

Certificated
Employee
Handbook

2014

2015



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Introduction

Every employee of Metropolitan Nashville Public Schools (MNPS or “the District”), plays a part in the education of our students and contributes to the District’s goal of becoming the nation’s top-performing urban school district by 2018. This Handbook addresses employees’ general responsibilities and privileges. It does not constitute an employment contract and is not intended to create, nor to be construed as creating, any contractual relationships.

This Handbook supersedes all prior handbooks, policy manuals, procedures, statements of hire, or other verbal or written representations with regard to the topics covered in this Handbook. To the extent this Handbook does not cover a topic that is covered in a separate MNPS policy, such separate policy should be consulted for guidance with regard to the topic of such policy. MNPS reserves the right to modify or change any of the policies or benefits summarized in this handbook in its sole discretion, without prior notice. MNPS also retains the right to handle any particular situation in the manner it deems most appropriate and in the best overall interests of MNPS. The exercise of this discretion may result in MNPS departing from some of the policies outlined in this Handbook as dictated by the circumstances.

If you have any suggestions, ideas, or questions about the content of this handbook, please talk with your Principal or Department Head. If they are unable to answer your question, please contact the Human Capital Department. For an index of MNPS Policies and Procedures, [click here](#).

Implementation of These Rules and Regulations

Acceptance of employment with the District constitutes agreement that employees will conform to the rules and regulations of the District and the Director, including changes or additions to these rules and regulations during the course of employment. The Human Capital Department will advise and assist department heads/principals in the enforcement and interpretation of these rules and regulations.

An Equal Opportunity Employer

MNPS provides equal employment opportunities (EEO) to employees and applicants for employment in accordance with applicable federal, state and local laws and MNPS [Non-Discrimination Policy](#) HR 5.166. MNPS complies with applicable federal, state and local laws governing non-discrimination in employment.

MNPS expressly prohibits employee harassment as defined in MNPS [Employee Harassment](#) HR 5.160.

Teacher Workday

Length of Teacher Workday

All teachers shall be present at their respective schools a minimum of seven and one-half (7 ½) hours each school day plus such time as may be needed for administrative duties, such as faculty meetings and emergency situations, unless otherwise advised by the principal.

Conference Day Schedule

An alternate Conference Day schedule may be established by each school. Principals will consult with members of the faculty to arrive at mutually agreeable alternate dates and times for parent conferences. The alternate days must take place within the same payroll period as the Board-scheduled date for conferences. All faculty members are required to be present on the alternate days and times so parents may meet with all of the appropriate personnel without having to make multiple trips to school. Individually planned teacher schedules will not be accepted. In the event the faculty and the principal do not agree on an alternate schedule, the conference will be held on the date designated on the Board-approved calendar.

The alternate Conference Day schedule must be submitted to the appropriate district level administrator no later than the last school day in August. If no plan is submitted by that date, the school shall hold the conferences on the date on the Board-designated approved calendar.

Calendar Committee

Each year prior to the adoption of the school calendar, the Board will consider recommendations from all interested parties, including parents, teachers, and support staff. In order to obtain input from these stakeholders, the Director of Schools shall establish a committee comprised of representatives from these groups. The committee shall meet and present their recommendations to the Director.

Faculty involvement in decision-making processes

Educators are held accountable for the success of the educational process. Therefore, the district recognizes the necessity for involving faculties in the decision-making process. When feasible during workshops and local in-service, teachers and principals will explore and discuss ways of organizing schools for improved programs. Where applicable, local staffs will consider differentiated staffing, which would include identifying and describing various functions within the school setting that can be performed by para-professionals, team teaching, variable student

grouping, etc., which might make possible the reconstruction of instructional staffs, instructional patterns, and school organization. When necessary, teachers will devote the necessary time beyond the normal school day to accomplish the above objective.

The district will make available to each school an appropriation in the 2316 School Funding Allocation account and the 2321 Pre-K Instruction supply account based on the enrollment in the individual school. All local funds allocated for instructional materials and supplies (2316 and 2321 funds) will be distributed as determined by the administration with input of the faculty.

Duty free lunch period

All teachers shall be entitled to a duty-free lunch period of at least thirty (30) minutes except in emergency situations.

Planning time for teachers

All teachers shall have daily planning time which shall be free of student responsibilities except for emergencies. Sixty (60) minutes a day for elementary teachers and a minimum of fifty (50) minutes a day for middle school and high school teachers are required. This duty free time shall be used for the purpose of collaboration, preparation, grading papers, contacting parents/legal guardians, or other items connected with professional duties.

Academic Coaches

Academic coaches shall assist new and experienced teachers with instructional strategies. Academic coaches must document their support for each teacher.

Teacher Attendance at Athletic Events

All teachers shall be admitted without charge to regular season athletic contests involving their schools, both home and away. During tournament play, faculty at the tournament site shall be provided a ticket of admission for that particular session.

Professional Behavior

Personnel Files and Information

Each teacher has the right, upon request, to review the contents of his/her own personnel file. The review must be made in the presence of the Chief Human Capital Officer or a designee.

No material of derogatory nature will be placed in the central office personnel file of a teacher without the teacher's prior knowledge of the content of the material and the date of placement in the file. Upon request by the teacher, a response may be attached to the material.

Documentation

To ensure mailings are received and to allow for contact in emergencies, each employee shall keep address, telephone number, the name and telephone number of an emergency contact, and any other pertinent data current with the department/school and the Human Capital Department at all times.

Criminal History Record Check

See [Criminal History Record Check](#) Policy HC 5.111

Because of the strong commitment of the Board of Education to hiring practices that result in employment of individuals who pose no known risk of physical, emotional or psychological harm to children, the District will conduct thorough criminal background checks (CBC) on all applicants prior to being hired.

Before a CBC can be conducted, individuals will be required to sign a release giving the District the right to conduct an investigation. If, at any time, the CBC discloses any misrepresentation on the individual's initial application or other employment related documents, any felony conviction, or any misdemeanor convictions involving violence, theft, dishonesty, fraud, abuse, drugs or sexual misconduct, a prospective employee will not be considered for employment and a current employee will be terminated.

Questions or concerns regarding background checks should be directed to the Executive Director of Human Capital Operations.

Random Background Checks

The District reserves the right to require any current employee to supply a fingerprint sample and submit to a complete criminal records check as set forth in the Criminal History Record Check policy, see [Criminal History Record Check Policy](#) HR 5.111. The cost of creating the

fingerprint sample will be borne by the District. Any employee who is required to supply a fingerprint sample and complete a criminal records check as provided in this section will be selected at random. The employee will be informed in writing that he/she has been randomly selected for this check by the Chief Human Capital Officer or his/her designee, and the employee will be given a specific date by which to supply a fingerprint sample. An employee's failure to comply with such a requirement may be considered insubordination.

Teacher Dress

All certificated staff members are expected to dress in a professional manner that inspires respect and serves as a role model for students. It is recognized that attire must also be appropriate for the teacher's assignment, the needs of the students, and the physical needs of the staff member. Clothing should be modest and an appropriate size. It is understood that problems of teacher dress shall be handled professionally between the educator and his/her immediate supervisor.

Types of Leave and Other Absences

Vacation

Ten-Month Certificated Employees

A teacher's work year is 201 days. This is inclusive of ten (10) days of vacation. This vacation is earned at the rate of one (1) day of vacation for each scholastic month he/she is employed. Vacation is paid as a part of the teacher's bi-weekly regular salary and cannot be accumulated. Teachers who do not work a full ten (10) months will have their salary adjusted based on the number of days actually earned.

Twelve-Month Certificated Employees

Certificated employees on a twelve (12) month contract hired or promoted into a position on or after July 1, 2014, will accrue vacation at the following rates:

Number of years of MNPS service completed as of anniversary date	Vacation days per fiscal year
0 to 5 years	12 per year
6 to 9 years	15 per year
10 to 19 years	20 per year
20+ years	25 per year

Certificated employees on a twelve (12) month contract hired on or before June 30, 2014 will be grandfathered at the twenty (20) days per fiscal year until they reach twenty (20+) years of service with MNPS, whereby they will advance to twenty five (25) days per fiscal year. This vacation may be taken as approved by the employee's supervisor. These days are cumulative, but no more than fifty (50) days may be carried over to the following year.

Reporting of Absences

When a teacher is unable to be in school and has accrued sick leave, he/she can report the absence through the *Smart Find* system 24 hours a day. The absence shall be reported directly into the system by calling 615-271-1742 or using the district web address unless otherwise instructed by the local building administrator. *Smart Find* address: [Login Link - Click Here](#) An employee is also required to speak directly with his or her supervisor prior to the work day to ensure that the supervisor is aware of the impending absence.

Code 10 Day for Exceptional Education Teachers

The Board will provide one (1) Code 10 Leave Day per semester to each exceptional education teacher who has an active Individualized Education Program (IEP) caseload. Each Code 10 day shall be used for the purpose of preparing and implementing IEP's.

Return from Leave

See TCA 49-5-705.

An employee is responsible for submitting the Return to Work form to the Human Capital Leave office at least two (2) weeks prior to the return date. Failure to do so may affect the receipt of a paycheck.

If the employee fails to submit a Return to Work form at least two (2) weeks prior to the return date, and has failed to return to work, and an effort has been made to contact the employee, including a registered letter to the employee's last known address, the continued employment of any such employee shall be consider absent without leave.

Accrued Benefits upon Returning from Leave

Upon returning from approved leave, the Board shall grant all benefits to which a teacher was entitled at the time of his/her approved leave of absence, provided he/she returns under the conditions stipulated in the leave grant and provided such benefits are still provided by the Board. If the employee discontinued benefits while on leave, it's the employee's responsibility to reinstate benefit coverage with effective dates to be determined by policy.

Sick Leave

See [Sick Leave Policy](#) HC 5.148

Allocation

Sick leave for teachers shall be granted with full pay at the rate of one (1) day for each month a teacher has been on the payroll not to exceed twelve (12) days per year, and shall be cumulative throughout his/her employment. When a teacher reports for duty, sick leave allowed for a year shall be available immediately except that whatever portion is used shall be charged to his/her annual sick leave.

Reinstatement of Sick Leave

The Board shall grant to any teacher employed or re-employed from any Tennessee school system, sick leave that the teacher had accumulated during previous employment in that system as provided in Tennessee Code Annotated 49-5-710.

Certification of Illness

A physician's statement shall be filed with the school principal at the end of each period of illness if said period is of six (6) or more consecutive school days duration. The school principal or Chief Human Capital Officer may require a physician's statement for any number of days under six (6). Should the absence period for personal illness extend for twenty (20) or more consecutive school days, the teacher is required, before returning to his/her duty, to file with the Chief Human Capital Officer a statement from a physician, or other designated person, certifying that he/she is able to resume his/her duties.

Use for Maternity

See [Maternity Leave](#) Policy HC 5.152

The District will grant leave of absence for maternity, without pay, for a period not exceeding one (1) calendar year, to any staff member. Adoption of a child constitutes a valid reason for requesting a leave under the procedures of the policy. When maternity leave is no longer supported or necessary, the employee shall be reinstated under the procedures governing return from leave.

As soon as practical and no later than two (2) weeks prior to the estimated date of delivery, the employee is responsible for obtaining, filling out and submitting a Leave Request form to the Leave Administrator in the Human Capital Employee Benefits Department. In the case of adoption, notice shall be given as soon as practical or as soon as the date of the child's homecoming is known if less than two (2) weeks.

In the case of maternity leave, Human Capital shall consult with the employee, the appropriate officials and consider the physician's statements before recommending the beginning leave date and the length of the initial leave. During the summer months, when school is not in session, the employee shall submit the Leave Request form to the Leave Administrator at least two (2) weeks prior to the first day of school.

Criteria for Determining the Commencement Date of Leave

1. The health and welfare of the employee.
2. The employee's consistent ability to perform in a professional capacity and in the best interest of the instructional program of the students involved.
3. The opinions of the attending physician where appropriate and the immediate supervisor or principal.
4. Other items which should be considered when planning the commencement date of leave include: (1) the availability of a suitable replacement; (2) the necessity for completing certain phases of the program for which the employee is responsible; (3) the school's reporting period.

Duration of Leave

An employee is responsible for notifying the Human Capital Office thirty (30) days prior to the expiration of the leave, when applicable, as to desire to return to work or desire to have the parental leave extended (total leave not to exceed one (1) calendar year).

Sick Leave Bank

MNPS has established a Sick Leave Bank as provided in TCA 49-5-801. Information regarding the Bank will be distributed through the Human Capital Benefits Department.

Family Medical Leave (FMLA)

See [Family Medical Leave Act](#) Policy HC 5.

Bereavement Leave

When death occurs in the immediate family, teachers shall be allowed a maximum of four (4) days Bereavement Leave without loss of pay. If more days for bereavement purposes are needed, sick leave shall be used. Bereavement Leave is not cumulative.

For the purpose of bereavement leave, “immediate family” is defined differently than regarding sick leave, to include wife, husband, domestic partner, parents, parents-in-law, children, children-in-law, grandchildren, brother, sister, grandparents, brother-in-law, sister-in-law, and any other person living in the home as a member of the family at the time of death.

Death of any relative not a member of the immediate family as previously defined above shall entitle the teacher to one (1) day’s absence chargeable to bereavement leave.

Parental Leave

Accrued sick leave may be granted for the absence of an employee due to the temporary disability of the employee or the employee’s spouse caused by or attributed to pregnancy, miscarriage, childbirth and recovery, provided the cause of such temporary disability is certified by the attending physician. This leave may run concurrently with FMLA in some circumstances (*see also Policy [Family Medical Leave Act HC 5.155](#)*). In the event unpaid FMLA leave is used, the payment of the employee’s monthly health insurance and other benefits will be governed by the provisions of the [Family Medical Leave Act](#) Policy HR 5.155.

If sick leave is to be used for maternity or preceding maternity leave, sick days shall be used. Time spent on parental leave shall not be counted for pension purposes or as years of service in the placing the employee on the salary schedule.

Personal Leave

All certificated employees shall be eligible for Personal Leave. The number of days available is based upon years of service with MNPS as indicated in the chart below.¹

¹ Future changes will impact the personal leave policy.

Number of Years in MNPS	Number of Days Available
0 - 9	3*
10 - 14	5**
15 or more	6**

**The prevailing substitute pay will be deducted from one (1) regardless of the availability or need of a substitute.*

*** The prevailing substitute pay will be deducted from three (3) days regardless of the availability or need of a substitute.*

During the first week and the last week of each semester, on the day prior to or immediately following holidays, and on scheduled in-service days, conference day or during any prior established student examination period this privilege shall not be allowed unless recommended by the principal and approved by the appropriate administrator. Personal Leave during the time indicated above will not be granted except for an emergency or unusual circumstance.

Personal leave may be taken for any purpose that requires absence during work hours. No explanation shall be required. Personal leave shall not be used for extending a holiday or vacation.

No more than one (1) professional staff member or five percent (5%) of the teaching staff of an administrative unit, whichever is greater, may take personal leave at one time. If the number requesting leave exceeds five percent (5%), but the granting of such leave will not interfere with the school's program as decided by the principal or immediate supervisor, the teacher shall have the right to take the leave within the provisions of this policy.

Application for personal leave shall be made with the principal at least two (2) days in advance, except in cases of emergency.

Fully paid personal leave days which remain unused at the end of the work year shall be credited to accumulated sick leave.

Professional Leave

Without loss of pay, a certificated employee upon approval of the principal or immediate supervisor shall be allowed five (5) days absence in any school year to attend educational meetings provided that only such meetings shall be considered "educational meetings" as shall be approved by the Director of Schools, and provided further that a teacher shall be an elected

delegate, an official of the organization meeting, a committee member with responsibilities at said meeting, or an invited participant on the official program. Notification of such absence shall be filed with the principal or immediate supervisor not less than five (5) days prior to such meeting.

Absence for professional reasons other than those specified above (for visiting schools, attending educational conventions or other similar purposes) shall be allowed without loss of pay to the extent of five (5) days in any school year, provided such absence is recommended in writing by the principal and approved by the appropriate Chief Officer.

Military Leave

See [Military Leave](#) Policy HC 5.153

A teacher shall be granted leave of absence for military service for whatever period may be required. Time spent on leave of absence because of military service shall not be counted as part of the probationary period.

Military leave for required service, not to exceed five (5) years of enlistment, shall be granted to any teacher in the MNPS who may enter the armed services of the country.

Within ninety (90) days after the expiration of his/her term of service and subsequent separation from the armed services, the teacher shall notify the Director of Schools that he/she is ready to resume his/her duties as a teacher in the MNPS. All time spent in the armed services during the leave of absence shall be credited to the teacher in salary placement and retirement benefits as if he/she had been on active duty as a teacher.

Political Leave

Leaves of absence for tenured teachers elected to legislative posts at the local, state or federal level may be arranged without pay, in the framework of the following roles:

- a) Leave of absence shall be requested in writing.
- b) Leave of absence may be arranged for less than a school semester.
- c) School employees engaged in political activity shall make it clear that their political statements and actions are theirs individually and do not represent those of the school system.

A maximum of two (2) day's absence without loss of pay shall be allowed for the observance of an established religious rite or ordinance within any one (1) school year provided that the teacher's failure to observe this rite or ordinance shall impede the practice of his/her religion and no reporting requirement interferes with the teacher's rights under the Establishment Clause of the First Amendment to the United States Constitution and/or Title 49, Chapter 6, Part 80 of the Tennessee Code Annotated.

Special Leave – Peace Corps or Other Government Approved Educational Activity

Special leave of absence shall be granted for one (1) year or two (2) years without pay to teachers volunteering and accepted for service in the Peace Corps or similar government approved educational activity. Teachers must have at least a “3” on their TEAM composite score to be eligible for this leave.

The Director of Schools may grant employees special leave with pay and/or actual expenses to attend professional conferences, conventions, short school visits, or to visit other cities in the interest of the public schools upon the recommendations of the department head/principal. Such employees shall properly complete an expense allowance form as prescribed by the District.

Voting Leave

All employees entitled to vote in national, state, or local elections shall, when necessary, be allowed sufficient time off with pay to exercise this right as determined by the District.

Employees are encouraged to vote before or after work hours when possible.

Court Appearance Leave

See [Jury Duty Policy HC 5.149](#)

A teacher will be granted court leave with pay for the time required for court appearance only in the following circumstances:

- a) When the Board subpoenas or otherwise requests the court appearance of the teacher.
- b) When a teacher is subpoenaed in a lawsuit in which the Board is a party.
- c) When a teacher is subpoenaed as a result of his/her role with the Board.
- d) When a teacher is summoned as a juror for jury duty when written evidence of jury service is provided.
- e) When a teacher is subpoenaed in a lawsuit in which the teacher is not a party and in which he/she has a job-related responsibility to testify as a witness.

Teachers will not be able to use court appearance leave with pay for any personal reasons (e.g. their own divorce, custody matters, criminal cases, personal or family disputes, and similar type matters).

Written evidence of required court appearance shall be filed with the timekeepers and submitted to the E-Time and Compensation Services Department to receive court leave with pay. Any fees resulting from court service (not to exceed the employee daily rate of pay) shall be paid to the Board by those receiving leave pay.

Holidays

Employees of the District will have holidays according to the following schedule:

Twelve-Month Employees

New Year's Day	1 day	January 1
Martin Luther King Day	1 day	Third Monday in January
Spring Break	1 day	To be determined
Memorial Day	1 day	To be determined
Independence Day	1 day	July 4
Labor Day	1 day	First Monday in September
Thanksgiving	2 days	4 th Thursday and Friday in November
Winter Break	<u>3 days</u>	To be determined
Total	11 days	

Eleven-Month and School Year Employees

Labor Day	1 day	First Monday in September
Thanksgiving	2 days	4 th Thursday and Friday in November
Martin Luther King Day	1 day	Third Monday in January
Spring Break	<u>2 days</u>	To be determined
Total	6 days	

Holidays that fall on Sunday will be observed on the following Monday by those employees working Monday through Friday. Holidays that fall on Saturday will be observed on Friday by those employees

When official holidays occur on a scheduled workday of a part-time employee, such employee shall be entitled to the holiday and shall receive pay for the number of hours the employee normally would have worked (except for retired, part-time employees).

An employee who is absent without approved paid leave on the working day immediately preceding or following a holiday shall lose pay for the holiday as well as for the other days used immediately before and after the holiday.

Leave Without Pay

Educational

Certificated employees may request, for a period not to exceed one (1) year, leave without pay for further education and professional development. This leave is subject to the approval of the Director of Schools. To qualify for this leave:

- a) Certificated employees must be tenured.
- b) Certificated employees must apply no later than June 30 for leave during the next fiscal year beginning July 1.
- c) Proof of enrollment, payment, and completion of courses must be provided each semester, and the program of study must be an advanced study in education beyond the employee's current degree attainment.
- d) Full-time employment is not permissible while on educational leave.

Educational leave is not automatically granted. Factors to be considered by administrators when granting leave include, but are not limited to: current position, availability of an interim replacement, budgets, school and district needs, and factors which may impact student achievement.

MNPS Charter School Employment

Certificated employees with five (5) years or more of service may apply for leave without pay for one (1) year, while working at an MNPS approved Charter School. The application will be forwarded to the Director of Schools for consideration if the Chief Human Capital Officer has made a finding that such absence shall not adversely affect the staffing or instructional programs of the school system. This leave shall in no way change a teacher's status for reduction-in-force procedures. An employee is only entitled to leave under this provision one time in a rolling five (5) year period.

Injury on Duty (IOD)

See [*Occupational Injury or Disability Policy HC 5.158*](#)

Loss or Damage to Property

Cost of Loss or Damage to Personal Property Resulting from Assault

Upon submission to the Chief Human Capital Officer adequate proof of the existence of, and damage to personal property of a teacher as a result of an assault while the teacher is on duty on school property, the Board shall reimburse said teacher for such damage or destruction, at replacement cost not to exceed fifteen hundred dollars (\$1,500). A teacher's term of duty is determined by the exact arrival and departure for assigned responsibilities. The report must be submitted within forty (40) school days of the date of the damage.

Vehicular Damage

Each year, the Board agrees to contribute one dollar and fifty cents (\$1.50) per certificated employee to reimburse a teacher on assigned duty whose vehicle, parked at the site of his/her assigned responsibility, is damaged without fault of the teacher as a result of malicious acts related to professional responsibilities, provided the following stipulations are applicable:

- a) No reimbursement shall be made for loss or damage resulting from collision, and no loss reimbursed for theft or damage resulting from theft, except that theft of such parts of a vehicle as are essential to its functioning may be considered.
- b) Any uninsured loss which qualifies under the plan for reimbursement shall be covered up to an amount of \$250.00. On a funds available basis, losses above \$250.00 will be reimbursed.
- c) Any funds that remain available in a fiscal year from this allocation, after #1 and #2 have been paid, may be used to reimburse for damage to the paint or finish of a vehicle, based on criteria established by the joint committee.

A joint committee appointed by the Director of Schools shall administer the fund. Claims shall be filed within fifteen (15) days of the loss unless there are extenuating circumstances which would have prevented making a report. The committee shall meet to process the claims within two weeks after the closing of school. Available funds shall be distributed proportionately to the loss prior to the end of the fiscal year.

Transfers and Assignments

Transfers within the system

See TCA 49-2-301(b)(1)(EE) and 49-5-510

Employee-Initiated Voluntary Transfers

Not later than April 1, the Chief Human Capital Officer shall have current on the website a list of the known vacancies by location and certification for the ensuing school year. Such a list shall include known vacancies in positions of administration, counselors, teachers of exceptional children, other special teaching areas, as well as regular teaching assignments. The transfer window opens on March 1, and closes on May 31 for the upcoming school year.

Any teacher receiving Board-paid training in Paideia, Montessori, International Baccalaureate (IB) methods, or who takes a course through the Belmont Professional Development Program must remain at the school for three (3) years before applying for a voluntary transfer. This transfer limitation only applies to those teachers voluntarily transferred in a Paideia, Montessori, or IB program after July 1, 2005. Exceptions may be made for extenuating circumstances as approved by the Chief Human Capital Officer.

Teachers who desire a transfer shall complete the appropriate on-line forms as published by the Human Capital Department and submit them electronically by the last teacher workday of the school year. Teachers and administrators who are to be transferred shall be notified in writing as soon as practicable and, under normal circumstances, not later than July 1 of each year. Any teacher offered a transfer after July 1 must receive the permission of his/her current principal before accepting the offer.

Reductions in Force

The certificated employees' most recent evaluations, as adopted by the state board of education, shall be a primary factor in the Director's dismissal of such employees due to reductions in force. Seniority shall not be a determining factor in the dismissal of certificated employees due to reductions in force and shall be considered only if factors pertinent to the teachers' performance evaluations are equal. When certificated employees are dismissed due to a reduction in force, the Director shall take into consideration the principal's recommendations relative to his or her evaluation of the teacher's performance and ability to improve student achievement.

Recall

See TCA 49-5-511(b)

Nepotism

See [Nepotism](#) Policy HC 5.163

Compensation

Teacher Salary

Teacher salaries are determined by a combination of training and experience. Experience must be verified by MNPS from an approved list of accredited agencies.

Tennessee State Board of Education Rules and Regulations (0520-01-02-.02)

(a) Kinds of Recognized Experience:

1. Verified administrative, supervisory and teaching experience in public schools or in private schools approved by recognized accrediting agencies or any Pre-K program funded by the Tennessee Department of Education.
2. Experience as a professional employee of the Office of Education Accountability, the State Board of Education or the State Department of Education.
3. Higher education teaching experience in an institution approved by a regional accrediting association, i.e. full-time voting member of faculty at university or college.
4. U.S. Government service teaching programs.
5. Teacher foreign exchange programs.
6. Experience as president of the Tennessee Education Association, MNEA or other state education unions.
7. Active military service in the armed forces of the United States shall be recognized up to five years maximum credit (Form DD-214 required). Military service in the Reserve or in the National Guard, other than active duty, shall not be counted.
8. Verified experience as a valid licensed/certificated speech-language pathologist or audiologist in settings other than public or private schools may be counted for salary purposes on the system-wide salary schedule if approved by the local director of schools (This has been approved for salary credit in MNPS.)

(b) The burden of proof of experience rests with the individual teacher.

Safe Harbor for Salaried Exempt Employees with Improper Deductions from Salaries

MNPS compensates certain exempt executive, administrative and professional employees on a guaranteed salary basis. Deductions from these salaries may only be made in full day or half increments when the employee absents himself/herself for personal reasons, for sickness when his/her bona-fide sick leave plan has been exhausted, for disciplinary reasons or infractions of major safety or conduct rules, or in initial or terminal weeks. It is MNPS policy not to make any improper salary deductions based on variations in quantity or quality of work done. Any salaried exempt employee who believes that an improper deduction was made from his/her salary may file a written complaint with the Human Capital Department over such deduction. The Human Capital Department will conduct an investigation into the deduction to determine if it was improper. If it is found that the deduction was improper, the amount of the deduction will be reimbursed to the employee no later than the next pay day and MNPS will ensure that such deduction is not made in the future from any exempt employee's salary.

Pay Administration

See [Coaching Staff Supplemental Pay](#) Policy HC 5.101, [Equal Pay](#) Policy HC 5.165, [Pay for Principals Opening a New or Remodeled K-8 School](#) Policy HC 5.168.

The Director of Schools is authorized to establish a plan of job classifications and compensations for support service positions and the administrative regulations pertaining thereto.

Administrative Salary

For the purpose of this section, the term "Director" shall include "Executive Lead Principal" and "Director." The term "slotted" means placement within a salary schedule to the step closest to, but not less than, the current salary.

When changing from an 11- month to a 12-month position, the slotting will be based on the monthly equivalent calculated rate; however no movement shall result in a salary greater than the maximum for the salary schedule for that position. Administrators hired into MNPS with verified experience in other school systems will follow the same slotting process as current MNPS employees.

A current "Administrative License" issued by the Tennessee State Department of Education or its equivalent as designated in the State Board of Education Rules is required to be placed on the Administrative Salary Schedule

Position Change	Salary Change*
Principal to Director	Slotted+1
Principal to Principal	Lateral
Principal to Assistant Principal	Slotted
Principal to Coordinator	Slotted
Assistant Principal to Director	Slotted+1
Assistant Principal to Principal	Slotted+1
High School Assistant Principal to Middle School Assistant Principal	Slotted
High School Assistant Principal to Elementary School Assistant Principal	Slotted
Middle School Assistant Principal to High School Assistant Principal	Lateral
Middle School Assistant Principal to Elementary School Assistant Principal	Slotted
Elementary School Assistant Principal to Middle School Assistant Principal	Lateral
Elementary School Assistant Principal to High School Assistant Principal	Lateral
Assistant Principal to Coordinator	Lateral
Director to Director	Lateral
Director to Principal	Lateral
Director to Assistant Principal	Slotted
Director to Coordinator	Slotted
Coordinator to Director	Slotted+1
Coordinator to Principal	Slotted+1
Coordinator to Assistant Principal	Lateral
Coordinator to Coordinator	Lateral

*Pay will not exceed the top step of the pay scale for that position.

Non-Traditional/Specialty Schools

The principals and assistant principals of non-traditional, specialty, special education, or alternative schools will be paid at the middle school rate on the administrative salary schedule.

For a current listing of these schools, please visit www.MNPS.org.

Salary Supplement for Coaches/Sponsors

See [Coaching Staff Supplemental Pay](#) Policy HC 5.101

An annual supplement is paid to athletic coaches/sponsors in specific positions per the table below.

Job Title	Base Pay Supplemental Percentage
Athl Coach - Baseball HS	9.0%
Athl Coach - Baseball HS - Asst	6.0%
Athl Coach - Basketball 9th Boys	9.0%
Athl Coach - Basketball 9th Girls	9.0%

Athl Coach - Basketball HS Boys	12.0%
Athl Coach - Basketball HS Boys - Asst	9.0%
Athl Coach - Basketball HS Girls	12.0%
Athl Coach - Basketball HS Girls - Asst	9.0%
Athl Coach - Basketball MS Boys	9.0%
Athl Coach - Basketball MS Girls	9.0%
Athl Coach - Bowling HS Boys & Girls Squad	7.5%
Athl Coach - Bowling HS Boys	5.0%
Athl Coach - Bowling HS Girls	5.0%
Athl Coach - Cheerleader Basketball 9th	3.0%
Athl Coach - Cheerleader Basketball HS	4.0%
Athl Coach - Cheerleader Basketball MS	3.0%
Athl Coach - Cheerleader Football 9th	3.0%
Athl Coach - Cheerleader Football HS	4.0%
Athl Coach - Cheerleader Football MS	3.0%
Athl Coach - Cheerleader Wrestling HS	3.0%
Athl Coach - Cheerleader Wrestling MS	1.5%
Athl Coach - Football 9th	9.0%
Athl Coach - Football 9th - Asst	6.0%
Athl Coach - Football HS	12.0%
Athl Coach - Football HS - Asst	9.0%
Athl Coach - Football MS	9.0%
Athl Coach - Football MS - Asst	6.0%
Athl Coach - Golf HS Boys & Girls Squad	7.5%
Athl Coach - Golf HS Boys	5.0%
Athl Coach - Golf HS Girls	5.0%
Athl Coach - Soccer HS Boys	9.0%
Athl Coach - Soccer HS Boys – Asst	6.0%
Athl Coach - Soccer HS Girls	9.0%
Athl Coach - Soccer HS Girls – Asst	6.0%
Athl Coach - Soccer MS Boys	6.0%
Athl Coach - Soccer MS Girls	6.0%
Athl Coach - Softball HS	9.0%
Athl Coach - Softball HS – Asst	6.0%
Athl Coach - Tennis HS – Boys	5.0%
Athl Coach - Tennis HS – Girls	5.0%
Athl Coach - Tennis HS Boys & Girls Squad	7.5%
Athl Coach - Track & Field 9th Boys	6.0%
Athl Coach - Track & Field 9th Girls	6.0%
Athl Coach - Track & Field HS Boys	9.0%
Athl Coach - Track & Field HS Boys - Asst	6.0%
Athl Coach - Track & Field HS Girls	9.0%
Athl Coach - Track & Field HS Girls - Asst	6.0%

Athl Coach - Track & Field MS Boys	6.0%
Athl Coach - Track & Field MS Girls	6.0%
Athl Coach - Volleyball 9th Girls	6.0%
Athl Coach - Volleyball HS Girls	9.0%
Athl Coach - Volleyball HS Girls - Asst	3.5%
Athl Coach - Volleyball MS Girls	6.0%
Athl Coach - Wrestling 9th	7.5%
Athl Coach - Wrestling HS	10.0%
Athl Coach - Wrestling HS - Asst	7.5%
Athl Coach - Wrestling MS	7.5%
Athl Coach – Cross Country HS Boys & Girls Squad	7.5%
Athl Coach – Cross Country HS Boys	5.0%
Athl Coach – Cross Country HS Girls	5.0%
Athl Mgr - Business HS	9.0%
Athl Mgr - Business MS	4.0%
Athl Mgr - Non-F'ball HS	7.0%
Athl Mgr - Non-F'ball MS	2.0%
Perf Arts Dir - Band HS	12.0%
Perf Arts Dir - Band HS Asst	7.0%
Perf Arts Dir - Band MS	5.0%
Perf Arts Dir - Band MS Asst	3.0%
Perf Arts Dir - Choir MS	5.0%
Perf Arts Dir - Choral HS	5.0%
Perf Arts Dir - Contemporary HS	5.0%
Perf Arts Dir - Contemporary MS	3.0%
Perf Arts Dir - Dance HS	5.0%
Perf Arts Dir - Drama HS	5.0%
Perf Arts Dir - Orchestra HS	5.0%
Perf Arts Dir - Orchestra MS	5.0%
Sponsor - Debate HS	5.0%
Sponsor - Forensic HS	5.0%
Sponsor - Newspaper HS	5.0%
Sponsor - Newspaper MS	2.5%
Sponsor - Student Council HS	3.0%
Sponsor - Student Council MS	1.5%
Sponsor - Yearbook ES	1.5%
Sponsor - Yearbook HS	5.0%
Sponsor - Yearbook MS	3.0%

*All percentages are computed on the individual's base pay. No coach/sponsor shall be paid a supplement greater than 22% of his/her base salary.

Additional Pay and In-Service for Specific Schools

The district agrees to pay up to 10 professional development days to certificated staff assigned at the following schools:

Buena Vista Elementary

Cockrill Elementary

John Early Middle

McKissack Elementary

Napier Elementary

Park Avenue Elementary

Pearl Cohn High School

Robert Churchwell Elementary

Shwab Elementary

Teachers at these schools will be paid their daily rate of pay for each day of professional development attendance. This in-service will be offered outside the regularly scheduled workday in half-day (3.75 hour) or full-day (7.5 hour) sessions, paid at their regular rate of pay, and developed in accordance with the SIP.

Only regular, full-time employees of MNPS and qualifying interim employees shall be included in this pay program. Contracted employees, including 120-day retirees, shall not be eligible for the pay described above.

National Board Certification for Teachers, School Psychologists and School Counselors

(See [National Board for Professional Teaching Standards](#) Policy HC 5.102)

The national board certification supplemental pay will be paid at the rate of \$4,000 per school year for eligible employees. Teachers, school psychologists*, school counselors, and coaches are eligible for this supplement with these additional requirements:

1. Possessing a current national board certification;
2. Remains working in a job classification that is within the area of the national board certification or is assigned as an academic coach within the area of the National Board for Professional Teaching Standards certification; and

3. Full-time with an “active” payroll status (not on unpaid Leave of Absence).

Requirements for receiving the award installments are:

- Supplemental pay installments will cease on the certification’s expiration date.
- The employee must provide a copy of the valid certification or confirmation of the successful application from the State of Tennessee to the Compensation Division.
- The Compensation Division will resume the supplemental pay installments beginning with the next payroll period upon receipt of the reinstated certification or confirmation of a successful application.
- The employee is not eligible for retroactive payment of any lost installments due to an expired certification or failure to submit required documentation for renewal or eligibility.

It is each teacher’s responsibility to provide the Compensation Division with necessary documentation as listed above. Teachers will be notified if their supplemental pay installment has ceased during the effective payroll period. Regular audits of national board certification recipients will be conducted to insure eligibility of supplemental pay installments.

* School psychologists are certified through National Association of School Psychologists.

Exception Pay

The exception rate of pay shall be \$25 per hour and shall apply to teachers working beyond the regular work day 1) during the academic calendar for specified and approved activities which help support school improvement plans, 2) for all summer school, 3) extended learning assignments.

Teachers Covering a Class for another Teacher

Any teacher covering a class because the system is unable to provide a substitute shall be paid the highest substitute rate available, exclusive of the substitute bonus. Such additional compensation shall be prorated for the time period or percentage of the class that each teacher covers. When a class is split among several teachers, the substitute rate will be divided evenly among all teachers receiving students.

Reimbursement for Teaching Supplies (BEP)

1. Funds allocated to teachers through the Basic Education Program (“BEP”) will be spent for instructional supplies as provided in Tenn. Code Ann. 49-3-359(a) \$100 to each classroom teacher to be spent at the teacher’s discretion. The District agrees to reimburse each regular and special education classroom teacher, librarian, guidance counselor, social worker,

psychologist, speech language pathologist and itinerant classroom teachers in the operating budget an additional \$100 for purchase of instructional materials and supplies.

2. An additional \$100 per classroom teacher shall be pooled with all teachers in a school and spent as determined by a committee of teachers. The district agrees to provide to the school \$100 per librarian and guidance counselor. English Learner itinerant classroom teachers, psychologist, and speech language pathologist will have the “pooled” \$100 placed in a district account for the department to use.

3. See [BEP and New Teacher Money](#) Policy FM 2.108 and [BEP/New Teacher Money](#) Policy FMp 2.113 for additional guidance and requirements.

Classroom Set-Up Monies

The Board agrees to provide \$100 in recognition of extra work and preparation for those certificated regular and special education classroom teachers, librarians, guidance counselors, social workers, and itinerant classroom teachers who are not on the administrative pay scale and elect to prepare classrooms or work areas prior to the start of the school year. Verification by the principal or supervisor that preparation has been completed is required before payment can be requested.

Outside Employment

See [Outside Employment](#) Policy HC 5.156

Non-School Employment

See [Non-School Employment](#) Policy HC 5.113

Method of Payment

Certificated employees shall be paid on a bi-weekly basis. Such payment received shall be in full for the current pay period. All payments of salaries and wages shall be made by direct deposit to a financial institution. All employees will be required to participate in the direct deposit program.

Mileage Reimbursement

See [Employee Reimbursement for Vehicle Travel](#) FMp 2.102

Attendance

Normal Conditions

Employees shall be at their post of duty in accordance with the time, rules, and/or regulations as set forth by the department head/principal. All departments/schools shall maintain attendance records for employees showing the hours worked by their employees.

An employee who will be absent from work shall be required to notify the department head/principal or supervisor of the department within 30 minutes of the scheduled start time, stating a reason for such absence.

Job Abandonment

An employee who fails to report for work three (3) consecutive work days without notifying his/her supervisor shall be deemed to have abandoned his/her job and may be subject to termination.

Each employee shall provide his/her supervisor with his/her current contact information (residential street address, cell phone and home phone) and keep such information updated as changes occur.

Medical Excuses

In addition to properly notifying a supervisor of an employee's absence, an employee must submit a medical excuse statement to the building level administrator / principal when an employee has been absent three (3) or more consecutive days and the employee intends to utilize sick leave. The medical excuse must include a certification that the employee was under the doctor's care and that as a result a certain number of days absence from work are necessary.

After six (6) consecutive days of absence, the building level administrator / principal shall report the absence to the Leave Administrator in Human Capital Benefits Department. The Leave Administrator will determine the type of leave on which the employee will be placed, given the circumstances of each case. The employee may be requested to provide a more detailed physician's statement to the Human Capital Benefits Department if the employee has established a documented pattern of absences, or if, at the discretion of the Human Capital Department, a more detailed physician's statement would assist the Leave Administrator in characterizing the leave. Failure to submit any requested physician's statement could be construed as insubordination, which may lead to disciplinary action.

Absence Due to Inclement Weather – Central Office and Twelve-Month Employees

See [Absence Due to inclement Weather](#) Policy HC 5.161

School Closure Due to Inclement Weather - School Year (Ten and Eleven Month) Employees.

See [Absence Due to inclement Weather](#) Policy HC 5.161

The decision to close schools because of inclement weather or other emergencies will be made by the Director of Schools. In the event that school is closed due to inclement weather or other emergencies, employees will be compensated for the first five days of inclement weather. If more than five days of school closure due to inclement weather or other emergencies occur during any academic year, all employees will be granted unpaid leave for those days and they will be expected to work the extended days.

Employee Categories

Certificated personnel employed in the support services of the district come under the heading of one of the categories listed below.

Categories

1. *Exempt Employees* – employees who are ineligible for overtime pay or compensatory time no matter how many hours they actually work in a workweek. Since they do not receive overtime pay or compensatory time, there is no requirement to keep records of the specific hours they work, but vacation, leave and days worked must be tracked. Questions regarding exempt status are to be directed to the Chief Human Capital Officer.
2. *Non-Exempt Employees* – employees eligible for overtime pay or compensatory time for hours actually worked over 40 hours per week. These employees are required to keep records of the specific hours they work. Questions regarding non-exempt status are to be directed to the Chief Human Capital Officer.
3. *Interim Teacher* – A current employee appointed to a vacancy while the selection process takes place or to fill in for an employee on leave. An employee shall not be appointed on an interim basis for a period in excess of the school year. In the event only one employee in the department or school is qualified to continue to fill a vacancy created by an employee on leave, the interim placement may be continued for a longer period. Retirement and

insurance benefits shall become effective pursuant to the rules and regulations of the Metro Human Capital – Benefits Department.

4. *120-Day Retired Teachers* – retired certificated employees who are limited to the following work schedule:

120-Day Conversion to Hours

8 hours a day 960 hours a year

7½ hours a day 900 hours a year

7 hours a day 840 hours a year

Payment for Voluntary Workshops and Training Activities

See [Professional Development Stipend](#) Policy HR 5.164

Employee Evaluations

An evaluation procedure is established for evaluating an employee's performance by his/her supervisor, building level administrator / principal. The evaluation serves as a means of establishing a communications link between the employee and his/her supervisor for the purpose of continuous improvement.

Evaluations are made on an annual basis where the supervisor or building level administrator / principal arranges conferences, coaches, and reviews the employee's work plan in concert with the employee's own evaluation of work progress.

See [Central Office Evaluations](#) Policy HC 5.120

Annual

Each regular employee will have a performance evaluation on an annual basis prior to June 30 and more often if desired by department head/principal. Evaluation ratings are the responsibility of the immediate supervisor. The next supervisor in the supervisory chain, and/or department head/principal must review all evaluations.

Benefits

Terminal Pay at Retirement

Sick Leave

1. Calculating Accrued Sick Leave

- a) Certificated employees hired on or before July 1, 2007 who die while in service or retire under any of the Board-approved retirement plans shall be paid at the rate of fifty dollars (\$50) per day for unused sick leave days brought from another Tennessee school system. All sick leave accrued within MNPS shall be paid at the rate of fifty dollars (\$50) per day under the following schedule:

Years of Service in MNPS	Percent of Accrued Days to be paid
20 years or more or age 60	100%
19 years or age 59	75%
18 years or age 58	65%
17 years or age 57	55%
16 years or age 56	45%
15 years or age 55	35%

- b) Certificated employees hired after July 1, 2007, who die while in service or retire under any of the Board-approved retirement plans shall only be paid at the rate of thirty (\$30) per day for unused sick leave days brought from another Tennessee school system. All sick leave accrued within MNPS shall be paid at the rate of fifty dollars (\$50) per day and will be prorated based on years of service or age as in section (a) above.
- c) For subsections (a) and (b) above, sick leave days shall be used on a first-in-first-out basis (i.e., days brought to MNPS from another Tennessee school system shall be used before days earned in MNPS).
- d) To be paid for sick leave days brought in from another Tennessee school system, a teacher must have been employed by MNPS for a minimum of five (5) years.

Notification

2. Early Retirement Notification Incentive

Certificated employees who notify the Human Capital Department and Benefits Department, in writing, no later than the last business day in February, of their plans to retire upon the completion of their current fiscal year assignment, will be eligible to receive the following incentive:

- a) Certificated employees will receive a five-hundred-dollar (\$500) early notification incentive and payment for sick leave accrued during their employment with MNPS at the rate of fifty dollars (\$50) per day for the first 50 days accrued, seventy-five dollars (\$75) per day for days 51-100, and one hundred dollars (\$100) per day for accrued days beyond 100.
- b) This payment is subject to the years of service, age requirements and percentages listed in Section 1(a) above. Sick days brought in from another Tennessee school system will count toward the years of service calculation. However, sick days brought in from another Tennessee school system will only be paid at thirty dollars (\$30) per day. To be paid for sick days brought in from another Tennessee school system, the teacher must have been employed by MNPS for a minimum of five (5) years.

If the employee revokes or rescinds the notice of intent to retire more than three business days after submitting the notice, the employee forever waives the right to receive payment for both the early notification incentive of \$500 and the higher daily rates for MNPS accrued sick leave as described in this section.

Calculation of Local Experience

Employees who die while in service or retire shall have their years of MNPS service calculated as follows:

- a) Not more than ten (10) months of experience may be counted during any one fiscal year.
- b) The total number of months computed shall then be divided by ten (10). Should there remain a fraction of five (5) or more months (100 days), such fraction shall be counted as a full year's teaching experience.
- c) The rate and number of days for which the employee qualifies shall be determined in accordance with Sections 1(a)-(c) above.

Vacation

Upon termination of employment, twelve-month employees will be paid for up to fifty (50) days of accrued vacation.

Certificated Employee Discipline

Discipline of tenured teachers including dismissal is handled pursuant to state law, including T.C.A. 49-5-511, T.C.A. 49-5-512.

Discipline of non-tenured teachers including dismissal is handled pursuant to state law, including T.C.A. 49-2-301(b)(1)(GG)(i). Non-tenured teachers are also subject to non-renewal of their contract at the end of each school year.

Grievance Procedures

Definition of Grievance

A grievance is a certificated employee's claim that there has been violation, misinterpretation or misapplication of MNPS policy. Reprimands or any similar corrective action documents are not grievable. The fact that an employee has been placed on a plan of assistance is not grievable.

Generally, grievance conferences will be scheduled for times that do not interfere with the employees' assigned duties. When grievance conferences are scheduled to occur during regularly assigned working hours, the involved employees shall be released from duties without reduction in salary.

Reprimand and Grievance Conferences

Reprimand and grievance conferences shall be conducted in private. An affected employee shall, however, have the right to request the presence of one certificated employee representative or a representative of a recognized professional organization. If the representative is not available at the scheduled time, the conference shall be delayed for one (1) work day. If the representative is still not available, the conference may proceed without the representative.

Informal Procedure

If an employee feels that he/she has a grievance, he/she shall first discuss the matter with his/her principal or other appropriate administrator, in an effort to resolve the problem informally. The parties shall seek to adjust the difficulty at the point of origin by obtaining advice from any appropriate division of the Central Office. If the problem is not resolved informally, then the employee may declare that a grievance exists and the formal procedure invoked.

Formal Procedure

Level One

- a) If the grievant is not satisfied with the outcome of the informal procedure, he/she may present his/her alleged grievance formally in writing to the principal or other appropriate administrator. A written grievance shall contain the following information: name and position of grievant; a statement of the grievance and the facts involved, including relevant dates; a reference to the applicable provisions of MNPS policy; the corrective action requested; signature of the grievant.
- b) At the time of filing the Level One grievance, the grievant may request a conference prior to the rendering of the decision. If a conference is requested, the act of scheduling the conference shall occur within five (5) working days following the receipt of the grievance.
- c) The principal, or other appropriate administrator, within ten (10) working days after the receipt of the grievance or the grievance conference (if one is requested) shall render a written decision to the grievant.

Level Two

- a) If the grievant wishes to appeal the decision at Level One, the grievant may appeal in writing to the Chief Human Capital Officer within five (5) work days after the decision at Level One.
- b) At the time of filing the Level Two grievance, the grievant may request a conference prior to the rendering of the decision. If a conference is requested, the act of scheduling the conference shall occur within five (5) work days following the receipt of the grievance.
- c) The Chief Human Capital Officer or his/her designee, within ten (10) work days after the receipt of the grievance or the conference (if one is requested) shall render a written decision to the grievant.

Level Three

- a) If the grievant wishes to appeal the decision at Level Two, the grievant may appeal in writing to the Director of Schools within five (5) work days after the decision at Level Two.
- b) At the time of filing the Level Two grievance, the grievant may request a conference prior to the rendering of the decision. If a conference is requested, the act of scheduling the conference shall occur within five (5) work days following the receipt of the grievance.
- c) Within ten (10) work days after receipt of the grievance or the grievance conference (if one is requested), the Director of Schools or his/her designee shall render a written decision to the aggrieved person. This decision is final.

Miscellaneous

1. A grievance may be withdrawn at any level without prejudice or record.
2. Failure by the aggrieved person or group at any level to appeal a grievance to the next level within the specified time limit herein shall be deemed to be acceptance of the decision rendered at that level.
3. No grievance shall be recognized by the district unless it shall have been presented to the appropriate level in writing within forty (40) work days after the aggrieved person knew, or should have known, of the act or condition on which the grievance is based and if not so presented, the grievance shall be considered as waived.
4. Nothing in this section should be construed as denying to any teacher the opportunity to consult with any supervisory or administrative officer in the school system.
5. At any level, time limits in this agreement may be mutually extended. However, the intent of this policy is to expedite the processing of all grievances.
6. No reprisals shall be invoked against any employee for processing a grievance or participating in any way in the grievance procedure.
 - a) When a grievance involves more than one employee, a group of employees may submit a collective grievance at the appropriate level.
 - b) The grievant may be accompanied by one certificated employee or a representative of a recognized professional organization at any stage of the grievance.

Substance Abuse and Alcohol and Drug Free Workplace

Alcohol/Drug-Free Workplace Policy

See [Substance Abuse](#) Policy HC 5.105

Prohibition of Employee Harassment Policy

Policy Statement

See [Employee Harassment](#) Policy HC 5.160. The Metropolitan Nashville Board of Public Education is committed to safeguarding the ability of all students and employees within the school system to learn and to work in an environment that is free from all forms of harassment and sexual harassment. See [Employee Harassment](#) Policy HC 5.160 and [Reporting Employee Harassment](#) Policy HCp 5.160.

It shall be a violation of this policy for any employee of this school system to harass a student or another employee through conduct or communication in any form as defined in this policy. Infractions of this policy shall be punished as provided herein.

Defining Harassment

Harassment is a form of discrimination. Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 require school districts to have officially adopted policy statements of nondiscrimination on the basis of sex, disability, national origin, race or any other covered area under law.

Specifically, sexual harassment is a form of sexual discrimination and consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an employee's job, pay, or career;
2. Submission to or rejection of such conduct by an employee is used as a basis for career or employment decisions affecting that employee; and/or
3. Such conduct interferes with an employee's performance or creates an intimidating, hostile, or offensive environment.

Sexual harassment can include, but is not limited to sexual advances, verbal harassment or abuse, subtle pressure for sexual activity, touching of a sexual nature including inappropriate patting or pinching, intentional brushing against another person's body, demands for sexual favors, graffiti, posters, cartoons, caricatures, and jokes of a sexual nature, playing sexually explicit audio/video tapes, sex-oriented verbal kidding or abuse, and, spreading rumors about or rating another person's sexual activity or performance.

Reporting Harassment

See [Reporting Harassment](#) Policy HCp 5.160

Any employee who believes that he/she is the victim of harassment or who witnesses harassment should report the harassment. Employees may report harassment to any one or all of the following:

1. The employee's supervisor;
2. The supervisor of the offending person;
3. The principal of the employee's school or the head of the employee's department;
4. The Director of Employee Relations, and/or;
5. The Title IX Coordinator;
6. Any employee in a leadership role at MNPS.

Allegations of employee-to-employee harassment shall be fully investigated by the principal, principal/designee or department head of the school or department from which the allegation arose. Confidentiality of employees shall be maintained, to the extent possible, during any investigation of alleged harassment. All allegations of employee-to-employee harassment shall be forwarded to the Human Capital Department. Employees found to have engaged in harassment shall be promptly and appropriately disciplined. Disciplinary action may be taken up to and including dismissal.

Allegations of supervisor to employee harassment shall be fully investigated by the Human Capital Department and/or its designee. Confidentiality of employees, including supervisory employees, shall be maintained, to the extent possible, during any investigation of alleged sexual harassment. Supervisory employees found to have engaged in harassment shall be promptly and appropriately disciplined. Disciplinary action may be taken up to and including dismissal.

Supervisors are responsible for conducting activities within their area of responsibility in a manner that will ensure compliance with this policy. Supervisors are responsible for ensuring that their staff persons are aware that there are procedures for investigating reports of harassment.

Retaliation of any kind against an employee who, in good faith, reports a claim of harassment will not be tolerated. Any employee found to have engaged in retaliation will be promptly and appropriately disciplined. Disciplinary action may be taken up to and including dismissal.

Ethics, Conflicts of Interest and Acceptance of Gifts

See [Ethics, Conflicts of Interest and Acceptance of Gifts](#) Policy HC 5.110

All Metropolitan Nashville Public Schools (MNPS) employees are required to abide by all laws issued by the federal, state, and local governments, and maintain the highest level of honesty, integrity, impartiality and conduct as it relates to Ethics, Conflicts of Interests and the Acceptance of Gifts. This will ensure that all actions of, and work performed by, employees are transparent and avoid any actual or perceived misconduct or conflict of interest. Although certain behavior may not break any particular law or may not be in violation of any strict interpretation of the law, certain behavior is not acceptable within MNPS.

MNPS employees must always be aware that their meetings, in both public venues and private clubs, with companies that do business with MNPS, may raise questions as to the true purpose of the meeting, regardless of who actually pays for the employee's meal/ticket/attendance fee/etc.

Travel Awards: Any employee who travels for MNPS may keep their points or travel awards.

Any gift that is given by one MNPS employee to another employee that provides for personal financial gain or favor is not acceptable. Disallowed gifts shall be returned with an explanation or, if perishable, either returned or donated to a charity in the name of the supplier.

Offers to donate money shall be referred to the MNPS Director of Budget and Accounting. Offers to donate furniture, equipment, supplies, etc. shall be referred to the MNPS Inventory Control Manager. Donations may not be accepted if they are given to influence a decision that provides monetary gains to the donor or the person accepting the donation.

Any trip where lodging and long-distance transportation is not provided by MNPS must be pre-approved by the Director of Schools and must be for the purpose of furthering the mission of MNPS.

Employee Responsibilities:

Each employee of Metropolitan Nashville Public Schools shall avoid any action, whether or not specifically prohibited by this policy or departmental code of ethics, which might result in or create the appearance of :

- Using their position in MNPS for private gain;
- Providing preferential treatment to any person or business entity;
- Discriminating against any person or business entity;
- A lack of sobriety or placing one's self in a compromising or unseemly situation;
- Losing the ability to make decisions that are independent and impartial;
- Making a decision that does not follow approved guidelines and that is not in the best interest of MNPS;
- Affecting adversely the confidence of the public in the integrity of MNPS; and/or
- Reducing the operational efficiencies or economies of MNPS.

Each employee is responsible for the integrity and accuracy of MNPS documents and records to comply with regulatory and legal requirements and also to ensure records are available to support business practices and actions.

Persons Covered

This policy applies to all employees of Metropolitan Nashville Public Schools.

Gifts, Entertainment, and Favors

No employee shall solicit or accept, directly or indirectly, on behalf of himself, herself, or any member of the employee's household, any gift, gratuity, preferential discounts, service, favor, lavish entertainment/meals, lodging, long distance transportation, loan, loan guarantee, or any other thing that derives monetary value in the course of his/her employment with Metropolitan Nashville Public Schools.

Exceptions:

The prohibition on soliciting or accepting gifts, entertainment or favors does not apply to:

- Loans from established financial institutions made in the ordinary course of business on usual and customary terms, so long as there are no guarantees or collateral given by any person described in this section.
- Unsolicited advertising materials of nominal value.
- Business meals.
- Food and refreshments of nominal value when they are part of the employee's participation in a charitable, civic, political or community event, which bears a relationship to the employee's office and the employee is attending in an official capacity.
- Admission to charitable, civic, political, or other public events or attendance at business meetings where refreshments or meals of nominal value may be provided.

Financial Interests

No employee of Metropolitan Nashville Public Schools shall enter into or derive and benefit, directly or indirectly, from any contractual arrangement with MNPS or any of its agencies. In recognition of the fact that many husbands and wives have separate careers, the normal employment compensation of a spouse whose regular, ongoing employer or business has a contractual arrangement with Metropolitan Nashville Public Schools shall not be considered a "benefit" to the MNPS employee, provided the contract with MNPS was procured without any participation, assistance or influence by the MNPS employee.

No MNPS employee, in the performance of his or her official duties, should request or demand that any other person or entity make or offer to make any monetary contribution to any campaign or to any political campaign committee in exchange for, or as condition of, receiving some benefit from Metropolitan Nashville Public Schools or any department, agency or official thereof, to the person or entity whose contribution is requested or demanded, or to the person making the request.

Any MNPS employee having controlling stock or ownership interest in public or privately held companies that do business or may potentially do business with MNPS should report such to their Principal or Department Head.

Use of Information

No employee of Metropolitan Nashville Public Schools shall directly or indirectly:

- Use, disclose or allow the use of official information which was obtained through or in connection with his or her employment, and which has not been made available to the general public, for the purpose of furthering the private interest or personal profit of any person, including the employee, or
- Engage in a financial transaction as a result of, or primarily relying upon, information obtained through his or her MNPS employment.

Use of Government Property

No employee shall use the facilities, equipment, personnel or supplies of MNPS or its agencies other than for officially approved activities, except to the extent that they are lawfully available to the general public.

Questions on Interpretation of this Policy

When an MNPS employee is in doubt as to the proper interpretation of this policy, he/she is expected to seek the advice of his/her Department Head, School Principal or the Human Capital Department. If any gift or favor is received by the employee, it must be reported in writing within 7 days to the Principal, Department Head or Human Capital Department. Any MNPS employee who accepts any gift or favor is subject to (a) disciplinary action which may include immediate termination from employment; (b) personal liability to the Metropolitan Nashville Public School System; and, (c) if criminal actions are involved, referral to appropriate law enforcement authorities.

Department Head/Principal's Responsibilities

Each employee of Metropolitan Nashville Public Schools who acts in a supervisory capacity is responsible for ensuring compliance of this policy by those employees in his or her line of authority.

Required Contractual Provisions

All persons involved in the approval of MNPS Contracts must adhere to ethical provisions outlined in *FM 2.113 [Initiating Contracts](#)*.

Other Ethical Responsibilities

Individuals who prepare, approve, sign, or submit E-rate applications, technology plans, or other forms related to the E-rate program are subject to more stringent ethical requirements. For more information, see Federal Communications Commission Regulations. (47 C.F.R. § 54.503)

Reminder of Educator's Legal Obligation to Report Suspected Child Abuse

Tenn. Code Ann. §37-1-403 and Tenn. Code Ann. §37-1-605 requires all employees to make a report when they suspect abuse, neglect or exploitation of children. These laws impose an obligation on the individual who suspects the abuse, to report the abuse.

The law requires school officials to notify the department of children's services of a report or investigation of employee misconduct on the part of any employee of the school district that in any way involves known or alleged child abuse, including, but not limited to, child physical or sexual abuse or neglect.

If school districts have reasonable cause to suspect a child may be a victim of abuse that occurred on school grounds or while the child was under the supervision or care of the school, the school is required by law to verbally notify the parent or legal guardian of the child that a report of suspected child abuse has been made and must provide other information relevant to the future wellbeing of the child while under the supervision or care of the school. The verbal notice must be made in coordination with the department of children's services to the parent or legal guardian within twenty-four (24) hours from the time the school, school teacher, school official or other school personnel reports the abuse to the department of children's services, judge or law enforcement; provided, that in no event may the notice be later than twenty-four (24) hours from the time the report was made. The notice shall not be given to any parent or legal guardian if there is reasonable cause to believe that the parent or legal guardian may be the perpetrator or in any way responsible for the child abuse or child sexual abuse.

Child Abuse Reporting Resources:

The following link from the department of children's services website provides helpful information regarding the reporting of child abuse: <https://reportabuse.state.tn.us/>. By clicking on the tabs along the top of the document, you may access FAQs about child abuse reporting, the child abuse reporting hotline and an online training module on child abuse reporting that can be used to train staff.

Transfer Process

Certificated Voluntary Transfers

The open transfer application window for teachers will begin each spring. During this time, teachers may apply for a transfer by completing an online transfer application. The application link is sent to all faculty when the application window opens.

Principals should consider transfer requests along with applications of other qualified candidates as they schedule interviews and make selections for the upcoming school year.

Teachers who earned a TEAM composite score of “below expectation (2.0)” or “significantly below expectation (1.0)” in the previous year are only eligible for transfer if the receiving principal has notified his/her HC Liaison in writing that he/she is aware of the candidate’s TEAM composite score and still wishes to proceed with the transfer.

Teacher of the Year

MNPS recognizes outstanding Teachers of the Year annually. Eligible candidates for Teacher of the Year must:

- Be a full-time, certified, in good standing, Pre K-12 teacher in a state-accredited public school at each stage of the recognition process (local, regional, grand division, state and national levels)
- Spend the majority of the school day in direct instruction to students
- Be in at least the fifth year of teaching in Tennessee public schools
- Have a track record of exceptional gains in student learning

Teacher of the Year candidates must:

- Have a broad understanding of research-based models for effective teaching and of current trends and issues in education
- Be a facilitator of learning, skilled in implementing creative teaching strategies
- Be able to show evidence of positive teacher effect over time related to student achievement through formal and informal documentation
- Be able to explain, discuss and defend a personal philosophy of teaching
- Be poised, articulate, enthusiastic, and energetic
- Be an exceptionally dedicated, knowledgeable and skilled teacher
- Have a superior ability to teach and inspire in students a love of learning
- Be recognized as a leader in the community as well as in the school
- Show active involvement and leadership in professional development and extracurricular activities

- Inspire students of all backgrounds and abilities to learn
- Have the respect and admiration of students, parents and colleagues

Each division, department, or grade within a school may nominate candidates in three categories: PreK-4, 5-8, and 9-12. These categories refer to the grade taught by the teacher and do not refer to the grade structure or designation of the school. Each division, department, or grade presents its choice to the general faculty, which selects the teacher(s) in each category to participate in the system competition. Schools are encouraged to consider nominations from parents, students and other community members as well. The number of teachers chosen in each category is not to exceed 1 per 20 faculty members in that category.

Once the faculty has selected the nominee(s), the nominee(s) completes Sections I, II, and III only of the Teacher of the Year nomination form, which is posted on the MNPS website in January. Each building principal also submits the Building-Level Teacher of the Year Report Form to the Director of Schools.

Once the nomination window closes at the end of January, a committee begins reviewing nominations and selects the Teacher of the Year finalists in each category. The district contacts the finalists (two per each category at each school), who then complete Sections IV-X of the application. The committee reviews the finalists' applications and the winners for each category and school are announced the night of the banquet.

Multi-Classroom Leaders

A multi-classroom leader (MCL) is an instructional leadership role within MNPS. An MCL leads a team of teachers, tutors, and other assigned staff to meet students' academic goals. The MCL establishes annual goals for his/her team; organizes instructional planning; organizes teaching and support roles to fit each team member's strengths, content knowledge, and professional development goals; determines learning outcome benchmarks; and determines how students' time is allocated. The MCL provides direct instruction to students, sometimes by co-teaching with team members. The MCL organizes the team to review student progress and changes instructional strategies to ensure high-progress learning for every child. The MCL works collaboratively with his/her team, using new ideas and innovations that may improve learning. The MCL is fully accountable for the learning and development of all students taught by team members. The MCL works with the principal to choose, evaluate, and develop the team, and recommends low performers for dismissal when necessary.

Teachers are eligible for the MCL role if they have a valid Tennessee teaching license, at least a Bachelor's degree, knowledge of subject matter and/or grade level being taught, and superior prior student academic achievement as evidenced by student outcomes in the top 25 percent for two of the last three years compared to other teachers in comparable subjects and grades

in Tennessee or nationally, measured by student learning growth. Additionally, MCL candidates should have:

- experience successfully organizing, coaching, leading and/or managing a team of adults to accomplish goals;
- experience successfully using data and data systems to make instructional decisions and ability to coach others in the use of data to ensure instructional delivery meets the needs of all learners;
- evidence of capacity to set priorities, organize and balance workload, and make tough decisions
- personal and professional demeanor, attitude, and maturity to interact with parents, administrators, staff, and community members

The MCL position is a full-time, 11-month position, and MCLs report to the principal. MCLs receive a Leadership Stipend in addition to base salary as determined by the MNPS salary schedule. The Leadership Stipend is calculated as \$1,500 per classroom teacher managed as part of his/her team. Hours beyond the standard school day may be necessary to complete administrative tasks, analyze data, plan instruction, and manage the team.

MNPS rolled out MCLs in three schools in 2013. Principals interested in implementing MCLs in their schools should contact the [Director of Operational Innovation](#).

Teacher Leadership Institute

MNPS began the [Teacher Leadership Institute](#) (TLI) in 2011 in an attempt to recognize and retain exemplary third-year teachers. The year-long experience focuses on honing leadership skills in teacher leaders and building the capacity of others using five proven leadership and management skills:

1. Setting Clear and Compelling Direction
2. Shaping Culture for Learning
3. Leading and Managing Change
4. Transforming Teaching and Learning
5. Managing Accountability Systems

MNPS encourages principals to recommend the TLI to their exemplary teachers and support them in applying. The application is available on the MNPS website annually in mid-January and will remain open for two weeks. Applications must include a statement of support from the principal that

Successful applicants to the TLI will demonstrate an understanding of four competencies: leadership, collaboration and team building, effective instruction, and reflection and constant

learning. Applicants to the TLI should be **certificated teachers who will be in their third year of teaching in MNPS**. Applicants will:

1. Complete an on-line application
2. Provide a writing sample
3. Provide two letters of recommendations, one from your principal or principal's designee and one from another individual of your choice
4. Provide a statement of support from your principal
5. Present evidence demonstrating impact on student growth and achievement—which could be TVAAS scores, achievement test scores or other measures of student growth and achievement
6. Engage in a group and individual interview (for selected candidates only)

TLI participants will be announced and celebrated annually in March and begin their institute year officially in June. For additional information, please contact [Earl Wiman](#).

Miscellaneous Provisions

Service Recognition

MNPS recognizes employee service to the district by distributing service awards at specific milestones. Human Capital distributes the awards to each campus in April. We encourage principals to publically celebrate these employees' contributions to the district. Service awards include:

- 5-year custom lapel pin with MNPS seal
- 10-year custom lapel pin with MNPS seal
- 15-year cup with MNPS logo
- 20-year pen set, including one ball-point and one gel pen with MNPS logo
- 25-year jade acrylic award with MNPS logo
- 30-year porcelain plate with gold rim, MNPS seal, and employee's name
- 35-year glass candy bowl with MNPS logo
- 40-year glass biscuit barrel with MNPS logo and employee's name

An employee must have completed these continuous years of service on or before July 1.

Employees eligible for 30, 40, and 50-year awards will receive their awards and be recognized during a Board meeting in the spring.

Smoking Policy

See [Smoking Policy](#) HC 5.159

Safety

Employees are responsible for ensuring their work area is safe and for making regular safety inspections of all equipment used in the work area. If there are unsafe conditions in their area, precautions should be implemented to ensure safety until the conditions are corrected. If equipment is unsafe it is not to be used until it has been repaired. All unsafe conditions and equipment are to be reported to the immediate supervisor who shall initiate the proper action to have them corrected

Reporting Arrest or Criminal Citation

See [Reporting Arrests](#) Policy HC 5.132 and [Procedures for Reporting Arrests](#) Policy HCp 5.132

As a condition of employment, an employee must report to the department head/principal any arrest or criminal citation within 24 hours of the incident. If the department head/principal cannot be reached within the specified time frame, an employee must make the report immediately the next workday. It is not necessary to report traffic citations unless required by the department.

Light Duty

Whenever an employee has a temporary disability that limits his/her ability to perform his/her job functions, the department/school will, whenever possible, provide light duty opportunities to the employee so he/she may continue to work productively. The department/school shall not be required to create additional positions in order to facilitate light duty assignments. An employee who is out of work because of an on-the-job injury will be given preference for light duty positions in his or her department or schools and is expected to perform light duty work whenever opportunities are available and the employee has been released to work light duty assignments.

Monitoring of Electronic Mail Communications

See [Technology Acceptable Use Policy](#) HC 5.112

Mobile Phone Policy for Employees

Employees may use cellular phones for job-related communication during work hours provided such use does not disrupt the learning environment. Personal use of mobile phones shall be limited to off-duty time.

Americans with Disabilities Act (ADA) Claim Procedures

Definition - An “ADA Claim” shall mean a complaint by an individual that he or she has been discriminated against because of some real or perceived disability.

ADA Coordinator - In compliance with 28 CFR 35, Subpart A, §35.107, the Director of Schools shall designate an employee to be responsible for coordinating the systems’ efforts to comply with the Americans with Disabilities Act. The Director of Schools shall put in place a mechanism for ensuring that information about the designation of such employee be disseminated to all staff members, students, parents and/or guardians, and other interested citizens.

Procedures - All ADA Claims must be initially presented to the Manager of Workplace Safety. If satisfactory resolution of the problem cannot be reached after ample opportunity for consideration of the matter, the claimant may discuss the matter with the Director of Employee Relations or the Human Capital Officer.

After review of the case, the Director of Employee Relations or the Human Capital Officer shall take action as he or she deems appropriate and shall notify all parties concerned of his or her decision.