDEA complaints and grievance procedures. Additionally, the policy outlines contact information for filing ADA, Section 504, and IDEA complaints.
- 2702 – Inventory and Equipment (pg. 33): This policy has been updated to outline additional requirements for equipment procured with federal funds.
- 2804 – Expenses and Reimbursements (pg. 38): This policy has been updated with specific requirements for each school’s travel policies and procedures and for requesting travel reimbursements.
- 2805 – Purchasing and Contracts (pg. 40): This policy has been updated to clarify the requirements for the school’s purchasing and procurement policies, as well as updates the requirements for purchases over \$10,000 made with federal funds.
- 3400 – Transportation (pg. 52): This policy has been updated to clarify a school’s responsibility to provide transportation in accordance with its charter agreement and clarifies the distribution of BEP funds based on the transportation plan for students.
- 4502 – Parent Involvement and Engagement (pg. 67): This policy, in accordance with the Every Student Succeeds Act, has been updated to outline the elements that a charter school is required to have in its own policies regarding parent engagement and involvement. Additionally, the policy addresses the LEA responsibility for engaging and communicating with parents.
- 4603 – AP/IB Courses, Honors/Technical Courses, and Grading (pg. 69): This policy has been updated to specify the weighting for the TNReady and EOC scores that will be counted in a student’s final grade.
- 5106 – Application and Employment (pg. 77): This policy has been updated to clarify the requirements for employment in an authorized charter school. Additionally, the policy outlines a school’s responsibility to have human resources policies and a process for ensuring highly effective teachers and paraprofessionals are hired.
- 6400 – Student Wellness and Health Services (pg. 112): This policy has been updated to include the requirement that schools develop and implement food allergy guidelines.
- 6503 – Homeless Students (pg. 121): This policy has been updated to define school of origin, outline the school’s responsibility for transportation of homeless students, and outline the responsibilities of the State Board’s homeless liaison.
- 6505 – Students in Foster Care (pg. 126): This policy has been updated to clarify the definitions of students in foster care and school of origin, as well as outline a student’s ability to maintain services and remain in the school of origin for the entire academic year, even if the student exits foster care.

Additionally, the policy clarifies transportation of students in foster care and outlines the responsibilities of both the school and LEA foster care point of contact.

### Minor Changes

The following policies have had minimal additions or changes since first reading. The updates to these policies add further clarification to specific requirements of the State Board LEA or its authorized charter schools:

- 1106 – Code of Ethics and Conflict of Interest (pg. 5): Clarifies the school’s responsibility to file the original code of ethics and conflict of interest policies with the State Board, and to provide revised copies if the policies are updated.
- 1407 – Public Records (pg. 9): Clarifies that public records requests of the State Board are governed by State Board policy 1.500.
- 2100 – Fiscal Management Objectives (pg. 19): Specifies the requirement for schools to comply with the State Board’s operating policies and procedures for Federal Programs Administration.
- 2200 – School Operating Budget (pg. 20): Clarifies the budget revision process.
- 2400 – Revenue and School Fees (pg. 23): Clarifies the ability of the LEA to withhold a portion of certain state or federal grants.
- 2401 – Gifts and Bequests (pg. 25): Clarifies the requirements and limitations around purchasing gifts.
- 2403 – Property Sales (pg. 27): Clarifies the requirements of the school’s policy for the disposal of equipment.
- 2700 – Accounting System (pg. 31): Specifies the State Board’s use of the Edison accounting system and the state ePlan system.
- 2703 – Audits (pg. 34): Clarifies the steps taken if an audit of the State Board’s financial accounts results in a finding.
- 2900 – Student Activity Funds Management (pg. 42): Clarifies that student activity fund accounts shall be audited as part of the school’s annual financial audit.
- 3201 – School Safety (pg. 44): The section regarding public comment and public hearings of school safety plans is no longer required by statute and therefore has been removed.
- 3202 – Emergency Preparedness and Procedures (pg. 47): Pursuant to Public Chapters 313 and 451 of 2017, updates the annual required safety drills.
- 4210 – Credit Recovery (pg. 59): Clarifies the admission requirements into credit recovery courses in accordance with State Board policy 2.103.
- 5104 – Employee Rights (pg. 75): Clarifies the school’s responsibility to verify that a contracted transportation provider’s alcohol and drug testing policy is compliant with the Omnibus Transportation Employee Testing Act.
- 5114 – Personnel Records (pg. 80): Clarifies the personnel records that shall be maintained for employees and the guidelines for maintaining personnel records.

- 5118 – Background Investigations (pg. 82): Updates the specific background checks performed by the State Board and clarifies a school’s ability to reimburse applicants for background checks.
- 6200 – Attendance (pg. 91): Clarifies that daily attendance shall be reported in the State Board’s student information system.
- 6203 – Physical Examinations and Immunizations (pg. 94): Specifies the school’s responsibility to provide information about influenza, in addition to meningococcal disease.
- 6313 – Student Discipline (pg. 108): Clarifies the requirement that student attendance in alternative school is mandatory.
- 6409 – Child Abuse (pg. 118): Clarifies the requirement that the school post signage and contact information for the department of children’s services in a clearly visible, public location.
- 6600 – Student Records and Confidentiality (pg. 130): Clarifies the rights of parents to inspect third party surveys before they are administered to students.

**The Recommendation:**

State Board staff recommends adoption of this item on final reading.