

**MINUTES
STATE BOARD OF EDUCATION
JULY 31, 2009**

The State Board of Education met for its regular meeting in the First Floor Conference Room of the Davy Crockett Tower, Nashville, Tennessee, at 8:30 a.m., CST, on July 31, 2009.

Present..... 10

Absent.....2

Mr. Fielding Rolston, Chair
Mr. Jim Ayers
Ms. Vernita Justice
Ms. Carolyn Pearre
Mr. Richard Ray
Dr. Jean Anne Rogers
Ms. Teresa Sloyan
Dr. Melvin Wright
Dr. Richard Rhoda, Ex-Officio
Miss Brittni England, Student Member

Dr. Melvin Wright
Miss Katie McMillan, 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 April 17, 2009**

ACTION: **Mr. Ray** moved acceptance. **Dr. Rogers** seconded. The motion passed unanimously.

Chairman Rolston recognized **Miss Brittni England** and thanked her for her service over the past year. He noted that she has been replaced by **Ms. Katie McMillan** who was not in attendance.

Chairman Rolston also recognized two former State Board of Education members who recently passed away – **Mr. Nelson Andrews**, first Chair of the State Board of Education who made tremendous contributions to K-12 education and **Mr. Toy Reid**, a dedicated member of the State Board of Education in the early years. **Chairman Rolston** asked that we keep their families in our prayers.

II. Report Items

- A. Summary Report: Performance of 2007-2008 Teacher Education Graduates**

Mr. Martin Nash, Department of Education, gave the Board an update regarding the progress of public and private teacher training institutions as required by T.C.A. 49-5-5607. He noted that all institutions were above the 70% pass rate minimum as required by the statute.

The Board accepted the report into the record.

B. *Tennessee Diploma Project Parent Education Plan*

At the last regularly scheduled meeting, the Board asked the Department of Education to present its plan for communicating the new standards to parents and others. **Dr. Julie McCargar** and **Ms. Rachel Wood**, Department of Education, presented this plan. **Ms. Wood** discussed the plan as a “living document” that will reflect change as dictated by circumstances.

Chairman Rolston asked to have Board members placed on the mailing list to receive updates. **Ms. Sloyan** asked what local districts and Board members could do to help the communication process. **Ms. Wood** responded that many districts have undertaken communication plans already.

Important aspects of the plan include 1) informing parents and others that the standards have changed, 2) streamlining standards as students move from grade to grade, 3) ensuring that the assessments and other accountability measures are focused on college and workforce training readiness.

The Board accepted the report into the record.

III. *Action Items (First Reading)*

A. *Tennessee College & Career Ready Goals & Indicators*

Ms. Cory Curl, Governor’s Policy and Planning Office, presented these goals to the Board and noted that these are the collective work of the College and Career Readiness Policy Institute (CCRPI). These are the measures that Tennessee students, teachers, and school districts will be measured against. These were created with SBE input and reflect the Board’s commitment to high standards.

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

B. *The PRAXIS Series, Moving Rule to Policy*

C. *Praxis SLLA Exam Passing Score, Policy & Rule*

D. *Teacher Licensure, Praxis Score Scale Changes, Rule*

Mr. Vance Rugaard, Department of Education, explained to the Board that moving the teacher competency tests and passing scores from rule to policy would streamline the approval process. He also outlined the procedure used in determining the passing score for the School Leadership Licensure Assessment (SLLA) and spent time going over passing scores and pass rates of math and other tests for Tennessee educators.

Mr. Ray asked if the math and science tests and passing scores would be revisited in future meetings and **Chairman Rolston** said they would.

ACTION: **Mr. Ray** moved acceptance of Items III.A – III.D. on first reading. **Mr. Barker** seconded. The motion passed unanimously.

E. *Training for Salary Purposes, Rule*

Mr. Rugaard explained that this rule revision aligns the rule with statutes that allow for salary adjustments to be made in the second semester. Licensed educators will, once the rule revision is effective, be able to receive credit for salary purposes during the first and/or second semester of school.

ACTION: **Mr. Ray** moved acceptance on first reading. **Ms. Pearre** seconded. The motion passed unanimously.

F. *Standards for Infant/Toddler, Preschool & School-Age Extended Care Programs, Rule*

Ms. Jan Bushing, Department of Education, explained that programs approved by the Department of Education must have rules that parallel those for programs approved by the Department of Human Services (DHS). Because DHS revised its rules in October 2008, these rules are being revised. The revisions include specific provisions unique to programs approved by the Department of Education, including transportation for students, and after-school programs for adolescents funded through the lottery revenues. **Ms. Bushing** explained that the only differences would be in transportation, fingerprinting and restraint laws because they follow Department of Education laws.

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

G. *Dual Enrollment, Rule*

Mr. Rich Haglund, State Board of Education, explained that in order to allow for cooperative programs envisioned by 2007 Public Chapter 459 and being formulated through RAMP-UP, the rules need to be revised to allow all high school students, not just 11th and 12th grade students, to take courses at a post-secondary institution or courses offered online by a post-secondary institution.

ACTION: **Ms. Pearre** moved acceptance on first reading. **Mr. Barker** seconded. The motion passed unanimously.

H. *Preliminary List of Textbooks for Section II*

Mr. Branson Townsend, Department of Education, presented the list of approved textbooks for English, English as a Second Language, and Foreign Language for first reading.

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

IV. *Action Items (Final Reading)*

A. *Identification of Core Knowledge and Skills for Performance-Based assessment of Students with Disabilities*

Mr. Townsend and **Ms. Donna Parker**, Department of Education, presented this item. **Mr. Townsend** noted that these standards are the ones viewed by a team of subject area teachers, curriculum specialists, and special education teachers as being essential for students to have in order to obtain credit in a particular course.

Mr. Ray asked whether advocacy groups were involved in the process and **Ms. Parker** responded that these groups were part of the initial graduation requirements discussion and that these groups would be essential to the implementation of these core student standards.

Mr. Ray also asked whether there is any differentiation within the standards based on various categories of disability. **Ms. Parker** noted that the use of these standards will be based upon the individual student's needs.

ACTION: **Dr. Rogers** moved to approve this item. **Ms. Sloyan** seconded. The motion passed unanimously.

B. *Mental Health Standards and Guidelines*

Ms. Nicole Cobb, Department of Education, presented this item. She noted that work that had gone into the formulation of these guidelines and that they represent important aspects of what a high-quality program should include. She also noted that current State Board of Education rules require local agencies to have plans in place that address mental well-being and that these guidelines are intended to be used to support that rule.

Chairman Rolston asked whether anything in the guidelines conflicts with current state or federal law, and why the document is titled as "standards" when it is actually a "guidelines document." **Ms. Cobb**

responded that it is a compilation of best practices and serves as a guiding document. **Chairman Rolston** commented the he preferred to see it be referred to as “guidelines.”

Mr. Ray asked if the Board could defer action until the concerns of **Ms. Bobbie Patray** of the Eagle Forum had been addressed. **Dr. Gary Nixon**, Executive Director of the State Board of Education, acknowledged **Ms. Patray** in the audience and she was invited to address the Board. She commented that the guidelines had not been viewed in light of proposed Senate Bill 850 to ensure that the intents of the two documents are in agreement. She notes that she has concerns associated with parental rights and wants to see that these are protected.

Mr. Ray asked **Ms. Patray** for input and ways to improve the language of the guidelines and asked the Department of Education to get with her to see if her concerns are addressed.

Mrs. Pearre noted that this is an important piece of work and that collaboration should continue among various constituencies.

Ms. Cobb stated that she would be willing to meet with **Ms. Patray**.

ACTION: **Mr. Ray** moved to approve this item. **Ms. Pearre** seconded. The motion passed unanimously.

C. *Changes to Academic Course Listing, Policy*

Mr. Townsend presented this for the SDE. He noted that there were no changes from the previous meeting and asked that it be approved on final reading.

ACTION: **Mr. Ray** moved to approve this item. **Mr. Ayers** seconded. The motion passed unanimously.

D. *Transitional Licensure Policy*

Mr. Martin Nash, Department of Education, presented this item and noted that this policy implements the recently approved rule creating the transitional teaching license.

Chairman Rolston asked whether this had been reviewed by the Advisory Council on Teacher Education and Certification and **Mr. Nash** responded that it had received thorough review.

ACTION: **Mr. Barker** moved to approve this item. **Mr. Ayers** seconded. The motion passed unanimously.

E. *High School Policy: Graduation with Distinction Clarification, Policy*

Ms. Lynne Cohen, Department of Education, presented this item and noted that there were no changes from the version approved on first reading. It clarifies that training hours obtain at TTCs can be used to earn the "Distinction" designation on the high school diploma.

ACTION: **Mr. Ray** moved to approve this item. **Ms. Pearre** seconded. The motion passed unanimously.

F. *Achievement Levels and Descriptors*

Dr. Nixon restated the Board's concerns and directions from the April 2009 meeting around the proposed performance level "approaching proficient" indicating that members believed the name, "approaching proficient" would likely not clearly communicate the actual level of performance students scored in this level had actually given on the assessment. He recommended the performance levels mirror the performance levels used in NAEP, stating that the NAEP performance levels were believed to be the performance levels that would be used in the proposed voluntary nation's assessments that may be developed in a few years. This would likely position Tennessee properly and not require a change later if the national assessments were given.

ACTION: **Mr. Ray** moved to approve this item. **Ms. Sloyan** seconded. The motion passed unanimously.

G. *High School Transition Policy*

Dr. Nixon explained that the new High School Policy required the end of course exams to count 25% of the yearly grade and that the language around the yearly grade has implementation challenges that were thought to be solvable when the policy was approved. The computer-based grade management program has great difficulty recalculating the first semester grade; this also is a problem when transcripts are sent to postsecondary institutions before the school year is completed. He recommended approving new language that would change the impact of the EOC Tests grade from the yearly grade to the semester grade and that would clarify that the percentage would be 20% for the first two years and then 25% there after.

ACTION: **Ms. Pearre** moved to approve this item. **Mr. Ayers** seconded. The motion passed unanimously.

H. *BEP Minimal Salary Schedule*

I. *BEP 2.0 Allocations for Fiscal Year 2009-2010*

Mr. Art Fuller, State Board of Education, stated that the minimum salary schedule to be approved by the Board was the same as the previous year. **Mr. Fuller** also stated that the adjustment for the BEP

accounted only for inflationary increases in order to maintain full funding and asked for the Board's approval on final reading.

ACTION: **Ms. Sloyan** moved to approve Items **IV.H. and IV.I.** **Ms. Pearre** seconded. The motion passed unanimously.

J. Middle Grades Task Force, Rule

Dr. Nixon clarified that this item contained two areas that have changed. Language was added in (e) to encourage and allow LEA's to fully implement this rule prior to receiving the additional funding. Language was also added that quantified the amount of additional funding required to trigger the transition to the new requirements.

Ms. Pearre noted that Item (f) is important and asked that the language be moved up before 1. (end of paragraph (e)).

ACTION: **Ms. Pearre** moved approval of this item with her recommended change. **Mr. Ray** 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
Brittni England	X		

K. Additional Endorsements, Rule & Policy

Mr. Townsend, Department of Education, presented this item and noted that there were no changes since the first reading. The item allows currently licensed teachers to obtain additional endorsements on secondary licenses by passing appropriate Praxis examinations.

ACTION: **Ms. Pearre** moved approval of this item. **Mr. Barker** 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
Brittini England	X		

The motion passed unanimously.

L. *Isolation or Restraint for Students Receiving Special Education Services, Rule*

Mr. Haglund explained that since the rules were passed on first reading, a public hearing was held and comments have been received on multiple drafts of the rule. Since first reading, the definitions of "extended isolation" and "extended restraint" were revised to include the language "or [isolation or physical holding restraint] which lasts longer than the time provided in the child's IEP." The rules also added a provision at the end to clarify that isolation or restraint of students in residential programs who are in physical and legal custody of state agencies is covered by existing state and national standards. And, **Mr. Haglund** explained, those standards are at least or more comprehensive than the standards provided for in 2008 Public Chapter 1063 and these proposed rules.

Ms. Pearre asked how the requirements of the rules would be disseminated. **Mr. Haglund** explained that the Division of Special Education held meetings beginning in 2008 to explain the public chapter and the rules as they were being drafted. The Advisory Council on Special Education also has gone through the materials and shared information with educators and parents and advocacy groups. The dissemination of the now approved rule will occur through a similar process.

Commissioner Webb confirmed that the Department has and will continue to use all of these avenues to support dissemination and implementation in school districts across the state.

ACTION: **Ms. Pearre** moved approval of this item. **Ms. Sloyan** 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		

	Yes	No	Absent
Melvin Wright			X
Brittni England	X		

The motion passed unanimously.

V. Teacher License Actions

- A. Jonathan Baker – Suspension, two (2) years**
- B. Robert J. Cooper – Suspension, two (2) years**
- C. Catherine J. Francis – Suspension, two (2) years**
- D. Lisa R. Guinn – Suspension, one (1) year**
- E. Vicki A. Harris – Suspension, two (2) years**
- F. Jason Lancaster – Revocation, minimum five (5) years**
- G. Benny Joe Nunley – Reinstatement**
- H. Kelley Pototschnik – Suspension, one (1) year**

ACTION: **Mr. Ray** moved to approve these actions. **Dr. Rogers** 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
Brittni England	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 6, 2009.

Approved by: _____ Date: _____