

**MINUTES
STATE BOARD OF EDUCATION
AUGUST 5, 2011**

The State Board of Education met for its regular meeting in Room 12 of the Legislative Plaza, Nashville, Tennessee, at 9:00 a.m., CDT, on August 5, 2011.

Present..... 10 Absent..... 1

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|---------------------------------------|-------------------------|
| Mr. Jim Ayers | Mr. Mike Edwards |
| Mr. Lonnie Roberts | |
| Mr. Fielding Rolston, Chair | |
| Ms. Vernita Justice | |
| Ms. Carolyn Pearre | |
| Dr. Jean Anne Rogers | |
| Ms. Teresa Sloyan | |
| Dr. Melvin Wright | |
| Dr. Richard Rhoda, Ex-Officio | |
| Mr. Chip Woods, Student Member | |

Chairman Rolston called the meeting to order and welcomed members of the audience.

I. Consent Items

- A. *Adoption of Agenda***
- B. *Approval of Minutes from January 28, 2011***

ACTION: **Vice Chair Pearre** moved acceptance. **Dr. Wright** seconded. The motion passed unanimously.

II. Action Items (First Reading)

A. *Pre-Service Teacher Performance Assessment*

Dr. David Sevier, State Board of Education, reminded Board members that yesterday they had heard from **Dr. Kandi Hill-Clarke** and **Dr. Marcy Singer-Gabella** with respect to the item in question. **Dr. Sevier** commented that the performance assessment criteria were aligned to the professional licensure standards adopted by the Board.

Chairman Rolston asked whether this had been recommended by the Board’s Advisory Council on Teacher Education and Certification (ACTEC) and **Dr. Sevier** responded that the council reviewed this at their last meeting and was supportive of the idea.

Dr. Wright asked whether this performance assessment applied to all teacher training programs and **Dr. Sevier** responded that this was still a voluntary option that programs may “opt in.”

Ms. Sloyan asked if this assessment replaced any content examinations and **Dr. Sevier** responded that the PRAXIS II is still in place for the purposes of assessing pre-service teacher content knowledge.

ACTION: **Dr. Wright** moved acceptance on first reading. **Mr. Ayers** seconded. The motion passed unanimously.

B. *Preliminary List of Textbooks for Cycle VI/Section IV – Visual Arts, Music, Theatre Arts, Dance, Spelling, Literature, Driver Education, Computer Science, Health Sciences Education, Business Technology, Marketing Education, Technology Engineering Education, Trade & Industrial Education*

Mr. Morgan Branch, Department of Education, presented an abstract of over 300 titles that have been bid and reviewed by a cadre of educators. **Mr. Branch** stated that the reviews have been sent to the publisher for additional comment.

Chairman Rolston stated that we really depend on the textbook reviewers to assist with this process and provide sound recommendations to the Board for approval. He asked if there were means of streamlining the process.

Mr. Branch stated that without the current configuration, every school district would have to perform an independent review of the material. This way every system has access to all of the reviews performed by the committee.

Dr. Rogers asked for clarification on why additional spelling books need to be added.

Mr. Branch stated that the books are reviewed in cycles (for Spelling, every six years). This time around only one additional spelling book was submitted for review.

Mr. Woods asked if the new adoptions aligned to the common core.

Mr. Morgan stated that these books have been reviewed according to Tennessee standards and the Common Core Standards.

ACTION: **Vice Chair Pearre** moved acceptance on first reading. **Mr. Ayers** seconded. The motion passed unanimously.

C. *ESL Policy 3.207 Revision*

Dr. Debbie Owens, Department of Education, presented this item and noted that this was a technical correction to bring Tennessee’s federally approved ESL policy into alignment with the language approved at the state level. In times past, ESL teacher/student ratios were necessarily higher due to drastic teacher shortages. Now, LEAs are much not having these same shortage issues.

ACTION: **Dr. Rogers** moved acceptance on first reading. **Dr. Wright** seconded. The motion passed unanimously.

III. Action Items (Final Reading)

A. Identification of the Persistently Lowest-Achieving Schools Policy

Mr. Art Fuller, State Board of Education, stated that this was a technical update to the definition of persistently low performing schools. **Mr. Fuller** identified the deletion of a specific multiplier factor that was heavily weighting schools that had failed to make AYP six or more years. In place of that multiplier the lowest 5 percent of schools will serve as the new parameter for identification.

ACTION: **Dr. Wright** moved approval. **Ms. Sloyan** seconded. The motion passed unanimously.

B. Definition of a Tennessee Public School, Rule

Dr. Sevier presented this item and noted that this rule amendment simply removes the words “one plant” from the definition of a Tennessee public school. This will allow for simpler formation of virtual learning programs by LEAs.

ACTION: **Vice Chair Pearre** moved acceptance on first reading. **Mr. Roberts** seconded. The motion passed unanimously.

C. Adult High Schools, Rule

D. Summer Schools, Rule

Dr. Sevier presented these items together. He stated that there are currently requirements for learning contact time for both summer schools and adult high school. Now that there are meaningful accountability measures in place the need for this requirement is eliminated. Districts may advance students upon mastery of material rather than after accumulated instructional time.

Vice Chair Pearre suggested amendments to the proposed rules. The complete language of the proposed rules is rewritten to read as follows:

Part (b) of paragraph (2) of Rule 0520-01-02-.05 Adult High Schools is amended by the deletion of “Except for the Tennessee Proficiency Test” because this language is outdated and is no longer used to describe the testing programs in TN.

Part (c) of paragraph (2) of Rule 0520-01-02-.05 Adult High Schools is amended by the deletion of “provided hours per credit requirements are met.” This recommendation stems from the recognition that seat time is not an adequate measure of student competency.

Part (d) of paragraph (2) of Rule 0520-01-02-.05 Adult High Schools is amended by the deletion of “and must have withdrawn from the regular school program.” It was noted that some adult high schools offer credit recovery and other supports to traditional high school students who are not enrolled full-time at the adult high school. Removing this requirement clarifies confusion about such activities and allows for more innovation thereby supporting localized dropout prevention efforts.

Part (f) of paragraph (2) of Rule 0520-01-02-.05 Adult High Schools is amended by deletion of this part in its entirety which states that “To earn one unit of credit in an adult high school, a minimum of 133 contact hours per course shall be required.” This recommendation stems from the recognition that seat time is not an adequate measure of student competency.

ACTION-ITEM B: **Vice Chair Pearre** moved approval. **Mr. Roberts** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards			X
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

ACTION-ITEM C: **Vice Chair Pearre** moved approval. **Dr. Wright** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards			X
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

E. *Computer Technology*

Mr. Branch stated that most of the courses are joint courses, approved in tandem with Career and Technical Education. He further stated that there was difference in the area of computer literacy within the academic disciplines.

ACTION: **Dr. Rogers** moved acceptance on first reading. **Dr. Wright** seconded. The motion passed unanimously.

F. *Middle Grades STEM Teacher License Standards*

Dr. Sevier presented this item and noted that this is the final component necessary to begin the process of issuing middle grades STEM endorsements. He noted that, upon passage, Tennessee becomes the first state to offer a dedicated STEM endorsement and that several other states have been in contact hoping to replicate this effort. He thanked all of those who helped create and review the standards.

ACTION: **Ms. Sloyan** moved approval. **Dr. Wright** seconded. The motion passed unanimously.

G. *Teacher Licensure, Praxis Score Scale Changes, Policy*

Mr. Vance Rugaard, Department of Education, presented this item. He noted that in the past, setting Praxis scale scores was a costly state-by-state process. Now a multi-state process is used where several states come together and analyze several tests and recommend appropriate candidate scores. Likewise, this process has allowed several tests to be combined and this helps keep candidates from taking so many tests.

Deputy Commissioner Patrick Smith commented that **Commissioner Huffman** would like to see the state move away from using pass rates as the measure of setting cut scores.

Ms. Sloyan asked about how this might work in the future and **Mr. Rugaard** outlined a process for looking at the scores moving forward.

ACTION: **Dr. Rogers** moved approval. **Mr. Roberts** seconded. The motion passed unanimously.

H. Educator Evaluation Rule

Dr. Gary Nixon, Executive Director of the State Board of Education, reminded the members that this rule was originally presented on conference call for rule 0520-02-01-.01. Since that call, **Dr. Nixon** stated that the legislature changed the ending date by which a teacher must be informed that they will not be re-employed from May 15th to June 15th. He stated that the updated rule mirrors the change in date by which the evaluation system must be completed from May 15th to June 15th. **Dr. Nixon** stated that this will provide the maximum time for school leaders to perform a comprehensive review of personnel.

Vice Chair Pearre asked why the date was changed.

Dr. Nixon stated that it was changed to allow enough time for student achievement data to be received and analyzed for the evaluation. **Deputy Commissioner Smith** also agreed with **Dr. Nixon**'s statement.

ACTION: **Ms. Sloyan** moved approval. **Dr. Wright** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards			X
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

I. Teacher Education Units and Program/Licensure Areas

Mr. Martin Nash, Department of Education, presented this item. He noted that three teacher training programs were involved; Lane College,

University of Tennessee at Martin, and Lee University. The UT-M visit was a joint NCATE/state visit and the committees recommended continuing accreditation. Lee University is seeking, and received a recommendation for, first time NCATE accreditation. Lane College was receiving a focused visit to address deficiencies found from prior program assessments. According to **Mr. Nash**, these must be corrected within 12 months in order to be able to continue to recommend candidates for licensure. **Mr. Nash** told the Board that he will continue to work with Lane faculty and administration during this time.

Vice Chair Pearre asked what would happen if today the Board did not approve Lane College. **Mr. Nash** responded that the unit could eventually be denied approval and therefore lose the ability to recommend candidates to the state for licensure.

ACTION: **Dr. Wright** moved approval. **Mr. Ayers** seconded. The motion passed unanimously.

J. *Basic Education Program Salary Schedule for Licensed Instructional Personnel and State Mandated Minimum Salary Schedule for Superintendents/Directors of Schools for Fiscal Year 2011-2012.*

Mr. Fuller presented minimum salary schedule representing a 1.6 percent salary increase. **Mr. Fuller** noted that there was a typo in the agenda items that stated 1.65 percent.

ACTION: **Vice Chair Pearre** moved approval. **Mr. Roberts** seconded. The motion passed unanimously.

K. *BEP 2.0 Allocations for Fiscal Year 2011-2012*

Mr. Fuller reviewed the annual improvement to the BEP funding formula for education, including 51.5 million in inflationary adjustment. All other technical parameters in the formula are the same as in previous years.

Chairman Rolston stated that maintaining BEP 2.0 at full funding with inflationary increase demonstrates the state's commitment to education.

ACTION: **Vice Chair Pearre** moved approval. **Ms. Sloyan** seconded. The motion passed unanimously.

L. *Tennessee Learning Centered Leadership Policy*

Dr. Sara Heyburn, Department of Education, summarized the process for reviewing the leadership evaluation instrument that was field tested in the summer. **Dr. Heyburn** reviewed the feedback from three regional focus groups, streamlining the process for school leaders to use data to track school goals and evaluate teacher quality. The primary improvements to the policy include assigning 15 percent out of the 50

percent qualitative component towards quality teacher evaluation measures. The remaining 35 percent of the qualitative framework will be based on the Tennessee Instructional Leadership Standards (TILS).

Chairman Rolston stated that the Board had reviewed this extensively during the workshop.

ACTION: **Ms. Sloyan** moved approval. **Dr. Wright** seconded. The motion passed unanimously.

M. *Educator Evaluation Policy – Non-Public Schools*

Dr. Heyburn presented this item. She asked the Board to consider a waiver from the newly approved teacher evaluation system for those teachers who work in private schools, but hold a valid Tennessee teaching license. Since private schools do not give state-mandated exams there is no way for these educators to advance their license using quantitative student learning data. As a short term remedy these teachers can remain on the former teacher evaluation system that does not require these data.

ACTION: **Dr. Rogers** moved approval. **Dr. Wright** seconded. The motion passed unanimously.

N. *TCAP Achievement Levels: Standards Setting Process and Implementation for Algebra II*

This item was removed from the agenda.

O. *Tennessee Alternative Salary Schedules*

Ms. Eve Carney, Department of Education, reviewed the five alternative schedules created through the innovation acceleration fund and the teacher incentive fund for Knox, Putnam, Trousdale County, Lexington City, and Johnson County. Each LEA has gone through a year long process for strategic planning based on Tennessee's new teacher evaluation system to provide incentives and bonuses for highly effective teacher.

Chairman Rolston commented that the Board may want to track the results achieved on these pilots to see if there are any lessons learned.

Ms. Carney stated that the results will be tracked through TN CRED and the results will be reported.

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. The motion passed unanimously.

IV. Teacher Revocation Appeal Items

A. Raymond C. Tate

Mr. Bill Wilson, Department of Education, presented this appeal. He stated that upon receiving notice of the Board’s intent to revoke his license, Mr. Tate requested a hearing, and a case was docketed with the Administrative Procedures Division. The Administrative Law Judge assigned to the case entered a default judgment in favor of the State Board due to Mr. Tate’s failure to appear at the scheduled hearing, of which he received notice. Mr. Tate filed a Petition for Reconsideration with the Administrative Law Judge. That Petition for Reconsideration was denied.

Mr. Tate appealed the initial order on May 8, 2011.

Mr. Wilson stated that pursuant to the Tennessee Uniform Administrative Procedures Act, the Board is required to hear Mr. Tate’s appeal and render a final order or an order remanding the matter for further proceedings pursuant to this section within sixty (60) days after receipt of briefs and oral argument, unless that period is waived or extended with the written consent of all parties or for good cause shown. Pursuant to Tenn. Code Ann. § 4-5-314 and 315, the Board may take any one of the following actions:

1. Adopt- in whole or in part- the initial order as the final order.
2. Enter a new final order, with findings of fact and conclusions of law.
3. Remand the matter to the administrative judge with specific instructions for further proceedings.

ACTION: **Vice Chair Pearre** moved to adopt in whole the initial order as the final order. **Ms. Sloyan** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards			X
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

V. Teacher License Actions

- A. Jerry L. Angus – Revocation, permanent**
- B. Matthew M. Bean – Revocation, permanent**
- C. Sandy L. Binkley – Revocation, permanent**
- D. Larry A. Bobo – Revocation, five (5) years**
- E. Ronald E. Boykin – Revocation, permanent**
- F. Harolyn Branam – Revocation, permanent**
- G. Thomas J. Brewer – Revocation, permanent**
- H. Jessica Cantrell – Suspension, one (1) year**
- I. Kristi Dalton – Revocation, minimum six (6) years**
- J. Edward Esslinger – Revocation, concurrent**
- K. Eric W. Felts – Revocation, permanent**
- L. Stacie Frazier – Suspension, one (1) year**
- M. Michael D. Garrett – Revocation, permanent**
- N. Casey Jo Gray – Suspension, one (1) year**
- O. Holly A. Hatcher – Revocation, permanent**
- P. Lisa M. Hoffmeister – Suspension, one (1) year**
- Q. William Hofman – Revocation, permanent**
- R. Anthony K. Holcombe – Revocation, permanent**
- S. Mark Jones – Suspension, one (1) year**
- T. George M. Kelly -- Denial**
- U. Jewel Machen – Suspension, one (1) year**
- V. Emily M. Magill – Revocation, permanent**
- W. Melissa D. McCord – Revocation, permanent**
- X. Scott Z. Myers – Revocation, permanent**
- Y. Shannon K. Qualls – Suspension, one (1) year**
- Z. Frank W. Renner – Revocation, concurrent**
- AA. Timothy Sander – Revocation, permanent**
- BB. Cindy G. Scott – Suspension, one (1) year**
- CC. Jennifer L. Seadler – Suspension, one (1) year**
- DD. Anthony K. Seay – Suspension, three (3) years**
- EE. William J. Seagroves – Revocation, permanent**
- FF. Gregory S. Temple – Revocation, permanent**
- GG. Patrick O. Thompson – Revocation, temporary**
- HH. James E. Tucker – Revocation, permanent**
- II. Stanley W. Vickers – Revocation, permanent**
- JJ. Bradley A. Walker – Revocation, concurrent**
- KK. Karen M. Yeomans – Suspension, one (1) year**

ACTION: **Dr. Wright** moved to approve the teacher license actions. **Dr. Rogers** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards			X
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		

	Yes	No	Absent
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

VI. Adjournment

Chairman Rolston then thanked the Board members for their thoughtful deliberations and announced that the Board will meet next on November 4, 2011 for its regularly scheduled quarterly meeting.

Approved by: _____ Date: _____