

# MINUTES STATE BOARD OF EDUCATION SPECIAL CALLED WEBEX MEETING Nashville, TN 37243 August 11, 2022 9:00 a.m. CST

Video Recording: <a href="https://www.youtube.com/watch?v=cK4\_OT9vimg">https://www.youtube.com/watch?v=cK4\_OT9vimg</a>

**Note:** These minutes correspond to the video recording. Each item has a minute counter assigned to the subject location in the video file.

MEMBER	PRESENT	ABSENT
Mr. Darrell Cobbins	X (late)	
Mr. Nicholas Darnell	Х	
Mr. Bob Eby - Vice Chairman	Х	
Mr. Ryan Holt	Х	
Dr. Emily House		Х
Mr. Larry Jensen	Х	
Mr. Jordan Mollenhour	Х	
Mr. Nate Morrow	Х	
Mr. Warren Wells	Х	
Ms. Lillian Hartgrove - Chairman	X	

#### **Welcome and Introductions**

(0:00:00-0:01:31)

Ms. Lillian Hartgrove, Chairman for the State Board of Education

# I. Letter of Necessity

(0:01:32-0:02:40)

Ms. Angie Sanders, General Counsel for the State Board of Education, read the letter of necessity for the electronic meeting.

#### II. Consent Items

(0:02:41-0:03:50)

Chairman Hartgrove presented the item. Mr. Eby made the motion to approve the consent agenda and Mr. Morrow provided the second. This item required a roll-call vote.

# A. Adoption of Agenda

Item/Rule: Adoption of Agenda

Motion: Mr. Eby
Second: Mr. Morrow

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins				Х
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen			Х	
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# III. Tennessee Investment in Student Achievement (TISA) Rule Recommendation Chapter 0520-12-05 (0:03:51-0:18:51)

Following discussion with the Department of Education, the Board voted on positive, neutral, or negative recommendation on each of the Department's TISA rules. Mr. Charlie Bufalino, Assistant Commissioner of Policy and Legislative Affairs for the Department of Education, provided an introduction. Mr. Eby and Chairman Hartgrove encouraged the Department to publish thorough additional guidance for districts.

#### A. Introduction to TISA Rule 0520-12-05-.01

(0:18:52-0:21:50)

Mr. Charlie Bufalino presented the item. Mr. Cobbins made the motion for a positive recommendation and Mr. Mollenhour seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule
0520-12-05-.01

Motion: Mr. Cobbins
Second: Mr. Mollenhour

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen			Х	
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# B. Chapter Definitions Rule 0520-12-05-.02

(0:21:51-0:38:20)

Ms. Christie Ballard, General Counsel for the Department of Education, presented the item. Mr. Eby made the motion for a positive recommendation and Mr. Morrow seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule
0520-12-0502
Motion: Mr. Eby
Second: Mr. Morrow

Second: Will World W				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen			Х	
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# C. Base Funding Amount Rule 0520-12-05-.03

(0:38:21-0:40:46)

Ms. Christie Ballard presented the item. Mr. Mollenhour made the motion for a positive recommendation and Mr. Holt seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule				
0520-12-0503				
Motion: Mr. Mollenhour				
Second: Mr. Holt				

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# D. Weighted Allocations Rule 0520-12-05-.04

(0:40:47-0:51:56)

Dr. Lisa Coons, Chief Academic Officer for the Department of Education, presented the item. Mr. Eby made the motion for a positive recommendation and Mr. Morrow seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule
0520-12-05-.04

Motion: Mr. Eby
Second: Mr. Morrow

MEMBER YEA NAY PNV A

Mr. Darrell Cobbins X

Mr. Nicholas Darnell X

Mr. Bob Eby - Vice Chairman X

YEA	NAY	PNV	Absent
Х			
Х			
Х			
Х			
Х			
Х			
Х			
Х			
Х			
	X X X X X X	X X X X X X X	X X X X X X X

#### E. Direct Allocations Rule 0520-12-05-.05

(0:51:57-1:01:30)

Ms. Deborah Knoll, Assistant Commissioner of Career and Technical Education for the Department of Education, presented the item. Mr. Mollenhour made the motion for a positive recommendation and Mr. Darnell seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule 0520-12-05-.05 Motion: Mr. Mollenhour

Second: Mr. Darnell

Second: Will Barrier				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# F. Outcome Bonuses Rule 0520-12-05-.06

(1:01:31-1:17:10)

Mr. Charlie Bufalino presented the item. Mr. Holt made the motion for a positive recommendation and Mr. Morrow seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule 0520-12-05-.06 Motion: Mr. Holt

Motion: Mr. Holt Second: Mr. Morrow

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# G. Fast Growth Eligibility and Calculation Rule 0520-12-05-.07

(1:17:11-1:20:41)

Ms. Maryanne Durski, Chief Financial Officer for the Department of Education, presented the item. Mr. Eby made the motion for a positive recommendation and Mr. Wells seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule 0520-12-05-.07 Motion: Mr. Eby Second: Mr. Wells

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

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

(1:20:42-1:26:23)

Ms. Maryanne Durski presented the item. Mr. Eby made the motion for a positive recommendation and Mr. Mollenhour seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule
0520-12-05-.08

Motion: Mr. Eby
Second: Mr. Mollenhour

MEMBER

YEA

Mr. Darrell Cobbins

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

I. Cost Differential Factor Eligibility and Calculation Rule 0520-12-05-.09 (1:26:24-1:29:16)

Ms. Maryanne Durski presented the item. Mr. Holt made the motion for a positive recommendation and Mr. Darnell seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule 0520-12-05-.09

Motion: Mr. Holt
Second: Mr. Darnell

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

J. Data Collection, Calculations, and Appeals Rule 0520-12-05-.10 (1:29:17-1:38:52) Ms. Maryanne Durski presented the item. Mr. Holt requested the Department of Education provide further guidance on the process for data reporting and appeals between public charter schools and their authorizer. Mr. Mollenhour made the motion for a positive recommendation and Mr. Holt seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule
0520-12-05-.10

Motion: Mr. Mollenhour
Second: Mr. Holt

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# K. ADM Calculations Rule 0520-12-05-.11

(1:38:53-1:41:05)

Ms. Maryanne Durski presented the item. Mr. Morrow made the motion for a positive recommendation and Mr. Eby seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule
0520-12-05-.11
Motion: Mr. Morrow
Second: Mr. Eby

Second: IVII. Lby				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

#### L. Distribution of Funds Rule 0520-12-05-.12

(1:41:06-1:48:33)

Ms. Maryanne Durski presented the item. Mr. Mollenhour made the motion for a positive recommendation and Mr. Cobbins seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule 0520-12-05-.12 Motion: Mr. Mollenhour

Second: Mr. Cobbins				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# M. BEP Transition Funding Rule 0520-12-05-.13

(1:48:34-1:50:51)

Ms. Maryanne Durski presented the item. Mr. Wells made the motion for a positive recommendation and Mr. Darnell seconded the motion. This item required a roll-call vote.

Item/Rule: Introduction to TISA Rule 0520-12-05-.13 Motion: Mr. Wells Second: Mr. Darnell

MEMBER	YEA	NAY	PNV	Absent		
Mr. Darrell Cobbins	Х					
Mr. Nicholas Darnell	Х					
Mr. Bob Eby - Vice Chairman	Х					
Mr. Ryan Holt	Х					
Mr. Larry Jensen	Х					
Mr. Jordan Mollenhour	Х					
Mr. Nate Morrow	Х					
Mr. Warren Wells	Х					
Ms. Lillian Hartgrove - Chairman	Х					

# N. Educator Salary Increases Rule 0520-12-05-.14

(1:50:52-1:53:44)

Ms. Maryanne Durski presented the item. Mr. Eby made the motion for a positive recommendation and Mr. Mollenhour seconded the motion. This item required a roll-call vote.

0520-12-0514				
Motion: Mr. Eby				
Second: Mr. Mollenhour				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# IV. Action Items (First Reading)

Item/Rule: Introduction to TISA Rule

Item/Rule: Special Education Programs

A. Special Education Programs and Services Rule 0520-01-09-.10 and -.11 (2:04:40-2:09:02) First reading of item to revise the funding requirements in the Special Education Programs and Services rule to remove references to the Basic Education Program (BEP) following passage of the Tennessee Investment in Student Achievement (TISA) Act. Dr. Lisa Coons presented the item. Mr. Darnell made the motion to accept the item on first reading and Mr. Mollenhour seconded the motion. This item required a roll-call vote.

and Services Rule 0520-01-0910 and				
11				
Motion: Mr. Darnell				
Second: Mr. Mollenhour				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow			Х	
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

#### B. Dyslexia Individualized Learning Plans Rule 0520-01-22

(2:09:03-2:16:54)

First reading of item to create a new rule to outline requirements for LEAs to develop dyslexia individualized learning plans for students identified with characteristics of dyslexia. Dr. Lisa Coons presented the item. Mr. Eby made the motion to accept the item on first reading and Mr. Mollenhour seconded the motion. This item required a roll-call vote.

Item/Rule: Dyslexia Individualized
Learning Plans Rule 0520-01-22
Motion: Mr. Eby

Second: Mr. Mollenhour

Mr. Warren Wells

Second: Mr. Cobbins

Ms. Lillian Hartgrove - Chairman

**MEMBER** YEA NAY **PNV Absent** Mr. Darrell Cobbins Χ Χ Mr. Nicholas Darnell Mr. Bob Eby - Vice Chairman Χ Mr. Ryan Holt Χ Mr. Larry Jensen Χ Mr. Jordan Mollenhour Χ Mr. Nate Morrow Χ

# C. English as a Second Language (ESL) Programs Rule 0520-01-19

(2:16:55-2:20:51)

First reading of the item to revise the English as a Second Language rule to align with the proposed rules for the Tennessee Investment in Student Achievement (TISA) Act. Dr. Lisa Coons presented the item. Mr. Wells made the motion to accept the item on first reading and Mr. Cobbins seconded the motion. This item required a roll-call vote.

X

Item/Rule: English as a Second
Language (ESL) Programs Rule 0520-0119
Motion: Mr. Wells

YEA	NAY	PNV	Absent
Х			
Х			
Х			
Х			
Х			
Х			
Х			
Х			
Х			
	X X X X X X	X X X X X X X	X X X X X X X

# D. Charter Schools - Allocation of State and Local Funds Rule 0520-14-01-.03 (2:20:52-2:34:48)

First reading of the item to revise the Charter Schools Rule to describe how public charter schools will be allocated state and local funds under TISA. Ms. Maryanne Durski presented the item. Mr. Eby recommended changing the term "must" to "shall" throughout the item and changing "respective" to "earned" in section (6) between first and final reading. Mr. Holt requested clarity in the use of the terms "LEA", "authorizer" and "local board of education". Chairman Hartgrove recommended changing "allocations" to "disbursement" in section (12)(a) and Mr. Holt noted that these changes be replicated throughout the item. Ms. Angie Sanders noted that the term "allocate" is directly stated in law and would confirm if the term could be changed. Mr. Mollenhour made the motion to accept the item on first reading and Mr. Holt seconded the motion. This item required a roll-call vote.

Item/Rule: Charter Schools – Allocation of State and Local Funds Rule 0520-14-01-.03

Motion: Mr. Mollenhour

Second: Mr. Holt

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

#### E. State Approved Textbooks: Section B (Mathematics)

(2:34:49-2:45:37)

First reading of item to approve the preliminary mathematics materials for adoption. Dr. Lisa Coons presented the item. Chairman Hartgrove requested the Department of Education present at an upcoming workshop on the approval process. Mr. Eby made the motion to accept the item on first reading and Mr. Cobbins seconded the motion. This item required a roll-call vote.

Section B (Mathematics)				
Motion: Mr. Eby				
Second: Mr. Cobbins				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow			Х	
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# V. Action Items (Final Reading)

Item/Rule: State Approved Textbooks:

Item/Rule: Dyslexia Individualized

A. Dyslexia Individualized Learning Plans Emergency Rule 0520-01-22 (2:45:38-2:50:09) First and final reading of the item to create a new emergency rule to outline requirements for LEAs to develop dyslexia individualized learning plans for students identified with characteristics of dyslexia. Dr. Lisa Coons presented the item. Mr. Jensen requested an update on the glossary of definitions. Mr. Jensen made the motion to approve the item on final reading and Mr. Cobbins seconded the motion. This item required a roll-call vote.

Learning Plans Emergency Rule 0520-01-				
22				
Motion: Mr. Jensen				
Second: Mr. Cobbins				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Χ			
Mr. Nicholas Darnell	Χ			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Χ			

#### B. Resolution 2022-01

(2:50:10-3:05:48)

First and final reading of a resolution in support of Tennessee teachers and educator preparation programs. Chairman Hartgrove, Mr. Eby, Mr. Holt, Mr. Jensen, Mr. Mollenhour, Mr. Morrow, and Mr. Wells co-sponsored the resolution. Mr. Eby provided the motion to adopt the resolution and Mr. Darnell seconded the motion. Mr. Nathan James, Deputy Executive Director of Legislative and External Affairs for the State Board of Education, reported the resolution. Mr. Eby requested that the Chair recognize Ms. Morgan Rankin, the 2021-22 Tennessee Teacher of the Year. Mr. Morrow requested that the State Board continue to annually recognize teachers at the start of each school year. This item required a roll-call vote.

Item/Rule: Resolution 2022-01				
Motion: Mr. Eby				
Second: Mr. Darnell				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins	Х			
Mr. Nicholas Darnell	Х			
Mr. Bob Eby - Vice Chairman	Х			
Mr. Ryan Holt	Х			
Mr. Larry Jensen	Х			
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

# VI. Adjournment

(3:05:49-3:06:26)

This meeting was conducted electronically and included board members participating by electronic means of communication. Information regarding public participation in the meeting can be obtained in the Board Meetings policy <u>here</u>.

REMAINING MEETING DATES FOR 2022: September 28, 2022 Special Called Meeting October 28, 2022

State Board of Education

5<sup>th</sup> Floor – Davy Crockett Tower

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Nashville, TN 37243-1050

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