

RESOLUTION

A RESOLUTION OF THE BOARD OF EDUCATION
OF KNOX COUNTY, TENNESSEE,
SUPPORTING OUR STAFF BY SPECIFICALLY RECOGNIZING
THEIR CONSTITUTIONAL RIGHTS AND CIVIC RESPONSIBILITY
TO ADDRESS KNOX COUNTY SCHOOLS ADMINISTRATION
AND/OR STATE AND LOCAL ELECTED OFFICIALS
REGARDING WORK-RELATED CONCERNS
WHICH MAY DIRECTLY OR INDIRECTLY IMPACT STUDENTS
IN KNOX COUNTY'S PUBLIC SCHOOLS

RESOLUTION: 23-006

PREPARED BY: JENNIFER OWEN
BOARD MEMBER
SECOND DISTRICT

APPROVED AS TO LEGAL FORM:


DEPUTY LAW DIRECTOR

BOARD APPROVAL DATE: October 4, 2023

Whereas, the First Amendment to the United States Constitution includes that "Congress shall make no law ... abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances; and

Whereas the right to petition protects one's right to ask the government to correct a wrong or change a policy; and

Whereas "petition" includes a range of ways to express oneself to influence public officials; and

Whereas, "petition" may include testifying before a governing body, submitting a complaint to an agency, circulating a document for others to sign, filing suit, or contacting an elected official; and

Whereas Pickering v Board of Education, 391 US 563 (1968), established the principle that public employees do not relinquish their right to speak out on matters of public importance, or public concern, simply because they have accepted government employment; and

Whereas the Supreme Court, in Pickering, said that “the threat of dismissal from public employment . . . is a potent means of inhibiting speech;” and

Whereas the welfare of the public includes the welfare of students and staff in our public schools; and

Whereas the welfare of our students and staff in our public schools requires that staff who know of issues that impact our schools must be allowed and encouraged to report those concerns; and

Whereas the Knox County Board of Education supports the rights of our staff to be heard on matters of importance to our public schools, our staff, and our students;

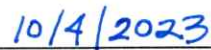
Now be it resolved, that the Knox County Board of Education encourages all employees of the Knox County Schools to follow the complaint processes laid out in Board policy without fear of retribution, harassment, or any negative employment action as a consequence of reporting work-related concerns to any supervisor, as provided in the complaint policy; and

Be it further resolved that the Knox County Board of Education supports our employees’ rights to speak to administration of the Knox County Schools, as they are Local Education Agents of the State of Tennessee, without fear of retribution, harassment, or any negative employment action as a consequence of speaking to any public official regarding any concern; and

Be it further resolved that the Superintendent of Knox County Schools shall update and implement any procedures necessary to clearly communicate the rights of employees to all staff and that supervisors are appropriately trained to protect such rights.



Betsy Henderson, Board Chair



Date