

**MINUTES
STATE BOARD OF EDUCATION
OCTOBER 29, 2010**

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 October 29, 2010.

Present..... 9 Absent..... 2

Mr. Fielding Rolston, Chair

Mr. Jim Ayers

Ms. Vernita Justice

Ms. Carolyn Pearre

Mr. Richard Ray

Ms. Teresa Sloyan

Dr. Melvin Wright

Dr. Richard Rhoda, Ex-Officio

Mr. Chip Woods

Mr. Flavius Barker

Dr. Jean Anne Rogers

Chairman Rolston called the meeting to order and welcomed members of the audience. He then recognized **Mr. Bruce Opie** who was recently appointed as Commissioner of Education. **Mr. Opie** was appointed after the resignation of **Dr. Tim Webb**.

I. Consent Items

A. Adoption of Agenda

B. Approval of Minutes from July 30, 2010

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

II. Report Items

A. Basic Education Program Review Committee Report

Mr. Art Fuller, State Board of Education, reviewed the executive summary of the report describing the committee's discussion related to capital outlay, salary disparity, and previous recommendations of the review committee.

Mr. Fuller then reviewed the committee's recommendation to eliminate the reduction of the capital outlay freeze, resulting from Public Chapter 1135. He noted that salary disparity was increasing back towards levels similar to settlement of the salary equity lawsuit. **Mr. Fuller** pointed out that regional increases in disparity were not always the result of increases within the major metropolitan centers, citing specific examples within Davidson County, Greeneville, and Cookeville.

Mr. Fuller concluded his presentation by reiterating the committee's recommendations from previous reports related to the phase-in of BEP 2.0 and other immediate formula priorities of the committee.

Mr. Ray asked what the general temperature was among districts related to the BEP.

Mr. Fuller responded that districts are concerned about the freezing of capital outlay dollars, as these funds are generally used by school districts to support funding for important instructional positions.

Mr. Ray asked if there were any federal dollars received from the state focused on capital outlay.

Mr. Fuller responded that ARRA funds had been used in the most immediate fiscal year as a mechanism for building up the BEP base reserve that will be used to continue to fund the formula at a base level, absent capital outlay growth.

Dr. Nixon stated that the majority of BEP capital outlay dollars are used by districts to fund important instructional positions within districts, not covered by the formula.

Chairman Rolston thanked the review committee for their work in pulling the report together.

Mr. Fuller thanked the Comptroller's Office for their work in performing the salary disparity analysis.

III. Action Items (First Reading)

A. *Teacher Leadership Standards*

Dr. David Sevier, State Board of Education, introduced the Teacher Leadership Standards. He noted that these were created by a multi-state consortium that included Tennessee and that the work began in 2009. These standards serve as the basis for those who serve in teacher leadership roles that require teachers to assist and lead in the training of peers. These roles include instructional coaches, data coaches, and graduation coaches.

Next steps include the development of an endorsement area or license area and this is a topic for future discussion.

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

B. Curriculum Standards for 6-12 Dance

Dr. Jeannette Crosswhite, State Department of Education, presented the Dance Standards 6-12 and stated that these are part of the larger fine arts standards.

Mr. Ray asked about the number of programs in Tennessee and **Dr. Crosswhite** responded that the number was small, but growing and that most were in urban districts.

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

C. Non-public Schools Categories I and VII Rule Consolidation

Mr. Rich Haglund, State Board of Education, explained that because the Board created Category VII special purpose schools two years after the lottery scholarship statutes (which specify eligible non-public high schools as Category I, II, and III schools only), students finishing school in Category VII schools would be ineligible for the scholarship. The Department of Children's Services (DCS) brought this to the Board's attention. Working with DCS and Department of Education staff and counsel, this revision was prepared.

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

D. Middle Grades STEM Teacher Licensure

Dr. Sevier presented this item and reminded the Board that currently Tennessee middle school teachers are licensed as generalists. This license option gives candidates more training in the math and science required to meet more rigorous curricular standards.

Board members' questions centered on moving this from an option to a requirement, providing incentives for STEM teachers, and professional development.

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

E. Tennessee Learning Centered Leadership Policy

Dr. Nixon presented this item and explained that the First to the Top (FTTT) legislation requires principals be evaluated annually and directs that the State Board of Education adopt policies for these evaluations.

The first recommendation from the established work group is to change the name of the evaluation rubric in the current policy to "Professional Development Rubric." The second recommendation is to add a new

Section 6 which defines the process and procedures for the evaluations. The final recommendation is to add a new Appendix D which contains the forms for the evaluation.

Dr. Nixon stated that once approved the process and procedures along with the accompanying forms will be field tested and presented for final consideration in the Spring of 2011.

Mr. Ray stated that while he does not oppose the policy, he is skeptical of its length.

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

F. *Educator Evaluation Policy and Rule*

Dr. Nixon presented this item. He explained that the FTTT legislation calls for teachers and principals to be evaluated annually. The legislation established a Teacher Evaluation Advisory Council (TEAC) and charged it with the responsibility to develop and recommend criteria and guidelines for these evaluations to the State Board of Education. This item proposes both rule and policy changes needed to implement the criteria and guidelines recommended by the TEAC. The legislation also directed TEAC to recommend to the Board a grievance procedure to implement regarding the accuracy of the data and the fidelity to the process used to evaluate teachers and principals. The TEAC is working on the grievance procedures at this time.

Mr. Ayers stated that he believes this policy and rule is a step in the right direction but he has a problem with the small portion that is objective.

Vice Chair Pearre stated that she feels there are a lot of controversial issues and asked if we would be ready by spring to resolve the details.

Dr. Nixon replied that his guess would be “No” but that we have no choice but to be ready.

Ms. Sloyan suggested that the Board take more time than January and set it for the regularly scheduled spring meeting.

Chairman Rolston warned the Board members not to let this go in the same direction as the highly qualified policy and water it down and let it become meaningless over time.

Mr. Woods said he would like to see the “unannounced visit” part increased.

Chairman Rolston asked for a motion to approve on first reading with the understanding that this would be presented again with revisions at a later time.

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

IV. Action Items (Final Reading)

A. Charter School Appeals Policy

Mr. Haglund noted that this policy, previously approved on first reading, formalizes in policy the practice for hearing charter school appeals used during the last several years.

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

B. Preliminary List of Textbooks for Section 1 (Mathematics)

Mr. Morgan Branch, Department of Education, stated that the preliminary list of textbooks had been reviewed and approved by the textbook commission.

Mr. Ray asked if Dr. Scott Eddins, Math Consultant, Department of Education, had approved the list.

Mr. Branch stated that a committee of 20 to 30 educators had approved the list, and that Dr. Eddins was part of this group.

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

- C. Curriculum Standards for K-12 Music, 6-12 Theatre, and K-12 Visual Art**
- D. Marketing Education Curriculum Standards**
- E. Health Science Education Curriculum Standards**
- F. Business Technology Curriculum Standards**
- G. Trade & Industrial Education Curriculum Standards**

ACTION: **Mr. Ray** moved approval on **Items IV.C.-IV.G.** **Dr. Wright** seconded. The motion passed unanimously.

H. Business Education Teacher Licensure Standards Revision

Dr. Sevier presented this item. He noted that there were no changes from the first reading.

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

I. *Teacher Licensure Standards: English, World Languages, Mathematics, Science, Social Studies, and English as a Second Language*

Dr. Sevier presented this item. He stated that this item had been presented to the SBE's Advisory Council on Teacher Education and Certification.

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

J. *Teacher Education Units and Licensure Programs*

Dr. Sevier presented this item. This approval was considered on first and final reading as per usual practice. The item was reviewed by the Advisory Council on Teacher Education and Certification.

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

K. *Tennessee Learning Centered Leadership Policy-Reciprocity*

Dr. Nixon presented this item and stated that Tennessee has redesigned its school leadership training standards and programs. This means that many of the new standards are out of alignment with standards from other states. This policy change does away with prior reciprocity agreements with other states, but allows states to submit standards and program criteria for evaluation. Once it is determined that sufficient alignment exists between Tennessee and the applying state, candidates may complete those programs and apply for a license that allows them to serve as a principal in a Tennessee public school.

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

L. *Transportation Standards for Child Care Centers and School-Age Child Care Program, Rule*

These rules, **Mr. Haglund** explained, were approved previously and submitted as emergency rules. They are now before the Board to be submitted as permanent rules. A rulemaking hearing was held, but no one attended. **Mr. Haglund added** that two changes have been made: one to clarify which endorsement nonpublic school drivers can get from the Department of Safety, and one to clarify which unloading requirements apply only to Pre-K programs.

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

	Yes	No	Absent
Jim Ayers	X		
Flavius Barker			X
Vernita Justice	X		
Carolyn Pearre	X		
Dick Ray	X		
Jean Anne Rogers			X
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

V. Teacher Licensure Actions

Mr. Haglund read the statute, Tenn. Code Ann. 49-1-607, which lists some examples of breaches of test security that could lead to dismissal from employment and licensure actions against teachers. The two items on this agenda fall, **Mr. Haglund** explained, into the last category, "or otherwise compromise the integrity of the testing process." Moreover, these cases have to be compared against all the suspension and revocation actions the board may take, as to severity of the misconduct.

Mr. Ray asked what kinds of training the Board staff, working with organizations like TEA, could do to alert teachers to the damage this kind of conduct could do to their careers. **Mr. Haglund** said that the Department of Education's staff trains district leaders who train teachers, every year. They outline the potential consequences of breaches. **Mr. Haglund** added that this will be on the agenda for the next gathering of the task force he intends to call to review the rule on licensure actions.

Vice Chair Pearre asked about item V.C., and whether reinstatement required application or would be automatic. **Mr. Haglund** said that all revocations require application to the Board and reinstatement is at the Board's discretion.

A. Richard S. Conway -- Restoration

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

	Yes	No	Absent
Jim Ayers	X		
Flavius Barker			X
Vernita Justice	X		
Carolyn Pearre	X		
Dick Ray	X		
Jean Anne Rogers			X

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

The motion passed unanimously.

B. *Mark W. Hensley – Revocation, permanent*

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

	Yes	No	Absent
Jim Ayers	X		
Flavius Barker			X
Vernita Justice	X		
Carolyn Pearre	X		
Dick Ray	X		
Jean Anne Rogers			X
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

C. *James B. Bell – Revocation, three (3) years*

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

	Yes	No	Absent
Jim Ayers	X		
Flavius Barker			X
Vernita Justice	X		
Carolyn Pearre	X		
Dick Ray	X		
Jean Anne Rogers			X
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

D. Mark H. Smith – Suspension, two (2) years (agreed order)

ACTION: Mr. Ray moved approval. Dr. Wright seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Flavius Barker			X
Vernita Justice	X		
Carolyn Pearre	X		
Dick Ray	X		
Jean Anne Rogers			X
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

E. Robert H. Thompson – Suspension, one (1) year

ACTION: Mr. Ray moved approval. Dr. Wright seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Flavius Barker			X
Vernita Justice	X		
Carolyn Pearre	X		
Dick Ray	X		
Jean Anne Rogers			X
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

The motion passed unanimously.

F. Donald C. Tripp – Revocation, three (3) years

ACTION: Mr. Ray moved approval. Dr. Wright seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Flavius Barker			X
Vernita Justice	X		
Carolyn Pearre	X		

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

G. Frances I. Young – Suspension, one (1) year

ACTION: Mr. Ray moved approval. Dr. Wright seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Flavius Barker			X
Vernita Justice	X		
Carolyn Pearre	X		
Dick Ray	X		
Jean Anne Rogers			X
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Chip Woods	X		

VI. Adjournment

Chairman Rolston then thanked the Board members for their thoughtful deliberations and announced that the Board will meet next with the Tennessee Higher Education Commission on January 27, 2011 and then on January 28, 2011 for its regularly scheduled quarterly meeting.

Approved by: _____ Date: _____