

The **Special Edition** Daily Edition 50¢

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Thursday, February 27, 2025

Tellico Village Couple New to Loudon County Seek TBI Investigation Into New High School Building Project

District Attorney declines to ask TBI to investigate – “Not a criminal issue”
by Dan Bell

A couple that evidently moved to Loudon County in July of 2023 and live in Tellico Village have asked the Tennessee Bureau of Investigation to investigate the Loudon County School Board [which could potentially include the Loudon County Commission that has to approve financial expenditures for the school board]. The complaint is relative to the proposed building of a new high school on property owned by the county system school board on property behind First Baptist Church in Lenoir City. Currently Loudon County School system’s high school students on the Lenoir City end of the county attend Lenoir City High School, which is part of the Lenoir City

School system, separate from the county school system.

While District Attorney General Russell Johnson declined to predicate a TBI investigation at the couple’s request, General Johnson did look into the matter on his own. He determined that the complaint does not allege a violation of law for which there could be criminal prosecution, therefore, no TBI investigation. He did however suggest that the couple might focus their attention elsewhere – consolidation of the two separate school systems to make one more efficient school system that would save money.

His response to the Daily Edition’s inquiry is set forth below:



District Attorney General Russell Johnson

Response from DA Johnson:

A couple from Tellico Village that evidently shows up at the Loudon County School Board meetings complaining about the move to build a new 7-12 school in the north end of the county filed a ‘complaint’ requesting a TBI investigation into the school board and their

process for arriving at this decision. Ostensibly, the complainants do not want the tax increase that would go along with the building project to provide the new school which is being planned to meet anticipated school enrollment. As District Attorney, I am the only one that can predicate a TBI investigation on this issue. However, since the complaint does not allege a violation of ‘criminal’ law, there will be no TBI investigation.

I did, however, take this a step further. After reviewing the complaint, I contacted attorney for the Loudon County School Board and asked him to review the complaint, address and opine on the complaint and provide supporting docu-

mentation. The attorney, Chris McCarty has done this. His response with hyperlinks is attached.

This is truly a political issue. It will have to be resolved by the Loudon County School Board and the Loudon County Commission.

While it is not for me to determine, or probably even suggest, I have always been of the opinion that both Loudon County School Board and the Lenoir City School Board should at least entertain discussions and perform a study to see if the consolidation of both systems into one might provide Loudon County a more efficient model

see School pg. 2

Verse of the Day

So do not fear, for I am with you; do not be dismayed, for I am your God. I will strengthen you and help you; I will uphold you with my righteous right hand. All who rage against you will surely be ashamed and disgraced; those who op-

pose you will be as nothing and perish.

—Isaiah 41:10-11

Wazzup

This is a special edition since the schools continue to be a hot topic among readers. Let us know what you think

Weather

Today: Morning showers. High of 59F.

Tonight: Overcast. Low of 35F.

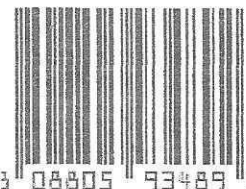
Friday: Sunny. High of 64F.

Friday night: Overcast. Low 43F.

Horoscope

Pisces 2/19–3/20

Don’t fear any changes that lie ahead, Pisces. Even if you think you don’t adjust well, you have more adaptability than you realize.



Schools

for educating the students of Loudon County. This is not to say such a move would remove the need for a new school, but it deserves consideration. All politics are local, so this obviously would be a hot button issue for the school boards and county commission to determine.

L. Russell Johnson
1008 Bradford Way
Kingston, TN 37763
February 21, 2025

RE: Response to TBI Tip
Created by Debra Stephenson

Dear Mr. Johnson:

Please allow this letter to serve as an initial response to Debra Stephenson's ("Complainant") "tip" to the Tennessee Bureau of Investigation created on February 5, 2025. To be sure, the Complaint, even if it were true or to even be taken as true, does not state a single alleged violation of criminal law by Loudon County Schools ("LCS") or by its board members, officers, and employees. However, due quite frankly to a fac-

tion of individuals spreading misinformation regarding LCS's plan to build a new Grade 7-12 school in north Loudon County, LCS seeks to address the Complainant's allegations herein.

1. Loudon County Schools operates transparently in accordance with Tennessee law.

LCS first addresses any suggestion by the Complainant that LCS has not properly responded to public records requests. LCS has responded to numerous public records requests under the Tennessee Public Records Act. The documents LCS has produced pursuant to the TPRA in relation to the school project between May 13, 2023 and February 18, 2025 can be accessed at this link [LCS Open Record Requests] and span from LCS 000001 to LCS 004804. That means in total LCS has produced 4,804 pages of documents to citizens like the Complainant in relation to the school project. Clearly, LCS operates transparently and responds to public records requests in accordance with the TPRA.

2. Loudon County Schools operates in accordance with Tennessee law with respect to student enrollment, including transfers and the identification of open seats for open enrollment.

Complainant's assertions regarding LCS's plan to construct a new school in northern Loudon County are equally unfounded. At a fundamental level, the complaint is based on a misunderstanding of the law. Tenn. Code Ann. § 49-2-128 governs student transfers within an LEA. The statute does not provide any obligations on an LEA with regards to the opening of new schools or the construction of new school buildings.

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LCS publishes its available open seats in accordance with Tennessee law, under Tenn. Code Ann. § 49-2-128. However, this process is not a statement on open seats based on physical space, as the Complainant suggests.

Nor does LCS's calculation take into consideration the state of LCS's school buildings. Rather, LCS calculates open seats based on the number of teachers per grade level and state-mandated teacher-student ratios. Moreover, it is apparently lost on the Complainant that LCS is not permitted to deny a student enrollment who attended that school in the previous school year, regardless of whether a student is a non-transfer student, or an in-district or out-of-district transfer student. See Tenn. Code Ann. § 49-2-128(f)(1). Therefore, it is proper—and mandated—that LCS include in its student count under Tenn. Code Ann. § 49-2-128 those LCS students who are Lenoir City residents as well.

Likewise, Complainant misunderstands Tenn. Code Ann. § 49-2-128 in regard to transportation. The relevant part of the statute provides, "If an LEA grants a transfer to a student, then the parent or guardian of the student is responsible for transpor-

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Schools ctd from pg. 2

tation to the new school. The student must maintain satisfactory attendance, behavior, and effort to remain in the new school.” Tenn. Code Ann. § 49-2-128(e). The Complainant alleges that LCS is violating the statute by transporting LCS students who are Lenoir City residents. However, subdivision (e), along with the statute as a whole, refers to transfers within an LEA. In accordance with Tenn. Code Ann. § 49-2-128(e), LCS Board Policy 6.206 provides that students within the school district who attend a school for which they are not zoned must provide their own transportation to and from school.

To address the Complainant’s allegation that an LCS middle school “dis-en-

rolls then re-enrolls” to avoid truancy requirements, LCS points out that school systems do not enroll or disenroll students; that duty falls on parents or guardians. Therefore, if a parent withdraws their student and he/she is then no longer subject to Tennessee compulsory attendance rules, disenrollment has occurred. If a parent returns to LCS with their student and wishes to enroll, the student is reenrolled per state law. This is a mechanical process that is far from nefarious. In any event, LCS maintains an attendance and truancy policy in accordance with Tennessee law through Board Policy 6.200.

It is important to note, further, that the Complainant oversimplifies the relationship between LCS and the Lenoir City School District.

The relationship between the school districts differs from the relationship between two separate county school districts. Tennessee counties are required to provide a free system of public schools. Tenn. Code Ann. §§ 49-1-102, 49-6-3001. Tennessee law further requires that “[w]here a student meets the requirements of the state board of education for transfer or admission purposes, the student may be admitted by a local board of education, notwithstanding any other provision or act to the contrary.” Id. at § 49-6-3001(b)(3). Likewise, Tenn. Code Ann. § 49-6-3102 requires local boards of education to “provide for the enrollment in a public school of each student who is eligible for enrollment within the schools of the local school system.” The

requirement that an LEA provide free education is inextricably linked with a county’s ability to tax its residents. See id. at §§ 49-6-3003(b)(1), 49-6-3112, 49-6-3104.

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Accordingly, my office previously advised LCS that, though the issue is not clearly decided under Tennessee law, LCS must admit Loudon County resident students into its schools, free of tuition, even where those students also reside within the Lenoir City municipal school district. That prior opinion letter to LCS can be found at this link [Letter re Enrollment to Garren 2024-03-18.pdf], and was made public some time ago as well.

As noted by the Com- See Schools ctd. pg. 4

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Se Habla Espanol

Schools cont. from pg. 3

plainant, it was the duly elected Loudon County Commission that ultimately voted to adopt a budget that included funds to construct a new school building. This occurred after LCS presented its related proposal, including the slideshow found at this link [LCBOE Presentation 2024 CC 6-17-24.pdf], and after the County Commission heard numerous public comments on the matter. If the Complainant is unhappy with that decision, the proper avenue of her disagreements is through political channels, rather than levying baseless accusations against elected public officials and school officials.

To be clear, LCS's decision to construct a new school is based solely on the need to address the continued population growth on the north side of Loudon County. As always, LCS is acting in ac-

cordance with its mission to provide high quality education to its students and to ultimately graduate college and career ready learners. Quite frankly, the citizens of Loudon County elected members of the Loudon County Board of Education to lead and manage the community's educational efforts, and those duly elected officials decided that a new school is needed for the community both now and certainly moving forward.

If you have questions regarding this letter, please do not hesitate to contact me.

Chris McCarty

Publisher Pen: The question is do we need another school? After many surveys and number crunching and meetings and discussions along with independent studies as well the County School System has determined the need for another school and has bought property in Lenoir City just off Hwy 321

for the purpose of building a new school.

The Lenoir City taxpayers were asked for a sales tax increase by the Lenoir City School System for the third time which failed heartily once again. However we have yet to have the vote on merging the school systems which would eliminate the need for a Lenoir City School Board and Director and staff for the office and the Million Dollar Building. No teachers or other staff would even change. The problem is that it requires a charter change and the council has no authority to change it however they can allow the city registered voters to vote on the matter just like the sales tax issue or any other charter change.

As for Tellico Village they are currently governed by a POA or Property Owners Association by appointed individuals who have large salaries and have already asked for fees to be added to residents and even tried to get legislation passed for their benefit. It's time for the Village to

become independent and incorporate. At least that way the residents will truly be able to have their own elected officials.

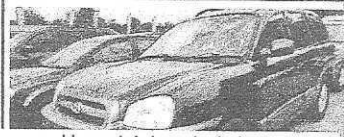
When it comes to the school business let's just be honest never in the history of the school system has it made money and it won't. It's not supposed to because it's an investment in the future period. That's why the stands are packed at competitive events and signs and banners are all over the score boards, yearbooks, and even some have done billboards of support over the years, and of course stadiums. Those folks do it because they believe in this great county and cities we have. Nowhere in the country can you go and not contribute to the school systems. With that being said, its time to merge the schools and let the county do what they do. We already have city students in county schools and county students in city schools so it just makes sense because we are gonna be contributing to the schools.




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