



MINUTES
STATE BOARD OF EDUCATION
February Quarterly Meeting
Nashville, TN 37214
February 16, 2024
9:00 am CT
Video Recording:

<https://www.youtube.com/watch?v=ZvSOqQ0A9Vk>

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	Note
Mr. Darrell Cobbins – Vice Chair	X		
Ms. Laurel Cox – Student Member	X		
Ms. Lillian Hartgrove – Chair Emeritus	X		
Mr. Ryan Holt	X		
Mr. Steven Gentile	X		
Mr. Larry Jensen	X		
Ms. Krissi McInturff	X		
Mr. Jordan Mollenhour	X		
Mr. Nate Morrow	X		
Mr. Warren Wells	X		
Mr. Bob Eby - Chair	X		

Welcome and Comments (00:9:55-00:10:34)

Mr. Bob Eby, Chair for the State Board of Education

February 15, 2024, Board Workshop Update (00:10:35-00:14:21)

Dr. Sara Heyburn Morrison, Executive Director of the State Board of Education

I. Consent Items (00:14:22-00:14:50)

- A. Adoption of Agenda**
- B. Minutes from October 6, 2023 Special Called WebEx Meeting, and November 3, 2023 SBE Meeting**
- C. Teacher License Discipline Settlement Approvals**
- D. Master Plan Supplement**

E. 2024 SBE November Quarterly Meeting Date - An item to change the November quarterly meeting date.

Chairman Bob Eby presented the items. Mr. Jordan Mollenhour provided the motion to accept the consent agenda, and Vice Chair Darrell Cobbins provided the second. This item was approved by a unanimous voice vote.

II. Automatic Teacher License Actions (00:14:51-00:16:33)

A. Automatic Teacher License Actions – Revocation & Permanent Revocation

Mr. Todd Madison and Mr. Ryan Shanahan, senior associate and associate general counsel for the State Board, presented the item. Mr. Nate Morrow provided the motion to approve the staff’s recommendations for licensure actions. Mr. Warren Wells provided the second. This motion required a roll call vote, and the motion was approved.

Item/Rule: Automatic Teacher License Actions				
Motion: Morrow				
Second: Wells				
MEMBER	AYE	NO	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Laurel Cox – Student Member	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Ms. Krissi McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow	X			
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

III. Tennessee Department of Human Services (DHS) License Actions

A. Tennessee Department of Human Services (DHS) Defaults (00:16:34-00:17:50)

Mr. Todd Madison and Mr. Ryan Shanahan presented the item. Mr. Larry Jensen provided the motion to approve the staff’s recommendations for licensure actions. Vice Chair Darrell Cobbins provided the second. This motion required a roll call vote, and the motion was approved.

Item/Rule: TDHS License Actions				
Motion: Jensen				
Second: Cobbins				
MEMBER	AYE	NO	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Laurel Cox – Student Member	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			

Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Ms. Krissi McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow	X			
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

IV. Teacher License Discipline Actions

Teacher License Discipline Actions: Items A-G & I-M (00:17:51-00:21:08)

Mr. Todd Madison and Mr. Ryan Shanahan presented the item. Mr. Jordan Mollenhour commended the State Board for moving licensure discipline agenda items to the beginning of the meeting to be mindful of educators’ and their legal representation’s time. Ms. Lillian Hartgrove shared that members thoroughly review each case prior to voting. Mr. Warren Wells provided the motion to approve the staff’s recommendations for licensure actions. Mr. Larry Jensen provided the second. This motion required a roll call vote, and the motion was approved.

Item/Rule: Teacher License Discipline Actions Items A-G & I-M				
Motion: Wells				
Second: Jensen				
MEMBER	AYE	NO	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Laurel Cox – Student Member	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Ms. Krissi McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow	X			
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

Teacher License Discipline Actions: Item H - Mr. Nelson Milsaint (00:21:09-00:39:30)

Mr. Todd Madison and Mr. Ryan Shanahan presented the item. Mr. Nelson Milsaint spoke to the Board. Ms. P. Danielle Nellis responded to explain their recommendation. Mr. Jordan Mollenhour, Mr. Ryan Holt, Mr. Nate Morrow, and Ms. Laurel Cox asked clarifying questions, including Mr. Warren Wells, who asked about the relevant requirements informing the recommendation’s length. Mr. Jordan Mollenhour provided the motion to accept the recommendation. Chair Bob Eby provided the second. This motion required a roll call vote, and the motion was approved.

Item/Rule: Teacher License Discipline Actions Item H - Mr. Nelson Milsaint				
Motion: Mollenhour Second: Eby				
MEMBER	AYE	NO	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Laurel Cox – Student Member	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Ms. Krissi McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow	X			
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

V. First Reading Items

A. Special Education Programs and Services Rule 0520-01-09-.12, -.18, and -.19 (00:39:31-00:47:56)

Ms. Jennifer Jordan, assistant commissioner of special education and intervention for the Department of Education, presented the item. Vice Chair Darrell Cobbins provided the motion to accept the item on first reading, and Mr. Nate Morrow provided the second. Chair Bob Eby shared positive feedback about special education counseling and guidance in the rule revision, and Ms. Jennifer Jordan concurred. Mr. Nate Morrow asked about communicating change to families, schools, and districts. Ms. Jennifer Jordan referenced recurring meetings with the Directors of Special Education, contracts with Vanderbilt University and The Arc Tennessee, and other strategies. This item was approved by a unanimous voice vote.

B. Literacy and Specialty Area Standards for Educator Preparation Policy 5.505 (00:47:57-00:50:42)

Ms. Brooke Amos, assistant commissioner of human capital, presented the item. Mr. Larry Jensen provided the motion to accept the item on first reading, and Ms. Lillian Hartgrove provided the second. This item was approved by a unanimous voice vote.

C. Standards Review Policy 3.209 (00:50:43-00:54:12)

Mr. Michael Deurlein, deputy executive director of policy and research for the State Board, presented the item. Ms. Lillian Hartgrove provided the motion to accept the item on first reading, and Mr. Warren Wells provided the second. Ms. Lillian Hartgrove and Chair Bob Eby asked about the timeline shift. Mr. Michael Deurlein shared that the previous timeline process did not give a long enough time to develop new recommendations, the new timeline saves the state money, and certain subjects need to be updated more frequently based on landscape shifts. This item was approved by a unanimous voice vote.

- D. Graduation Requirements Rule 0520-01-03-.06** (00:54:13-01:10:11)
Mr. Michael Deurlein presented the item. Chair Bob Eby provided the motion to accept the item on first reading, and Ms. Laurel Cox provided the second. Mr. Nate Morrow, Chair Bob Eby, Ms. Laurel Cox, and Ms. Victoria Harpool discussed flexibility, student's college competitiveness, communication with higher education institutions, and postsecondary counseling. This item was approved by a unanimous voice vote.
- E. Uniform Grading System Rule 0520-01-03-.02** (01:10:12-01:12:47)
Mr. Michael Deurlein presented the item. Vice Chair Darrell Cobbins provided the motion to accept the item on first reading, and Mr. Larry Jensen provided the second. Ms. Victoria Harpool and Ms. Laurel Cox affirmed the recommended change. This item was approved by a unanimous voice vote.
- F. Hearing Procedures and Public Meetings Rule 0520-09-01** (01:12:48-01:17:21)
Ms. Angie Sanders, general counsel for the State Board, presented the item. Mr. Larry Jensen provided the motion to accept the item on first reading, and Mr. Jordan Mollenhour provided the second. Mr. Larry Jensen and Mr. Jordan Mollenhour asked clarifying questions. This item was approved by a unanimous voice vote.

VI. Final Reading Items

- A. Non-Public Schools Approval Process Rule 0520-07-02** (01:17:22-01:29:53)
Ms. Angie Sanders presented the item. Mr. Warren Wells provided the motion to accept the item on final reading. Mr. Jordan Mollenhour provided the second and asked about whether Category 4 private schools can use personal tutors and participate in micro-schools. Ms. Angie Sanders confirmed. Ms. Krissi McInturff, Ms. Angie Sanders, Mr. Warren Wells, and Mr. Nate Morrow discussed checking TNCompass for previous licensure action. This motion required a roll call vote, and the motion was approved.

Item/Rule: Non-Public Schools Approval Process Rule 0520-07-02				
Motion: Wells				
Second: Mollenhour				
MEMBER	AYE	NO	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Laurel Cox – Student Member	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Ms. Krissi McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow	X			
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

- B. Alternative Education Programs Policy 2.302 Repeal** (01:29:53-01:31:21)
 Ms. Kate Sanders, policy implementation specialist for the Department of Education, presented the item. Ms. Lillian Hartgrove provided the motion to accept the item on final reading, and Vice Chair Darrell Cobbins provided the second. This item was approved by a unanimous voice vote.

10-minute break

- C. Educator Licensure Policy 5.502** (01:43:16-01:45:16)
 Ms. Taylor Reid, senior director of educator licensure for the Department of Education, presented the item. Vice Chair Cobbins provided the motion to accept the item on final reading, and Mr. Jordan Mollenhour provided the second. This item was approved by a unanimous voice vote.
- D. Educator Licensure Rule 0520-02-03-.03 through -.07, -.10, and -.13** (01:45:17-01:48:57)
 Ms. Taylor Reid presented the item. Mr. Larry Jensen provided the motion to accept the item on final reading, and Vice Chair Darrell Cobbins provided the second. This motion required a roll call vote, and the motion was approved.

Item/Rule: Educator Licensure Rule 0520-02-03-.03 through -.07, -.10, and -.13				
Motion: Jensen Second: Cobbins				
MEMBER	AYE	NO	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Laurel Cox – Student Member	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Ms. Krissi McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow	X			
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

- E. Professional Assessments for Tennessee Educators Policy 5.105** (01:48:58-01:50:58)
 Ms. Taylor Reid presented the item. Vice Chair Darrell Cobbins provided the motion to accept the item on final reading, and Mr. Larry Jensen provided the second. This item was approved by a unanimous voice vote.
- F. Promotion and Retention Rule 0520-01-03-.16** (01:50:59-02:27:21)
 Mr. Jack Powers, assistant commissioner of policy implementation and legislative affairs, presented the item. Vice Chair Darrell Cobbins provided the motion to accept the item on final reading, and Chair Bob Eby provided the second. Ms. Angie Sanders followed up on a question from the previous day’s workshop about whether the Ground 1 appeal in the

rule conflicts with the 2023 revisions to the retention law. She said her opinion was that it was in conflict as currently written but it could be revised to be consistent with the law by including additional factors. Chair Bob Eby offered recommendations to revise the rule, including consulting with stakeholders like parents/guardians and school staff. Ms. Krissi McInturff, Mr. Ryan Holt, Mr. Larry Jensen, and Ms. Lillian Hartgrove agreed with the recommendation. Mr. Larry Jensen and Mr. Nate Morrow underscored the importance of prioritizing literacy starting in kindergarten. Vice Chair Darrell Cobbins asked about the fiscal impact of additional tutoring and discussed the importance of stakeholder voice. Commissioner Lizzette Reynolds noted she would check with Department of Education legal on the proposal but agreed that State Board has rulemaking authority. Ms. Angie Sanders noted the district needs to agree to tutoring. Mr. Bob Eby moved to postpone action on the previous motion with the intent that State Board will work with DOE, get input over the next two weeks, and bring back a specific recommendation at the following special called meeting. Chair Bob Eby restated his intent that if there was a pathway to use a 40th percentile state-approved reading screener, it would require 100% agreement with parents, teacher, and other relevant staff members, the school agrees to create an individualized academic remediation program, and the school agrees to provide tutoring. Mr. Wells seconded the motion. The motion was approved by a unanimous voice vote.

G. Promotion and Retention Policy 3.300 (02:27:22-03:09:45)

Dr. David Laird, assistant commissioner of assessment and accountability, presented the item. Chair Bob Eby, Dr. Sara Heyburn Morrison, Mr. Ryan Holt, and Mr. Nate Morrow thanked Dr. David Laird for incorporating feedback. Dr. Sara Heyburn Morrison asked about Tennessee Value-Added Assessment System (TVAAS) calculations and Department of Education business rules, and Ms. Angie Sanders confirmed that is appropriate to remain in Department of Education business rules. Ms. Krissi McInturff shared her perspective as a current teacher. Mr. Ryan Holt provided the motion to accept the item on final reading, and Mr. Warren Wells provided the second. This item was approved by a unanimous voice vote. Mr. Ryan Holt shared his intent to bring two resolutions at the special called meeting in March to reconsider the current 3rd and 4th-grade retention law. Chair Bob Eby shared feedback from an instructional coach concerned about retention. Mr. Nate Morrow underscored that he and others are not opposed to assessments and know they are important to understanding student learning. Vice Chair Darrell Cobbins inquired about evaluating the adequate growth provision, and Dr. David Laird indicated he is open to feedback and evaluation. Ms. Lillian Hartgrove asked about district communication, and Dr. David Laird said they would share business rules, spreadsheets, and other resources. Mr. Ryan Holt and Mr. Nate Morrow discussed the importance of sharing answers with stakeholders in a timely manner versus delaying votes. The vote was approved by a unanimous voice vote.

Mr. Warren Wells made a motion to reconsider Item IV H: Teacher License Discipline Actions: Item H - Mr. Nelson Milsaint. Mr. Jordan Mollenhour provided the second, and there were no objections.

IV. H. Teacher License Discipline Actions: Mr. Nelson Milsaint (3:09:46-03:33:30)

Mr. Warren Wells expressed his concern about the one-year stipulation and its connection to his livelihood. Ms. P. Danielle Nellis provided an overview of the discussion earlier in the meeting. Vice Chair Darrell Cobbins inquired about how the State Board staff reached the one-year stipulation. Ms. P. Danielle Nellis explained the pattern of behavior.

Ms. Taylor Reid explained the various pathways estimated likely at least one semester of full-time classes. Mr. Warren Wells and Mr. Jordan Mollenhour discussed the potential fraudulent behavior. Mr. Warren Wells shared his appreciation for the State Board, and Vice Chair Darrell Cobbins agreed with the new motion. Mr. Warren Wells motioned to remove the one-year stipulation, and Mr. Jordan Mollenhour seconded it.

Item/Rule: Teacher License Discipline				
Actions: Item H - Mr. Nelson Milsaint				
Motion: Wells				
Second: Mollenhour				
MEMBER	AYE	NO	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Laurel Cox – Student Member	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Ms. Krissi McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow	X			
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

H. Charter Schools Rule 0520-14-01 (03:33:31-03:38:58)

Ms. Maryanne Durski, CFO for the Department of Education, presented the item. Mr. Warren Wells provided the motion to accept the item on final reading, and Mr. Ryan Holt provided the second.

Item/Rule: Charter Schools Rule 0520-14-01				
Motion: Wells				
Second: Holt				
MEMBER	AYE	NO	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Laurel Cox – Student Member	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Ms. Krissi McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow	X			
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

- I. **Graduation Substitutions Policy 3.103** (03:38:59-03:41:26)
Ms. Christy Wall, assistant commissioner of academics & instructional strategy for the Department, presented the item. Mr. Ryan Holt provided the motion to accept the item on final reading, and Ms. Lillian Hartgrove provided the second. This item was approved by a unanimous voice vote.
 - J. **Tennessee Academic Standards for Social Studies** (03:41:27-03:45:40)
Mr. Michael Deurlein presented the item. Chair Bob Eby provided the motion to accept the item on final reading, and Ms. Lillian Hartgrove provided the second. This item was approved by a unanimous voice vote.
 - K. **Educator Preparation Providers (EPP)/Specialty Area Program Approvals (SAP) Approvals** (03:45:41-03:53:33)
Ms. Brooke Amos presented the item. Mr. Nate Morrow provided the motion to accept the item on first and final reading, and Mr. Warren Wells provided the second. This item was approved by a unanimous voice vote.
 - L. **Health Education Standards** (03:53:34-03:55:58)
Ms. Melisa Fuhrmeister, senior manager of healthy schools for the Department of Education, presented the item. Vice Chair Darrell Cobbins provided the motion to accept the item on first and final reading, and Ms. Lillian Hartgrove provided the second. This item was approved by a unanimous voice vote.
 - M. **Reward School Designations** (03:55:59-03:58:36)
Dr. Hsiang-Yeh Ho, senior director of accountability for the Department of Education, presented the item. Ms. Lillian Hartgrove provided the motion to accept the item on first and final reading, and Mr. Larry Jensen provided the second. This item was approved by a unanimous voice vote.
 - N. **Exemplary District Designations** (03:58:37-04:02:11)
Dr. Hsiang-Yeh Ho presented the item. Vice Chair Darrell Cobbins provided the motion to accept the item on first and final reading, and Ms. Krissi McInturff provided the second. This item was approved by a unanimous voice vote.
 - O. **In Need of Improvement District Designations** (04:02:12-04:05:14)
Dr. Hsiang-Yeh Ho presented the item. Vice Chair Darrell Cobbins provided the motion to accept the item on first and final reading, and Mr. Warren Wells provided the second. This item was approved by a unanimous voice vote.
 - P. **Authorizer Evaluation Reports** (04:06:15-04:07:48)
Ms. Ali Reid, director of engagement and accountability, presented the item. Mr. Nate Morrow provided the motion to accept the item on first and final reading, and Ms. Lillian Hartgrove provided the second. This item was approved by a unanimous voice vote.
- VII. **Other Business** (04:07:49-04:08:42)
Dr. Sara Heyburn Morrison and Chair Bob Eby thanked everyone for their hard work.

VIII. Adjournment

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