

Director of Schools
Bill Spurlock
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Re: COVID Mask Policy September 9, 2021

DEMAND LETTER

Director Spurlock:

This letter is to inform you that I represent the organization known as Tennessee Rising. I understand that the Co-Founder of Tennessee Rising, Chris Littleton, has already brought to your attention the concerns that my client has related to the COVID Mask Policy that was adopted by the Board of Education at their meeting on September 9, 2021. After a review of the information readily available, it is my opinion that the Board of Education did not follow its own policies and procedures as it relates to policy development and adoption as outlined by Rutherford County Board of Education Policy 1.600.

Specifically, Policy 1.600 states, "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. Any interested party shall be given an opportunity to be heard on the proposal.....The proposed policy or policy amendment shall be considered at the next board meeting with the final vote following the second reading. Adoption shall require an affirmative vote by a majority of the members of the Board."

The record clearly indicates that this policy was not followed for the September 9, 2021 Board Meeting. The COVID Mask Policy that was adopted at this meeting was not mentioned anywhere on the Agenda for the September 9th meeting. Additionally, the September 9th Board Meeting was not a meeting conducted pursuant to the "Emergency Provisions" of Policy 1.600 nor was there a procedural vote taken to suspend the application of Policy 1.600 under the "Suspension of Policies" caveat prior to consideration of the proposed COVID Mask Policy. Therefore, the motion to approve the COVID Mask Policy was not properly before the Board on September 9, 2021.

Due to the Board's failure to comply with its own policies and procedures, the COVID Mask Policy is void. Therefore, my client is demanding that the implementation of the COVID Mask Policy be stopped immediately until and unless it is properly brought before the Board of Education for consideration. If the COVID Mask Policy is not suspended immediately, we will be forced to file and Emergency Petition and seek a Temporary Restraining Order prohibiting the implementation of this policy.

Due to the time sensitive nature of this proceeding, please contact my office ASAP if you desire to discuss this matter further. Failure to contact my office regarding a resolution of this matter will result in an Emergency Petition being filed to stop the implementation of the improperly adopted COVID Mask Policy.

Sincerely,



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