

From: Sara Page PageS@rcschools.net
Subject: Re: Sara Page - Board Operated Outside of Rules, Mask Policy Not Passed. Record request.
Date: September 13, 2021 at 9:30 AM
To: Admin Rutherford Students First admin@rutherfordstudentsfirst.org
Cc: Tiffany Johnson JohnsonTi@rcschools.net, Shelia Bratton BrattonS@rcschools.net, Coy Young youngco@rcschools.net, Jim Estes estesj@rcschools.net, Claire Maxwell MaxwellC@rcschools.net, Lisa Moore moorel@rcschools.net, Tammy Sharp SharpT@rcschools.net, jreed@mborolaw.com, Bill Spurlock SpurlockB@rcschools.net

Mr. Littleton--

Mr. Reed is addressing your questions; however, my office processes records requests. In response to your request reading, "Of additional problem, as part of the standard process, according to the Rutherford Board of Education, "A proposed policy or policy change shall be submitted by the Policy Advisory Committee or the director of schools to the Board as part of the agenda." If this happened, in accordance with the Tennessee Open Records Act, please provide confirmation of this submission," please find the attached denial form indicating no responsive records.

Sara Page
General Counsel
Rutherford County Schools
2240 Southpark Drive
Murfreesboro, Tennessee 37128
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"Empowering today's students to grasp tomorrow's opportunities."

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From: Admin Rutherford Students First <admin@rutherfordstudentsfirst.org>
Sent: Friday, September 10, 2021 10:38 AM
To: Sara Page <PageS@rcschools.net>; Bill Spurlock <SpurlockB@rcschools.net>
Cc: Tiffany Johnson <JohnsonTi@rcschools.net>; Shelia Bratton <BrattonS@rcschools.net>; Coy Young <youngco@rcschools.net>; Jim Estes <estesj@rcschools.net>; Claire Maxwell <MaxwellC@rcschools.net>; Lisa Moore <moorel@rcschools.net>; Tammy Sharp <SharpT@rcschools.net>
Subject: Sara Page - Board Operated Outside of Rules, Mask Policy Not Passed. Record request.

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello Sara Page, Board Members and Director Spurlock,

I spoke on the problem of process at the Board meeting, and have spoken privately to Board members about this same problem.

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The Covid policy motion voted upon at the Sept 9th Board meeting could not have been voted upon because it did not appear on the September 9th meeting agenda, nor had it been made public prior to the vote as the Rutherford Board of Education requires. Therefore, the Board has not created any new policy at all.

To clarify:

A special Board session was called by Chairman Young for September 7th ([document enclosed showing a new policy was on the agenda](#)), which would have allowed the Board to bypass its rules for a first read of any policy with public input. No policy was presented or read at that time, only discussed. That special session was then adjourned by Chairman Young.

At the September 9th Board meeting, no proposed Covid Policy had been made publicly available, nor was any proposed Covid policy placed on the September 9th agenda ([document enclosed showing no Covid mask policy item on the agenda](#)).

With the special session of September 7th adjourned and no policy voted upon through the emergency session process, the next Board meeting with a new Chairman was operating outside of any emergency session process and was now subject to the standard Board of Education rules for a policy proposal and vote, which require a first read, public discussion and second read prior to voting ([document enclosed](#)).

On September 9th, a new Chairman was elected, ending any authority of the previous Chair and special session. Every policy proposed beginning with the September 9th session would be subject to Board rules as it was not done under the September 7th emergency session or the new Chairman.

Of additional problem, as part of the standard process, according to the Rutherford Board of Education, "A proposed policy or policy change shall be submitted by the Policy Advisory Committee or the director of schools to the Board as part of the agenda." If this happened, in accordance with the Tennessee Open Records Act, please provide confirmation of this submission. While this additional problem in the process is a matter of public record, it would only serve to check the box that the required process was followed and it is possible that Sheila Bratton's first reading of the policy on September 9th would then need public input before a 2nd reading at a sequential Board meeting could qualify for a vote.

If you want to move forward with the Covid policy proposed by Sheila Bratton on September 9th, you will need to restart the process by following the Rutherford Board of Education rules for enacting a new policy.

I realize you don't like being asked about these things, or your plans stopped. But process is incredibly important in the creation of public policy. Without a defined process with transparency and specificity, power can be easily abused. This is a major concern for our organization. For your knowledge, Rutherford Students First has defined a set of objectives, one of which is "Improve transparency: Board and school administrators make too many decisions without anyone knowing how or why. This leads to cronyism and corruption. We seek to end this practice."

RSF is not going away, and we are tasked with holding the Board accountable to parents with students in RCS. You may pass all kinds of policies we don't like, but like any government entity, you are still required to follow a defined process.

Please let the public know when a Board meeting will be called for first or second read (depending on if Sheila's motion would qualify as first read if properly submitted through a documented process) of the proposed Covid policy.

Chris Littleton
Co-Founder, Rutherford Students First

RUTHERFORD COUNTY BOARD OF EDUCATION

Public Records Response Form

Requestor's Name

Chris

First

Littleton

Requestor's Email

admin@rutherfordstudentsfirst.org

Requestor's Address

Inspection: The public record(s) responsive to your request for inspection will be available at the location indicated below:

N/A

Date Available

N/A

By (Time)

N/A

Copies of public record(s) responsive to your request are:

☐ Attached ☐ Available for Pickup ☐ Being Delivered

Your request is DENIED on the following grounds:

- ☐ Your request was not sufficiently detailed to enable identification of the specific requested record(s), must provide additional information to identify the record(s).
- ☒ No such record(s) exist or this office does not maintain record(s) responsive to your request.
- ☐ No proof of Tennessee citizenship was presented with your request, request will be reconsidered upon presentation of an adequate form identification.
- ☐ You are not a Tennessee citizen.
- ☐ You have not paid the estimated copying/production fees.
- ☐ The following state, federal, or other applicable law prohibits disclosure of the requested records.

St/Fed Applicable Law

The time reasonably necessary to produce the record(s) or information and/or to make a determination of a proper response to your request is:

Production Time

Prohibiting Disclosure of Records

If you have questions contact Sara Page, Public Records Request Coordinator, 2240 Southpark Drive, Murfreesboro, TN 37128. Phone: 615-893-5812 or Email: pages@rcschools.net

Revised 3/22/19

Completed

Sara Page 8.15.21

