

From: [Franklin, Karen](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comment on Proposed TISA Rules
Date: Tuesday, August 2, 2022 4:10:40 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

The Tennessee Chapter of the National Association of Social Workers appreciates that one of the most commonly mentioned priorities at the public forums held by the Governor and Department of Education in the Fall of 2021 was student support services, including school counselors, school nurses, school social workers, and school psychologists. We appreciate that the following WHEARAS clause in the TISA legislation recognizes these groups.

WHEREAS, the base amount includes funding for the following:

(1) Instructional supports, such as salaries for classroom teachers; principals; assistant principals; art, music, and physical education teachers in elementary schools; college and career counselors in secondary schools; **counselors; social workers; school psychologists;** librarians; **nurses;** school secretaries; substitute teachers; and custodians; as well as duty-free lunches and intervention;

From reviewing the law and proposed rules we are unable to identify how changes in base funding will be addressed. We look forward to additional clarification on how the TISA funding formula may be used to support these critical student support personnel.

Karen L. Franklin, LAPSW
Executive Director
NASW, Tennessee Chapter
50 Vantage Way, Suite 250
Nashville, TN 37228-1554
(615) 321-5095 or (877) 810-8103
kfranklin.naswtn@socialworkers.org



Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

From: [Sally Carlson-Bancroft](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Commenting as a concerned citizen
Date: Monday, August 1, 2022 1:25:12 PM

Dear Sir or Madame,

NOAH has submitted detailed public comments to the TDOE related to its TISA rulemaking process. I am writing in support of NOAH's position. I know how important investing in our schools can be. We all want to see student improvement, but schools cannot do that without proper and equitable funding.

Any funding formula should be based on the following principles:

- An outcomes bonus process that doesn't prioritize privileged over needier school districts (where children are making solid academic advances)
- A fair calculation of Cost of Living so districts like Nashville receive funding that is commensurate with what it costs to live here
- A definition of "Economically Disadvantaged" that uses already established metrics (like TANF, SNAP or TennCare eligibility) vs. a new certification process
- **A Bigger Funding Pie**

Thank you for taking these principles into consideration.

Sally Carlson-Bancroft
Nashville

From: [Kathy Atwood](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comments Concerning the Tennessee Coordinated School Health Program
Date: Monday, August 1, 2022 3:49:15 PM

To: TISA Committee Members /Tennessee Legislators

I am writing to you today to make you aware of my concerns related to the Coordinated School Health Program in Tennessee and the new TISA funding formula. I have been the CSH Supervisor in Trousdale County for the last fifteen years. Trousdale County is a small rural county with a lack of resources. For example,, as of this month, we will no longer have a Doctor practicing medicine in our county. The school is the center of the county and works closely with the students to insure health needs are met.

As the coordinator, working with a great team, we have been able to make significant changes in the health of our students. This is important because many of our students never see a doctor or other provider unless they are sick. We have helped detect many health issues / risks in our students, including a significant heart condition that needed immediate surgery, several cases of high blood pressure, and scoliosis that needed intervention, just to name a few.

As a coordinator I have applied for and raised over two and one half million dollars in new funding to improve the health of our students and families. This work has allowed us to lower our BMI almost 4 percentage point during the last 15 years.

I am concerned that TISA language does not specifically include a Coordinated School Health (CSH) Coordinator for every school district. Without a qualified coordinator, the CSH funds and the work it accomplishes will be lost in the shuffle. Because of a designated CSH Coordinator focusing all her attention on the Whole Child components, over 1 billion dollars has been raised in grants and in-kind donations to provide walking tracks, physical education and physical activity equipment, nursing equipment and supplies, school counselor curriculum, training for school nurses, counselors, PE and Health teachers. This list is only a small glimpse of what the CSH Coordinator has provided to the district. If CSH funds and job responsibilities are not specifically directed and required by TISA legislation, who will be left to do this important work?

Please support continuing the Coordinated School Health across our state by amending the wording in the TISA legislation to continue to require a qualified (BS minimum) individual to be specifically in charge of the funds and the work that needs to continue to help our students succeed. Without a designated coordinator in each district, the work would be overwhelming and much diminished, if combined with other duties.

If You would like to speak with me about Coordinated School Health, I would be please to talk with you any time. My cell phone number is below.

Sincerely,
Kathryn Atwood
200 Dogwood Avenue

Hartsville, TN 37074
(615)374-8157

From: [Laurie Stanton](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comments in regards to TISA
Date: Monday, August 1, 2022 12:44:42 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

I am concerned that TISA language does not specifically include a Coordinated School Health (CSH) Coordinator for every school district. Without a qualified coordinator, the CSH funds and the work it accomplishes will be lost in the shuffle. Because of a designated CSH Coordinator focusing all her attention on the Whole Child components, over 1 million dollars has been raised in grants and in-kind donations to provide walking tracks, physical education and physical activity equipment, nursing equipment and supplies, school counselor curriculum, training for school nurses, counselors, PE and Health teachers. This list is only a small glimpse of what the CSH Coordinator has provided to the district. If CSH funds and job responsibilities are not specifically directed and required by TISA legislation, who will be left to do this important work? This one pager has more information on the benefits of coordinated school health: https://www.cde.state.co.us/healthandwellness/csh_results

Please amend TISA funding to require a designated LEA CSH Director with current qualifications. CSH works diligently to remove barriers to learning, improve student and staff health, and strengthen community partnerships that will lead to student success.

Sent from [Mail](#) for Windows

From: [Mike Matvy](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comments on TISA Dyslexia Language -Knox County
Date: Tuesday, August 2, 2022 6:28:37 PM
Attachments: [Comments on TISA Dyslexia Language - Knox County. by Mike Matvy.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Dear TISA Rule Makers,

Thank you for the opportunity to provide feedback on the rule making for Tennessee's new student funding structure.

I am grateful for your consideration of my recommendations to ensure students with characteristics of dyslexia are fully supported through funding to Tennessee public schools.

Recommendations:

For section (4)(b)3.(ii),

The funding formula needs to consider that more assistive technology should be used in DILPs to enable students to access all learning experiences in the core curriculum. For instance, **reading by listening and writing by speaking enables students with characteristics of dyslexia to complete reading and writing activities in the same length of time as their peers and stay caught up minute by minute in the classroom.** When students receive core instructional content this way, they don't miss out on learning that's usually blocked by their struggles to sound out and spell words. This assistive technology approach that **makes classroom learning top priority interrupts the typical declines in vocabulary, IQ, emotional well-being, and self-confidence typical for students with characteristics of dyslexia. And it puts them on the path to academic success.**

Educators need to be intentional with assistive technology and understand that “access to” is not the same as “instruction in.” They need to provide students with instruction on how to use assistive technology. The goal is for students to be independent, but this is not possible without the students receiving training and follow-through support to ensure that they succeed at classroom tasks using these assistive technology systems. **ULN funding can support personnel and equipment for assistive technology needs, including training and support.**

For section (4)(b)3.(i),

This section should also include the statement “and access to assistive technology supports” as it is used in (4)(b)3.(ii). I also recommend expanding that statement to the following: **“access, training, and follow-through support for assistive technology is needed for students to become independent in their use of assistive technology systems.”**

Mike Matvy

Sent from my Mac, typed with Apple's Dictation, proofread aurally with VoiceOver

Mike Matvy, Ed.S., N.C.S.P. (Ret.)

School Psychologist (Ret.)/Assistive Technology Specialist/ Teacher/ App Developer
Knoxville, TN
Phone: (865) 630-0003 Voice & Text
E-mail: MikeMatvy@gmail.com
Web Pages: DyslexiaTech.com, AudioExamCreator.com

See latest posts at:

- * [Facebook.com/AudioExamCreator](https://www.facebook.com/AudioExamCreator)
- * [DyslexiaTech - YouTube Channel](https://www.youtube.com/channel/UC...)
- * Mike's blog

Dear TISA Rule Makers,

Thank you for the opportunity to provide feedback on the rule making for Tennessee's new student funding structure.

I am grateful for your consideration of my recommendations to ensure students with characteristics of dyslexia are fully supported through funding to Tennessee public schools.

Recommendations:

For section (4)(b)3.(ii),

The funding formula needs to consider that more assistive technology should be used in DILPs to enable students to access all learning experiences in the core curriculum. For instance, **reading by listening and writing by speaking enables students with characteristics of dyslexia to complete reading and writing activities in the same length of time as their peers and stay caught up minute by minute in the classroom.** When students receive core instructional content this way, they don't miss out on learning that's usually blocked by their struggles to sound out and spell words. This assistive technology approach that makes classroom learning top priority interrupts the typical declines in vocabulary, IQ, emotional well-being, and self-confidence typical for students with characteristics of dyslexia. And it puts them on the path to academic success.

Educators need to be intentional with assistive technology and understand that “access to” is not the same as “instruction in.” They need to provide students with instruction on how to use assistive technology. The goal is for students to be independent, but this is not possible without the students receiving training and follow-through support to ensure that they succeed at classroom tasks using these assistive technology systems. **ULN funding can support personnel**

and equipment for assistive technology needs, including training and support.

For section (4)(b)3.(i)

This section should also include the statement “and access to assistive technology supports” as it is used in (4)(b)3.(ii). I also recommend expanding that statement to the following: “access, training, and follow-through support for assistive technology is needed for students to become independent in their use of assistive technology systems.”

Sent from my Mac, typed with Apple's Dictation, proofread aurally with VoiceOver

Mike Matvy, Ed.S., N.C.S.P. (Ret.)

School Psychologist (Ret.)/Assistive Technology Specialist/ Teacher/ App Developer

Knoxville, TN

Phone: (865) 630-0003 Voice & Text

E-mail: MikeMatvy@Gmail.com

Web Pages: DyslexiaTech.com, AudioExamCreator.com

See latest posts at:

* Facebook.com/AudioExamCreator

* DyslexiaTech - [YouTube Channel](https://YouTubeChannel)

* Mike's blog

From: [Lesa Blackwell](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comments on TISA Rulemaking Process
Date: Tuesday, August 2, 2022 12:16:13 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Dear Sir or Madame,

As the parent of a student who attended MNPS schools, I have some strong opinions about how our schools are funded.

NOAH has submitted a detailed set of public comments to which I subscribe.

As an MNPS parent who volunteered inside the schools for years, I know how important investing in our schools can be. We all want to see student improvement, but schools cannot do that without proper and equitable funding.

Please think broadly about the consequences of the TISA rules on schools that have lower than average test scores and schools in areas with high levels of poverty. Funding formulas should not be created/implemented if they result in wealthy areas getting more money.

Thank you,

Lesa Blackwell

10 Castlewood Ct, Nashville, TN 37215

615-260-4268



Virus-free. www.avast.com

From: [Linda Gordon](#)
To: [Tish Rouse](#)
Subject: DIRECTOR'S Comments on TGA Rule
Date: Tuesday, August 12, 2003 12:35:04 PM

Thank you for the opportunity to express my opinion on the proposed rules for implementing the Tennessee Investment in Student Achievement Act.

Having read through the bill, I would like to see an additional Direct Allocation amount for high school students enrolled in small class size electives and advanced placement courses.

Generally a minimum number of students must sign up for a course in order for it to be offered. Administrators can offset an imbalance in electives by scheduling large capacity electives like band and chorus. Now that all state and local funding is tied to a student, is that going to create an attitude where small size electives like visual art, dance, and theater are viewed as "not paying their way" in enrollment.

My concern also applies to Advanced Placement classes. The volume and variety of AP courses are already limited in many schools. Now that funding follows the student, I presume that answer would be to have those students transfer to public high schools and charters where more AP classes are offered.

I believe that this will create a set of separate and unequal educational opportunities for students in rural and low SES schools. Such conditions violate the 14th Amendment to the US Constitution and Brown vs. the Board of Education.

As a student in Knox County, I went through one massive rezoning/desegregation plan under an OCR mandate. As a parent of a Knox County Schools student, I don't want my daughter to have to experience that disruption. As a Tennessee taxpayer, I do not want my tax money spent defunding an obvious violation of the US Constitution. As a Christian, I believe that God wants all His children to have an abundant life, and that includes equitable access to a public education.

In addition to an additional Direct Allocation for high school electives, I would like to see HB20-12-05-05 (1)(c) amended to provide explicit guidelines for the Direct Allocation of supplementary charter school money. These guidelines should reference the Performance framework created by the Department of Education under TCA 40-13-143.

As the proposed rules are drafted, there are no requirements for receipt of the Direct Allocation beyond a student being enrolled in a public charter school. The only reference to existing state law in the text of this section is in TCA Title 40 Chapter 3, which does not appear to contain any references to charter schools.

Twenty years of charter school experimentation has shown that the academic success of charter schools rarely exceeds that of traditional public schools. In fact, it often falls short. If the State of Tennessee wishes to give charter schools extra money per student that is not available to traditional public schools, it must include a method of evaluating the return on its investment.

The natural objection to this requirement is the difficulty of creating a framework for compliance and reporting. However, the Direct Allocation for Career and Technical Education section HB20-12-05-05 (1)

(b) of this document contains nearly three pages of compliance and reporting requirements. If the State is capable of implementing reporting and compliance requirements for vocational education, it is capable of implementing reporting and compliance requirements for charter school Direct Allocations.

Thank you for your time.
Linda A Gordon
Knoxville, TN

From: [David Connor](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comments regarding proposed rules 0520-12-05 TISA
Date: Tuesday, August 2, 2022 2:46:49 PM
Attachments: [1068_001.pdf](#)
[TCSA Comments on Draft Rules.docx](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Please see the attached comments with regard to the proposed rules 0520-12-05 regarding the Tennessee Invests in Student Achievement act. There is a scanned copy on letterhead and signed as well as a microsoft word document file of the text.

David Connor
Executive Director
Tennessee County Services Association
226 Anne Dallas Dudley Blvd., Suite 700
Nashville, TN 37219
Office: (615) 532-3767
Fax: (615) 532-3769
Mobile: (615) 440-3959

August 2, 2022

Dr. Penny Schwinn
Commissioner, Tennessee Department of Education
710 James Robertson Parkway
Nashville, TN 37243

Commissioner Schwinn,

The Tennessee County Services Association (TCSA) would like to submit the following comments on proposed rule 0520-12-05 Tennessee Investment in Student Achievement (TISA).

General Concern - Predictability

As much as the Basic Education Program funding formula has been criticized for its complexity, the formula was predictable, stable and verifiable. Many of the components of the BEP were established formulas or based on real world statistics. Increases to the instructional salary component were an unknown factor each year, but local officials could estimate the amount the General Assembly might increase that component and calculate the impact on their LEA.

Under TISA, so many components of the funding formula are subject to annual appropriation that local officials no longer feel this degree of certainty. The base funding per student is set by annual appropriation. The weights are percentages that are established in the statute, but as they are all percentages of that base, any increases there are essentially also subject to appropriation. Many of these weights are established by the provisions of these rules which may change over time and significantly impact the number of students who qualify for a particular weight.

Similarly, the rules establish which students qualify for direct allocations, but those are all subject to annual appropriation by the General Assembly. These direct allocations fund specific programmatic services like CTE programs or assistance to rising 4th grade students who are not proficient in English Language Arts. Investing in these programs can be a multi-year effort, but LEAs and their local funding bodies will be at risk of reductions in state funding for direct allocations a year or two after programs have been launched, leaving local governments with the difficult choice of raising taxes to make up for the shortfall or cutting recently launched initiatives.

Since they are also subject to annual appropriation, when systems receive outcomes-based funding or growth stipends, it is likely that these will be viewed as windfall funding as there is no guarantee or expectation that those funding components will be consistent or stable.

While the current administration and General Assembly have provided significant annual increases in funding for K-12 education, this formula does not expire after this administration. So much of TISA is subject to annual appropriation it creates a concern that future General Assemblies and administrations could not only eliminate proposed increases in K-12 education, but also significantly cut state funding.

With the uncertainty that results from so much of the formula being subject to annual appropriation, we respectfully submit that every effort should be made in these rules to provide greater long-term stability and predictability and that rules should avoid on-going revision of components and qualifications whenever possible.

Proposed Rule 0520-12-05-.04 (3)(e) and (4)(a)(2) – Special Education Services

The language in subdivision (4)(a)(2) of the rules provides that “[t]o the maximum extent appropriate, each Student must be educated in the Student’s least restrictive environment alongside the Student’s typically-developing peers.” However, in several cases, the definitions used in subdivision (3)(e) to establish weighted allocations for Unique Learning Needs depend solely upon the number of hours per week a child receives special education services. This creates a perverse incentive for LEAs to direct students to spend more time segregated from their peers receiving additional special education services in order to qualify for more funding.

For example, a student with a ULN 3 for receiving limited special education direct services 4 to 9 hours per week receives a 40% weight. Under the current base, this would generate an additional \$2,744 in funding. A student receiving moderate special education direct support services (9 to 14 hours per week) qualifies for a ULN 6 which generates a 75% weight or \$5,145 in additional funding. By increasing the amount of time the student receives special education services over the 9 hour threshold, the system would receive an additional \$2401 for that student.

To avoid creating a conflict with the stated goal of educating a student in the least restrictive environment, the Unique Learning Needs assigned to students should be based upon determinations of the identified individual student’s needs or disabilities rather than based solely upon the number of hours they are provided special education services.

Also, with regard to unique learning needs, there does not seem to be alignment between the rating of the student need and the amount of funding awarded to serve that student. A student receiving limited special education direct services (4-9 hours per week) is weighted at 40%, one receiving moderate services (9-14 hours per week) is weighted at 75%, then one receiving high-support special education services (14-23 hours per week) is weighted at 80%. Under this system, a student receiving 10 hours of special education services a week would generate \$5,145 in additional funds, while one receiving 20 hours of service a week would only generate \$5,488 in additional funds even though that student needs twice the hours of services.

Proposed Rule 0520-12-05-.05(b) Direct Allocations for CTE Programs

The proposed rules anticipate assigning weights to CTE programs using two indicators: in-demand and high-wage occupations. The rules in subdivision (b)(6) state that “program levels and course assignment to progression years will be used every other year to update TISA funding for Career and Technical Program membership, *allowing LEAs appropriate time to align programs* (emphasis added). TCSA has concerns that a two-year window is not enough time to allow an LEA to alter and re-align CTE programs

to match changing industry trends. Some of these programs may require substantial investment in facilities, equipment, and software. LEAs wanting to make such investments in developing CTE programs should have assurances that those investments will sustain a program that will be relevant for multiple years. While we understand the desire to align training to industry needs, K-12 education should not be placed in the position of constantly chasing trends in workforce development based on industry analytics. A longer window of guaranteed funding will provide LEAs with more assurances that their investments will not be wasted.

Proposed Rule 0520-12-05-.06 Outcomes Bonuses

This proposed rule in subdivision (2) directs the Commissioner to convene a group of individuals to advise the Commissioner annually regarding outcome bonuses and outcome goals. Then subdivision (3) spells out in detail what those goals are. While I applaud the inclusion of an advisory committee, it seems somewhat superfluous considering the goals have all been established. As some of these goals could require multiple years of investment and program modifications to achieve, it may be more appropriate to review and modify these goals every few years based on the recommendations of the advisory group. Otherwise, this is another area where school systems could find themselves chasing funding and the standards are revised every year. We also have concerns that all of the initial outcomes goals are based solely on achievement with none related to growth. An LEA with a high number of disadvantaged students may help those students make tremendous progress each year toward achievement without ever qualifying for outcomes bonuses. Meanwhile, a system with high-performing students that is merely maintaining a level of achievement would qualify for bonuses. Outcomes bonuses should be based on both achievement and growth.

Proposed Rule 0520-12-05-.08 Local Contribution and Fiscal Capacity

Much of the language in this section related to counties with multiple school systems is confusing. In subdivision (1)(c), the rule states:

“For counties with multiple LEAs, the Department will determine the proportion of total county funds generated by each LEA for each component. This proportion will then be multiplied by the county’s Local Contribution to determine each LEA’ individual contribution value.”

A typical county with multiple LEAs has one county school system and one or more municipal or special school systems. If by “county funds” you mean county tax revenue, the other LEAs in the county do not generate county funds. County taxes levied for education are levied by the county only. These local revenues are then required to be shared on a per pupil basis with other systems in the county. Municipal or special systems may then layer additional revenue levied by the municipality or special school district on top of the share of county taxes they receive.

I believe the rules are trying to say that the department will calculate the total base and weighted funding *generated by the formula* for all students within each LEA in the county. The local share for each LEA would then be multiplied by the county’s *fiscal capacity*, not the county’s *local contribution*. Currently, fiscal capacity is only determined at the county level, not at the level of each LEA. So municipal and special school districts within the county are considered to be at the same fiscal capacity rating as the county. I believe this provision would be clearer if worded something like this:

“For counties with multiple LEAs, the Department will determine the base and weighted funds generated by the students attributed to each LEA within the county. The required local contribution will then be determined by multiplying the local share of funding attributed to that LEA by the county’s fiscal capacity rating.”

Proposed Rule 0520-12-05-.12 Distribution of Funds

Subdivision (2) of this rule states that “LEAs that authorize public charter schools shall distribute state and local funds pursuant to State Board rules regarding the allocation of state and local funds to charter schools. What about the growing number of charter schools that are not authorized by a local LEA but by the state charter authorizer? Will those funds be handled directly by the state?”

Proposed Rules 0520-12-05-.13 BEP Transition Funding

According to subdivision (5)(a) of this proposed rule, an LEA must qualify for BEP Transition Funding in the first year of TISA implementation to receive any funding under the BEP Transition Funding in the subsequent three years. There may be school systems who receive slightly more than their baseline BEP funding in year one, but then experience immediate reductions in funding under TISA. We would respectively suggest that school systems who receive less funding than their baseline BEP funding in any of the first four years under TISA should be eligible for transition funding.

Finally, in addition to the above comments, we would also like to concur in comments made by the Tennessee School Boards Association (TSBA) with regard to the following rules:

Proposed Rule 0520-12-05-.02(10), (25), (32), (36), and (45)

TSBA has identified an issue in these provisions and requested a clarification to ensure that the amount of time services are provided to students with disabilities by contracted individuals or entities are included when assigning a Unique Learning Need designation. As indicated by TSBA, these provisions of the rules provide that consultation and services are provided by LEA staff members. Many districts use contractors to deliver these services. We concur with TSBA that the total amount of services provided to the child, whether by LEA staff or contractors, should be used in assigning a Unique Learning Need.

Proposed Rule 0520-12-05-.02

Similarly, we support TSBA’s suggestion that the rules regarding students with dyslexia or characteristics of dyslexia be clarified to ensure that students who have a diagnosis of dyslexia but do not qualify for an IEP and are provided services through a 504 plan also receive additional funding to address their needs.

Proposed Rule 0520-12-05.08(3) Fiscal Capacity

We also concur in TSBA’s comment that the fiscal capacity formula should not be modified on an annual basis. It would create even more fiscal instability for LEAs if fiscal capacity was subject to recalculation every year. Just a slight change in how fiscal capacity is calculated could dramatically alter the amount of local funds that a county or municipality has to levy for its school system.

I would be happy to discuss any of the issues raised in this letter with the department should you have any questions.

Sincerely,

David Connor
Executive Director
Tennessee County Services Association

From: [Will Edwards](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comments to Proposed Rules for TISA
Date: Tuesday, August 2, 2022 5:08:09 PM
Attachments: [TISA Comment.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Please find attached comments to the proposed rules for TISA.

Regards,
Will

Will Edwards
8912 Dover Cliff Lane
Knoxville, TN 37922

August 1, 2022

Commissioner Penny Schwinn
Tennessee Department of Education
Andrew Johnson Tower, 9th Floor
710 James Robertson Parkway
Nashville, Tennessee 37243
Attn: TISA Rules

Re: Public Comment to Proposed Rules for TISA

Commissioner Schwinn:

Although I serve as a member of the Tennessee Council on Development Disabilities and the Tennessee Council on Autism Spectrum Disorder pursuant to gubernatorial appointments, I write to you today in my individual capacity. Please allow this letter to serve as a comment to the proposed rules promulgated pursuant to the Tennessee Investment in Student Achievement Act.

First, I recommend that the Department ensure through rulemaking and monitoring that each student with a disability is placed in his or her least restrictive environment, notwithstanding additional funding may be available if the student is placed in a more restrictive environment or a higher level of Unique Learning Needs (“ULNs”). The legislature intended to provide weighted funding for each student’s individual needs, but it is important for local educational agencies to make placement decisions based on the student’s needs without consideration of state funding.

Second, since no single category is mutually exclusive of the other, I recommend that the Department clarify that a student may generate weighted allocations across multiple categories and across multiple ULNs. For example, a student who (i) is Economically Disadvantaged, (ii) is a Tier II English Learner (ULN 4), and (iii) receives the Most Intensive Special Education Support Direct Services (ULN 9) would receive a weighted allocation for each of the foregoing subparts, including, but not limited to, separate allocations for ULN (4) and ULN (9).

Third, it will be difficult for many students with disabilities to satisfy at least three out of four performance indicators, precluding local education agencies from receiving bonuses for achievements by students with disabilities. I recommend the Department expand the diploma requirement to include all diplomas offered to students receiving special education services, or at a minimum, the alternate academic diploma and the occupation diploma. Further, I encourage expansion of the post-school outcomes indicator to include students utilizing career and transition services, including, but not limited to, services provided by the Department of Human Services, Division of Rehabilitation Services or TennCare’s Employment and Community First CHOICES.

Thank you for the opportunity to provide comments on this important matter.

Sincerely,



Will Edwards

From: [Diane White](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Coordinated School Health amendment
Date: Tuesday, August 2, 2022 7:21:14 AM

TISA funding needs to be amended with specific language to include a designated BS degreed coordinator for each school district to insure the integrity of the program.

The need for children, their families, schools, staff, and communities to have a completely dedicated voice for their physical, mental, and social health is TREMENDOUS.

The power is in your hands. I beg you to put it to paper.

--

Diane White

Coordinated School Health

Etowah City School

Be Active Be Healthy Be Happy

P (423) 263-5483

C (423) 920-4483

F (423) 263-3401

This message may contain confidential information. If you are not the intended recipient, please forward the message to mailadmin@etowahcityschool.com delete the message.

From: [Larry Lofland](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] CSH
Date: Monday, August 1, 2022 12:18:20 PM

Coordinated School Health Coordinators have brought millions of in-kind and grant dollars to our TN students and their families. The work of coordinators is necessary to have a successful program. Coordinators work daily to remove barriers to academics. Examples of their work include – backpack program, walking tracks, sensory paths, vision and hearing screenings, and partnerships with school based therapy programs. Without legislation requiring a coordinator, programming will weaken. Students will not be served as well or at all in some school districts. This will cause unnecessary academic barriers to arise.

I am concerned that TISA language does not specifically include a Coordinated School Health (CSH) Coordinator for every school district. Without a qualified coordinator, the CSH funds and the work it accomplishes will be lost in the shuffle. Because of a designated CSH Coordinator focusing all her attention on the Whole Child components, over 1 million dollars has been raised in grants and in-kind donations to provide walking tracks, physical education and physical activity equipment, nursing equipment and supplies, school counselor curriculum, training for school nurses, counselors, PE and Health teachers. This list is only a small glimpse of what the CSH Coordinator has provided to the district. If CSH funds and job responsibilities are not specifically directed and required by TISA legislation, who will be left to do this important work?

Please amend TISA funding to require a designated LEA CSH Director with current qualifications. CSH works diligently to remove barriers to learning, improve student and staff health, and strengthen community partnerships that will lead to student success.

From: [randolph.cox](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Defend our Public Schools
Date: Tuesday, August 2, 2022 2:57:40 PM

Governor Lee and many in the legislature are doing their best to destroy our public schools.

Please do not let Hillsdale College or any organization create PRIVATE schools with taxpayer money.

Randolph C. Cox

From: [Zoe Jamail](#)
To: [TISA Rules](#)
Cc: [Jack Derryberry](#); [Sherry Wilds](#); [Lisa Primm](#)
Subject: [EXTERNAL] Disability Rights Tennessee's Comments Re: TISA Rules
Date: Tuesday, August 2, 2022 2:25:26 PM
Attachments: [image001.png](#)
[FINAL DRT Comments TISA Rules 0520-12-05.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Please see attached for comments from Disability Rights Tennessee regarding the proposed TISA Rules. Thank you for your consideration.

Zoë C. Jamail
Disability Rights Tennessee
2 International Plaza Suite 825
Nashville TN 37217
615-298-1080
zoej@disabilityrightstn.org



This communication contains information from Disability Rights Tennessee which may be confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(s) named as recipients above. If you are not the intended recipient, please destroy this correspondence and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this communication in error, please immediately notify the sender.

This communication contains information from Disability Rights Tennessee which may be confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(s) named as recipients above. If you are not the intended recipient, please destroy this correspondence and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this communication in error, please immediately notify the sender.



800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office
Administration & Legal Department
2 International Plaza, Suite 825
Nashville, TN 37217
615.298.1080 phone
615.298.2046 fax

August 2, 2022

Commissioner Penny Schwinn
Department of Education
500 James Robertson Parkway
Nashville, TN 37243

Via Email

Dear Commissioner Schwinn,

Disability Rights Tennessee (DRT) appreciates the opportunity to comment on the proposed Tennessee Investment in Student Achievement Act (TISA) Rules found in Chapter 0520-12-05 of the Tennessee Administrative Code. As the state's federally mandated Protection & Advocacy agency (P&A),¹ DRT offers comments focused on Tennessee's students with disabilities.

INTRODUCTION

Generally, DRT applauds the transition from a "resource-based" to a student-based "weighted" formula and the allocation of funds for educating students belonging to certain Unique Learning Need (ULN) categories. We believe this facilitates the provision of free appropriate public education (FAPE) services for children with disabilities in the least restrictive environment (LRE) under the Individuals with Disabilities Education Act (IDEA), and we commend TISA's progressive moves toward individualized learning and more inclusivity. However, we share concerns voiced by others at the TISA rulemaking hearing on July 28, 2022, and elsewhere, that a lack of details surrounding implementation of the rules plagues the proposed language. Creating ULN categories and infusing the education system with an extra \$1 billion is laudable, but without a strong framework for implementation and compliance monitoring, there is no way to ensure that the new funding formula will enhance education services for children.

DRT's comments focus on improving the parts of the rules related to monitoring compliance, ULN categories, and student generated "outcome" bonuses. DRT's comments also raise questions related to direct allocation funding for public charter schools, seek to clarify the conditions for receipt of special

¹ DRT is part of the national P&A system —a network of 57 federally mandated legal advocacy agencies serving people with disabilities and making up the National Disability Rights Network. As such, DRT has broad authority to advocate for the rights of individuals with disabilities in this state, to monitor certain facilities, and to investigate allegations of abuse and neglect. See The Protection & Advocacy for Individuals with Developmental Disabilities Act (PADD) 42 U.S.C. § 15043; 45 C.F.R. § 1326.25(a)(2); The Protection & Advocacy for Individuals with Mental Illness Act (PAIMI) 42 U.S.C. § 10805; 42 C.F.R. § 51.41(b)(2); and The Protection of Advocacy of Individual Rights Act (PAIR) 29 U.S.C. § 794e.

education funds under IDEA, and encourage the Department to expressly include in ULN 10 those students receiving special education services in juvenile detention centers and other juvenile justice facilities.

DRT'S COMMENTS

1. Clarify Conditions for Receipt of Funds Under IDEA, § 0520-12-05-.04(4)(a)

The TISA rules address student eligibility and requirements for ULN weighted allocations, including for students receiving special education and related services, in § 0520-12-05-.04(4). Each state that receives funds pursuant to the Individuals with Disabilities Education Act (IDEA) must ensure that any rules, regulations, and policies relating to education of children with disabilities conform to IDEA.² The TISA rules include some language related to this requirement in § 0520-12-05-.04(4)(a)(2), but DRT proposes the following recommendation:

- (1) Add the following language to the end of § 0520-12-05-.04(4)(a)(2) to strengthen the rules: "Funds provided to a LEA or public charter school under IDEA must be: (1) spent according to the applicable portions of IDEA, (2) used only to pay the excess costs of providing Special Education and related services to children with disabilities, and (3) used to supplement local, state, and federal funds, not to supplant them."³

2. Monitoring Compliance with Individual Education Plans, § 0520-12-05-.04(5)(a)

We applaud the proposal to begin monitoring Individual Education Plans in § 0520-12-05-.04(5)(a) et seq. and offer the following recommendations to strengthen the rules in this area:

- (1) Include in the rules that monitoring will focus on accountability for both free appropriate public education (FAPE) provision and learning in the Least Restrictive Environment (LRE). We affirm the intent for funding under TISA to generate truly individualized supports for students with disabilities and in the LRE, rather than unintentionally incentivizing segregation. This came up as a major concern among the disability community during the legislative session. Preserving a student's right to LRE, even as schools can earn more funding as student services increase, will require constant monitoring and adjusting. At the same time, monitoring IEPs must ensure that additional funding generated by students with disabilities is used for the FAPE they need. Accountability for special education funding was the most common point of feedback we encountered when preparing for this public comment period. Designing IEP monitoring to focus on both providing robust, individualized services and maximizing learning in the LRE will be critical.
- (2) Include in the rules that IEP monitoring will include feedback from parents and students. We routinely hear from parents that either they cannot get a school to add a service to their child's IEP or that their child is not receiving a service that is already in their IEP. The Department should include opportunities for parents to share these stories as part of the IEP monitoring process.
- (3) Include in the rules that the Department will publicly share the IEP monitoring plan and annual results, including information about corrective action plans. A publicly available and rigorous

² 34 C.F.R. § 300.199(a)(1).

³ 34 C.F.R. § 300.202(a).

monitoring process that includes consequences for noncompliance will help build trust and confidence among students with disabilities and their families. Public transparency with monitoring processes will also help ensure continuity over time as administrations change.

3. Unique Learning Need Categories, 0520-12-05-.04(3)(e) & 0520-12-05-.02

We support the disability groups within TISA's Unique Learning Need (ULN) categories but know that experience is needed to determine the accuracy of those categories and associated funding. We offer the following recommendations to clarify the rules in this area:

- (1) Include in the rules that the Department will routinely examine and adjust ULN amounts and definitions to align with student needs. The ULN categories are the most significant source of funding for special education services under the new TISA model. As written, ULNs are based on either the number of hours of special education services received or specific categories of services a child receives. We have listened to concerns about students who need to generate funding for their supports but do not fit into these categories – for example, through Section 504. Because TISA is a new, untested model, routine examination and adjustment will be critical to ensuring enough money is generated for the full scope of services students need to succeed. We recommend working in consultation with disability advocates to understand the impact of these ULN categories over time. To reinforce an earlier point, we recommend reviewing ULN bonuses against IEP monitoring data to ensure students are learning in the LRE. It should be noted that the way these ULNs are currently defined presumes that schools are already providing the precise services students need. However, we know it can be difficult for students to get the additional educational services they require. The Department should do everything in its power to ensure this structure does not act as a barrier to students obtaining a higher tier of services. Through compliance monitoring, the Department should generate a baseline for each LEA to show how they are meeting student needs currently and if those are sufficient based on parent input, student performance, mastery of IEP goals, etc. The Department should consider that there is already a discrepancy in how LEAs (and even schools within a district) interpret special education requirements, so the Department's guidance in this area is essential.
- (2) Clarify the use of the word "each" in § 520-12-05-.04(e). Our understanding is that "each" means a student can be eligible to receive bonuses from multiple ULN categories. If that understanding is correct, this should be stated clearly. If our understanding is not correct, the rules should be amended so students are eligible for multiple bonuses OR the alternative ULNs should be separated so that types of services and service hours are not mutually exclusive.

4. Student Generated Bonuses, § 0520-12-05-.06

We applaud the creation of student-generated bonuses intended to reward high quality educational outcomes. However, we are concerned that the metrics used are not designed to assess outcomes, so we offer the following changes to the current rules:

- (1) Redesign alternate assessment bonuses to reward year-over-year growth in accordance with the student's IEP goals. Alternate assessments in lieu of TCAP testing are primarily designed to assess

a student's year over year growth, rather than to provide a one-time snapshot of a student's academic progress relative to their peers. Providing bonuses for growth aligns the reward with the intent of the metric. It makes good sense that bonuses for students with disabilities be based on IEP goals progress because specialized education should be focused on ensuring success in meeting individualized goals, not state standards. Without that focus, the whole point of special education – to wit, individualized teaching – is lost. Focusing bonuses for special education students on progress towards IEP goals not only provides a more accurate picture of student achievement, but also adds a layer of accountability for schools to ensure they are providing FAPE and the necessary services to implement a student's IEP. For some students with severe cognitive impairments, the growth within a year that would be considered vast when using the individual student's baseline may be viewed as incremental under the proposed standards.

- (2) Add metrics that capture positive transition outcomes for students with disabilities, including the addition of measuring Indicator 13. The second category of student-generated bonus applies to post-graduation outcomes for students. The current indicators are not designed to capture some of the most important factors in post-graduation success. We recommend shifting to focus on the transition tools and experiences students need during the critical transition period to adulthood – regardless of their post-secondary outcome captured in Indicator 14.
- (3) Add occupational diplomas to the graduation rate for the purpose of the post-graduation outcomes bonus. While we recognize and applaud the benefits of the alternate academic diploma, we continue to believe that an occupational diploma represents the best path toward independence and employment for some students. Schools should have an equal incentive to support a student in every academic option.
- (4) Clarify the definition of “student with a disability” in sections discussing student-generated bonuses. We recommend the Department work with disability advocates to clarify a definition. We are tentatively reading it to mean a student in any Unique Learning Need category, which we would support. The definition must be consistent with IDEA regulations.

5. Special Education Residential/Homebound/Hospital Services (ULN 10), § 0520-12-05-02(44)

DRT interprets this section to include students detained and/or placed in juvenile justice facilities, but an express statement in the rules is required to protect the education rights of this vulnerable population of children. Accordingly, § 0520-12-05-02(44) should make clear that students who have been removed from one school setting and placed in another because of contact with the juvenile justice system will generate a weighted allocation pursuant to this section upon removal, and that those funds will follow the student to any future detention center or juvenile justice facility placement.

DRT's recent monitoring of juvenile justice facilities in Tennessee has revealed huge deficiencies in the provision of education services in these settings (both general and special) including, but not limited to, long delays between detention/placement and the receipt of education services, shortened school days, and non-compliance with IEPs. It should be noted that when a student requiring special education is held at a juvenile detention center, or after that student is placed in a juvenile justice facility, the facility where the student resides has one week to implement the student's IEP. The Department is responsible for

ensuring implementation of IEPs is happening in juvenile justice facilities. Accordingly, DRT offers the following recommendations:

- (1) Include in the rules an express statement that ULN 10 applies to students requiring special education who have been placed, or are being detained, in juvenile justice facilities.
- (2) Include in the rules a statement that the weighted funding allocated for a particular student pursuant to ULN 10 (and for any other ULN) will follow a student to any subsequent placement so that the child may continue to receive the level of services deemed necessary under the TISA formula, regardless of where he or she is receiving education. DRT acknowledges that the funding, provision, and monitoring of education services for students in the custody of the Department of Children’s Services (DCS) is complex and should be clarified⁴ but, nonetheless, offers the following suggestions:
 - a. Where DCS is responsible for funding the education services of students, the TISA allocation for a particular student should be used as the baseline for any funding of services provided to that student by DCS.
 - b. Where a student is placed in a juvenile justice facility that depends on the local LEA for the provision of education services, the TISA funds allocated to that student will follow the student to that placement.
- (3) Include in the rules a statement that juvenile justice facilities operating under LEAs, as well as those operating as their own LEAs, will be monitored by the Department for provision of FAPE, IEP compliance, and appropriate use of special education funds.

6. Direct Allocation for Public Charter Students, 0520-12-05-.05(1)(e)

Under the proposed TISA rules, a Direct Allocation amount is generated for each Student who attends a public charter school,⁵ and that amount is allocated by the Department to the LEA in which the student is a member.⁶ The rules go on to state in § 0520-12-05-.05(1)(e)(2) that the Department shall disburse public charter school direct allocations by “distributing those funds to the public charter schools...” This seems to be at odds with T.C.A. 49-3-105(d), which requires that any funding generated pursuant to that section (including direct allocation funds for a student who attends a public charter school) “must be administered and allocated by the department **to the LEA** in which the student is a member...” (emphasis added). If the direct allocation for public charter school students is allocated to the authorizing LEA, but distributed to the charter school, this seems to reward charter schools just for being charter schools. If this is the correct interpretation of the rules, DRT asks why the preference for charter schools over other public schools operating under the same LEA in the rules? We urge the Department to remove this direct allocation from the funding formula to avoid the appearance of preference for one school setting over another.

⁴ DRT has reached out to the Department seeking clarification on this issue, but has not received any concrete answers.

⁵ 0520-12-05-.05(1)(e).

⁶ 0520-12-05-.05(2).

CONCLUSION

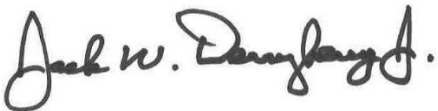
DRT encourages the Department to include the suggestions contained herein to improve the parts of the rules related to monitoring compliance, ULN categories, and student generated “outcome” bonuses. DRT also encourages the Department to remove the direct allocation funding for public charter schools, since it apparently rewards charter schools just for being charter schools, thus expressing a preference for charter school education over other public school options. DRT also encourages the Department to clarify the conditions for receipt of special education funds under IDEA. Finally, DRT urges the Department to expressly include in ULN 10 those students receiving special education services in juvenile detention centers and other juvenile justice facilities, and to use this opportunity to assume ultimate responsibility for monitoring special education compliance and spending of funds in juvenile justice placements, to include contracted juvenile justice facilities, youth development centers, juvenile detention centers, and other out of home placements.

Thank you for your consideration.

Sincerely,



Lisa Primm
Disability Rights TN
Executive Director



Jack Derryberry, Jr.
Disability Rights TN
Legal Director



Zoë Jamail
Disability Rights TN
Public Policy Coordinator

From: [Elizabeth Fiveash](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Feedback from Tennessee Charter School Center
Date: Monday, August 1, 2022 2:50:18 PM
Attachments: [TCSC Feedback on Proposed TISA Rule.docx](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Please see feedback from the Tennessee Charter School Center attached. Thank you for the opportunity to provide feedback and the work that TDOE has put into this process.

--

Elizabeth Fiveash
Chief Policy Officer

Tennessee Charter School Center
1033 Demonbreun St., Suite 300 | Nashville, TN 37203
Phone: 202-731-6339 (c) | Email: elizabeth@tnchartercenter.org





We appreciate the enormous amount of time and thought that have gone into the development of the proposed TISA rules and want to commend the Department for your incredible work. Overall, the rules are well structured and set a strong path for implementation. The Tennessee Charter School Center has the following recommendations that we believe will provide additional clarity:

1. Page 1: We recommend removing the definition of "authorizing entity" to provide clarity and consistency across the TISA Rule, State Board Charter School Funding Rule and state statute. We recommend that the word "LEA" be used in place of "authorizing entity".
2. Page 3: We recommend that definition (14), "Dyslexia Individual Learning Plan", read "a document developed by the LEA or public charter school". Although T.C.A. § 49-1-229 only references LEAs, in practice it has been interpreted as LEA and public charter school and clarification here is important.
3. Page 5: We recommend that definition (31), "Local Education Agency", include "LEA also means the Achievement School District (ASD) pursuant to T.C.A. § 49-1-614 and the Public Charter School Commission pursuant to T.C.A. § 49-13-105".
4. Page 9: We recommend that in (b)(1)(i)(I)(III) that the language read "LEA's or public charter school's Early Warning System".
5. Page 10: We recommend that (b)(3) read "Each LEA or public charter school shall:".
6. Page 12: We recommend that (c)(3) read "Each LEA or public charter school shall:".
7. Page 12: We recommend that paragraph (1) under 0520-12-05-.05 read "for the LEA or public charter school in which the Student is a member". We understand the funding will flow to the actual LEA but think it's important to clarify that the direct allocations ultimately flow to public charter schools.
8. Page 15: We recommend that (b)(6) read "allowing LEAs and public charter schools".
9. Page 16: We believe that (e) should read "Education Information System" rather than "Student information system". If not, the term "Student information system" should be defined.
10. Page 16: We recommend that for paragraph (e)(2) "Authorizing entity" be replaced with "LEA". Additionally, the language reads as if TDOE will be distributing the funds to the charter schools so we recommend the language read "distributing those funds to the public charter school's LEA".

11. Page 16: We recommend 0520-12-05-.06 include clarification on how districts must share any outcomes based funding received by the LEA with their authorized charter schools.
12. Page 17: We recommend 0520-12-05-.07 be updated to detail how charter schools may access the fast-growth stipends in alignment with T.C.A. 49-13-112(c)(1).
13. Page 21: We recommend 0520-12-05-.09 be updated to clarify that charter schools in districts receiving CDF funding receive a per-pupil per pupil share of that CDF funding.
14. Page 23: If operationally and logistically feasible, it would be incredibly helpful if public charter schools were provided the opportunity to verify their data as outlined in paragraph (4) and appeal substantive reporting discrepancies as outlined in paragraph (6) on page 24.
15. Page 25: Since all LEAs are technically authorizers, we recommend paragraph (2) be clarified to read "LEAs shall distribute state and local funds to their authorized charter schools pursuant".
16. Page 27: We recommend 0520-12-05-.14 be updated to include information on how charter schools will know what portion of the funding they receive should be restricted for teacher salary.

Thank you for the opportunity to provide feedback and thank you for your consideration of these recommendations.

From: [Walter Thomas](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Fund All Schools Equally
Date: Tuesday, August 2, 2022 1:12:43 PM

Dear Sir or Madame,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. As an MNPS parent of 2 students who has volunteered inside the schools for years, I know how important investing in our schools can be. We all want to see student improvement, but schools cannot do that without proper and equitable funding.

This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the

specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their

estimating of the number of qualifying economically disadvantaged students.

- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Funding all schools fairly is very important in an ever changing landscape. As cities change demographics and rural areas become more secluded, lawmakers must ensure that every student is receiving the best education possible. We have the resources to privately educate our children but choose to enroll our sons in local community schools to participate in a diverse and progressive community. America is changing and continuing to resist is futile.

Thank You

Walter Thomas

Thank you

From: [Kelly Frye](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Funding Plan
Date: Monday, August 1, 2022 9:09:22 AM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

I like that students with individual special needs have funding for those programs. At the same time, I don't want to see funding taken away from schools with low need/high performing students. All students need educational funding to excel.

That being said, I especially like the new plan for SLD- Characteristics of Dyslexia programs. Students with these learning problems need very specific learning plans and those plans need more flexible funding for LEAs. One-on-one tutors are the most effective and it is expensive for parents and school systems to support these learning needs.

Furthermore, it is past time that all TN teachers are trained to teach students with these challenges and not just special ed teachers. My hope is that teachers have dyslexia training as part of earning a teachers certification.

Thank you for recognizing that a one size fits all plan is not effective.

Sincerely,

Kelly Frye
Kingsport (TN) City Schools, Mom

[Sent from Yahoo Mail for iPhone](#)

From: [Aaron Sands](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] I'm a 14-year public schools parent - Please Support NOAH's TISA Recommendations
Date: Tuesday, August 2, 2022 1:15:35 PM

Dear Sir or Madame,

Over the past 14 years my children have been in Metro Nashville Public Schools. In their time as students at Rosebank Elementary, Dan Mills Elementary, Isaac Litton Middle, and Stratford High, **my children have had to overcome increasing under-resourcing of schools by Tennessee.** I've advocated in our MNPS Parent Advisory Council and served as a School Improvement Plan representative. *My wife and I have put our names and reputations at stake and sacrificed greatly for the sake of resourcing public schools in a more just and equitable manner.*

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. We all want to see student improvement, but schools cannot do that without **proper and equitable funding for the "whole person" of a student.**

This summary is intended to provide information about my concerns.

Thank you for your service as you strive to do what is best for all — and especially the most marginalized — students in our state.

Aaron Sands
37206

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

I want to reiterate NOAH's Talking Points:

- Every child should read on grade level.
- ***The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.***
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in **providing the wholistic resources required to achieve the goal of reading on grade level.** Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those

LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

I'd like to reiterate NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation. **THIS IS NOT EQUITABLE**
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

I'd like to reiterate NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.
- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
-

We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

I’d like to reiterate NOAH’s Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. ***The TDOE must reinstate the “shall” language to ensure annual appropriations are made. Loopholes are maximized by those with opportunity.***
- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

From: [ERICA M EVANS](#)
To: [TISA Rules](#)
Cc: [KENNETH M WALKER](#)
Subject: [EXTERNAL] Memphis-Shelby County Schools TISA Rules Written Comment
Date: Tuesday, August 2, 2022 9:45:30 PM
Attachments: [image002.png](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good Evening,

Below you will find the written comments and/or questions, submitted on behalf of Memphis-Shelby County Schools, regarding the Proposed Rules to implement the Tennessee Investment in Student Achievement (TISA) Act.

- Please provide and consider clarity regarding an authorizer's responsibility for including a charter schools' student achievement goals, budget, and expenditures in the LEA's annual accountability report.
- Can weights be provided for SPED students who waive services in the same manner as EL students whose parents waive services?
- Please provide and consider clarity regarding the decision to base EL Tiers II and III on grade level only versus student needs?
- How will the Commissioner's requirement to withhold funds, in certain circumstances, from an LEA be impacted under TISA (student-based funding)?
- Has the Department researched if student-generated outcome incentive dollars could potentially create overall funding disparities? If so, what were the findings? If not, does the Department anticipate researching the potential issue and would the Department consider including a rule requiring the need to do so?

Thank you for your time and consideration,

Erica Evans



Erica M. Evans

Associate General Counsel – Office of General Counsel

[160 S. Hollywood St., Coe 218 | Memphis, TN 38112](#)

Direct Phone: 901-416-6373 | Main: 901-416-6370

Together, we MUST BELIEVE.

Together, we WILL ACHIEVE.

Together, we are REIMAGINING 901.

From: [HENRY PARMER](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] My public comment
Date: Monday, August 1, 2022 3:05:56 PM

Tn, Department of Education

I was able to attend the public hearing held at the Ellington Agricultural Center last Thursday.

I was dismayed to read that funding for our public schools across the state will focus upon how children achieve.

This and the whole concept is counterproductive. It would create an atmosphere of teachers focusing on testing and not much more.

Children need more than lecture to gain skills and knowledge, they need to be engaged in the process of learning.

Rural schools will really lose out, since pay is generally lower in rural school systems. How are they going to attract staff that can address students who need attention like a school psychologist, or a nurse?

How will they be able to properly look after and make repairs on school buildings and grounds.

How will they be able to keep a fleet of school busses running and pay bus drivers a decent wage?

It seems that few of these issues have been considered.

I am against the passing of TISA Act.

It's bad for Tennessee School Systems and bad for the children who are our future. Yes, we need to properly fund the schools. But not at the risk of lowering the standard for education itself.

Sincerely:

Joan Parmer
5406 Burgess Avenue
Nashville, Tn. 37209

From: [Cindy Wood](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please Support NOAH's TISA Recommendations
Date: Tuesday, August 2, 2022 2:19:29 PM

Dear Sir or Madam,

I am writing to you as a member of NOAH (Nashville Organized for Action and Hope). NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I share these concerns and recommendations about the rules. As a Davidson County resident whose husband teaches for MNPS, I know how important investing in our schools can be. We all want to see student improvement, but schools cannot do that without proper and equitable funding.

This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or

ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
-

The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.

- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH’s Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the “shall” language to ensure annual appropriations are made.
- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Thank you for considering my views,

Cynthia Wood

From: [Bill Howell](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please Support NOAH's TISA Recommendations
Date: Tuesday, August 2, 2022 6:52:19 PM

To Whom It May Concern:

NOAH has submitted detailed public comments to the TDOE related to its TISA rule-making process. Consider those to be included here by reference.

This summary is intended to provide information about my concerns as a Tennessee taxpayer and voter.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

The requirement that 70% of a LEAs' students achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window is a worthy goal. I don't see any commitment to funding LEAs to achieve these goals

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

This approach to bonuses for improved outcomes is backwards. The goal is to improve the average statewide performance on certain metrics. Rewarding LEAs for higher scores distributes more funding to districts that already have higher performance and, therefore, have less room for improvement. Rewarding LEAs for improving metrics has more potential to improve statewide averages. I urge the TDOE to change this rule to reward improvement rather than actual raw scores.

The definition of "economically disadvantaged"

Application of the "Cost Differential Factor (CDF)" included in Amendment 2

These are very complicated subjects. I will just add my voice to NOAH's recommendations.

Conclusion: The overwhelming majority of comments offered during the listening sessions that solicited public comment for reform of the BEP formula were about providing adequate funding. The issue of education in Tennessee is much less about how you cut the pie than about baking a bigger pie. I know it is not part of the rule-making process to discuss funding. Nevertheless I urge TDOE to be more aggressive about advocating for adequate funding for our children's education.

Peace,

Bill

Bill Howell (he, him, his)
1701 Sweetbriar Ave.
Nashville, TN 37212

Mob.: 615.289.1397

“True peace is not merely the absence of tension: it is the presence of justice.”
– **Martin Luther King Jr.**

From: [Denise Gyauch](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please Support NOAH's TISA Recommendations
Date: Tuesday, August 2, 2022 1:17:30 PM

Dear Sir or Madam,

I am sharing my concerns and recommendations about the proposed TISA rules. As a proud parent of 2 former students enrolled in Metro Nashville schools from kindergarten through 12th grade, I know how important investing in our schools can be. We all want to see every student grow and flourish, but schools cannot create supportive environments and programs without consistent and equitable funding.

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process, which also reflect my own concerns and recommendations.

Thank you for inviting and receiving public comment on these important decisions.

Sincerely,

Denise Gyauch

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
 - The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
 - TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
 - NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
 - Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.
-

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of "economically disadvantaged"

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit

programs.

- The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.
- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH’s Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the “shall” language to ensure annual appropriations are made.
- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

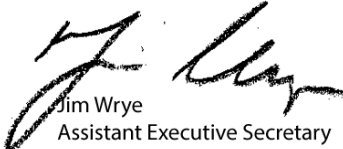
Rev. Denise Gyauch
Minister
Greater Nashville Unitarian Universalist Congregation
RevDenise@gnuuc.org

Available by appointment; email is the best way to reach me.
Mondays are my sabbath day.

From: [Wrye, Jim \[TN\]](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Proposed TISA rules comments - Tennessee Education Association
Date: Tuesday, August 2, 2022 2:06:20 PM
Attachments: [TEA Comments - Proposed TISA Rules.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Attached are the public comments from the Tennessee Education Association.


Jim Wrye
Assistant Executive Secretary
Tennessee Education Association

Memorandum

TO: Tennessee Department of Education

FROM: Tennessee Education Association

RE: Comments to Proposed Rules on TISA

DATE: August 2, 2022

The Tennessee Education Association has reviewed the Tennessee Department of Education's proposed rules to implement the Tennessee Investment in Student Achievement Act. Please allow this document to serve as TEA's public comment to the proposed rules.

TEA is a Tennessee non-profit corporation that has been in existence in Tennessee for more than 157 years. It is a voluntary membership association made up primarily of Tennessee public school educators, including directors of schools, principals, administrators, teachers, and education support employees from every school district in the state. TEA's mission is to protect and advocate for Tennessee's public-school students, the teaching profession, and TEA's members to create great public schools that prepare all students for success in a global society.

TEA's review of the proposed rules reveals the following substantive concerns:

I. Transparency

As written, the TISA rules do not require either the State Department of Education, the State Board of Education, or the various school districts that will be receiving the TISA funding to publish information concerning exactly how TISA funds will be allocated, budgeted, and spent in each school district. Parents of children being served in Tennessee's public schools should have access to detailed information concerning such matters. Since TISA was designed to provide each student with the resources needed to succeed regardless of their circumstances, the rules should also provide for educator access to information that sets forth the amounts that are allocated for each student. Doing so would ensure that educators are aware of student-specific funding responsible for student success.

Under BEP, the Comptroller publishes a BEP calculator that provides a spreadsheet that simplifies total state and local funding for each school district and provides a way for the public to review specific funding metrics for school systems. The proposed TISA rules, however, fail to require publication of like data. For the public to understand how a school district qualifies for funding, the rules should provide for publication of such information.

The rules set forth the department's responsibility to collect data from school districts and to calculate the TISA allocations, but the rules fail to set forth how this information is to be displayed to interested parties such as educators, parents, and lawmakers.

The rules provide that the department is required to monitor LEAs and charter schools to ensure that students on an IEP receive educational services in the least restrictive environment and to develop corrective action plans when they fail to do so. However, there is no requirement that anyone, other than the school district be notified when the department identifies violations.

Also, the rules do not provide for publication of school districts that qualify for and receive outcome bonuses, fast growth stipends, infrastructure stipends, and Cost Differential Factors.

The appeal window for the department's TISA allocations is not long enough at only 15 days. This can result in a loss of necessary funding for students.

II. Educator Voice

Tennessee's educators are certainly in the best position to see the impact of TISA on teaching and learning in Tennessee. The rules, however, do not allow for educator input as to the effectiveness of TISA after it has been implemented. A rule that would allow annual input from Tennessee's educators on the efficacy of TISA is needed. For example, under TISA, school districts will be tasked with monumental budgeting decisions, but the rules do not require that school districts receive information from the state that shows how many teachers, counselors or principal positions are being funded in the base formula.

A periodic review or evaluation by educators and LEAs of the funding mechanism is crucial to determine the effectiveness of and ultimate success of TISA. Moreover, the monthly ADM reporting requirement will be a great burden on districts. The rules should have a provision for school districts to offer input and ideas on ways to streamline reporting requirements as they will be in the best position to know the most efficient and trustworthy way to report. This is critical because ADM's and the unique learning characteristics that must be reported are the basis of funding for each district. That coupled with the very short appeal process set forth in the rules can result in students not receiving the resources they need to succeed. The last thing our students need is a loss of funding caused by a bureaucratic process that does not allow for constructive feedback and evaluation.

III. Committed Equity

The Tennessee Education Association believes that adequate funding does matter in the quest to improve achievement for all students. The rules must provide a system that ensures that all students achieve high levels of learning, and that funding is allocated in a fair and equitable manner. We urge that the rules be improved by including an equity lens.

The rules must include strong provisions that address race and class challenges and socio-economic segregation with a focus on narrowing achievement gaps. The rules must be designed to prioritize equity for our students through active engagement of parents, educators, and students. The rules must include mechanisms for local parents, educators, and community partners to be annually informed on TISA's funding impact to their respective districts. In

addition, the rules should create a process for these stakeholders to have deliberate impacts on the conditions of their schools in order to improve educational outcomes.

The rules should contain a system of accountability focused on assuring appropriate use of resources, prevention of fraud, equitable distribution of a culturally diverse school workforce and continued improvement of the learning environment. The rules must include components which allow for an ongoing assessment and evaluation of TISA’s impact in all of the previously mentioned areas.

The rules must include processes that ensure implementation of teaching and learning conditions proven to be best practices for student outcomes. Issues such as lower class sizes, high-quality professional development, increased recruitment of ethnic-minority educators, and culturally responsive teaching have all proven to have positive impacts on high-poverty schools. The rules must create conditions to diminish the relationship between student background characteristics and student achievement.

IV. Funding Adequacy

Even with new state funding for the current year, Tennessee is still behind neighboring states such as Alabama and Kentucky in state K-12 funding per-pupil. Funding per-pupil is an appropriate and important gauge for student opportunity in all areas of public education, whether it is elementary, secondary, vocational, or other paths of student enrollment. FY22 public school current expenditures per-student for neighboring southern states shows the issue with Tennessee education funding:

Alabama:	\$12,645	State share:	53.9%
Arkansas:	\$11,183	State share:	45.3%
Georgia:	\$13,032	State share:	45.0%
Kentucky:	\$12,343	State share:	51.6%
Mississippi:	\$10,089	State share:	46.5%
Tennessee:	\$11,437	State share:	45.3%
N. Carolina:	\$11,651	State share:	57.1%

Only Mississippi and Arkansas are lower in per-pupil funding. Comparable neighboring states of Kentucky and Alabama show Tennessee \$1,000 less per pupil in funding on average, including new state dollars for the current fiscal year. Bringing Tennessee up to Kentucky and Alabama per-pupil investment requires close to \$1 billion above what those neighboring states appropriate for education in similar budget years. For TISA to be successful in rules and in overall implementation, the state must make a long-term commitment to become an overall majority funder of K-12 education.

TEA believes the growth factor in the BEP had a role in maintaining Tennessee state government as a minority funder in education. The phrase “fully funding the BEP” was based on appropriating for the growth factor in the state budget (inflation and increases in enrollment), a factor that also was in part funded by local government. BEP ‘growth,’ along with other

appropriations often did not keep up with increasing K-12 funding levels of neighboring states, putting Tennessee often in the bottom-five of states for funding per pupil.

The absence of a clear ‘growth’ factor in the TISA formula may increase opportunities to improve overall state investment in K-12 funding by eliminating the political crutch the factor became in the BEP. However, the absence of a growth estimate could cause atrophy of state funding support for K-12 over time as increased costs and inflationary trends are not recognized at the outset of the budgetary process.

V. Financial commitment to educators

It is clear the shortage of licensed teachers is growing in Tennessee. Improving educator pay and benefits is key in reducing the growing staffing crisis, and to attract and retain Tennesseans to the teaching profession.

The TISA law and proposed rules provide mechanisms to drive state dollars into teacher salaries. Based on current law increasing the state minimum salary schedule when new state funds are appropriated for the BEP Instructional Component, the ability of the General Assembly to earmark new appropriations for teacher salaries is an important aspect to improving teacher compensation and reducing the discrepancy of salaries for other college educated professions in the state.

However, the area that drives down the take-home pay for educators is the high cost of insurance for K-12 employees. The state can and must do more. The state provides less than half of the overall funding for health insurance for licensed education professionals and a small fraction for educator support staff. In some LEAs educators pay 55% of the monthly premium for their health insurance, totaling well more than \$800 per month for family coverage.

The state should provide all K-12 employees the same benefit that state employees receive: an 80-20 share on monthly premiums for insurance chosen by the employee. While there are several programmatic means to achieve this goal equitably, the first step is the financial commitment of the administration and General Assembly. The fiscal note last legislative session placed the cost of this commitment to meeting educator insurance at state employee levels at \$373 million, a massive figure currently being paid from the pockets of hard-working and dedicated educators. Solving the health insurance issue is the most effective means of markedly increasing take-home compensation, the single most important step in educator retention.

VI. Incongruities of TISA for current rules and policies

As Tennessee moves forward with TISA, the department will need a thorough review of current education laws and rules to identify incongruities between the new funding formula priorities and requirements and what exists currently.

As an example, TISA and the proposed rules place a new heightened focus on Career and Technical Education (CTE). The goal of the new law and proposed rules—along with the massive increase in state funding for CTE—is to markedly increase the number of secondary

students engaged in vocational programs and gaining industry certifications. However, there are no changes to the requirement that all secondary students take the ACT—even those fully immersed in CTE programs—and that overall scores from the college-admission test continue to be applied to schools and LEAs in the state accountability system. As any educator will note, motivation to take an exam is as important as knowledge of the content. Clearly students on a career path as outlined in these proposed TISA rules may see the ACT as a nuisance and unnecessary, depressing scores and penalizing schools with robust CTE programs. Certainly, the focus on increasing CTE offerings as outlined in the proposed TISA rules will reduce the ability of schools to schedule students in ACT prep courses currently offered, again courses that may not seem important to CTE students.

These types of incongruities between new TISA priorities and current laws, rules and policies need to be outlined and addressed.

From: [Tennessee Dyslexia](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Public Comment from International Dyslexia Association (TN) Re: TISA
Date: Tuesday, August 2, 2022 12:42:23 PM
Attachments: [TISA Public Comment from TN International Dyslexia Association.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good afternoon,

Thank you for the opportunity to provide feedback on the rule making for Tennessee's new student funding structure. We are grateful for the careful consideration of the attached questions and recommendations to ensure all students, especially those with characteristics of dyslexia, are fully supported through funding to Tennessee public schools.

--



Jennifer Fleming | President
International Dyslexia Association - TN Branch
tnida.org
[Visit us on Facebook!](#)



PUBLIC COMMENT RE: TENNESSEE INVESTMENT IN STUDENT ACHIEVEMENT (TISA) ACT

The new TISA legislation outlines a definition for dyslexia as well as identification criteria for targeting students with characteristics of dyslexia for intervention services at all grade levels. The new proposed definition outlines deficits in “accurate and fluent word recognition” as the basis for identifying characteristics of dyslexia. **The following definition, with the inclusion of and/or criteria is the original definition that would be recommended to be included in this new legislative guidance.**

“Characteristics of dyslexia means difficulty with accurate and/or fluent word recognition, spelling, and decoding as a result of deficits in three or more of the following components: phonological awareness, phonemic awareness, sound-symbol recognition, alphabet knowledge, decoding, encoding, or rapid naming as identified by the universal reading screening process, dyslexia-specific screening, or Early Warning System.”

The use of “and/or” matches the International Dyslexia Association definition which the TDOE definition used as well for the 2014 Dyslexia is Real law; a student with dyslexia may be inaccurate and dysfluent, or dysfluent only.

Other concerns related to the outlined use of universal screeners and components of dyslexic profiles are as follows:

- Many universal reading screeners do not include measures of phonological awareness distinct from phonemic awareness, so this data may only come from mandated dyslexia-specific screeners that have been thoroughly created at the district level
- Many districts have universal screeners and dyslexia-specific screening measures that do not include all of these components, especially after 2nd grade and certainly it is missing for middle and high school grades. How do we ensure screening and EWS includes screening in the required components across K-12?
- Concern with the required three deficits:
 - For a kindergarten student, we are measuring risk factors to prevent the compounding of weaknesses into those core characteristics with decoding, spelling, and fluency. Data should be available to meet the 3 component minimum for identification, as developmentally appropriate screeners for K include phonological awareness (although, as noted earlier, this may not be included on the universal screener so it would need to be found on a district’s dyslexia-specific screener), phonemic awareness, sound-symbol recognition, alphabet knowledge, and rapid naming.

- For first and second grade, universal screeners and dyslexia-specific screeners should include all the component measures and thus be able to provide the data needed to meet the minimum 3 deficits
- For 3rd grade forward, universal screeners typically include measures of reading comprehension and oral reading. Data for the required components could only be derived from a thoroughly created and administered dyslexia-specific screener created by the district

The new legislation also outlines the use of Individual Learning Plans for students identified with characteristics of dyslexia. The Dyslexia Advisory Council suggested renaming it to Individual Learning Plan - Dyslexia (ILP-D) instead of DILP. Aside from suggestions on the name of the intervention plan for these students, other questions remain. **What is the State Board Rule on dyslexia that is mentioned in section 14? Who creates the plan?**

While it is the general understanding that the RTI team is responsible for the creation of the Individual Learning Plan, and is ultimately the responsibility of the LEA, further specification on this will likely be required for faithful and consistent implementation. **Requiring participation from educators familiar with the student, the data, and the dyslexia-specific intervention will ensure these plans are aligned to student needs and school capacity.**

Some guiding questions and comments on this aspect of the legislation follow:

- Is there a template with the required sections? For example, baseline data, data-based instructional targets, intervention program/approach and how it meets the instructional targets, tiered placement, progress monitoring, team meeting notes, and family updates on progress?
- **It is recommended that parents/guardians be given adequate notice and have the option to participate in learning plan development and related meetings, although not be legally required to do so.**
- **It is recommended that the rules include district reporting protocols as accountability for implementation and student progress monitoring.**

Next, it is understood that TISA is a funding plan, not a spending plan. However, the money is allocated for personnel, instructional support materials/programs, and training to support the needs of the student with the ULN. **Therefore, accountability measures that detail the funding contributions specific per ULN and a district report of the specific personnel, instruction support materials/program, and training in support of students per ULN is recommended.**

In identifying students for which funding will be allocated, the percentile cut off has been raised from 25th percentile to the 40th percentile. While this may help identify students with deficits that otherwise would not be caught by universal screeners, and perhaps identify students at risk for falling below or approaching on TCAP testing and be subject to the upcoming

retention law, there are concerns about how to appropriately and accurately identify these students based off criteria outlined in the definition proposed.

For example, how are the deficits in the noted areas of the definition measured? What are the individual cut scores for each and how is a composite score calculated? **“Deficit” is undefined in the proposed definition; it is recommended that this be specified.** Risk is typically indicated below the 25th percentile on universal screeners. While educators often use that cut point for measures that are derived from universal screening, what about those measures included on dyslexia-specific screening that may have differing indicators of risk (eg, percentage correct, benchmark, criterion-referenced)?

Additionally, the criteria of “three or more deficits” in the listed components may be problematic. This is dependent on districts giving the dyslexia specific screening measures. How can districts ensure screening and EWS include screening of the required components across K-12? Some further questions to explore are as follows:

- Should phonological awareness and phonemic awareness be separate components?
 - There are many measures of phonemic awareness but fewer of phonological awareness. As mentioned earlier in this statement, few universal screeners, to our knowledge, currently include measures of phonological awareness separate from phonemic awareness.
 - In later grades, phonological and phonemic awareness are linked to measures of oral reading fluency and word reading. The alignment of these skills will fail to pinpoint PA specific deficits.
- The definition of sound-symbol recognition and alphabet knowledge are mostly synonymous in 2016 law. **It is recommended that these definitions and the relationship between them be clarified here.**
- Word reading and text fluency are not included here, despite inaccurate and/or fluent word reading being the crux of the definition of dyslexia. Yet, certain other skills (like PA) are advised to be measured by ORF measures in later grades. It may be necessary to break these components out by grade band and make more explicit connections between them and the primary characteristics of dyslexia at those ages.

Also, (4)(b)2.(ii) and (iii) may cause confusion as it notes that a student with a DILP who subsequently qualifies for an IEP for SLD in the area of basic reading, reading fluency or reading comprehension will then not generate an allocation or ULN—although an SLD in Basic Reading and an SLD in Reading Fluency are synonymous with dyslexia, while an SLD in Reading Comprehension is not synonymous with dyslexia (difficulty with comprehension is a secondary consequence for students with dyslexia).

Assistive technology should be a consideration in all DILPs in order to accommodate deficits that are being remediated through intensive intervention supports. Effective use of AT

will help ensure that individuals with characteristics of dyslexia are able to complete reading and writing activities in the same length of time as their peers, stay caught up minute by minute in the classroom, and receive core instructional content in the general education setting.

Educators need to be intentional with assistive technology and understand that “access to” is not the same as “instruction in.” Educators need to provide instruction in how to use assistive technology supports. The goal is for students to be independent in their use of AT, which is possible through training and follow-through support. Ultimately, independence is the goal in the use of AT, but this is not possible without direct instruction. **ULN funding can support personnel and equipment for AT needs, including training and support.**

For section (4)(b)3.(i), the term “language-focused” regarding the DILP needs to be defined. **Because this section focuses on grades K-3, clarifying the term to mean “foundational literacy skills” or “foundational reading and writing skills” is recommended. This section should also include the statement “and access to assistive technology supports” as it is used in (4)(b)3.(ii). We also recommend expanding that statement to the following: “access, training, and follow-through support for AT needs for students to become independent in their use of AT.”**

Section (4)(b)3.(ii) wording should be changed to “in grades 4-12” (it currently has grades 4-8). **We recommend that this section also clearly states that the DILP focuses on the foundational literacy skills as aligned with required dyslexia-specific intervention.**

Section (4)(b)3.(iii) does not indicate how students are reassessed for eligibility. Is it based on progress monitoring data? Benchmarking data? Many students with dyslexia will need ongoing, intensive instruction in progressively complex skills from basic to advanced phonics, vocabulary and academic language, sentence and text reading, and writing. For example, K students who meet ULN criteria for PA, letter knowledge, and sound-symbol recognition weaknesses that become remediated with appropriate intensive intervention will very likely need that continued intensity for decoding, spelling, comprehension, and writing as they continue through the grades. **Using data as one part of intentional intervention is necessary, and we want to avoid “boomeranging” students with dyslexia out of intervention only to return with compounded weaknesses as the need for intensive intervention in progressively complex skills continues over time.**

Part of the key in accurate and timely identification is progress monitoring. Section (4)(b)3.(iv) includes parental/guardian notice of progress monitoring. **We recommend including that the progress monitoring data report be shared with clear narrative explanation to support understanding of intervention programming, targeted skills, and if progress is within expectations. This should also indicate next steps for intervention/instruction based on the data and report. In section (IV), we recommend adding clarifying language that if a parent/guardian declines a DILP, and that does not constitute a waiver of RTI services, then students will still receive dyslexia-specific intervention through RTI in compliance with RTI and the 2016 Say Dyslexia law.**

Overall, the provision of more guidance and ultimately of more support for individuals with characteristics of dyslexia is going to lead to earlier intervention (key in remedying reading difficulties), targeted and intensive intervention, and the closing of gaps. In order to ensure that this legislation has the intended effect of accurately identifying individuals with characteristics of dyslexia, provisioning targeted intervention, and closing gaps, we feel the above outlined suggestions and questions should be carefully considered and addressed.

Signed,

Jennifer Fleming
President
Columbia, Tennessee

Ashley Edwards
Vice President
Nashville, Tennessee

Jessica Dainty
Secretary
Cookeville, Tennessee

Merrie Robin McReynolds
Treasurer
Kingsport, Tennessee

Dr. Melinda Hirschmann
Nominations Chair
Lebanon, Tennessee

Wendy O'Neal
VP - Service Area 1
Jefferson City, Tennessee

Denise Holmes
VP - Service Area 2
Knoxville, Tennessee

Allison McAvoy
VP - Service Area 3
Chattanooga, Tennessee

Jean Hutchinson
VP - Service Area 4A
Nashville, Tennessee

Michele Richter
VP - Service Area 4b
Fairview, Tennessee

Pam DeMato
VP - Service Area 5
Collierville, Tennessee

Dr. Zoi Philippakos
Director - Service Area 1
Knoxville, Tennessee

Mike Matvy
Director - Service Area 2
Knoxville, Tennessee

Lori Galbraith
Director - Service Area 2
Lenoir City, Tennessee

Lori Arnett
Director - Service Area 2
Alcoa, Tennessee

Ashley Schmitt-Matzen
Director - Service Area 3
Cookeville, Tennessee

Lynne Walker
Director - Service Area 4A
Hendersonville, Tennessee

Sandy Parus
Director - Service Area 4A
Murfreesboro, Tennessee

Lorie Richardson
Director - Service Area 4B
Murfreesboro, Tennessee

Julianne Borne
Director - Service Area 4B
Nashville, Tennessee

Pam Fahey
Director - Service Area 4B
Franklin, Tennessee

Nichi Hickerson
Director - Service Area 5
Trenton, Tennessee

Gay Landaiche
Director - Service Area 5
Memphis, Tennessee

Katie Hoyt
Director - At Large
Hendersonville, Tennessee

From: [Chloe Walters](#)
Subject: [EXTERNAL] Public Comment on TISA Rulemaking
Date: Tuesday, August 2, 2022 10:15:50 AM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Dear Tennessee Department of Education and State Board of Education Members,

My name is Chloe, and I am a current Program Specialist and former public school educator. I live in Nashville and work at the Diverse Learners Cooperative. I am emailing you to share my feedback on the Tennessee Investment in Student Achievement (TISA) proposed rules. Based on my experience, I deeply care about funding reform and resource equity in Tennessee K-12 public schools because of my experience as an educator as well as my devotion to expanding educational opportunities for diverse learners.

Here are specific areas of opportunity that I believe will improve the Department's proposed rules:

- **Unique Learning Needs: English Learners**
 - **Differentiate English learner funding based on WIDA Access levels because it matches national best practices and aligns to our TN ESSA plan.**
 - **Increase funding for Long-term English Learners (LTELs) to ULN Level 5 because LTELs make up a [too high percentage of ELs at 13% overall, and 41% of ELs in grades 6-12 are LTELs](#). This dire situation [will continue to persist](#) if LTELs are not provided with comprehensive support.**
- **Unique Learning Needs: Students with Disabilities**
 - **Differentiate funding for students with disabilities based on the skills and abilities listed in their Individualized Education Plan (IEP) or 504.**
 - **This allocation strategy better differentiates funding for students because one hour can cost vastly different amounts based on the type of service. For example, one hour of individual tutoring costs much more than group tutoring.**

- [Most states that use a student-weighted funding formula like TISA differentiate based on specific disabilities rather than time. Additionally, Florida bases their funding on students' skills and abilities in their IEP.](#)

- **Outcomes Funding**

- **Create consistent additional funding inclusion for students with additional needs (e.g., include English learners at the high school level).**
- **Implement a unified growth measure across goals and align them to existing growth measures in TN's ESSA Plan.**
- **Allocate equal percentages across each goal to ensure all goals are prioritized (e.g., 10% for all measures and double funding for students from low-income backgrounds, with disabilities, and English learners).**
- **Streamline subject areas across elementary and middle school.**
- **Create one unified goal each for elementary, middle, and high school (e.g., 3rd and 8th-grade math and reading growth and Ready Grad).**

- **Data Transparency**

- **The rules should be clarified to include that the State will:**
 - **Publicly report all existing and new data used to calculate TISA in a new combined location, including school, district, state, and federal-level funding and expenditure data.**
 - **Publicly report data mentioned above in an annual, longitudinal, comparative, transparent, and interactive format, including on the State Report Card, to promote stakeholder transparency.**

For more information, see [The Education Trust in Tennessee's TISA Rulemaking Analysis](#).

From this past legislative session to the rulemaking process, thank you for taking multiple

stakeholder perspectives into consideration. TISA rulemaking presents a critically important opportunity to ensure that students of color, from low-income backgrounds, in rural schools, and learning English are centered in the decision-making process. With that in mind, I hope that you will consider my above comments as you thoughtfully implement this law.

Thank you for working to establish rules that guarantee TISA will provide the best and most comprehensive funding support to meet the individual needs of all our Tennessee students.

Sincerely,

Chloe Walters, Ed. D. (she/her)
Program Specialist, Multilingual Learners | 315.396.5606
www.diverselearnerscoop.com | @DiverseLearnersCoop



From: [Brooke Allen](#)
To: [TISA Rules](#); [Lillian Hartgrove](#); [Sara Morrison](#); [Ryan Holt](#)
Subject: [EXTERNAL] Public Comment on TISA Rulemaking
Date: Monday, August 1, 2022 10:25:05 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Dear Tennessee Department of Education and State Board of Education Members,

My name is Brooke Allen, and I am a current educator and advocate for high quality education for all students in TN. I live in Nashville and am the director of the Diverse Learners Cooperative. I am emailing you to share my feedback on the Tennessee Investment in Student Achievement (TISA) proposed rules. Based on my experience, I deeply care about funding reform and resource equity in Tennessee K-12 public schools because I have seen firsthand how increased resources have a significant effect on the success of students with disabilities and English learners.

Here are specific areas of opportunity that I believe will improve the Department's proposed rules:

- **Unique Learning Needs: English Learners**
 - Differentiate English learner funding based on WIDA Access levels because it matches national best practices and aligns to our TN ESSA plan.
 - Increase funding for Long-term English Learners (LTELs) to ULN Level 5 because LTELs make up a [too high percentage of ELs at 13% overall, and 41% of ELs in grades 6-12 are LTELs](#). This dire situation [will continue to persist](#) if LTELs are not provided with comprehensive support.
- **Unique Learning Needs: Students with Disabilities**
 - Differentiate funding for students with disabilities based on the skills and abilities listed in their Individualized Education Plan (IEP) or 504.
 - This allocation strategy better differentiates funding for students because one hour can cost vastly different amounts based on the type of service. For example, one hour of individual intervention costs much more than small group intervention.
 -

[Most states that use a student-weighted funding formula like TISA differentiate based on specific disabilities](#) rather than time. Additionally, [Florida bases their funding on students' skills and abilities in their IEP.](#)

- Outcomes Funding

- Create consistent additional funding inclusion for students with additional needs (e.g., include English learners at the high school level).
- Implement a unified growth measure across goals and align them to existing growth measures in TN's ESSA Plan.
- Allocate equal percentages across each goal to ensure all goals are prioritized (e.g., 10% for all measures and double funding for students from low-income backgrounds, with disabilities, and English learners).
- Streamline subject areas across elementary and middle school.
- Create one unified goal each for elementary, middle, and high school (e.g., 3rd and 8th-grade math and reading growth and Ready Grad).

- Data Transparency

- The rules should be clarified to include that the State will:
 - Publicly report all existing and new data used to calculate TISA in a new combined location, including school, district, state, and federal-level funding and expenditure data.
 - Publicly report data mentioned above in an annual, longitudinal, comparative, transparent, and interactive format, including on the State Report Card, to promote stakeholder transparency.

For more information, see [The Education Trust in Tennessee's TISA Rulemaking Analysis](#).

From this past legislative session to the rulemaking process, thank you for taking multiple stakeholder perspectives into consideration. TISA rulemaking presents a critically important opportunity to ensure that students of color, from low-income backgrounds, in

rural schools, and learning English are centered in the decision-making process. With that in mind, I hope that you will consider my above comments as you thoughtfully implement this law.

Thank you for working to establish rules that guarantee TISA will provide the best and most comprehensive funding support to meet the individual needs of all our Tennessee students.

Sincerely,
Brooke Allen

--

Brooke Allen (she/her)
Executive Director, Diverse Learners Cooperative
610.329.4310 | www.diverselearnerscoop.com



From: [TRUJILLO DIEGO](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Public Comment TISA
Date: Monday, August 1, 2022 11:39:01 AM
Attachments: [image001.png](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Public Comment TISA

I have a couple of thoughts/discrepancy notations below:

- **Discrepancy with policy expectation Chapter 0520-12-05 TISA vs Chapter 0520-01-19 English As A Second Language Programs**

TISA(c) Students Identified as English Learners, 3(iii) states “At **least annually**, review and revise, as necessary, each Student’s ILP in accordance with State Board rules on ESL programs” (Pg.10, (c) Students Identified as English Learners, 3(iii)).

Rule 0520-01-19-.03 IDENTIFICATION, SCREENING, AND SERVICE DELIVERY states the ILP needs review every 4.5 weeks as noted below.

5) Teachers shall monitor the academic and English language proficiency growth of EL students through benchmarking, formative assessments, and/or summative assessments at least every four and one-half **(4.5) weeks**. If an EL student is not meeting the growth expectations identified in his or her ILP, the student shall receive differentiated support so that he or she may advance more rapidly toward English language proficiency. Supports shall be implemented promptly after the ILP Team has determined the student is not on the expected growth trajectory.

- Pg. 8, ULN Weighed Allocations, (e) 1-10

Recommendation: The weighted allocation for student identified as an EL, more specifically, a Long-Term English Learner (in year seven (7) of the ESL program who have not met the program’s exit criteria in) should be included in Tier II or Tier III weighted allocations as these students have unique learning needs. These students have not made significant progress with acquiring English and may have interrupted schooling alongside many other barriers. These students generally have acquired social English and are behind peers academically. These students are at the middle and high school level. Currently, the weighted allocation is 20% vs 60%. Based on the needs of students, the higher weighted allocation should support the needs of long-term students.

Diego J. Trujillo, Director
ELL



Department of Opportunity and Access
1161 W. 40th St. | Chattanooga, TN 37409

E-mail: trujillo_diego@hcde.org

Office: (423) 498-7132

[website](#) | [facebook](#) | [twitter](#) | [instagram](#) | [youtube](#)

From: [Jon Sharp](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Public Comment
Date: Tuesday, August 2, 2022 9:39:07 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

I am a parent of two children with disabilities in Williamson County. One child is receiving intensive special education services and is entering 4th grade this year. The other is now entering 7th grade at a private Montessori school after having spent grades K-4th at our local public school. I respectfully submit the following comments regarding the proposed TISA regs. (I am echoing here comments previously submitted by my wife)

- 1. Transparency and accountability are critical**, especially related to the use of funds to provide appropriate special education services in the LRE. I am concerned that funding based on the intensity of services will unintentionally incentivize over-supervision and segregation. I respectfully recommend thorough, systematic, randomized IEP audit processes that include documented input from parents and students. These processes should be specified in rule, and aggregated results should be easily accessible to the public. The process for corrective action should be outlined in detail, and those action plans should also be easily accessible to the public.
- 2. ULNs should be stackable.** A student with an IEP should be able to receive funding through multiple ULN categories: for example, based on service hours AND types of services. That may be the intent, but it isn't clear in the current draft regulations.
- 3. Outcomes bonuses should reward progress tied to IEP goals rather than set TCAP/alternate assessment levels.** Often, students whose learning is least effectively captured on standardized testing are those who require the most intensive supports from their educational teams. My son, who is autistic, does not require special education supports. His TCAP scores in third grade were in the highest category across the board. My daughter, who has Down syndrome, struggled to fully participate in TCAP testing in third grade last year. However, her team has worked exceptionally hard to support her steady progress on her IEP goals. In the classroom, she can demonstrate reading at grade level and, with accommodations, can participate in grade level math. That will not be reflected in her testing scores, and her team will not be rewarded for the fantastic work they have done to support her learning progress. Rewarding based on set testing levels may also create a financial incentive for districts to push students with disabilities to the alternate assessment rather than risk lower scores on the standardized TCAP.
- 4. The occupational diploma should be counted in the graduation rate.**
- 5. Additional transition outcomes should be added to the post-graduation outcomes metrics**, including the addition of Indicator 13.

Thank you for your consideration and for working to a more equitable and productive funding formula!

--

Jon Sharp

[LinkedIn](#) | Twitter: [@jrsharp](#)

From: [Sherry Wilds](#)
To: [Jack Derryberry](#); [Zoe Jamail](#); [TISA Rules](#)
Cc: [Lisa Primm](#)
Subject: [EXTERNAL] Re: Disability Rights Tennessee's Comments Re: TISA Rules
Date: Tuesday, August 2, 2022 3:07:02 PM
Attachments: [image001.png](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

A big thank you Zoe!

Sherry A. Wilds
Assistant Legal Director and Director of Pro Bono & Legal Interns
Disability Rights Tennessee
2 International Plaza Suite 825
Nashville TN 37217
615-298-1080 ext. 141

This communication contains information from Disability Rights Tennessee which may be confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(s) named as recipients above. If you are not the intended recipient, please destroy this correspondence and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this communication in error, please immediately notify the sender.

From: Jack Derryberry <jackd@disabilityrightstn.org>
Sent: Tuesday, August 2, 2022 2:55:45 PM
To: Zoe Jamail <zoej@disabilityrightstn.org>; Tisa.Rules@tn.gov <Tisa.Rules@tn.gov>
Cc: Sherry Wilds <sherryw@disabilityrightstn.org>; Lisa Primm <lisap@disabilityrightstn.org>
Subject: Re: Disability Rights Tennessee's Comments Re: TISA Rules

Most excellent. Good work Zoe on a very complex topic. Thanks to all for comments and edits.
Jack

From: Zoe Jamail <zoej@disabilityrightstn.org>
Sent: Tuesday, August 2, 2022 2:25 PM
To: Tisa.Rules@tn.gov <Tisa.Rules@tn.gov>
Cc: Jack Derryberry <jackd@disabilityrightstn.org>; Sherry Wilds <sherryw@disabilityrightstn.org>; Lisa Primm <lisap@disabilityrightstn.org>
Subject: Disability Rights Tennessee's Comments Re: TISA Rules

Please see attached for comments from Disability Rights Tennessee regarding the proposed TISA Rules. Thank you for your consideration.

Zoë C. Jamail
Disability Rights Tennessee
2 International Plaza Suite 825

Nashville TN 37217
615-298-1080
zoej@disabilityrightstn.org



This communication contains information from Disability Rights Tennessee which may be confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(s) named as recipients above. If you are not the intended recipient, please destroy this correspondence and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this communication in error, please immediately notify the sender.

This communication contains information from Disability Rights Tennessee which may be confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(s) named as recipients above. If you are not the intended recipient, please destroy this correspondence and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this communication in error, please immediately notify the sender.

From: [Jack Derryberry](#)
To: [Zoe Jamail](#); [TISA Rules](#)
Cc: [Sherry Wilds](#); [Lisa Primm](#)
Subject: [EXTERNAL] Re: Disability Rights Tennessee's Comments Re: TISA Rules
Date: Tuesday, August 2, 2022 2:55:53 PM
Attachments: [image001.png](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Most excellent. Good work Zoe on a very complex topic. Thanks to all for comments and edits.
Jack

From: Zoe Jamail <zoej@disabilityrightstn.org>
Sent: Tuesday, August 2, 2022 2:25 PM
To: Tisa.Rules@tn.gov <Tisa.Rules@tn.gov>
Cc: Jack Derryberry <jackd@disabilityrightstn.org>; Sherry Wilds <sherryw@disabilityrightstn.org>; Lisa Primm <lisap@disabilityrightstn.org>
Subject: Disability Rights Tennessee's Comments Re: TISA Rules

Please see attached for comments from Disability Rights Tennessee regarding the proposed TISA Rules. Thank you for your consideration.

Zoë C. Jamail
Disability Rights Tennessee
2 International Plaza Suite 825
Nashville TN 37217
615-298-1080
zoej@disabilityrightstn.org



This communication contains information from Disability Rights Tennessee which may be confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(s) named as recipients above. If you are not the intended recipient, please destroy this correspondence and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this communication in error, please immediately notify the sender.

This communication contains information from Disability Rights Tennessee which may be

confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(s) named as recipients above. If you are not the intended recipient, please destroy this correspondence and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this communication in error, please immediately notify the sender.

From: [Jean Throckmorton-Southall](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] School Choice
Date: Monday, August 1, 2022 8:23:55 AM

Recently, I pulled my children out of public school and started homeschooling. The ideal situation would be for public school education to return to education rather than social indoctrination. I wish we could return to a time where each citizen respected others' differing opinions and knew how to agree to disagree. However, in the name of diversity, Christians are now discriminated against and facing more hate than many of the minority groups, The second best option would be school choice for all. Funding should follow the student. This would permit the parent to choose the school that best suits their children's needs. This should include private and christian schools! At this time, we are homeschooling, because of the cost associated with private schools and the many negative experiences that made it necessary to remove my children from the public school system. I pray that all the leaders in our state will stand up bravely and make school choice available for all students and parents, Education is not a one size fits all!

May the Blessings of the Lord be upon you,
Jean Southall

Bethel University Confidentiality Agreement

The information transmitted in this electronic mail is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and /or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers. Although Bethel has taken reasonable precautions to ensure that no viruses are present in this message, Bethel cannot accept responsibility for any loss or damage arising from the use of this message.

From: [Wrye, Jim \[TN\]](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TEA comments with Association logo
Date: Tuesday, August 2, 2022 2:33:20 PM
Attachments: [TEA Comments - Proposed TISA Rules Memorandum.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

The content of this commentary is the same as the TEA PDF recently sent with an addition of the association logo for identification purposed. Please use this one when posting public commentary if possible. Thank you!

Jim Wrye
TEA

Memorandum



TO: Tennessee Department of Education

FROM: Tennessee Education Association

RE: Comments to Proposed Rules on TISA

DATE: August 2, 2022

The Tennessee Education Association has reviewed the Tennessee Department of Education's proposed rules to implement the Tennessee Investment in Student Achievement Act. Please allow this document to serve as TEA's public comment to the proposed rules.

TEA is a Tennessee non-profit corporation that has been in existence in Tennessee for more than 157 years. It is a voluntary membership association made up primarily of Tennessee public school educators, including directors of schools, principals, administrators, teachers, and education support employees from every school district in the state. TEA's mission is to protect and advocate for Tennessee's public-school students, the teaching profession, and TEA's members to create great public schools that prepare all students for success in a global society.

TEA's review of the proposed rules reveals the following substantive concerns:

I. Transparency

As written, the TISA rules do not require either the State Department of Education, the State Board of Education, or the various school districts that will be receiving the TISA funding to publish information concerning exactly how TISA funds will be allocated, budgeted, and spent in each school district. Parents of children being served in Tennessee's public schools should have access to detailed information concerning such matters. Since TISA was designed to provide each student with the resources needed to succeed regardless of their circumstances, the rules should also provide for educator access to information that sets forth the amounts that are allocated for each student. Doing so would ensure that educators are aware of student-specific funding responsible for student success.

Under BEP, the Comptroller publishes a BEP calculator that provides a spreadsheet that simplifies total state and local funding for each school district and provides a way for the public to review specific funding metrics for school systems. The proposed TISA rules, however, fail to require publication of like data. For the public to understand how a school district qualifies for funding, the rules should provide for publication of such information.

The rules set forth the department's responsibility to collect data from school districts and to calculate the TISA allocations, but the rules fail to set forth how this information is to be displayed to interested parties such as educators, parents, and lawmakers.

The rules provide that the department is required to monitor LEAs and charter schools to ensure that students on an IEP receive educational services in the least restrictive environment and to develop corrective action plans when they fail to do so. However, there is no requirement that anyone, other than the school district be notified when the department identifies violations.

Also, the rules do not provide for publication of school districts that qualify for and receive outcome bonuses, fast growth stipends, infrastructure stipends, and Cost Differential Factors.

The appeal window for the department's TISA allocations is not long enough at only 15 days. This can result in a loss of necessary funding for students.

II. Educator Voice

Tennessee's educators are certainly in the best position to see the impact of TISA on teaching and learning in Tennessee. The rules, however, do not allow for educator input as to the effectiveness of TISA after it has been implemented. A rule that would allow annual input from Tennessee's educators on the efficacy of TISA is needed. For example, under TISA, school districts will be tasked with monumental budgeting decisions, but the rules do not require that school districts receive information from the state that shows how many teachers, counselors or principal positions are being funded in the base formula.

A periodic review or evaluation by educators and LEAs of the funding mechanism is crucial to determine the effectiveness of and ultimate success of TISA. Moreover, the monthly ADM reporting requirement will be a great burden on districts. The rules should have a provision for school districts to offer input and ideas on ways to streamline reporting requirements as they will be in the best position to know the most efficient and trustworthy way to report. This is critical because ADM's and the unique learning characteristics that must be reported are the basis of funding for each district. That coupled with the very short appeal process set forth in the rules can result in students not receiving the resources they need to succeed. The last thing our students need is a loss of funding caused by a bureaucratic process that does not allow for constructive feedback and evaluation.

III. Committed Equity

The Tennessee Education Association believes that adequate funding does matter in the quest to improve achievement for all students. The rules must provide a system that ensures that all students achieve high levels of learning, and that funding is allocated in a fair and equitable manner. We urge that the rules be improved by including an equity lens.

The rules must include strong provisions that address race and class challenges and socio-economic segregation with a focus on narrowing achievement gaps. The rules must be designed to prioritize equity for our students through active engagement of parents, educators, and students. The rules must include mechanisms for local parents, educators, and community partners to be annually informed on TISA's funding impact to their respective districts. In

addition, the rules should create a process for these stakeholders to have deliberate impacts on the conditions of their schools in order to improve educational outcomes.

The rules should contain a system of accountability focused on assuring appropriate use of resources, prevention of fraud, equitable distribution of a culturally diverse school workforce and continued improvement of the learning environment. The rules must include components which allow for an ongoing assessment and evaluation of TISA’s impact in all of the previously mentioned areas.

The rules must include processes that ensure implementation of teaching and learning conditions proven to be best practices for student outcomes. Issues such as lower class sizes, high-quality professional development, increased recruitment of ethnic-minority educators, and culturally responsive teaching have all proven to have positive impacts on high-poverty schools. The rules must create conditions to diminish the relationship between student background characteristics and student achievement.

IV. Funding Adequacy

Even with new state funding for the current year, Tennessee is still behind neighboring states such as Alabama and Kentucky in state K-12 funding per-pupil. Funding per-pupil is an appropriate and important gauge for student opportunity in all areas of public education, whether it is elementary, secondary, vocational, or other paths of student enrollment. FY22 public school current expenditures per-student for neighboring southern states shows the issue with Tennessee education funding:

Alabama:	\$12,645	State share:	53.9%
Arkansas:	\$11,183	State share:	45.3%
Georgia:	\$13,032	State share:	45.0%
Kentucky:	\$12,343	State share:	51.6%
Mississippi:	\$10,089	State share:	46.5%
Tennessee:	\$11,437	State share:	45.3%
N. Carolina:	\$11,651	State share:	57.1%

Only Mississippi and Arkansas are lower in per-pupil funding. Comparable neighboring states of Kentucky and Alabama show Tennessee \$1,000 less per pupil in funding on average, including new state dollars for the current fiscal year. Bringing Tennessee up to Kentucky and Alabama per-pupil investment requires close to \$1 billion above what those neighboring states appropriate for education in similar budget years. For TISA to be successful in rules and in overall implementation, the state must make a long-term commitment to become an overall majority funder of K-12 education.

TEA believes the growth factor in the BEP had a role in maintaining Tennessee state government as a minority funder in education. The phrase “fully funding the BEP” was based on appropriating for the growth factor in the state budget (inflation and increases in enrollment), a factor that also was in part funded by local government. BEP ‘growth,’ along with other

appropriations often did not keep up with increasing K-12 funding levels of neighboring states, putting Tennessee often in the bottom-five of states for funding per pupil.

The absence of a clear ‘growth’ factor in the TISA formula may increase opportunities to improve overall state investment in K-12 funding by eliminating the political crutch the factor became in the BEP. However, the absence of a growth estimate could cause atrophy of state funding support for K-12 over time as increased costs and inflationary trends are not recognized at the outset of the budgetary process.

V. Financial commitment to educators

It is clear the shortage of licensed teachers is growing in Tennessee. Improving educator pay and benefits is key in reducing the growing staffing crisis, and to attract and retain Tennesseans to the teaching profession.

The TISA law and proposed rules provide mechanisms to drive state dollars into teacher salaries. Based on current law increasing the state minimum salary schedule when new state funds are appropriated for the BEP Instructional Component, the ability of the General Assembly to earmark new appropriations for teacher salaries is an important aspect to improving teacher compensation and reducing the discrepancy of salaries for other college educated professions in the state.

However, the area that drives down the take-home pay for educators is the high cost of insurance for K-12 employees. The state can and must do more. The state provides less than half of the overall funding for health insurance for licensed education professionals and a small fraction for educator support staff. In some LEAs educators pay 55% of the monthly premium for their health insurance, totaling well more than \$800 per month for family coverage.

The state should provide all K-12 employees the same benefit that state employees receive: an 80-20 share on monthly premiums for insurance chosen by the employee. While there are several programmatic means to achieve this goal equitably, the first step is the financial commitment of the administration and General Assembly. The fiscal note last legislative session placed the cost of this commitment to meeting educator insurance at state employee levels at \$373 million, a massive figure currently being paid from the pockets of hard-working and dedicated educators. Solving the health insurance issue is the most effective means of markedly increasing take-home compensation, the single most important step in educator retention.

VI. Incongruities of TISA for current rules and policies

As Tennessee moves forward with TISA, the department will need a thorough review of current education laws and rules to identify incongruities between the new funding formula priorities and requirements and what exists currently.

As an example, TISA and the proposed rules place a new heightened focus on Career and Technical Education (CTE). The goal of the new law and proposed rules—along with the massive increase in state funding for CTE—is to markedly increase the number of secondary

students engaged in vocational programs and gaining industry certifications. However, there are no changes to the requirement that all secondary students take the ACT—even those fully immersed in CTE programs—and that overall scores from the college-admission test continue to be applied to schools and LEAs in the state accountability system. As any educator will note, motivation to take an exam is as important as knowledge of the content. Clearly students on a career path as outlined in these proposed TISA rules may see the ACT as a nuisance and unnecessary, depressing scores and penalizing schools with robust CTE programs. Certainly, the focus on increasing CTE offerings as outlined in the proposed TISA rules will reduce the ability of schools to schedule students in ACT prep courses currently offered, again courses that may not seem important to CTE students.

These types of incongruities between new TISA priorities and current laws, rules and policies need to be outlined and addressed.

From: [Jeff Strand](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Tennessee Disability Coalition - TISA Public Comment
Date: Tuesday, August 2, 2022 2:55:28 PM
Attachments: [Tennessee Disability Coalition - TISA Public Comment.docx](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Please see the attached public comment on the Tennessee Investment in Student Achievement (TISA) Act made on behalf of the Tennessee Disability Coalition.

--

Jeff Strand
Tennessee Disability Coalition
Coordinator of Government and External Affairs
jeff_s@tndisability.org
952-237-5630

--

In accordance with federal, state, and local laws, the Tennessee Disability Coalition does not discriminate in any programs or activities or in employment policies and provides equal opportunities in its programs and activities. Additional information concerning the Coalition's nondiscrimination obligations and the complaint procedure can be obtained calling [\(615\) 383-9442](tel:6153839442).

Note: This e-mail may contain PRIVILEGED and CONFIDENTIAL information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use, dissemination or copying of this e-mail or the information contained in it or attached to it is strictly prohibited. If you have received this e-mail in error, please delete it and immediately notify the person named above by reply mail.



The lifting power of many wings can achieve twice the distance of flying alone.

August 2, 2022

Commissioner Penny Schwinn
Department of Education
500 James Robertson Parkway
Nashville, TN 37243

Dear Commissioner Schwinn,

We appreciate the opportunity to comment on the proposed rules for the Tennessee Investment in Student Achievement (TISA) Act. The Tennessee Disability Coalition is an alliance of organizations and individuals who have joined to promote the full and equal participation of Tennesseans with disabilities in all aspects of life. We work together to advocate for public policy that ensures self-determination, independence, empowerment, and inclusion for people with disabilities.

High quality public schools are incredibly important to the academic, professional and social success of school-aged Tennesseans, but are absolutely vital for young people with disabilities. Students with disabilities rely on the professional expertise of special education teachers, the support of paraprofessionals and the services and therapies furnished by qualified specialists and providers. Given the longstanding and persistent achievement gaps facing students with disabilities, it is clear that more needs to be done to ensure that Tennessee students with disabilities have an equal opportunity to succeed and flourish in our communities.

This is why we are encouraged by the TISA framework passed by the General Assembly. First, we applaud Governor Lee's commitment to improving Tennessee public schools through the addition of \$1 billion annually for funding public schools. We hope that the state continues to evaluate the sufficiency of its financial commitment to top-tier public schools and continues to invest in our future.

We are also very appreciative of the clear and purposeful effort to engage stakeholders by Commissioner Schwinn and the state Department of Education. Our organization had the opportunity to participate in the students with special needs subcommittee prior to the release of the framework, as well as to provide input on an outcomes bonus for students with disabilities. Representatives of the Department have also been open and responsive to our questions and suggestions during both the legislative and rule-making process.

We believe that TISA's weighted funding formula model presents the most equitable and effective financing mechanism for students with disabilities. A weighted funding formula recognizes that Tennessee's diverse body of students have varied individual needs, and that some of those needs may have additional associated costs. Funding based on individual circumstance helps to ensure that students receive the support that they need. It is important that funds earmarked for the specific needs of students with disabilities are used to provide supports and services for the students that generate those funds.

While we believe that TISA represents an immense upgrade from the Basic Education Plan (BEP), there are still aspects of the proposed formula that we believe can be improved upon in the rule-making process.

Unique Learning Needs

First, we are concerned that the way Unique Learning Needs (ULNs) are defined may incentivize schools to place students in more restrictive settings in order to generate a larger weight. The current ULN definitions essentially assign weights based on the amount of time a student receives services. While we recognize that services and placement are ultimately IEP team decisions, the potential financial incentive places a thumb on the scale during that decision-making process that could lead to more restrictive placements. Furthermore, not all services that require the same amount of time require the same resources at the same cost. For example, one hour of one-to-one speech therapy would require substantially more human and financial resources than one hour of paraprofessional support in a general education classroom.

Further, the current ULN definitions lack the accountability that ensures that funds generated by ULN weights are used to provide services and supports for that student. We understand that TISA is a “funding formula, not a spending plan”, but the current structure allows dollars generated for funding special education services to meet the needs of a specific student to be used for any purpose. Thus, the current ULN definitions incentivize over-placement while providing little accountability for ensuring that a student’s placement is in the least restrictive environment or that they receive special education services for which the funds are intended.

There are several options available that could better direct funding generated for students with disabilities and provide parents with some additional means of accountability. First, the Department of Education could adopt a services-based model similar to that used in Florida. In this funding model, special education weights are generated using a “matrix of services”, that differentiates tiers of services based on time and intensity. Completion of the “matrix of services”, usually during an IEP meeting, generates a score that is associated with a weight.

The primary benefit of this model is that it directs ULN funding to students for the services laid out in their IEP and matrix of service, as opposed to the current definitions which only account for time rather than purpose. This helps to ensure that funds intended to support special education programs are sufficient to provide services and that they are used in that manner. Second, it provides a layer of accountability for parents to help ensure that their child’s school is providing services that are iterated in the IEP and funded through TISA. Using the matrix of service, parents would have the opportunity to point to an exact support or service that generated funding.

The Department could also choose to adopt an IEP auditing and monitoring mechanism to ensure that assigning weights based on the amount of time a student receive services doesn’t lead to more restrictive placements. This could be the responsibility of the TISA review committee or become an ongoing function and responsibility of the Department of Education’s Special Education experts. While this option does not provide more targeted funding or parental accountability, it ensures at minimum a backstop against over-placement. A specialized review process could also potentially raise the quality of IEP’s and support improvements in goal and objective achievement.

Outcomes Bonuses

We have several potential concerns with the way that the outcomes bonuses are structured for students with disabilities. First, it would be difficult for a student to achieve 3 of the 4 indicators in order to generate an outcome bonus. For example, it is unlikely that a high school senior would be taking the alternate assessment if they were on track to earn a general education diploma. Similarly, it would be unlikely that a student with a disability spends 80% of their time in a general education classroom if they were set to take the alternate assessment. Furthermore, the US Department of Education recommends that only 1% of a student population take the alternative assessment. Tennessee has repeatedly failed to meet this goal for several years running, and incentivizing the use of the alternate academic assessment does not support meeting this goal.

Qualifying for an outcomes bonus as a student with a disability is also only limited to high school seniors. Given that students must earn achieve 3 of 4 indicators, they must meet the requirements of either graduating with a general education diploma, or an identified post-secondary outcome, to have the opportunity to earn outcomes incentives funds. No other outcomes incentive targeting students in general education is so limited.

Further, while we understand the Department's desire to focus exclusively on "outcomes" as opposed to "processes", this emphasis is incompatible with the most basic concepts and tenets of the IDEA and special education. Schools do not primarily organize special education programs around a uniform set of outcomes, they build a system of processes that allow individual students to achieve their own unique academic and social goals and objectives that most benefit them. Students receive Individualized Education Programs (IEP's) because they have unique abilities, needs and goals that require an alternative education program to the general education setting (where desired outcome is more uniform). An outcomes focus that incentivizes schools to emphasize standardized goals diminishes the right for students receiving special education services to receive a personalized educational program, as required by the Individuals with Disabilities Education Act (IDEA).

In order to ensure that students with disabilities have an equal opportunity to earn outcomes funding, that schools have comparable incentive to improve their special education programs, and that students with disabilities receive an individualized education as they are entitled, we suggest that the Department of Education adopt a single incentive: achievement of goals and objectives iterated in a student's IEP. This incentive bonus has the advantage of being both outcome-oriented and measurable, as well as ensuring that students receive an individualized education. While the Department may not currently have a mechanism in place to review individual IEP's, we are confident that there are available solutions and departmental expertise to address this issue.

Direct Funding

We understand that the purpose of including direct funding outside of the base and weights is to offer opportunities beyond everyday classroom instruction, including large per-student investments in career and technical education (CTE) opportunities. Because CTE funding amounts are calculated based on the needs of the state's business community, we believe that this is an appropriate space to begin to address glaring, long-standing gaps in employment and wages between Tennesseans with and without disabilities. While many students with disabilities have the opportunity to participate in CTE programs,

*Commissioner Penny Schwinn
August 2, 2022*

other students rely on more specialized employment and post-secondary training opportunities, including Vocational Rehabilitation and Work-Based Learning. We encourage the Department of Education to consider using an equal proportion of direct CTE funding to enhance these programs and help ensure that we are preparing *all* Tennessee students to thrive after graduation.

TISA is a timely and significant improvement over the BEP. We are greatly encouraged by the overall structure of the law that passed in the General Assembly and the currently proposed rules. A weighted funding formula is a far more equitable model for students with disabilities than the BEP's resource-based model. Incentives for districts to improve their special education programs could be vital to closing long-standing achievement gaps for students with disabilities. Direct funding is also a wonderful opportunity to fund innovations and programs that present new and better opportunities for all Tennessee public school graduates to thrive in our state. The development of innovative rules within the bounds of the law are needed to allow our public schools to better meet the needs of students with disabilities. We believe that the adoption of our suggestions would do that. We again thank you for the opportunity to comment on the TISA proposed rules and we look forward to continued collaboration with the Department of Education as we work together to build a top-tier public education system.

Sincerely,

Jeff Strand
Coordinator of Government and External Affairs
Tennessee Disability Coalition

From: [Shelby Vannoy](#)
To: [TISA Rules](#)
Cc: [Kevin Hensley](#); [Laura Leigh Harris](#); [Kristen Walker](#)
Subject: [EXTERNAL] Tennessee Farm Bureau Comments on TISA Formula
Date: Tuesday, August 2, 2022 2:24:54 PM
Attachments: [image.png](#)
[TFBF Comments on TISA Rule - August 2.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good Afternoon,

Please see the attached response from Tennessee Farm Bureau regarding the proposed rules on TISA Public School Funding Formula. Thank you for your consideration, we request the opportunity for continued dialogue and are ready and willing to engage in further discussions on this ever-important topic of funding education.

Thank you!

Shelby



Shelby Vannoy

Assistant Director
Public Policy Division
Tennessee Farm Bureau
Federation

O: (931) 388.7872 ext. 2218

C: (615) 556.2581

Email: svannoy@tbf.com

www.tnfarmbureau.org

CONFIDENTIALITY NOTICE

The information contained in this e-mail message is privileged and confidential, and is intended only for the use of the addressee. If you are not the intended recipient, please be aware that any dissemination, distribution or copy of this e-mail is prohibited. If you have received this e-mail in error, please immediately notify us by reply e-mail and delete this message and any attachments. Thank you.

Please also advise us immediately if you or your employer does not consent to receipt of Internet email for confidential messages of this kind.



TENNESSEE FARM BUREAU FEDERATION

August 2, 2022

Penny Schwinn
Commissioner
Tennessee Department of Education
710 James Robertson Parkway
Nashville, Tennessee 37243

Re: Comments by Tennessee Farm Bureau Federation on Tennessee Department of Education Proposed Rules on Tennessee Investment in Student Achievement (TISA) (Chapter 0520-12-05)

Dear Commissioner Schwinn,

The Tennessee Farm Bureau Federation (TFBF) represents a diverse aggregate of commodity producers across the state and is the largest general farm organization in Tennessee. We are a farmer-led, voluntary membership organization with over 680,000 members. On behalf of our member producers, we appreciate the opportunity to submit comments to the request by the Tennessee Department of Education (TDOE) for public input on the Tennessee Investment in Student Achievement (Chapter 0520-12-05) (TISA).

Tennessee is home to more than 1,700 public schools which will receive funding via the newly proposed TISA Rules. As the grassroots, unified voice of Tennessee's rural communities, we have an appreciation for local education systems and are committed to supporting them during this funding transition. Our future community leaders sit behind the classroom desks, and it is in our responsibility to ensure they are equipped with the tools needed for success.

Career and Technical Education (CTE) is the key to filling our workforce needs. We appreciate the emphasis and value the administration has placed on this sector of education.

TFBF policy supports high school CTE programs, particularly agriculture education and human and social sciences. CTE programs are vital for the development of the talent and leadership skills needed in production agriculture and related industries and reach far beyond the production careers listed in labor market data. The leadership skills developed in these programs have repeatedly proven over nearly ten decades to create the work ethic desired in both the rural and urban workforce.

We support the definition of CTE included in the TISA rules and appreciate the awareness and effort to address industry needs.

Local involvement in education builds and maintains a strong school system, which is why we hold an interest in the proposal and implementation of TISA. TFBF farmer

members annually participate in an extensive process to develop resolutions to guide the organization on policy issues. Often the most discussed, debated, and amended sections of our resolutions are educational issues. After reviewing the current draft rules, we have the following questions:

Page 15, item-(vi)

The rules provide: CTE courses receiving an elective credit will be valued the same as a student assigned to the first year of a level one.

Explain the difference between a nonelective and an elective CTE course?

Funding for general education courses that are part of a CTE will not be funded as part of the CTE program.

What are some examples of general education courses that are part of a CTE program? Where do the Ag courses fit in this discussion of elective, nonelective and general education?

0520-12-05-.05 Direct Allocations

(1)(B) Students Enrolled in Career and Technical Programs.

We appreciate the desire to provide a direct allocation for each student enrolled in a CTE program and recognize determining the appropriate value is not an easy task. We would like further clarification on the following:

1. Will we, as public stakeholders, have an opportunity to comment/critique the annual listing of approved CTE programs and CTE courses and the alignment assigned to each?
2. Likewise, will there be an opportunity annually to comment/critique the indicators and data submitted by the Department of Labor and Workforce Development and the Tennessee Higher Education Commission and used to determine the alignment of CTE courses and programs to the Wage-Earning Potential?
3. Will findings of the review of additional resources required to support CTE Programs be public?

The proposed rules provide the Direct Allocation will be determined through the state budget and appropriations process.

1. Will the Department of Education submit the recommendation to be included in the Governors annual budget and will the basis of proposal be made public?

0520-12-05-.06 Outcome Bonuses

The Commissioner shall convene a group of individuals in accordance with T.C.A. § 49-3-106(f), to annually advise the Commissioner regarding outcome bonuses and outcome goals. Once selected, an individual may serve in an advisory role for up to three (3) years.

1. The rules should include a process for individuals and or groups such as the Farm Bureau to submit nominations for the named committee positions... particularly the teacher, parent, resident of the state, business leader and local school board member. Will anyone other than the Commissioner be officially involved / accountable for the advisory committee selection?

As the TISA Rules are being reviewed and critiqued in public comment, please consider the following policy positions adopted by TFBF voting delegates:

Funding for CTE, FFA & SAE, and 4-H Activities for Increased Career Development

Students enrolled in Career and Technical Education encompass a large population of Tennessee's students. During their time in these classes, students receive the opportunity for hands on instruction and direct communication with the related workforce industries. The idea of introducing benchmark testing in CTE programs may dissuade students who thrive in a hands-on learning environment from enrolling due to the fear of assessment.

Our policy details below the need for accurate evaluation of the agriculture industry in terms of workforce placement. This evaluation should include jobs located on and off the farm, but in the agriculture industry. We encourage the In-Demand Occupations and High Wage Occupations report be inclusive of the vast diversity which makes up the agriculture industry.

- High school Career and Technical Education (CTE) programs, particularly agriculture education and human and social sciences (family and consumer sciences), are vital programs for the development of the talent and leadership skills needed in production agriculture and related industries which are much broader than production careers listed in labor market data. The leadership skills developed in these programs are essential in the developmental work ethics desired in the Tennessee workforce of rural and urban society alike.
- Enrollment in Tennessee high school agriculture education and human and social science courses has declined in part because of changes in state graduation requirements, benchmark assessment levels required of TN K-12 Programs, as well as college entrance requirements. In our quest for science, math and language requirements we should not overlook the skills, understanding, and knowledge of life which are embedded in the standards of agriculture education and human and social sciences programs.
- A successful agricultural education program consists of an equal mix of classroom/laboratory instruction, SAE and FFA activities, which can be connected to career objectives and work ethic needed in the Tennessee work force.
- The Tennessee Department of Education and Department of Labor must recognize agriculture careers are much broader than those identified as farming and production agriculture. Education leaders, policy makers, and the Tennessee Comprehensive Local Needs Assessment should recognize the full scope of skills available to be learned in an agriculture education such as mechanics, electrical, carpentry, plumbing, welding, machinery, horticulture, etc.

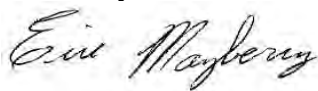
- As the career requirements in agriculture and related industries become more diverse, the need to teach students about agriculture is more important. We support the current concept of allowing agricultural classes to receive a science equivalent credit and encourage the Department of Education to look for similar opportunities across the total curriculum to allow students to individualize their path to graduation. This will improve the number of college and career ready graduates in Tennessee.
- Agriculture education programs must be constantly renewed. They must meet the changing needs of our society and commercial broad agriculture careers. They must prepare students to be contributors in our changing society.
- We encourage the TN Department of Education CTE agriculture education programs be included in virtual and dual enrollment programs that are now replacing traditional programs.

General Education Funding and Programing

- Educational opportunities for Tennessee's young people should be improved.
- It is of utmost importance for The General Assembly to adequately fund public schools.
- We support agricultural lessons and activities in all K-12 classes.
- We support the effort for more students to learn about science, technology, engineering, and mathematics (STEM) and believe that agriculture should be a key component of these academic disciplines.
- Experiential learning opportunities beyond the traditional classroom such as dual enrollment and vocational technology provide a robust education.
- Programs which inspire career exploration should be made accessible and encouraged to all students by local education agencies (LEAs).
- Programs should provide greater educational opportunities and incentives for exceptional students.
- We accept and defend the right of parents to send children to private, parochial schools or to home school their children. However, we oppose using public funds to support private schools and/or home schools at the detriment of public schools.

We appreciate the opportunity to provide comments on the proposed TISA rules and are happy to discuss these comments and our members' concerns or provide further information. As TDOE implements the TISA Rules, we request the opportunity for continued dialogue and are ready and willing to engage in further discussions on this ever-important topic of funding education. Thank you for your consideration.

Sincerely,



Eric Mayberry
President
Tennessee Farm Bureau

From: [Heidi Haines](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] The Arc TN TISA draft rules comments
Date: Tuesday, August 2, 2022 5:06:23 PM
Attachments: [TISA Draft Rule Comments](#) [The Arc TN.docx](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Thank you!

Heidi Haines

Executive Director

The Arc Tennessee

615/248-5878 X14

800/835-7077 X14

615/248-5879 (fax)

[Hhaines@thearctn.org](mailto:hhaines@thearctn.org)

[Thearctn.org](http://thearctn.org)



Please participate in our Satisfaction Survey: <http://j.mp/2nsZnSj>

The Arc Tennessee empowers people with intellectual and developmental disabilities and their families to actively participate in the community throughout their lifetime.

The Arc Tennessee values diversity and does not discriminate based on race, color, ethnicity, religion, age, national origin, geographic location, sexual orientation, gender, gender identity, level of disability, limited English proficiency or status as a protected veteran. If you feel you have been discriminated against please contact The Arc TN's Title VI coordinator at 800-835-7077 X 22, or email, imood@thearctn.org.

This e-mail may contain PRIVILEGED and CONFIDENTIAL information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use, dissemination or copying of this e-mail or the information contained in it or attached to it is strictly prohibited. If you have received this e-mail in error, please delete it and immediately notify the person named above by reply mail.



The Arc Tennessee is grateful for the opportunity to provide comments on the draft rule for the Tennessee Investment in Student Achievement. TISA represents a historic economic investment in Tennessee to modernize and better fund education for all students across Tennessee, and we have spent a lot of time this year reviewing the legislation, providing feedback, and now considering the draft rules. We appreciate the State of Tennessee working on this critical issue and providing the opportunities that have been made available for stakeholder engagement throughout this process. Collaboration and open dialogue is so important to making sure Tennessee gets this funding formula right for all students.

Accountability

We appreciate that the new rules would begin monitoring Individual Education plans. We think it would be beneficial to students if the rules specified that the monitoring will focus on accountability for both ensuring the Least Restrictive Environment (LRE) and adequate service provision and learning. We understand that like the BEP, TISA is a funding formula, not a spending formula. But we consistently hear from parents that report their child's needed services and supports are unavailable to their students due to a reported lack of resources of an LEA. Also, families should be included in the monitoring process. The TNDOE has made great strides towards engaging families in special education and providing them multiple channels for asking questions and getting information. This IEP monitoring process should be one more way that families can be engaged in the process.

Recommendation:

- We would like to see accountability from LEAs to ensure that funds are not being redirected to other areas, leaving students with disabilities without the tools they need to receive the education they are legally entitled to. LEAs that receive funding tied to students with disabilities should be held accountable for providing the services that the increased weight is meant to provide.
- IEP monitoring should include gathering feedback from families and students whenever possible.
- There should be a transparent process for sharing information to the public regarding IEP monitoring.

Weighted Allocations

The weighted allocations in TISA provide schools the ability to maximize the funding available for each student depending on their needs through assigning a Unique Learning Need category. We are glad to see that the weights will apply in all settings. One critical point when considering students involved in special education is the individualized nature of the plan required to ensure that a student has equitable access to an education that promotes growth towards meaningful goals. We would like to see flexibility as TISA is implemented to amend and adjust the ULN definitions as well as the amounts to ensure that categories are appropriate and funded adequately.

- **Keep the ULN categories and funding flexible to ensure that it can be adjusted when needed to maintain appropriate funding for Tennessee schools as they support all students with unique and often changing learning needs into the future.**

Student Generated Bonuses

The criteria that would need to be met for an LEA to qualify for outcome bonuses included in TISA for students with disabilities are concerning to us for a few reasons.

First, we are unclear what the definition of **highest performance level** means in the following section of the draft TISA rules in 0520-12-05-.06 Outcome Bonuses- (3) a,b,c, *For students with disabilities, this measure may also include the student's alternate assessment, when taken in lieu of the TCAP, should the student score at the highest performance level.* In order to adequately provide comments on these items, a definition of "highest performance level" is needed. If we are unclear, so are parents.

Recommendation

- **Clearly define "highest performance level".**

Second, there is no realistic mechanism to reward schools that provide exceptional services to students with complex disabilities in post-secondary measures. It will be nearly impossible for a school to meet 3 of the 4 State Annual Performance Report Indicators considering that students with disabilities often do not graduate with a general education diploma. Four diploma options are available to students to graduate from high school in Tennessee. All are accomplishments for the student and the educators who have worked to keep students engaged and working towards graduation. General education diplomas should not be the only diploma option considered for performance for the purposes of the TISA.

- **Include all diploma options in the student-generated outcome bonus for students with disabilities.**

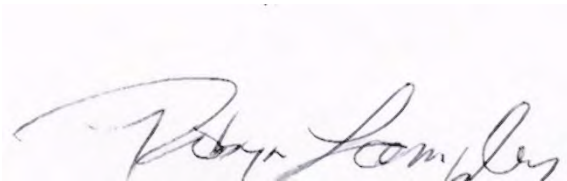
Charter School funding

In addition, we have concerns about the additional per student funds that are tied to students who attend public charter schools. According to a 2021 study by the University of Arkansas, charter school students with disabilities represented 9.5% of the total enrollment, while at traditional public schools, students with disabilities made up 13.1% of the total enrollment. We are aware that students with disabilities have a harder time being accepted into a charter school and have difficulty receiving the services they need and are legally entitled to. Often, we hear from parents who are frustrated with the charter school and re-enroll their students in the local public school. Charter schools are public schools. Public schools should be available to all Tennesseans in an equitable way, including students with disabilities.

Recommendation: We recommend increased accountability and reporting by charter schools on the demographics of the students that apply, are accepted, and enroll, as well as those who continue to be enrolled year over year to ensure transparency.

Thank you for your consideration of the above recommendation on the TISA draft rules. We appreciate the chance to provide feedback and are happy to answer any questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Robyn Lampley". The signature is fluid and cursive, with the first name being more prominent.

Robyn Lampley
Board President
The Arc Tennessee

A handwritten signature in blue ink that reads "Heidi Haines". The signature is cursive and stylized.

Heidi Haines
Executive Director
The Arc Tennessee

From: [Rachel Hennings](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA and CSH
Date: Tuesday, August 2, 2022 12:51:43 PM
Attachments: [Outlook-yvxaqphi.png](#)
[Letter regarding TISA and CSH.docx](#)
Importance: High

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good afternoon,

Please see the attached letter from me regarding TISA and CSH. I appreciate your time and consideration.

Thank you,



Rachel Hennings
Coordinated School Health Coordinator
Phone: 901-873-5499
Email: rhennings@millingtonschools.org
4992 Second Ave.
Millington, TN 38053
www.millingtonschools.org

To whom it may concern,

Good afternoon,

I have been the Coordinated School Health Coordinator for Millington Municipal Schools since 2014. The CSH Coordinator position is critical to districts in continuing to provide support for the eight component areas of CSH. I have through my role been able to partner with community organizations, state resources, and families to provide our students and families with resources and assistance. I have also brought funds to our district through grants and donations that provide our district with much needed supplies and items that support the health services area. During the last two years I have been able to coordinate functions and update policies regarding COVID19. The district relied on me to manage everything regarding COVID19.

Because current TISA language does not specifically include a Coordinated School Health (CSH) Coordinator for every school district, many of the roles that I have assumed will not be handled with the priority that I have been able to handle them with. Please consider continuing to require that each district has a CSH Coordinator who is responsible for managing the CSH Grant. Without a qualified coordinator, the CSH funds and the work it accomplishes will very likely either go undone or not be of the priority I have been able to ensure they receive. Across the State of Tennessee, "because of a designated CSH Coordinator focusing all of their attention on the Whole Child components, over 1 million dollars has been raised in grants and in-kind donations to provide walking tracks, physical education and physical activity equipment, nursing equipment and supplies, school counselor curriculum, training for school nurses, counselors, PE and Health teachers. This list is only a small glimpse of what the CSH Coordinator has provided to the district. If CSH funds and job responsibilities are not specifically directed and required by TISA legislation, who will be left to do this important work?"

Thank you for your consideration,

Rachel Hennings
Coordinated School Health Coordinator
Millington Municipal Schools

From: [Alison Bynum](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Comment
Date: Tuesday, August 2, 2022 7:07:57 AM

TISA Comment

On the surface it seems that TISA may generate more equitable funding for schools to provide services for students with disabilities without the “we don’t have the money for that” mindset that tends to surround children with higher support needs. My concern is that districts would be able to collect more dollars, but still not funnel those dollars into direct support for the students who “earned” them. I would like to see more concrete plans defined surrounding how this funding will be monitored, including if there will be additional staff hired to oversee this process or if it will be done by existing staff, because it sounds like a very big job. It would be my hope with extra funding and extra monitoring, we could move closer to all services in the IEP actually being provided to students. I do not feel this is the case currently in all districts.

Another concern based on the proposed funding is that students will be pushed into higher ULN categories to provide more dollars and may be removed from the gen ed setting (more restrictive environment) more than necessary because more money would be earned. Again, an auditing process would need to be in place for this to protect students from a violation of their rights to being educated in the Least Restrictive Environment.

Thank you,

Alison Bynum
615-812-5836

From: [Ben Torres](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Comments
Date: Monday, August 1, 2022 2:31:11 PM
Attachments: [TSBA TISA Comments.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good afternoon,

Please see the attached comments for the proposed TISA Rules.

Thank you,

Ben Torres
Assistant Executive Director and General Counsel
Tennessee School Boards Association
Toll Free: (800) 448-6465 ext. 3902
Direct Dial Number: (615) 815-3902
Fax Number: (615) 815-3911
<http://www.tsba.net>

DISCLAIMER: TSBA provides legal education and information as a general service to TSBA members. The information provided here does not establish an attorney client relationship. Additionally, the information provided should not be interpreted or used as a substitute for a legal opinion from a school attorney. Before making legal decisions, school boards and administrators should consult with their attorney or other qualified counsel.



Dr. Penny Schwinn
Commissioner, Tennessee Department of Education
710 James Robertson Parkway
Nashville, TN 37243

Commissioner Schwinn,

The Tennessee School Boards Association (TSBA) would like to submit the following comments on proposed rule 0520-12-05 Tennessee Investment in Student Achievement (TISA).

Proposed Rules 0520-12-05-.02(10), (25), (32), (35), (36), and (45)

We ask that the rules cited above be clarified to ensure that the amount of time services are provided to students with disabilities by contracted individuals or entities are included when assigning a Unique Learning Need designation. Each of the rules cited above deal with special education services provided to students with disabilities. These rules state that consultation and/or services must be provided by LEA staff members. Many districts, however, use contracted services in addition to LEA employees when providing services to students with disabilities. Failure to include the time contracted individuals and entities provide services to students with disabilities could negatively impact funding for special education programs throughout the state.

Proposed Rule 0520-12-05-.02

We ask that Unique Learning Need (ULN) 2 include students that have dyslexia and are being provided services with a 504 Plan under the Rehabilitation Act (29 U.S.C. § 794). Currently, the proposed rules provide additional funding for students with characteristics of dyslexia (proposed rule 0520-12-05-.02(7)). This definition would cover students with characteristics of dyslexia, but not students with a diagnosis of dyslexia.

Other ULNs provide students with additional funding if they have an Individualized Education Plan (IEP) under the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.). These ULNs would include students with a Specific Learning Disability (SLD) that have a diagnosis of dyslexia if certain evaluation and eligibility criteria are met. The issue is that a student will only receive an IEP if all criteria are met. There is the possibility that some students have a diagnosis of dyslexia but do not meet all the eligibility requirements for a Specific Learning Disability. As a result, those students would not receive an IEP as well as the additional funding under other ULNs that cover special education services. Instead, they would be provided services for their disability through a 504 Plan.

Under the proposed rule, students with characteristics of dyslexia will receive additional funding to address their needs. Students with a diagnosis of dyslexia receiving services under a 504 Plan, however, would not be eligible for additional funding under ULN 2 because they would possess a Dyslexia Individual Learning Plan (proposed rule 0520-12-05-.02(14)). Instead, they would have a 504 Plan under federal law which is not contemplated in the proposed rules. As a result, a student could potentially receive less funding if they are diagnosed with dyslexia and pursue a 504 Plan as compared to a student with characteristics of dyslexia that receives a Dyslexia Individual Learning Plan.

Additionally, we believe the language of Tenn. Code Ann. § 49-3-104(23) allows the department to include students receiving services for dyslexia under a 504 Plan in ULN 2 because the statutory definition of Unique Learning Need “include[s], but [is] not limited to, disabilities, characteristics of dyslexia, giftedness, or limited English proficiency.” This language clearly shows that additional items can be added under the definition of Unique Learning Need.

Proposed Rule 0520-12-05-.05(1)(b)(6)

We ask that the final rules extend the time for reviewing program levels and course assignments for Career and Technical Education (CTE) Program membership to every five (5) years for funding purposes. It will take districts time to implement new CTE programs or update current ones. Under the proposed rules, there is the potential for district funding in this area to change every two (2) years. A two-year review cycle is not a sustainable way to implement programs that require long-term investments in equipment and personnel. Even the funds provided by the General Assembly during the most recent legislative session are being distributed over a four-year period. We think extending this review cycle will help districts develop long-term, sustainable plans that implement high-demand CTE programs.

Proposed Rule 0520-12-05-.08(3)

We ask that the language of this proposed rule be clarified to show that each county’s fiscal capacity determined by the fiscal capacity calculation must be approved each year and not changes to the components of the fiscal capacity calculation. Tenn. Code Ann. § 49-3-104 defines the “Fiscal Capacity Calculation” as:

“...the formula evaluated by the comptroller of the treasury and approved by the state board that determines fiscal capacity as the average of the fiscal capacity estimates generated by the formula established by the Boyd Center for Business and Economic Research at the University of Tennessee and the formula established by the Tennessee advisory commission on intergovernmental relations.”

Nothing in the law requires the state board to approve the calculation annually. The only thing that must be determined annually is each county’s fiscal capacity pursuant to Tenn. Code Ann. § 49-3-109. The language of the proposed rule makes it appear as if the actual components of the formula would be subject to change on a yearly basis.

There is a significant difference in annually approving each county's fiscal capacity which is determined by the formula and annually approving or changing components in the formula. Under the proposed rules, the local contribution requirements could vary each year if the components in the formula are subject to change on an annual basis.

Proposed Rule 0520-12-05-.09(1)

We ask that the word "may" in the first sentence of proposed rule 0520-12-05-.09(1) be changed to the word "shall" to align with Tenn. Code Ann. § 49-3-108(d)(2) which states "the department shall distribute a cost differential factor (CDF) grant to an LEA located in a county in which the cost of living is greater than the statewide average." The proposed rule states that the department may disburse these grants if an annual appropriation is made by the General Assembly even though the statute mandates disbursement. The permissive language contained within the proposed rule does not align to state law.

Thank you for giving us the opportunity to comment on the proposed rules. You can reach me at 615-815-3902 or btorres@tsba.net if you have any questions or need additional information.

Sincerely,



Ben Torres
Assistant Executive Director and General Counsel

From: [Giraffe Giggles](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA funding proposal
Date: Tuesday, August 2, 2022 4:34:52 PM

Dear All,

I am a concerned tax paying citizen who lives in Green Hills area, one of the wealthier neighborhoods in Nashville. I am over in North Nashville neighborhoods regularly and see the difference in how the neighborhoods look. Clearly resources are NOT being delivered in a just and equitable way, which is impacting our schools in a most devastating way for children growing up in those neighborhoods.

I am a dedicated member of NOAH. I follow their lead most of the time as we tend to agree on most of the issues concerning Nashville. So, I will not repeat all of their points for where the money needs to go to benefit our children and their education in a more just and equitable way. I agree with all of their points.

I am certain that there is more money available for our public schools if you will make it available. There is no excuse for the lack of funds for our children and their public education.

Please find more funds and follow the lead of NOAH for TISA funding.

Thank you
Chrissy Washburn
5025 Hillsboro Pike 22F
37215

From: [Pat Mcdonald](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA guidelines
Date: Tuesday, August 2, 2022 1:29:05 PM

Other than the fact that Tn is ranked 46th in the nation in financially supporting our children's education,

I am going to comment on the recommendation that goes against all research - awarding extra funds to schools or school systems based on the percentage of students reaching benchmarks. You could pretty much determine who will get the funds right now - those schools or those systems with the highest percentage of children whose family's incomes are above the median state income. Of course you have to base those #s on the children attending public schools.

Thanks for offering me the chance to comment,
Pat McDonald, PhD
pmpetunia@gmail.com
615 497-5159
Retired Educational Psychologist
Nashville Tn.

From: [Tiffany Day](#)
To: [TISA Rules](#); [Sara Morrison](#); [Lillian Hartgrove](#); [Darrell Cobbins](#)
Cc: [David Jordan](#); [Julie Sanon](#)
Subject: [EXTERNAL] TISA Proposed Rules- Written Public Comment from Agape Child & Family Services (Memphis. TN)
Date: Tuesday, August 2, 2022 3:45:11 PM
Attachments: [image001.png](#)
[image002.png](#)
[TISA Proposed Rules-Agape Public Comment 8.2.22.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Dear Tennessee Department of Education and State Board of Education Members,

Please find attached written public comment on the TISA proposed rules from Agape Child & Family Services, Inc..

Thank you for working to establish rules that guarantee TISA will provide the best and most comprehensive funding support to meet the individual needs of all Tennessee students.



We are a MOVEMENT!

Tiffany N. Day (she/her)
Director of 2Gen Strategic Partnership & Advocacy
Agape Child & Family Services, Inc.
3160 Directors Row | Memphis, TN 38131
Phone: 901.323.3600 ext. 230 | Cell: 901.517.5098



Accredited by Council on Accreditation

Give the gift of love!

To donate to AGAPE, visit www.AgapeMeansLove.org and click on "Support" (top right).

To become part of the effort to adopt, foster, mentor and support children and families in need, call us at 901.323.3600.

agape's mission is providing children and families with healthy homes. Please visit our website at www.agapemeanslove.org

The information contained in this e-mail message and in any accompanying attachment is a confidential communication. It is intended only for the specific individual(s) named as recipient(s). Any disclosure, copying, printing, re-transmitting, or distribution of the contents of this transmission by anyone other than the intended recipient or his/her designated agent is strictly prohibited. If you have received this e-mail in error, please notify us immediately by return e-mail or by telephone at (901)323-3600 and permanently delete the copy you received. Thank you for your cooperation.



August 2, 2022

Dear Tennessee Department of Education and State Board of Education Members,

We at [Agape Child & Family Services](#) (Agape) appreciate the opportunity to comment on the Tennessee Investment in Student Achievement (TISA) proposed rules and the State's commitment to promoting equitable opportunity and achievement for all of Tennessee's K-12 students.

Since 1970, Agape as a faith-based nonprofit agency has dedicated its mission to meeting the immediate needs of children and families and walking alongside them on their journey to prosperity, while serving as a conduit for community collaboration-- mobilizing partners for collective action to address systemic and structural inequities that prevent families from reaching their full potential. Through this work, we have found that implementing a place-based, [two-generation approach](#) to address the whole person and whole family results in true, measurable change. Two-generation (2Gen) approaches build family well-being by intentionally and simultaneously working with children and the adults in their lives together and center on the whole family to create a legacy of educational success and economic prosperity that passes from one generation to the next (Ascend at the Aspen Institute).

Agape's place-based 2Gen model is one of the largest in the nation and provides holistic wraparound services to more than 1,400 low-income families (3,300 individuals) living in or near seven multi-family apartment complexes and 17 public schools in some of the most socio-economically disadvantaged and under-resourced communities in the Memphis (Frayser, Whitehaven, and Hickory Hill). Our service delivery model is intentionally designed to improve child, adult, and family outcomes relative to early childhood development, K-12 education, economic and employment pathways, asset building, health and wellbeing (including spiritual health and wellbeing) and increased social capital. The [five guiding principles](#) embedded in 2Gen programs, policies, and strategies require practitioners and policymakers to:

- 1) Measure and account for outcomes for both children and the adults in their lives (parents/guardians).
- 2) Engage and listen to the voices of families (and communities).
- 3) Ensure equity, particularly racial equity.
- 4) Foster innovation and evidence together.
- 5) Align and link systems and funding streams.

Considering the role of education in ending intergenerational poverty and creating generational opportunity and success, we deeply care about funding reform and resource equity in Tennessee K-12 public schools. Opportunity and achievement gaps continue to



disproportionately impact students with disabilities, Hispanic students, Black students, and students from low-income families in Memphis and other metro/urban school districts across the state. According to [Chalkbeat Tennessee's](#) analysis of 2022 TCAP scores, only 8% of students with disabilities, 21% of Hispanic students, 13% of Black students, and 14% of economically disadvantaged students met or exceeded grade level expectations in math. Similarly, in English language arts, only 8% of students with disabilities, 25% of Hispanic students, 20% of Black students, and 19% of economically disadvantaged students were considered proficient. These rates are especially alarming, since State-level results show an overall increase in proficiency across all other groups.

Agape's school-based STARS program, currently serves K-12 students in 17 at-risk schools, focusing on improving attendance, behavior, and parent/family engagement, and culminating in improved academic achievement. The Stars program utilizes the evidence-based a holistic wraparound approach, "Check and Connect" model, as well as in-school mentoring, literacy intervention, after-school tutoring, summer enrichment programs to improve students' growth and achievement and addressing the digital divide gap through home internet access and computer devices. Children, families, and communities come with unique needs and challenges that evolve over time, and we *must* ensure that proposed solutions are evidenced-based, grounded in equity, informed by data (quantitative *and* qualitative), and nimbly designed with built-in feedback loops for continuous quality improvement.

The recent investments made through the TANF Opportunity Act (TOA) demonstrate Tennessee's prioritization of and commitment to *powering the economy*. These investments will help thousands of Tennesseans access wraparound supports and services that place them on pathways to education and employment. In order to achieve the state's long-term vision, however, it is imperative that Tennessee's K-12 system is funded in a manner that accounts for existing disparities, solves for systemic and structural inequities, and supports the unique needs of each student.

Thank you for working to establish rules that guarantee TISA will provide the best and most comprehensive funding support to meet the individual needs of all Tennessee students.

Sincerely,

A handwritten signature in blue ink that reads "David Jordan".

David Jordan

President & CEO

Agape Child & Family Services

From: [Josh Thomas](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Public Comment
Date: Tuesday, August 2, 2022 10:53:39 AM
Attachments: [image001.png](#)
[Public Comments on Proposed Rules for Tennessee Investment in Student Achievement July27.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Attached you will find the feedback and public comment from ExcelinEd in Action on the proposed rules under the new TISA legislation. We strongly support the new law and believe it'll make a significant difference in the educational outcomes of Tennessee Students.

Thank you for your consideration,
-Josh Thomas
Excelined in Action





Recommendations on Proposed TISA Rule (0520-12-05)

The Tennessee Investment in Student Achievement (TISA) funding formula is a significant step forward for students in Tennessee. The new formula is a student-based model that treats all students more fairly, provides better transparency, incentivizes student success, encourages school innovation and allows parents greater freedom to choose the school that can best serve their children. ExcelinEd in Action offers the following comments to the proposed TISA Rule 0520-12-05.

Outcomes Bonuses: We encourage Tennessee to set high but realistic criteria for outcomes bonuses, as it is challenging to raise a lower bar that is initially established. For the high school outcomes bonus, reward *actual student outcomes*, such as postsecondary enrollment and persistence, employment (including military enlistment) and wage earnings. If this is not possible now due to data limitations, we strongly recommend Tennessee commit in rule to a timeline when actual outcomes will replace high school student achievement and experience measures, and in the interim use the *full Ready Grad indicator* to award high school bonuses. The proposed rule, which outlines ACT and industry credentials as separate bonus measures, sets the bar for outcomes bonus funds *lower* than ESSA Ready Grad accountability requirements. Further, it may result in college *or* career tracking mindsets and practices, rather than rewarding schools who prepare students for success in college *and* career. Also, we suggest that any growth expectations be substantial enough so that they do not incentivize a lower path for certain students.

Outcomes bonuses are most likely to motivate district and school leaders if the rewards are significant, e.g., at least 10 percent above base funding, and certain to be there. It would help for the state to share its data calculations on the estimated cost of the proposed bonuses. If there is insufficient funding to provide bonuses of 10 percent or higher for all of the various proposed outcomes, we recommend prioritizing the high school and postsecondary outcomes over the elementary and middle school outcomes. Indeed, we are caution against linking funding to a single assessment of student performance, particularly in earlier graders.

Charter School Direct Funding: Set forth a specific amount, i.e., \$500 per student, based on the FY 2023 appropriations and charter school enrollment, with the expectation that the appropriations will increase in future years to reflect any increased student enrollment in charter schools, but proportionately reduced if there are insufficient appropriations.

Career Technical Education (CTE) Direct Funding: Streamline and simplify how funding amounts for CTE programs and courses are determined, including:

- Use objective wage, demand and skill thresholds to assign each CTE program to a funding level rather than assigning programs to levels based on quartiles.
- Increase the significance of high-wage occupations in the overall methodology.
- Add clear criteria for how “aligned occupations” will be determined and by whom; consider setting guardrails for aligned occupations, such as a maximum number aligned to each program, minimum skill, education and credential requirements, etc.

- Remove the “additional required resources” component. It is unclear what criteria will be used to determine whether a program “requires additional resources” or who will make that determination.
- More clearly define how course year (within a program) will contribute to the funding amount. Since the intent is to invest the most in student progression and completion of high-value programs, the rule should provide meaningful differentiation between levels and years. For instance:

Level	Year 1	Year 2	Year 3	Year 4
Level 3	CTE Base + 50%	CTE Base + 60%	CTE Base + 70%	CTE Base + 80%
Level 2	CTE Base + 25%	CTE Base + 35%	CTE Base + 45%	CTE Base + 55%
Level 1	CTE Base	CTE Base + 10%	CTE Base + 20%	CTE Base + 30%

Fiscal Transparency: Rather than requiring districts to have weighted funding follow students, TISA relies on fiscal transparency. The rules do not yet include any fiscal transparency requirements. We recommend requiring districts to clearly show the flow of weighted funding towards individual schools.

From: [Jacquelyne Kancir](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Public Comment
Date: Tuesday, August 2, 2022 2:31:55 PM
Attachments: [TISA Comment.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Please find attached my public comment for TISA.

Kind Regards,

Jacquelyne Kancir
Disability Policy Advocate
Clarksville, TN
931-255-6561

www.facebook.com/whatweneedyesterday

Jacquelyne Kancir

1449 Buchanan Dr
Clarksville, TN 37042
931-255-6561

Tennessee Department of Education
Andrew Johnson Tower, 9th Floor
710 James Robertson Pkwy, Nashville, TN 37243
ATTN: TISA Rules

August 2, 2022

To Whom It May Concern,

Thank you for the opportunity to comment on Tennessee's new education funding formula, the Tennessee Investment in Student Achievement (TISA). I am the mother and conservator of Jadyne, a 19 year old with a rare genetic disorder called SynGAP1. I have been a disability advocate nearly lifelong, and my original niche in advocacy was disability education. Currently, I participate in various capacities with organizations such as the National Council on Severe Autism (NCSA), Voice of Reason (VOR), and the SynGAP Research Fund (SRF).

I would like to raise concerns regarding the outcome funding metrics for students with disabilities. The present plan provides extra funding to schools if their students with disabilities meet 3 of 4 criteria:

- Graduating with a general education diploma – *This would encourage schools to guide students eligible to continue education through 21 years old with a special education diploma (IDEA) to forgo those essential years of educational support. If we keep this metric, I strongly encourage formal counseling provided by a third party to all parent parties of IEP teams to explain the rights they may be signing away when encouraged to accept a general education diploma option.*
- Achieving certain scores on the standardized alternate assessment. *Even alternate assessments are difficult for many students profoundly impacted by disability. Many, like my daughter, may attend school 15 years and never gain the capacity to read or write, solely due to the nature of their disability.*
- Certain post-secondary outcomes like attending an inclusive college program or maintaining a job. *Again, this is an impossible feat for those profoundly impacted by their disability. The narrative that all can participate in competitive employment is both false and offensive to those who require intense supports solely to survive each day. Tennessee unanimously banned 14c Waiver programs this past assembly. Thus, individuals like my daughter will not have an opportunity for employment. At present, she has been denied even basic Exploration through ECF, being deemed "too severe" for their services.*
- Spending more than 80% per day in a general education setting. *Again, I raise concerns this will encourage schools to pressure students in need of higher supports into lesser support environments in order to achieve their outcomes funding. My daughter requires a 1:1 aide in a CDC (Comprehensive Development Classroom). She has general education art. She would not be able to achieve 80% of her day in general education settings.*

Students who require intense care, as my daughter, will due to Weights funding in TISA, provide the schools with more money than a student without such intense needs. My strong concern is that the money for students like my daughter, intended to improve her education, instead will be funneled to students with disabilities who have the capacity to meet the outcomes funding metrics. Where will the accountability lie to ensure this doesn't happen?

The outcomes funding metrics are certainly geared towards ensuring Least Restrictive Environment (LRE), which is admirable and needed. However, we must not swing the pendulum so far that we shatter the "appropriate" as indicated in FAPE (Free and Appropriate Public Education). Our students most profoundly impacted by disabilities rely on us to make decisions that will not cause them further harm and isolation. I fear greatly that TISA, written as is, will do just that.

Finally, I also raise concerns that we continue to allow the nurse:pupil ratio crisis to be a recommendation versus a rule. Tennessee's current 1:3000 ratio is grossly insufficient. The national recommended 1:750 has been posed several times in various bills, and this past assembly, it was taken off notice because it was rolled into the Governor's package for TISA. However, it is solely a recommendation with schools being allowed to determine the need. When a high school has nearly 100 medically complex children (some may require multiple tube feedings, cathing, med administrations, and more) as well 1500+ more students who may need med administrations, seizure management, sick care, injury care, as well as nurses having to track Covid cases, I can assure you that every school needs more than a 1:3000 nurse:pupil ratio. I strongly encourage you to mandate schools to abide by a 1:750 nurse:pupil ratio for the safety of students and the retention and acquisition of school nurses who are terribly overworked at present.

Thank you for your consideration of my concerns.

Kind Regards,

Jacquelyne Kancir

"Jadyne's Mom"

Partners in Policymaking™ Alumna

www.fb.com/whatweneedyesterday | jackie@syngapresearchfund.org

From: [Leslie Brasfield](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Public Comment
Date: Monday, August 1, 2022 2:25:31 PM

Please amend the TISA funding to require a designated LEA CSH Director with current qualifications. CSH works diligently to remove barriers to learning, improve student and staff health, and strengthen community partnerships that lead to student success. CSH has saved student lives through regular screenings, and successfully implemented mental health supports to staff and students across the state. School based behavior therapy and school social work services are in place today in multiple districts across the state. Staff Wellness efforts are also in place statewide due to the work of CSH. Without designated funding (with reporting accountability) and a qualified designated CSH coordinator, the health and safety of our students and staff will diminish greatly.

Respectfully submitted,
Leslie Brasfield

Sent from my iPhone

From: [Tennessee School Health Coalition](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Public comment
Date: Tuesday, August 2, 2022 6:21:13 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Coordinated School Health (CSH) empowers the whole child approach in education. CSH works diligently to remove barriers to learning and education! CSH has been able to be a resource and advocate for the mental health of students and staff. CSH has worked alongside district staff and local law enforcement increasing safety measures to protect our children and staff. CSH has ensured nutritional needs are being met. CSH has educated that physical movement is not *just* a healthy concept but influences one's ability to learn. CSH has offered prevention education regarding substances, such as vaping. CSH has worked to bring in community partners and additional resources to our students and staff, including millions of in-kind funds. CSH has saved kids' lives by detecting discrepancies in student health screenings allowing families to start early interventions with appropriate medical professionals. The program emphasizes healthy students make better learners, additionally healthy children turn into healthy adults which make better employees. CSH has been instrumental in keeping doors open and students, staff, and families safe and continuing education and services through the pandemic. CSH has worked with staff to reduce burnout, decrease turnover, and increase staff wellbeing. We have been able to do this great work due to support from legislators, a qualified CSH coordinator, and specific budget for CSH operations. The coalition is concerned that under the TISA model, Coordinated School Health will suffer at a local level as will the children and families of TN. The coalition is concerned that Coordinated School Health being "folded into the base" that the walls will collapse on this program and all these services will be "folded into" non-existence.

Tennessee School Health Coalition, Inc.
tnshc.org

The mission of the TNSHC is to provide leadership and promote the multi-disciplinary model of Coordinated School Health program for Tennessee's children and youth.

From: [Erica JP Anderson](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Rules comments from a TN educator
Date: Monday, August 1, 2022 4:05:56 PM

Dear Sir or Madame,

I am a PhD educated scientist, teaching in public schools. I am a member of the advocacy group NOAH and am citing my comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules as has been summarized by the NOAH education committee. As an MNPS educator and parent who has volunteered inside the schools and in the community, I am committed to investing in students and know how important and society transforming this action can be. We all want to see student improvement, but schools cannot do that without proper and equitable funding.

This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding

to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
-

The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.

- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH’s Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the “shall” language to ensure annual appropriations are made.
- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Sincerely,

Dr. Erica Anderson

Erica JP Anderson MEd, PhD

(she/hers)

Science Educator, Hillsboro High School

Noyce Scholar Fellow, NSF

Northside - Nashville, TN

“Our goal should be to live life in radical amazement.get up in the morning and look at the world in a way that takes nothing for granted. Everything is phenomenal; everything is incredible; never treat life casually. To be spiritual is to be amazed.” – Abraham Joshua

Heschel

From: [Venita Doggett](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Rules Comments
Date: Tuesday, August 2, 2022 2:49:35 PM
Attachments: [MEF TISA Recommendations.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good Afternoon -

Attached please find our comments regarding the TISA Draft Rules.

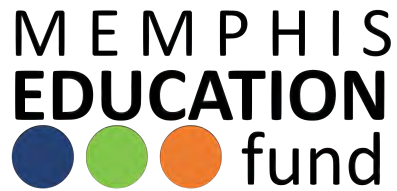
Best,
Venita



Venita Doggett

Director of Advocacy | [Memphis Education Fund](#)

(e): vdoggett@memphiseducationfund.org | (c): (901) 921-5996



Memphis Education Fund (MEF) supports the efforts of the Lee administration, General Assembly, and State Board of Education to ensure that all Tennessee students are provided an opportunity to receive a world-class education. As such, MEF believes that the Tennessee Investment in Student Achievement (TISA) funding formula provides a greater opportunity for students to receive educational support based on their specific needs.

MEF hosted four (4) informational sessions for community members, parents, practitioners and school leaders to learn about TISA and offer feedback for consideration by the State Board of Education. Listed below are the recommendations and questions MEF received regarding TISA by session attendees.

Section 2 – Definitions

- How will the department classify services for students with ADHD or Autism Spectrum Disorders?
- The English Language Tier III designation may not include older students. Can the department utilize WIDA testing and tiers independent of grade level to determine funding?
- Do “Pull-Out” services include students in Gifted Programs? There is not language that includes gifted program services. In theory, it could be included in Special Education or IEP services, but it is not expressly noted.

Section 3 – Base Funding

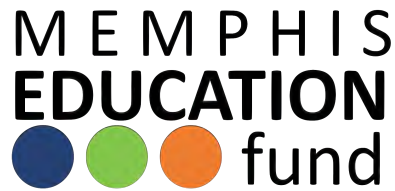
- The base funding is subject to appropriation each year, thereby leading to uncertainty on the actual funding level.
- Because funding is subject to appropriation, there is concern that districts will still be burdened by unfunded mandates (summer learning camps, lead water testing, etc.)

Section 4 – Weights

- Will the weight for students requiring DILP services account for staff beyond an educator? The documentation required for students may also mean that schools and districts will need to fund extra staff to maintain records.
- There is a lack of inclusion of funding allocations specifically for social-emotional needs of students, despite it being one of the most cited concerns for parents.

Section 5 – Direct Allocations

- Charter School allocations still need additional clarity. Is the charter school allocation an unrestricted fund or is it only for facilities?
- If it is only for facilities: in FY2022, there was a one-time facilities allocation of \$24 million and a recurring allocation of \$6 million. With about 44,000 charter students, the recurring funding



only would generate \$136 per student. If it were \$30 million total, it would be \$681 per student. What guidance will be provided to charter schools as they prepare their budgets?

- The department should provide clear language identifying how charter school allocations are distributed (I.e., flow through the LEA or provided directly from the state to the charter school.)

Section 6 – Outcomes Bonuses

- Considering that only 36% of Tennessee students are considered proficient in ELA, there is concern that the outcome bonuses will only benefit schools that already have a higher population of students who are considered “on-track” or “mastered”. Not all of the outcomes funding rules equitably account for students who have shown significant growth (despite not achieving proficiency/mastery) -- i.e. rules for middle school and high school post-secondary readiness assessment.

Section 10 - Data Collection, Calculations and Appeals

- Provide clarity on data submission for charter schools. Will data collection for LEA authorized charter schools be submitted by the LEA or by the charter school to the department?

In addition to the feedback provided by members of the Memphis community, MEF would also like the State Board of Education to consider the following feedback regarding the TISA rules and implementation:

- **Timing of the TISA Rules Guidebook:** The guidebook is scheduled to be released in July 2023, by which time many district/charter budgets have already been adopted and classes begin in August. This may not provide adequate timing for implementation.
- **Inflation.** The General Assembly should consider establishing a formula to account for inflation by adding more dollars to the base funding amount.

Again, thank you for the opportunity to provide public comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Venita Doggett".

Venita Doggett

Director of Advocacy

From: [Emily Whitson](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Rules Public Comment
Date: Tuesday, August 2, 2022 11:55:47 PM

Commissioner Schwinn,

Thank you to your team for all the work being done to update the funding formula for TN schools. I am a mom of three kids in TN public schools.

- **Transparency and Accountability**

- TISA is a funding plan, but its design to offer transparency and should have accountability measures defined in the rules to ensure the new formula is being successful in creating better schools for TN.
- Specifically, there should be accountability measures defined to ensure the weighted funds for special education are being spent on special education.
- IEP monitoring should be transparent to ensure progress is being made, money is being spent by districts to ensure IEP services are being implemented appropriately, and with consequences for IEP non-compliance.
- TISA should offer robust services and maximize learning in the least restrictive environment for students with IEP's.
- It was often mentioned during the town halls that parents could see what funding their child would generate based on their needs. The accountability and reporting should be transparent down to the individual school level to make sure the funds a student generates are actually being spent in those departments. (i.e., funds from a student under the ULN 9 should go to those direct and/or related services)

- **ULN Weights**

- Clearly define how the weights can be stacked
- Define how the ULN's will be evaluated each year (are there unintended consequences of the weights, is the new funding model more effective in meeting student's and teacher's needs?)
- What criteria and feedback will be used to evaluate that the defined weights are meeting the needs of students and school districts?

- **Outcome Bonus**

- Define highest performance level - specifically in relation to the Alternative Assessment (AA is designed to show year over year growth unlike TCAP)
- Transition goals for students with disabilities should be considered for an outcome bonus - Indicator 13
- Occupational Diploma should be considered in graduation rates for outcome bonus.
- Teacher shortages are such a major issue and even more an issue for teachers who work with students with disabilities TISA needs to provide outcome bonuses that reflect the needs of all students.

Thank you,
Emily Whitson
256-417-0235

From: [Eric Atkins](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Rules
Date: Tuesday, August 2, 2022 10:36:13 PM

Dear Officials:

While TISA is not as complicated a matrix as the BEP, it is still inadequate when it comes to addressing the needs of all students. Provisions for students with disabilities are woefully underfunded. There is not enough calculation for unexpected scenarios like a rise in COVID or the monkeypox epidemic growing by the day. There is not enough to address the inadequacies for students of color. It is a start but more needs to be done. There needs to be more accounting for trauma sensitive schools, social emotional learning and wrap around supports. Again, this barely scratches the surface.

Eric Atkins, Chattanooga, Tennessee

From: [jerry park](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA
Date: Tuesday, August 2, 2022 3:52:01 PM

As a member of NOAH, I am very concerned that you insure that the following elements are established:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Thank you,

Jerry P. Park

3713 Central Avenue

Nashville, TN 37205

From: [Kurt Dronebarger](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Upper Cumberland SSC Feedback
Date: Tuesday, August 2, 2022 3:53:38 PM
Attachments: [TISA Rules Feedback Regional Meeting Feedback Submission Form UC SSC.docx \(1\) \(1\).pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

To whom it may concern,
Attached is a PDF document containing the feedback from the Directors of Schools in the Upper Cumberland region. Please reach out if you have any questions.
Thank you.

Kurt Dronebarger
Director of Schools
director@whiteschools.net



TISA Rules Feedback Regional Meeting

Upper Cumberland Superintendent Meeting
July 25, 2022

Participants:

Diane Monroe, Clay County
Kristi Hall, Fentress County Schools
Kristy Brown, Jackson County Schools
Donnie Holman, Overton County Schools
Diane Elder, Pickett County Schools
Cheryl Cole, Van Buren County Schools
Grant Swallows, Warren County Schools
Kurt Dronebarger, White County Schools

Members not present at the feedback gathering meeting on 7.25.22.

Freddy Curtis, Cannon County Schools
Billy Stepp, Cumberland County Schools
Corby King, Putnam County Schools
Clint Satterfield, Trousdale County Schools
Macon County Schools
Patrick Cripps, Dekalb County

**Comments are attributed to the speaker to the extent possible.*

Things we like/want to keep:

Potential clarifications needed:

- Weighted Allocations .04, (4)(b) – Clarification on the timing of the Dyslexia Individualized Learning Plan would be helpful. That may come in state board rules on dyslexia but it's not clear based on when we give the screener and when a plan could be put in place and how that will impact funding. (K. Brown, Jackson)
- Outcome Bonuses .06, (3)(a) – Would a district receive outcome funding for a 3rd-grade student who does not score “on track” or “mastered” on the end of year TCAP, but DOES score “on track” or “mastered” on the retake opportunity provided through the Literacy Success Act? (C. Satterfield, Trousdale)

Suggested revisions or considerations:

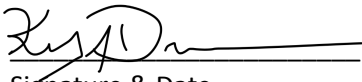
- Weighted Allocations .04, (3)(e) – Suggest that any incoming, first-year English Learner (regardless of what grade they are in) should be funded at a ULN 5. (C. Satterfield, Trousdale)
- Outcome Bonuses .06 (a) and (b) – Would like to see a growth measure for these outcomes as well. (C. Satterfield, Trousdale)
- Outcome Bonuses .06, (3) – Think it makes sense to parallel outcomes funding with the state accountability system. (C. Satterfield, Trousdale & K. Brown, Jackson)
- Outcome Bonuses .06, (4) – Would prefer for Ready Grad to be the main goal for outcome bonuses in high school since it's aligned with our state accountability system. ACT is embedded in the ready grad already so this would collapse them into one. (K. Brown, Jackson)

Questions from the Group

- **When will data for dyslexic students be pulled from SIS?**
- **If a parent declines a dyslexic determination, you cannot claim that student. Correct?**
- **Page 3/#16. Will students be funded based on a free and reduced determination only or must they have another qualifying factor such as migrant, or homeless?**

- Page 3/#19- Will first-year ESL students be funded at the highest level (ULN 5)? It is our recommendation that they should as they likely need more intensive intervention.
- Page 4/#27- When can we expect a chart/ list of the occupations?
- Page/#41 & #42- Could we have safe harbors for barely missing the cut for small & sparse? Say 5%?
- Page8/ "e"- What if an ESL student also has ULN's (ie: SPED)? Are we funded for both?
- Page 12/1a- How is the amount generated for direct allocations? What is the formula?
- Page13- Will they use the most recent TCAP only? No going back to previous years.
- Page15/ 5i- When will the CTE list come out so that we can plan for FY24?
- Page 15- Will middle school classes like Career Exploration be funded under CTE?
- Page15- Define elective credits. Is it any course outside of the declared program of study?
- Page15- Can they have more than one program of study? Dual concentrators?
- Page17- Our concern is that high-performing schools will receive higher rewards than poor-performing schools (\$500) which may have more hindering factors.
- Will the language be changed to read "met and exceeds" rather than on-track & mastered?
- Page 17- Can the bonus measures be better aligned to our accountability measures?
- Page17/ 3b- Can growth be added to ELA and Math in 4th grade?
- Page 17-18/ (f)- Could the requirements be reduced from 3 out of 4, to 2 out of 4? This would seem attainable for many of our districts.
- P24/ #5- What about funding based on the variable start and end dates of different districts. Is there any flexibility for the poor attendance at the end of each semester (ie: semester test days, early graduates, prior approvals, etc.)?
- Can we include funding for 504 students?
- Will eTiger connect to SIS so that programs of study will be recorded for funding?
- Clarifying information can be provided upon request.

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.

 7.26.22
Signature & Date

Kurt Dronebarger- UC SSC Chairman
Name & Title

From: [Meghan McLeroy](#)
To: [TISA Rules](#)
Subject: First Region Superintendent Feedback
Date: Monday, August 1, 2022 3:07:14 PM
Attachments: [First Superintendent Meeting TISA Rules 7.20.22.pdf](#)
[image001.png](#)

Please see the attached feedback from the Superintendents in the First region.

Thanks!



Meghan McLeroy | Chief of Statewide Supports
Andrew Johnson Tower, 9th Floor
710 James Robertson Parkway, Nashville, TN 37243
(615) 337-5331
Meghan.McLeroy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

TISA Rules Feedback Regional Meeting

First TN Superintendent Meeting

July 20, 2022

Participants*:

Annette Tudor, Bristol City Schools

Richard VanHuss, Elizabethton City Schools

David McLain, Greene County Schools

Arnie Bunch, Hamblen County Schools

Charlotte Mullins, Hancock County Schools

Matt Hixson, Hawkins County Schools

Steve Barnett, Johnson City Schools

Jeff Moorhouse, Kingsport City Schools

Richard Kitzmiller, Niswonger Foundation

Edwin Jarnagin, Rogersville City Schools

Evelyn Rafalowski, Sullivan County Schools

Jerry Boyd, Washington County Schools

**Comments will be attributed to the speaker to the extent possible.*

Things we like/want to keep:

- Introduction to TISA .01 – Like that the base amount is not locked in law or rule so that it can be adjusted as needed. Please make sure this stays. (R. VanHuss, Elizabethton with group consensus)

Potential clarifications needed:

- Weighted Allocations .04, (4)(b) – Would be helpful to further clarify here or in the TISA Guide what is meant by the Early Warning System. We noted the definition in that section but it's not clear if that's a specific system or at district discretion. (E. Rafalowski, Sullivan)
- Direct Allocations .05, (1)(b) – Suggest including clarification on how the department will link a program of study to a particular (or multiple) career paths. It is not clear in the rule. (M. Hixson, Hawkins)
- Direct Allocations .05, (1)(b) – Seeking clarification on whether students can receive CTE funding for 5 years if they maintain their area of focus and start in 9th grade. (E. Rafalowski, Sullivan)
- Data Collection, Calculations, and Appeals .10 – Would be helpful here or in TISA Guide to clarify what will be required in terms of reporting expenditures and what that template might look like (M. Hixson, Hawkins)

Suggested revisions or considerations:

- Direct Allocations .05, (6) – Concerned with funding for these courses adjusting every two years. Will be difficult for districts to adjust. A 4-5 year timeline would be more workable to be able to ensure students can progress in a cohorts through programs. (E. Rafalowski, Sullivan)
- Direct Allocations .05, (1)(b) – Suggest allowing for some kind of appeals process or exception request for programs of study that may be something very niche locally in the community that makes a program higher-demand, or higher-wage that maybe doesn't register in the statewide labor reports. (M. Hixson, Hawkins)
- Direct Allocations .05, (1)(b) – Suggest considering some way in the rules to incentive districts via funding to start CTE offerings in middle school (R. VanHuss, Elizabethton)
- Outcome Bonuses .06, (3) – Would like to see a growth measure in all of the outcome bonuses outlined in this section. This would help ensure more consistency in these bonuses as cut scores and standards change (J. Moorhouse, Kingsport)

- Outcome Bonuses .06, (3)(d) – Would like to see WorkKeys included in this section, believe it can be equated to ACT and would be good to also recognize growth in ACT. (J. Moorhouse, Kingsport)
- Data Collection, Calculations, and Appeals .10, (4) – Want to ensure there is adequate time to get data corrected, especially early in the school year. Would like to ensure we have time to adjust after the close of the month if needed. Delaying the first certification until October would also be a possible solution to allow some of the beginning of year adjustments to play out (R. VanHuss, Elizabethton)

Additional Note: The First CORE Region Superintendents noted that they submitted a letter previously to the department with recommendations and suggestions for TISA that they would like to be reconsidered again by the TDOE at this point in relation to the rules.

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.



8/1/22

**Jeff Moorhouse,
Chair of Frist TN
Superintendent Study Council**

Signature & Date

Name & Title

From: [Jennifer Kennedy](#)
To: [TISA Rules](#)
Subject: Fw: [EXTERNAL] Document shared with you: "TISA Funding Feedback"
Date: Monday, August 1, 2022 3:58:24 PM
Attachments: [Outlook-qrbxi2b.png](#)

Forwarding TISA Rules comments from Tabatha Ogle/CTE Director Sevier County.



Jennifer Kennedy, EdS | CTE Consultant
East TN Center of Regional Excellence (CORE)
(865) 296-1885
Jennifer.Kennedy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

From: TABATHA OGLE (via Google Docs) <drive-shares-dm-noreply@google.com>
Sent: Friday, July 15, 2022 9:42 AM
To: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>
Subject: [EXTERNAL] Document shared with you: "TISA Funding Feedback"

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

TABATHA OGLE shared a document



TABATHA OGLE (tabathaogle@sevier.org) added you as an editor. Verify your email to securely make edits to this document. You will need to verify your email every 7 days.
[Learn more.](#)

Hello, Jennifer,

I am not sure if this is exactly what you are looking for, but I

tried to work through the information and ask questions about what I understood.

I hope that this will work!
Tabatha

 TISA Funding Feedback

Open

Use is subject to the Google [Privacy Policy](#)

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because tabathaogle@sevier.org shared a document with you from Google Docs.

[Delete visitor session](#)



From: [Jennifer Kennedy](#)
To: [TISA Rules](#)
Subject: Fw: [EXTERNAL] Re: TISA Rules Feedback
Date: Monday, August 1, 2022 4:02:27 PM
Attachments: [Outlook-5bktxcm0.png](#)

Forwarding TISA Rules comments from Cindy Lockett/CTE Director Roane County.



Department of
Education

Jennifer Kennedy, EdS | CTE Consultant
East TN Center of Regional Excellence (CORE)
(865) 296-1885
Jennifer.Kennedy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

From: Cindy Lockett <clockett@roaneschools.com>
Sent: Tuesday, July 26, 2022 3:16 PM
To: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>
Subject: [EXTERNAL] Re: TISA Rules Feedback

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****



|
--
Cindy Lockett
Career and Technical Education Director
Virtual Academy Principal
Roane County Schools

From: [Jennifer Kennedy](#)
To: [TISA Rules](#)
Subject: Fw: [EXTERNAL] TISA Comments and Thoughts
Date: Monday, August 1, 2022 4:00:41 PM
Attachments: [Outlook-qu5yswt0.png](#)

Forwarding TISA Rules comments from Alisa Teffeteller/CTE Director Blount County.



Jennifer Kennedy, EdS | CTE Consultant
East TN Center of Regional Excellence (CORE)
(865) 296-1885
Jennifer.Kennedy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

From: Alisa Teffeteller <alisa.teffeteller@blountk12.org>
Sent: Saturday, July 16, 2022 8:52 AM
To: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>
Subject: [EXTERNAL] TISA Comments and Thoughts

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

EIS Upload – monthly so how do you ever know funding for the school year

- CTSO chapter ID and CTSO membership (dates vary)
- In-demand and high wage occupations data is normally published in a range in years so is the funding for those programs going to be consistent for a number of years?
- Quartile weights adds additional funds for programs
- Very few programs are aligned to multiple programs
- If AP computer science is an option in a CTE POS, why not part of the funding?

- Department July 1 date is late for LEA appropriate alignment when schools already have staff and school set for the new school year, so is the data considered a lag year planning?
- I assume the tiered industry credentials are - recognized, valued, preferred? If so, recognized (tier I) gets no additional funding???.... Some of the recognized credentials are the easiest to acquire with large numbers of students and required in most occupations. Could impact EPSO gains!!

--

Alisa Teffeteller, Ed.D.
Supervisor of Federal Programs/CTE
Blount County Schools
865-984-1212
865-980-1003 fax



"Educational Excellence for all Students"

CARE---LOVE---SERVE



This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by forwarding the email to postmaster@blountk12.org and (1) destroy this message if a facsimile or (2) delete this message immediately if this is an electronic communication without a copy.

All email passing through the Blount County School System is scanned for content, viruses and security before entering or leaving our system. Spam, viruses, dangerous attachments, and offensive content are removed automatically. Thank You

From: [Jennifer Kennedy](#)
To: [TISA Rules](#)
Subject: Fw: Monroe County CTE TISA Rules FB
Date: Monday, August 1, 2022 3:59:34 PM
Attachments: [Monroe County CTE TISA Rules Feedback.docx](#)
[Outlook-j4jul00u.png](#)

Forwarding TISA Rules comments from Janie Evans/CTE Director Monroe County.



Jennifer Kennedy, EdS | CTE Consultant
East TN Center of Regional Excellence (CORE)
(865) 296-1885
Jennifer.Kennedy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

From: Janie Evans <evansj@monroek12.org>
Sent: Friday, July 15, 2022 9:51 AM
To: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>
Cc: Sherry McConkey <sherry@monroek12.org>
Subject: [EXTERNAL] Monroe County CTE TISA Rules FB

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Here you go!

Janie

Janie Evans, Ed.D.
Director, CTE/High School Programs
Monroe County Schools
205 Oak Grove Rd.
Madisonville, TN 37354
(423) 442-2373
(423) 519-5751

TISA Rules Feedback

Things we like/want to keep:

- Weighted funding for CTE membership
- Weighted funding for economically disadvantaged
- Weighted funding for sparse districts
- Listing of aligned CTE courses
- Annual review of wage-earning potential indicators
- Annual review of additional resources required for CTE programs

Potential clarifications needed:

- Plan for recruiting teachers in high demand occupations: Competing with higher pay in many of those occupations.
- How will districts know the amount of funding CTE membership generates? Will that be clear to CTE Directors so that we can highlight any potential data issues?

Suggested revisions or considerations:

- I don't really have any.
-
-

From: [Jennifer Kennedy](#)
To: [TISA Rules](#)
Subject: Fw: TISA Rules Feedback
Date: Monday, August 1, 2022 4:00:09 PM
Attachments: [Outlook-hicjt1jd.png](#)
[TISA Feedback.pdf](#)
[Outlook-sxdd10v5.png](#)

Forwarding TISA Rules comments from Rebecca Campbell/CTE Director Jefferson County.


Jennifer Kennedy, EdS | CTE Consultant
East TN Center of Regional Excellence (CORE)
(865) 296-1885
Jennifer.Kennedy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

From: Campbell, Rebecca <rcampbell@jcboe.net>
Sent: Friday, July 15, 2022 11:24 AM
To: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>
Subject: [EXTERNAL] Re: TISA Rules Feedback

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

See Jefferson Co's responses.

I'm sure I'll have more questions once we get together next week.

When asking about the funds coming in, I mean is it quarterly, monthly, etc?

Or is it based on *last* year's population of students?

Rebecca C. Campbell, Ed.D.

CTE Program Director, Jefferson County Schools
Jefferson County High School
115 W. Dumplin Valley Rd
Dandridge, TN 37725
865-397-7384 ext 1005

TISA Rules Feedback

Jefferson CO.

Things we like/want to keep:

-
-
-

Potential clarifications needed:

- When do the funds come in?
- What if students leave district do funds follow?
- How will we get the support to implement these funds?

Suggested revisions or considerations:

- It is very complicated - put "similar" areas together in document.
-
- Need lots of support moving forward -



From: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>

Sent: Tuesday, July 12, 2022 11:03 AM

To: Alisa Teffeteller <alisa.teffeteller@blountk12.org>; Bob Oakes <bob.oakes@claibornecsd.org>; B Shoffner <shoffnerb@ucps.org>; Cynthia Lockett <lockett@loudoncounty.org>; D Shoemaker <shoemakerd@mcsed.net>; Wortham, Donna <donna.wortham@maryville-schools.org>; Cross, H <HCross@ortn.edu>; Janie Evans <evansj@monroek12.org>; Sterry, J <jsterry@oneidaschools.org>; Shannon, Keith <keith.shannon@scottcounty.net>; Wilson, Keith <keith.wilson@knoxschools.org>; Myers, K <kmyers@acs.ac>; Duff, L <lduff@roaneschools.com>; Weeks, M <MWEEKS@lenoircityschools.net>; Matthew Tinker <tinkerm@loudoncounty.org>; Patty Thomas <pthomas@alcoaschools.net>; Campbell, Rebecca <rcampbell@jcooe.net>; Heatherly, Robbie <robbie.heatherly@ccpstn.net>; Sherry McConkey <sherry@monroek12.org>; Vikki Burns <vburns@acs.ac>; TABATHA OGLE <tabathaogle@sevier.org>; Tara Collins <taratcollins@gcs123.net>; Jessica McMahon <j.mcmahon@tsdeaf.org>

Subject: TISA Rules Feedback

CAUTION: This email originated from outside of Jefferson County Schools. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Directors,

Since we had to cancel last week's TISA session, I still wanted to provide you an opportunity to share your feedback on the TISA Rules. In lieu of trying to reschedule a meeting before next week's Summer Director Meeting, I would like to gather your feedback via email.

The proposed TISA rules are linked [here](#). Please review them and feel free to submit your feedback into the template below, or utilize the attached template, and send it back to me. If possible, please send me your feedback by Friday this week (understanding that this tight turnaround is due to last week's cancellation and our summer meeting next week). If you cannot submit your feedback by this Friday (so it's addressed at next week's meeting), then please submit your feedback no later than August 2.

In your feedback, please reference page numbers or sections in your comments.

<p>Things we like/want to keep:</p>
--

-
-
-

Potential clarifications needed:

-
-
-

Suggested revisions or considerations:

-
-
-

I hope you're all staying healthy and well, and I'm looking forward to seeing you all next week!

Jennifer



Department of
Education

Jennifer Kennedy, EdS | CTE Consultant
East TN Center of Regional Excellence (CORE)
(865) 296-1885

Jennifer.Kennedy@tn.gov

tn.gov/education

#TNBestforAll

We will set all students on a path to success.

From: [Meghan McLeroy](#)
To: [TISA Rules](#)
Subject: Mid Cumberland Superintendent Feedback
Date: Monday, August 1, 2022 3:09:04 PM
Attachments: [Mid Cumberland Superintendent Feedback TISA Rules 7.27.22.pdf](#)
[image001.png](#)

Please see attached feedback from the Mid Cumberland Superintendent meeting.



Meghan McLeroy | Chief of Statewide Supports
Andrew Johnson Tower, 9th Floor
710 James Robertson Parkway, Nashville, TN 37243
(615) 337-5331
Meghan.McLeroy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

TISA Rules Feedback Regional Meeting

Mid Cumberland Superintendent Meeting

July 27, 2022

Participants*:

Cathy Beck, Cheatham County Schools	Trey Duke, Murfreesboro City Schools
Jean Luna-Vedder, Clarksville-Montgomery County	Chris Causey, Robertson County Schools
Danny Weeks, Dickson County Schools	Jimmy Sullivan, Rutherford County Schools
David Snowden, Franklin Special Schools	Mike Craig, Stewart County Schools
Kris McAskill, Houston County Schools	Scott Langford, Sumner County Schools
Richard Rye, Humphreys County Schools	David Martin, TN School for the Blind
Adrienne Battle, Metro Nashville Public Schools (MNPS)	

**Comments will be attributed to the speaker to the extent possible.*

Things we like/want to keep:

Potential clarifications needed:

- Base Funding amount .03 – It will be helpful to know as early as possible in the school year how we need to track funds for Coordinated School Health. Wondering if it will be a specific set-aside and if we will have to track it separately? (S. Langford, Sumner)
- Base Funding amount .03 – Will students over the age of 18 enrolled in one of our schools be eligible for funding? (A. Battle, MNPS)
- Weighted Allocations .04, (3)(c) – We don't think transition EL students are currently required to have an ILP, would this section now require them to? (A. Battle, MNPS)
- Weighted Allocations .04, (3)(e) – Would be helpful to provide guidance (possibly in TISA guide) on how we will crosswalk the differences between special option codes and ULNs since they are not exactly the same. (C. Causey, Robertson)
- Weighted Allocations .04, (4)(b) – Would be helpful to further clarify here or in the TISA guide that the district can identify a student as having characteristics of dyslexia after any of the three universal screening periods throughout the year. (T. Duke, Murfreesboro)
- Weighted Allocations .04, (4)(b) – Clarity the rationale for setting the first requirement at the 40th percentile, since so much research points to the 25th percentile. (A. Battle, MNPS)
- Direct Allocations .05, (1)(b) – Are middle college and early technical programs included in this funding model? (S. Langford, Sumner)
- Outcome Bonuses .06, (3)(c) – We see the definition of "significantly exceeded" expected growth in the definitions section, but it's not clear what this is based on since students don't generate individual TVAAS scores. (J. Luna-Vedder, Clarksville & C. Causey, Robertson)
- Fast Growth Eligibility and Calculation .07, (1)(a)(2) – Suggest adding clarification here on when the "5 points in the year" are that are referenced. (T. Duke, Murfreesboro)
- Data Collection, Calculations, and Appeals .10, (4) – Want to clarify if this is through the December 1 counts or not. (A. Battle, MNPS)

Suggested revisions or considerations:

- Weighted Allocations .04, (3)(e) – Can appreciate why ULN 4 and ULN 5 are funded at different levels but would request to base this on where the student is in proficiency vs. grade levels, or at least have an exception where an English learner in the upper grades who has been in the U.S. less than two years could be funded at a ULN 4. (T. Duke, Murfreesboro & A.

- Battle, MNPS)
- Direct Allocations .05, (6) – Suggest making this a four-year timeline for updating funding in alignment with any changes that might occur in how programs of study are funded based on market conditions. Two years feels too short to make adjustments. (D. Weeks, Dickson & S. Langford, Sumner).
 - Outcome Bonuses .06, (3) (a-c) – In the last sentence, recommend it saying shall instead of may – “For students with disabilities, this measure may also include the student’s alternate assessment...” (T. Duke, Murfreesboro)
 - Outcome Bonuses .06, (3)(d) – Can we include reference that this is the composite score we are talking about here? (J. Luna-Vedder, Clarksville)
 - Cost Differential Factor Eligibility and Calculation .09, (1) – The first sentence should read “...the department shall disburse Cost Differential Factor...” to align with law (instead of “may”). (A. Battle, MNPS)
 - Data Collection, Calculations, and Appeals .10, (4) – Suggest noting in this section that while we will certify data monthly, on a quarterly basis we will have the opportunity to make adjustments to data from the past quarter. This will avoid being able to edit all data at end of the year but allow a reasonable window to make adjustments. (C. Causey, Robertson & Jimmy Sullivan, Rutherford)
 - Data Collection, Calculations, and Appeals .10, (4) – Would suggest including an earlier release of preliminary TISA allocations in February. (T. Duke, Murfreesboro)

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.

Kris McAskill 8/1/2022

Signature & Date

Kris McAskill, Houston Co. Director

Name & Title


*Mid Cumberland Chair
of SSC*

From: [Jennifer Kennedy](#)
To: [TISA Rules](#)
Subject: Re: [EXTERNAL] Document shared with you: "TISA Funding Feedback"
Date: Monday, August 1, 2022 4:24:10 PM
Attachments: [image001.png](#)
[image002.png](#)
[TISA Funding Feedback.docx](#)
[Outlook-sb3av220.png](#)

Yes, please see attached feedback from Tabatha Ogle/CTE Director Sevier County.

Please let me know if you have any troubles with this or any of the other forwards I sent through.

Many thanks,
Jennifer



Jennifer Kennedy, EdS | CTE Consultant
East TN Center of Regional Excellence (CORE)
(865) 296-1885
Jennifer.Kennedy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

From: TISA Rules <TISA.Rules@tn.gov>
Sent: Monday, August 1, 2022 5:14 PM
To: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>
Subject: RE: [EXTERNAL] Document shared with you: "TISA Funding Feedback"

Hi Jennifer – I am unable to open the link below because I don't have access. Could you please re-send the document as an attachment?

Thank you!


Nikkie Kiene | Paralegal
Office of General Counsel
Andrew Johnson Tower, 9th Floor
710 James Robertson Parkway, Nashville, TN 37243
Phone: (615) 741-2921
Fax: (615) 532-4791

Nikkie.Kiene@tn.gov
www.tn.gov/education
#TNBestforAll

We will set all students on a path to success.

From: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>
Sent: Monday, August 1, 2022 3:58 PM
To: TISA Rules <TISA.Rules@tn.gov>
Subject: Fw: [EXTERNAL] Document shared with you: "TISA Funding Feedback"

Forwarding TISA Rules comments from Tabatha Ogle/CTE Director Sevier County.



Jennifer Kennedy, EdS | CTE Consultant
East TN Center of Regional Excellence (CORE)
(865) 296-1885
Jennifer.Kennedy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

From: TABATHA OGLE (via Google Docs) <drive-shares-dm-noreply@google.com>
Sent: Friday, July 15, 2022 9:42 AM
To: Jennifer Kennedy <Jennifer.Kennedy@tn.gov>
Subject: [EXTERNAL] Document shared with you: "TISA Funding Feedback"

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

TABATHA OGLE shared a document

TABATHA OGLE (tabathaogle@sevier.org) added you as an editor.



Verify your email to securely make edits to this document. You will need to verify your email every 7 days. [Learn more.](#)

Hello, Jennifer,

I am not sure if this is exactly what you are looking for, but I tried to work through the information and ask questions about what I understood.

I hope that this will work!

Tabatha

 [TISA Funding Feedback](#)

[Open](#)

Use is subject to the Google [Privacy Policy](#)

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because tabathaogle@sevier.org shared a document with you from Google Docs.
[Delete visitor session](#)



Things we like/want to keep:

- The student-aligned funding will be more beneficial for students. It will allow for more services to be provided where needed. However, the funding allocations model will rely on proper coding in the EIS system. Proper training will be needed to benefit students. Sections 0520-12-05-.03 and 0520-12-05-.04
-
-

Potential clarifications needed:

- The information in Section 0520-12-05-.05 Direct Allocations is unclear with regard to the allocation of funding for CTE courses. Using the Academic Supply for Occupational Demand Report and the Jobs4TN wage analytics report is completely understandable.
- How will the decisions be made when the supply and demand report is not as well-aligned with the programs of study, necessarily for particular areas? How will that justify not funding one area/school over another in CTE?
- When will the list be published for the high demand Programs of Study? When will each region know how their Programs of Study fit in the Levels 1, 2, or 3?
- How will regions be able to realign Programs of Study to better match the TISA funding model?
- Is the information describing Special Considerations-(0520-12-05-.05 part 3, bottom of p. 14, top of 15) Career and Technical Program Levels describing the Programs of Study where beginning courses can serve as the beginning level course for several Programs of Study, and that is why it will be considered a Level 1 Program level?

Suggested revisions or considerations:

-
-
-

From: [Meghan McLeroy](#)
To: [TISA Rules](#)
Subject: SPED Director Feedback
Date: Tuesday, August 2, 2022 11:31:25 AM
Attachments: [East SPED Directors TISA Rules Feedback.pdf](#)
[First TISA Rules Feedback.pdf](#)
[Middle TN and SC SPED Directors TISA Rules Feedback.pdf](#)
[NW and SW SPED Directors TISA Rules Feedback.pdf](#)
[Upper Cumberland SPED Directors TISA Rules Feedback.pdf](#)
[image001.png](#)

Please see attached documents with feedback from the regional SPED Director study councils across the state. I am submitting this on their behalf.



Meghan McLeroy | Chief of Statewide Supports
Andrew Johnson Tower, 9th Floor
710 James Robertson Parkway, Nashville, TN 37243
(615) 337-5331
Meghan.McLeroy@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success.

TISA Rules Feedback Regional Meeting

East Special Education Supervisor Study Council

June 20, 2022 and July 18, 2022

Participants:

- Mary Beth Warwick- Alcoa City
- Kim Towe- Anderson Co.
- April Herron- Blount Co.
- Donna Singley- Campbell Co.
- Sherry Row- Claiborne Co.
- Suzanne Oliver- Clinton City
- Ginny McElhaney- Grainger Co.
- Heather LeMay- Jefferson Co.
- Jason Myers- Knox. Co.
- Joshua Brannon- Lenoir City
- Joshua Reese- Loudon Co.
- Melanie Davidson- Maryville City
- Trey Ferguson- Monroe Co.
- Renee Davis- Morgan Co.
- John Stults- Oak Ridge
- Kim Burress- Oneida
- Marti Sparks- Roane Co.
- Debby Sexton- Scott Co.
- Missy Wade- Sevier Co.
- Bethany Hughes- Sweetwater
- Lenard Holt- Union Co.
- Maura Bishop- Grainger Co.
- Melanie Lamberson (IDEA Consultant)
- Colleen Van Dyke (Early Childhood Consultant)
- Alex Smith
- Laura Dunn FPO
- Shelby Allsup Jefferson
- Michelle Pitman Knox Co. transition coordinator CDC

Things we like/want to keep:

-

Potential clarifications needed:

- Suzanne Oliver (Clinton City) p. 6- Clarity on #45 as compared to other definitions in this section. What makes 45 different from the definition given for #32 or #35 on page 5? Why is there wording for direct services AND limited direct services and/or minimal direct services?
- Renee Davis (Morgan)-
 - Who is responsible for the DILP (Dyslexia Individual Learning Plan)? Is this a special education plan or would this fall under the intervention side?
 - What assessments are required for dyslexia other than the universal screener?
- Joshua Reese (Loudon)-
 - p. 2 #7- Concerned characteristics of dyslexia doesn't define what a "deficit" is- consider including "below the ___ percentile." Specifically, what would constitute a deficit? Could be subjective without specific guidance. [see also p. 9 (b)1. i (II)]
 - Any guidance on DILP? Concerned about what is required here, workload, etc.
 - Districts don't know what a DILP is, unsure how to give feedback
 - What is it, what does it look like, who in district/school will be involved, requirements for inclusion, reporting requirements, template required?
 - Would like the opportunity to provide more feedback on DILP once requirements are known
 - p. 4 #22- Existing educator- does this include school services personnel?
 - p. 5 #35- Minimal SPED direct services (ULN 2)- Students who are provided speech therapy services, but don't receive one hour per week (often they are at 6 times per month) should be included in this ULN. Would prefer dropping threshold to 0.5 hours per week. There is a difference in level of services for these students getting direct services as opposed to those only on consultation services. Would prefer p. 6 #43(c) to be included with Minimal SPED Direct Services (ULN 2) instead of Consultation(ULN 1). Concern specifically applies to speech therapy and researched based service models that don't require one hour per week. These students are getting direct services that are much more than consultation services. (April Herron Blount, Melanie Davidson Maryville concur with Joshua)
 - p. 10 #3 li What do we mean by "access to technology supports" for students with characteristics of dyslexia in grades 4-8? Is this designed to fund AT for those students? What does AT look like or involve?
- (Donna Singley- Campbell) Concur and need clarity on who is paying for assistive technology (AT). Students with characteristics of dyslexia are technically regular ed, so who pays for AT for these students?

- Joshua Reese (Loudon) p. 17-18 Outcomes for HS students with disabilities- Concern about the inclusion of indicator 14 as data source for this outcome bonus. [APR Quick Reference Guide states- Districts (minus those exceeding 50,000 total students) are required to distribute the post school outcomes survey on a four year cycle.] As most districts only collect data every 4 years for indicator 14, it would be harder for them to meet this criteria for most years when data isn't collected. Suggest only asking for 2/4 indicators to be met for outcome performance. Still feel this would be a fair and rigorous goal.
 - p. 18 #2 at top- Indicator 3C- which assessment does this refer to?
- April Herron (Blount)- p. 17 (f) APR Indicator 3 only reports grades 4, 8, EOC Alg I and EOC Eng II- Which grade levels will be used for this outcome? Is it all tested students, or just those in specific courses as defined by APR. Is this tied directly to the grade bands in the APR or will they take into account all tested students in HS? I would prefer all tested students used instead of just those outlined in Indicator 3 of APR. (Melanie Davidson, Maryville City concurring)
- Joshua Reece (Loudon) p. 17 #3- Would like to see growth added for grade 4 students (similar to the grade 8 "significantly exceeded expected growth." Would like to see grade 4 outcomes to include growth and not just meeting proficiency.
- John Stults Oak Ridge p. 10 #2 (i)- Regarding the DILP's, we need clarification around a parent declining a DILP. Is that just us not being able to get their signature or is that them actually checking that they "decline"? Would this be a yearly requirement? Some parents are hard to track down year after year, and DILP are less formal than an IEP.

Suggested revisions or considerations:

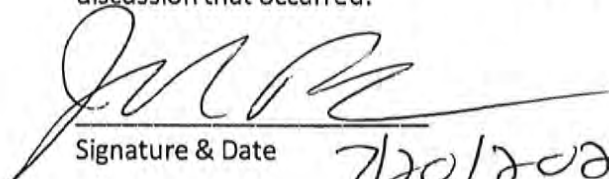
- Lenny Holt (Union) p.8- Lot of students receive speech and language services, might not receive a lot of service hours a week, but 15% is a small amount for them. District has to contract for outside agency due to lack of SLPs, cost of contract might be more than what they are getting back from TISA.
- Suzanne Oliver (Clinton City) Same as above for contracted services in OT/PT- concern that the amount received through weights in TISA would not cover the cost districts are paying for contracts.
- Lenny Holt (Union) Don't see anything included in TISA Rules for students needing accommodations through 504 plan.
- Suzanne Oliver (Clinton City) p. 24-25 As kids' services change throughout the school year, how will this affect ADM calculations? IEPs switch and change throughout the school year. Will there be specific due dates for certain things? When do we calculate each student's weighted allocation? More details about this calculation are needed. (How did the department decide on the timeframe?)
- Joshua Reece (Loudon)- Glad to see support for intervention included, but missing math. There seems to be nothing targeting math interventions. RTI services are mandated to be

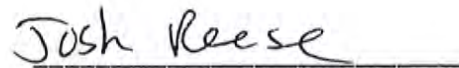
provided for math, but no funding supporting this. Dyslexia inclusion in TISA allows for additional funding to serve students with reading deficits, but nothing to support students with math deficits.

- Joshua Reece (Loudon)- Suggestion is 2/4 in the outcomes bonuses part (see above from April)
- Melanie Davidson p. 8 ULNs- Where does the ULN percentage come from? Looks like ULNs 3 and 4 are equitable service times but 20% funding difference. Sees ULN 3 and 4 as equitable time involved for direct services of a student (one SPED and one EL). Believes these should be funded at an equitable level. There's a big funding jump between these ULN categories. Would like clarity on how these percentages were arrived at- Why is there such a big funding jump for ULN 4, when it seems ULN 4 students have the same service times or less than students in ULN 3?

\$35 twice a week per kid who is contracted for OT/PT (pricing guide or billing guide) possibly based on what they can bill TNCare. When we do school pay vs. TNCare

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.


Signature & Date 7/20/2022


Name & Title
SPED Supervisor

TISA Rules Feedback Regional Meeting

First CORE SPED Study Council

July 28, 2022

Participants:

Ginger Woods, Johnson City

Taylor Jenkins, Carter Co

Tammy Gibson, Hawkins Co

Tanya Herman, Greene Co

Melinda Pruitt, Greene Co

Josh Boatman, Elizabethton

Jacki Wolfe, Kingsport

Karen Davis-Beggs, Rogersville

Josh Smith, Cocke Co

Tiffany Jenkins, Carter Co

Kristie Robinette, Sullivan Co

Mindy Myers, Washington Co

Things we like/want to keep:

- Jenkins (Carter Co) – opportunity to grow
- Davis-Beggs (Rogersville)- if used with additional formulas could add funds
- Kingsport (Wolfe)-looks good on the front end to receive funds

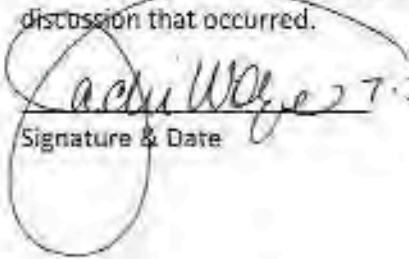
Potential clarifications needed:

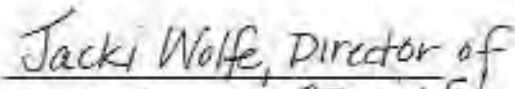
- Pruitt (Greene Co)-information shared to all district stakeholders as knowledge is acquired about TISA
- Jenkins (Carter Co)- Option Codes in Easy versus Option Codes in the rules
- Davis-Beggs (Rogersville)-Dyslexia information
- Gibson-Funding for consultation
- Myers (Washington)-IEA funding and Dyslexia students
- Smith (Cocke Co)-when is the data pulled; communication between the SIS and EasyIEP platforms

Suggested revisions or considerations:

- Beggs (Rogersville)-alignment to option codes in EasyIEP/SPED option codes; communication between department at TDOE
- Wolfe (Kingsport)-stakeholder involvement in option codes for SPED Students could increase
- Myers (Washington)-more specific training on the rules for SPED Directors and its components

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.

 7-28-2022
Signature & Date


Name & Title
Special Ed.
Kingsport City

TISA Rules Feedback Regional Meeting

Mid Cumberland/South Central Special Education Supervisor Study Council

June 23, 2022

Kim Raybon-Sped. Interventionist (Mid Cumberland CORE)

Cindy Ables-Sped. Interventionist (South Central CORE)

Participants:

Taylia Griffith-Clarksville-Montgomery, Deb McAdams-Metro-Nashville, Julie Haynes-Bedford, Christine Tuten-Fayetteville, Whitney Moore-Lawrence, Margaret Campbell & Bridgette Jones-Lincoln, Julie Thomas-Marshall, Jacqueline Cates-Moore, Jennifer Richardson-Perry, Wendy Wilkerson-Tulahoma City, Kristy Prince-Wayne, Norma Dam & Letishia Johnson-Sumner, Caresa Dodson-Wilson, Lynn Cable-Lebanon Special, Cheryl Robey-Franklin Special, Misti Swindle-Robertson, Kate Kasuboski & Linda Dohnal-Rutherford, Robin Fairclough & Kelly Brown-Houston, Sarah Green-Cheatham, Jennifer Darden-TN School for the Blind, Toni Brown-Williamson, Carolyn Kennedy, Michelle Rayle, Michelle Parks, Nigel Anderson, Morgan Sherrill, Melinda Smith, Shannon Peacock & Sara Pendleton-Clarksville-Montgomery

Things we like/want to keep:

- (Wendy Wilkerson-Tulahoma) **We will need to be more conscientious about adding service**

Potential clarifications needed:

- (Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - Clarksville Montgomery County School System; Julie Haynes - Bedford County; Deb McAdams - Metro Nashville Public Schools; Linda Dohnal – Rutherford County Schools) **We need clarification on the weighted funding formula for SWD, explaining whether or not this will ultimately impact the LRE APR and how.**
- (Julie Haynes - Bedford County; Deb McAdams - Metro Nashville Public Schools; Linda Dohnal – Rutherford County Schools) **We recommend clarification on what will the tracking process be for this extra funding for SWDS.**
- (Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - CMCSS; Julie Haynes - Bedford County; Kelly Brown-Houston County; Deb McAdams - Metro Nashville Public Schools; Linda Dohnal – Rutherford County Schools) **We recommend clarification regarding Intellectually Gifted and Functional Delay eligibility categories.**
- (Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - CMCSS; Julie Haynes - Bedford County; Deb McAdams - Metro Nashville Public Schools; Linda Dohnal – Rutherford County Schools) **When we begin to receive funding under TISA will the funding be earmarked before it is allocated to the system so that we will know what funding goes to EL, CTE, Dyslexia, and Special Education.**
- (Julie Haynes - Bedford County) **We request the date will the data for the funding would be pulled.** (Page 23 Section 4-“LEAs shall certify their local-level data in each of the nine (9) school year reporting periods. LEAs shall acknowledge their period data submission on or before the 15th of each reporting period month. LEA School Directors shall certify their period data submission by the last business day of each month.”

- (Julie Haynes - Bedford County; Deb McAdams - Metro Nashville Public Schools; ; Linda Dohnal – Rutherford County Schools) **We recommend clarification regarding any periods being weighted more than others.** (Page 24 Section 5a- “ADM for each component of the TISA formula shall be calculated using all nine (9) reporting periods, weighted equally.”)
- (Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - Clarksville Montgomery County School System; Julie Haynes - Bedford County; Deb McAdams - Metro Nashville Public Schools; Linda Dohnal – Rutherford County Schools) **We recommend clarification regarding EASY IEP options remaining. We also recommend explanation of how the options will be compared to ULN determinations or whether or not EASY IEP will reflect ULN.**
- (Robin Fairclough-Houston) **Will preschoolers with disabilities although not generated through the base still receive funding through their ULN?”**
- (Debra McAdams-Metro-Nashville) **How will high-cost reimbursement be affected? Will this funding now take the place of high-cost reimbursement, or will that be above and beyond the funding generated from the ULN?”**
- (Debra McAdams-Metro-Nashville) **ULN 8-Ancillary Special Education Direct Services-How will this data be pulled.**
- (Debra McAdams-Metro-Nashville) (There was large agreement from the group.) **More clarity around ULNs and how they will be calculated.**
- **Indicator 3C is the alternate assessment, so no student can meet both Indicator 1 and Indicator 3C – so in saying a student must meet 3 of the 4 really means they must meet all 3 of 3, either 1, 5 and 14 or 3C, 5 and 14. And how many of the students that are on alternate assessments are in the gen ed setting 80% of the day? Those are just two obvious observations on how rarely will this bonus be in reach. And, personally, my biggest concern is the effect this has on sped teachers – I envision schools highlighting bonus opportunities and celebrating bonus funding – it seems this pool of teachers will feel very left out and undervalued with no real opportunity to shine. If you spend some time thinking about this, you may identify your own concerns, as well as maybe think of other alternatives for recognizing sped success worthy of a bonus.**

Suggested revisions or considerations:

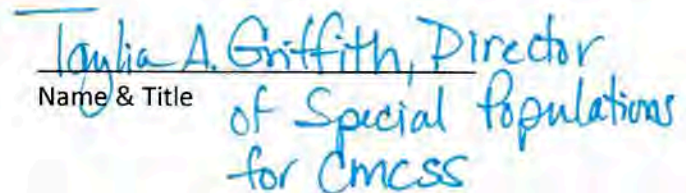
- (Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - Clarksville Montgomery County School System; Julie Haynes - Bedford County; Deb McAdams - Metro Nashville Public Schools) **We want to have criteria set that defines what the indicators for level of special education (minimal, limited, moderate, high, most intensive), so that a district can estimate the funding for students.** Page 8 Section e
- (Julie Haynes - Bedford County; Deb McAdams - Metro Nashville Public Schools) **Specific to the dyslexia section, the state does not recognize dyslexia as a disabling condition and the process for coding students with dyslexia is not clear and coherent across districts and schools within districts. We recommend clarification regarding who and how will this be made clear to districts.**
- (Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - Clarksville Montgomery County School System; Robin Fairclough:

Houston County Schools; Julie Haynes - Bedford County; Kelly Brown-Houston County; Deb McAdams - Metro Nashville Public Schools Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - Clarksville Montgomery County School System; Julie Haynes - Bedford County;) **Students with disabilities who are ages 3-5 should, at a minimum, generate funding through TISA due to their ULN even if the plan is for PreK (VPK) students to not be counted in the base. Counting SWDs ages 3-5 toward the base would be the most reasonable outcome.**

- (Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - Clarksville Montgomery County School System; Robin Fairclough: Houston County Schools; Julie Haynes - Bedford County; Kelly Brown-Houston County; Deb McAdams - Metro Nashville Public Schools) **Students over the age of 18 should be counted in the base if they are enrolled in the high school, an approved LEA-run adult high school, or an approved virtual school operated by the LEA.**
- (Robin Fairclough: Houston County Schools; Julie Haynes - Bedford County; Kelly Brown-Houston County; Deb McAdams - Metro Nashville Public Schools; Taylia Griffith, Shannon Peacock, Sara Pendleton, Morgan Sherrill, Michelle Parks, Carolyn Kennedy, Melinda Smith - Clarksville Montgomery County School System) **Students with more than one ULN should generate additional funding for each ULN.**
- **I'd like to see the Early Warning System (p.3) and the Dyslexia Individual Learning Plan more clearly defined with examples of each, including a sample Early Warning System team and a DILP template if possible. (page 3)**

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.


Signature & Date


Name & Title
Taylia A. Griffith, Director
of Special Populations
for Cmcss

TISA Rules Feedback Regional Meeting

Northwest/Southwest Special Education Supervisor Study Council

July 13, 2022

Participants:

Michelle Haney, Bartlett City Schools
Daniel Mobley, Dyersburg City Schools
Sarah Huffman, Germantown Municipal
Carolyn Weirich, Arlington Community Schools
Melinda Hutcherson, Lauderdale County Schools
Rena McKnight, Dyer County Schools
Beth Deere, Lexington City Schools
Leighann Horne, McKenzie Special Schools
Alisha Hedge, Obion County Schools
Sharon Belew, Tipton County Schools
Varissa Richardson, Tipton County Schools
Eva Essary, Weakley County

Things we like/want to keep:

- Sarah Huffman (Germantown Municipal) – new rule for Dyslexia Individual Learning Plan is good; this is not referred to in the TISA rules; add this to the TISA rules.

Potential clarifications needed:

- Sarah Huffman (Germantown Municipal)
 - Dyslexia Individual Learning Plan (DILP) –is concerned about who is supposed to write the DILP; does this means students with an IEP or 504 plan will also need DILP? Is this a general education responsibility or a special education responsibility?
 - Page 11, 4.b.3.v - who is responsible for this? Is this a special education process without a student being eligible for special education services?
 - Page 18, 3.f.4 – with Indicator 14, would districts need to be monitored annually instead of a 4-year cycle in order to receive that outcome bonus? Most districts receive Indicator 14 data every four years.
- Leighann Horne (McKenzie Special)
 - Page 11, 4.b.3.iv.IV – if parents decline a DILP, do we still provide intervention services? Can parents decline intervention services?
- Sharon Belew (Tipton County) – will characteristics of dyslexia be able to be addressed through the prior written notice and IEP, as opposed to a separate document (DILP) or services (dyslexia-specific interventions) for students who are eligible for special education services?

- Rena McKnight (Dyer County) – will funding come from Option Codes or from Unique Learning Needs (ULN)? Will students get funding for characteristics of dyslexia AND IEP options?
- Michelle Haney (Bartlett City Schools)
 - Will option codes in EasyIEP be changed to ULNs?
 - If students change option codes in the middle of the year, will they generate a different amount of money in the middle of the year? Who is going to monitor this?

Suggested revisions or considerations:

- Michelle Haney (Bartlett City Schools) - Students with an IEP should not need a DILP.
- Daniel Mobley (Dyersburg City Schools) – Is a 504 or an IEP sufficient as a DILP?
- Sarah Huffman (Germantown Municipal)– How often is the data going to be run? When does the data need to be cleaned? How often does the data need to be cleaned?
- Rena McKnight (Dyer County)
 - Page 10, 4.b.2. - Concerned that students will not get funding when determined eligible; student funding should change as students have additional needs.
- Rena McKnight (Dyer County) and Daniel Mobley (Lauderdale County) – we need training on the data part, how to clean, what data needs to be submitted, etc.

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.



Michelle Haney, West TN Special Education Supervisor Study Council President

July 13, 2022

TISA Rules Feedback Regional Meeting

Upper Cumberland Special Education Supervisor Study Council
July 22, 2022

Participants:

- Carl Boynton – Bledsoe Co.
- Julie Vincent - Cannon Co.
- Alicia Dailey - Clay Co.
- Marlene Holton - Cumberland Co.
- Natasha Vaughn - DeKalb Co.
- Sandy Conatser – Fentress Co.
- Jill McAllister - Jackson Co.
- Cathy Stafford - Macon Co.
- Mechelle Nivens - Overton Co.
- Elizabeth Johnson – Pickett Co.
- Sheri Roberson - Putnam Co.
- Eric Swann – Smith Co.
- Melissa Loerch – Trousdale Co.
- Virginia Baker – Van Buren Co.
- Candice Wilmore – Warren Co.
- Larry Thompson – White Co.
- Karen Flowers - York

Things we like/want to keep:

- Candice Wilmore – the overall percentages for the ULN (Unique Learning Needs) appear to be mostly in line with what a student needs at this point.
- Eric Swann – overall, we are happy with this, and we think this will be good for our district and students.
- Sheri Roberson – If this works, this will be good. Having additional funding for our (SPED) students is always beneficial and should be in their best interests.
- Cathy Stafford – I agree that having additional funding for our students will have a positive result, and if this works, it will be good.

Potential clarifications needed:

- Virginia Baker – What is the reason for not including 504 as a Unique Learning Need (ULN)?
- Sandy Conatser - Characteristics of Dyslexia – ULN2. Who will be responsible for the dyslexia plans? Is this still under intervention until they move to an IEP? (Candice)
- Marlene Holton – a sample form of the ILDP is needed.
- Marlene Holton – would the Characteristics of Dyslexia fall under a 504 plan versus just an intervention plan?
- Marlene Holton and Sheri Roberson – if you get this amount of money, is this going to have criteria for how the LEA spends/distributes the money? We need a checks and balances system in place.

- Candice Wilmore – ULN 1 at 15% for consultation. Consultation takes more time, and there is quite a bit of documentation. Often this takes as much time as a direct services student. This seems like there might need to be a larger percentage allocated for this.
- Virginia Baker – With a smaller district, will the ULN percentages as they currently stand be adequate to meet the needs given the smaller number of students? It is difficult to know exactly how this will play out in the new funding.
- Sheri Roberson – do the students I serve in the virtual school count (in particular SPED services in this model – PT/OT, all the services)? How does the district’s homeschool support factor into this? We currently receive BEP funding for these students to provide services.
- Sheri Roberson– we are looking forward to knowing where each component of the data will be pulled from. We are concerned about the distribution. Will the allocation change monthly? How much fluctuation should we expect?
- Candice Wilmore – It will be easier to plan when we have a longer term understanding of the funding allocation process.
- Sandy Conatser and Sheri Roberson – Reading the allocation description (page 25), we are trying to understand the process. Will the allocation be a lump sum for the year but DISTRIBUTED on a monthly basis? Or will the allocation be given only a monthly allocation/distribution? This needs clarification in the rules.
- Sheri Roberson – it is worrisome that the rules speak about allocations not being sufficient and how the state will lower the percentages. However, this may likely be in BEP language too.

Suggested revisions or considerations:

- Sandy Conatser - 504 – could it be under related services? Currently paid for out of General Purpose (GP) funds – non-SPED.
- Marlene Holton – Could the 504 fit under ULN 1 or ULN 2? Based on student needs, depending on the number of hours of services, this seems to make sense to include it here.

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.

Candice Wilmore, 7/29/22
Signature & Date

Candice Wilmore
Name & Title
Director of Special Ed, Warren County,
Upper Cumberland Study Council