



**MINUTES**  
**STATE BOARD OF EDUCATION**  
**Tennessee Board of Regents**  
**Board Room**  
**1 Bridgestone Park**  
**Nashville, TN 37214**  
**May 31, 2019**

**Welcome & Introductions**

(00:00-06:05)

Presented by Chairman Lillian Hartgrove and Dr. Sara Morrison, Executive Director of the State Board of Education.

<b>Member Attendance</b>		
<b>Member</b>	<b>PRESENT</b>	<b>ABSENT</b>
<b>Mr. Darrell Cobbins</b>	X	
<b>Mr. Nicholas Darnell</b>	X	
<b>Mr. Bob Eby - Vice Chair</b>	X	
<b>Mr. Mike Edwards</b>	X	
<b>Mr. Gordon Ferguson</b>	X	
<b>Ms. Elissa Kim</b>	X	
<b>Mr. Mike Krause</b>	X	
<b>Ms. Wendy Tucker</b>	X	
<b>Ms. Lillian Hartgrove - Chair</b>	X	

**I. Consent Items**

(06:05-06:33)

- A. Adoption of Agenda  
The items were presented by Chairman Hartgrove.
- B. Approval of Minutes from February 8, 2019 Conference Call Meeting, April 2, 2019 Conference Call Meeting, and April 16, 2019 Educator Preparation & Licensure Subcommittee Meeting
- C. BEP Review Committee Member Appointments  
Item to confirm the members of the 2019-20 Basic Education Program (BEP) Review Committee. The motion to approve the agenda items was made by Mr. Ferguson and seconded by Mr. Eby. The voice vote approving all agenda items was unanimous.

**II. Action Items (First Reading)**

- A. Tennessee School Bus Specifications Policy 2.400 (06:33-0:13:30)  
First reading to align to current industry standards to increase the safety of school bus drivers and students by adding bus specifications for vehicles built after July 1, 2019 in accordance with the

National School Transportation and Procedures manual adopted by the 16th National Congress on School Transportation, last updated in 2012. The item was presented by Ms. Tammy Knipp, Director of Transportation at the Tennessee Department of Education. The motion to approve the item was made by Mr. Edwards and seconded by Ms. Tucker. The voice vote to approve the item was unanimous.

- B. Category II Non-Public School Accrediting Agencies, Rule 0520-07-02-.03 (0:13:30-0:16:57)  
First reading to approve applicants for category II non-public school accrediting agencies. The item was presented by Ms. Marcy Tidwell, Director of School Choice at the Tennessee Department of Education. The motion to approve the item was made by Mr. Eby and seconded by Mr. Ferguson. The voice vote to approve the item was unanimous.
- C. Individualized Education Accounts, Rule 0520-01-11 (0:16:57-0:18:55)  
First reading to make the rule consistent with recent changes to state law. Makes clarifications to the definitions and processes in regard to account holder agreement, criminal background checks, student eligibility, and approved use of funds. The item was presented by Ms. Rebecca Wright, Director of the Individualized Account Program at the Tennessee Department of Education. The motion to approve the item was made by Mr. Ferguson and seconded by Ms. Tucker. The voice vote to approve the item was unanimous.
- D. Educator Preparation Policy 5.504 (0:18:55-0:34:18)  
First reading to make a clarification to the participation of educator preparation programs (EPPs) in a review, as well as other changes and clarifications needed for the recently approved permanent rule. The item was presented by Mr. Michael Deurlein, Executive Director of Educator Licensure & Preparation at the Tennessee Department of Education. The motion to approve the item was made by Ms. Tucker seconded by Mr. Eby. The voice vote to approve the item was unanimous.
- E. Middle Grades Policy 2.102 (0:34:18-0:37:15)  
First reading to clarify that students taking high school courses in middle school shall be awarded high school credit. The item was presented by Ms. Aleah Guthrie, Director of Policy at the Tennessee Department of Education. The motion to approve the item was made by Mr. Edwards and seconded by Mr. Darnell. The voice vote to approve the item was unanimous.
- F. Charter School Revocation Policy 6.110 (0:37:15-0:38:54)  
First reading to reflect changes passed in the 111<sup>th</sup> General Assembly. The item was presented by Ms. Tess Stovall, Director of Charter Schools at the State Board of Education. The motion to approve the item was made by Ms. Tucker and seconded by Mr. Eby. The voice vote to approve the item was unanimous.
- G. Charter School Intervention Policy 6.700 (0:38:54-0:40:01)  
First reading to reflect changes passed in the 111<sup>th</sup> General Assembly. The item was presented by Ms. Tess Stovall. The motion to approve the item was made by Mr. Ferguson and seconded by Ms. Tucker. The voice vote to approve the item was unanimous.
- H. Charter School Renewal Policy 6.800 (0:40:01-0:42:25)  
First reading to clarify the appeal process and reflect recent updates to State Board policy 2.500 and the changes passed in the 111<sup>th</sup> General Assembly. The item was presented by Ms. Tess

Stovall. The motion to approve the item was made by Mr. Eby and seconded by Ms. Tucker. The voice vote to approve the item was unanimous.

### III. Action Items (Final Reading)

- A. Professional Assessments Policy 5.105 (0:42:25-0:46:27)  
Final reading to clarify expectations for out of state applicants' use of the PLT or edTPA and to align with the Educator Licensure and Educator Preparation Rules. There have been changes since the first reading. The item was presented by Mr. Michael Deurlein. The motion to approve the item was made by Mr. Ferguson and seconded by Mr. Darnell. The voice vote to approve the item was unanimous.
- B. Teacher and Administrator Evaluation Policy 5.201 (0:46:27-0:52:02)  
Final reading to update the appendix with additional achievement measure selections. There have been changes since the first reading. The item was presented by Ms. Sylvia Flowers, Executive Director of Educator Effectiveness and Talent at the Tennessee Department of Education. The motion to approve the item was made by Ms. Tucker and seconded by Mr. Cobbins. The voice vote to approve the item was unanimous.
- C. K-5 STEM Permanent Course (0:52:02-0:52:01)  
Final reading of a new STEM course for grades K-5. Districts have requested this course so they can provide students with an opportunity to prepare for the 6-12 STEM courses. There have been no changes since the first reading. The item was presented by Ms. Lauren Bardwell, Executive Director of Adolescent Literacy, Social Studies, and Instructional Materials with the Tennessee Department of Education. The motion to approve the item was made by Mr. Eby and seconded by Mr. Edwards. The voice vote to approve the item was unanimous.
- D. Revisions to the Introduction & Appendix for the Social Studies Standards (0:52:01-0:53:57)  
Final reading to revise the Introduction and Appendix of the Tennessee Academic Standards for Social Studies. There have been changes since the first reading. The item was presented by Ms. Lauren Bardwell. The motion to approve the item was made by Mr. Darnell and seconded by Mr. Ferguson. The voice vote to approve the item was unanimous.
- E. High School Policy 2.103 (0:53:57-0:57:18)  
Final reading to correct the alternate assessment language and to add criteria for developing credit accrual programs to eliminate barriers for students at risk of not graduating. There have been changes since the first reading. The item was presented Ms. Aleah Guthrie. The motion to approve the item was made by Mr. Edwards and seconded by Mr. Eby. The voice vote to approve the item was unanimous.
- F. Educational Interpreters Policy 5.400 (0:57:18-0:58:00)  
Final reading to repeal this item as requirements for educational interpreters have been included in the Employment Standards Rule. There have been no changes since the first reading. The item was presented by Ms. Aleah Guthrie. The motion to approve the item was made by Ms. Tucker and seconded by Mr. Eby. The voice vote to approve the item was unanimous.

- G. Court-Ordered Day Treatment Facilities, Rule 0520-01-15 (0:58:00-1:01:03)  
 Final reading to provide clarity for LEAs in regard to T.C.A. § 49-3-370 as it relates to funding of educational services for children in eligible court-ordered day treatment facilities. There have been minor changes since the first reading. The item was presented by Ms. LaQuisha Oliver, Director of School Approval at the Tennessee Department of Education. Ms. Tucker made a motion to amend language in the item. Chairman Hartgrove approved the amended language without objection. The roll call vote to approve the amended item was unanimous.

<b>Item/Rule:</b> Court-Ordered Day Treatment Facilities, Rule 0520-01-15		
<b>Motion:</b> Ms. Tucker <b>Second:</b> Mr. Edwards		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	x	
<b>Mr. Nicholas Darnell</b>	x	
<b>Mr. Bob Eby - Vice Chair</b>	x	
<b>Mr. Mike Edwards</b>	x	
<b>Mr. Gordon Ferguson</b>	x	
<b>Ms. Elissa Kim</b>	x	
<b>Ms. Wendy Tucker</b>	x	
<b>Ms. Lillian Hartgrove - Chairman</b>	x	

**Items H through L were combined by the chairman at the beginning of the meeting without objection.**

- H. Charter School Appeals Policy 2.500 (1:01:04-1:05:21)  
 Final reading to clarify certain aspects of the appeal process and to ensure clear alignment to State Board Rule 0520-14-01-.02 and other State Board policies. There have been changes since the first reading. The item was presented by Ms. Ali Gaffey, Deputy Director of Charter Schools at the State Board of Education.
- I. Charter School Application Review Policy 6.300  
 Final reading to clarify certain aspects of the appeal process and to ensure clear alignment to State Board Rule 0520-14-01-.02 and other State Board policies. There have been minor changes since the first reading. The item was presented by Ms. Ali Gaffey.
- J. Charter School Performance Framework  
 Final reading to reflect feedback gathered from our authorized charter schools and reflections after our first year as an authorizer. There have been changes since the first reading. The item was presented by Ms. Ali Gaffey.
- K. Charter School Oversight and Evaluation Policy 6.500  
 Final reading to clarify aspects of the oversight and evaluation process, specifically within the requirements for data collection and analysis. There have been minor changes since the first reading. The item was presented by Ms. Ali Gaffey.

- L. Charter School Quality Charter Authorizing Standards Policy 6.111  
 Final reading to include an update that reflects revised national quality authorizing principles. There have been no changes since the first reading. The item was presented by Ms. Ali Gaffey.

The motion to approve items H through L was made by Ms. Wendy Tucker and seconded by Mr. Eby. The voice vote to approve these items was unanimous.

- M. State Minimum Salary Schedule for Fiscal Year 2019-20 (1:05:21-1:20:21)  
 First and final reading of an item that sets the state minimum salary schedule for licensed personnel. The item was presented by Ms. Elizabeth Fiveash, Assistant Commissioner for Policy and Legislation at the Tennessee Department of Education. The motion to approve the item was made by Ms. Tucker and seconded by Mr. Darnell. The voice vote for the item was unanimous.

- N. Charter School Local Education Agency (LEA) Policies (1:20:21-1:22:17)  
 First and final reading of updates to the policies that govern Board-authorized charter schools. The item was presented by Ms. Tess Stovall. The motion to approve the item was made by Mr. Edwards and seconded by Mr. Darnell. The voice vote for the item was unanimous.

- O. Educator Licensure, Rule 0520-02-03 (1:22:17-1:34:40)  
 Final reading of rule that incorporates educator licensure policy with updated and aligned requirements for all pathways. There have been changes since the first reading on October 2018. The item was presented by Mr. Michael Deurlein. The roll call vote was unanimous.

<b>Item/Rule:</b> Educator Licensure, Rule 0520-02-03		
<b>Motion:</b> Mr. Eby <b>Second:</b> Mr. Edwards		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	X	
<b>Mr. Nicholas Darnell</b>	X	
<b>Mr. Bob Eby - Vice Chair</b>	X	
<b>Mr. Mike Edwards</b>	X	
<b>Mr. Gordon Ferguson</b>	X	
<b>Ms. Elissa Kim</b>	X	
<b>Ms. Wendy Tucker</b>	X	
<b>Ms. Lillian Hartgrove - Chairman</b>	X	

- P. Charter School Amendments, Emergency Rule 0520-14-01-.06 (1:34:40-1:37:51)  
 First and final reading of an emergency rule to establish the timelines and appeal process for charter schools who wish to appeal a denial by the charter school authorizer of a petition to amend the charter agreement. The item was presented by Ms. Angie Sanders, General Counsel at the State Board of Education. The roll call vote was unanimous.

<b>Item/Rule:</b> Charter School Amendments, Emergency Rule 0520-14-01-.06		
<b>Motion:</b> Ms. Tucker <b>Second:</b> Mr. Edwards		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	x	
<b>Mr. Nicholas Darnell</b>	x	
<b>Mr. Bob Eby - Vice Chair</b>	x	
<b>Mr. Mike Edwards</b>	x	
<b>Mr. Gordon Ferguson</b>	x	
<b>Ms. Elissa Kim</b>	x	
<b>Ms. Wendy Tucker</b>	x	
<b>Ms. Lillian Hartgrove - Chairman</b>	x	

Response to Questions on the Education Licensure Rule 0520-02-03. (1:48:00-1:50:48)

Ms. Amy Owen, Director of Policy and Research with the State Board of Education, provided responses to member questions on the Licensure Rule (item III. O.). Ms. Owen gave a more detailed explanation of the rule to the board based on questions generated while the item was being presented.

**IV. Teacher License Actions**

(1:50:48-2:58:28)

The item was presented by Ms. Brittani Kendrick, Assistant General Counsel for Educator Discipline at the State Board of Education, and Ms. Hannah McCann, Staff Attorney at the State Board of Education.

<b>Item/Rule:</b> Items E, G, H, I, J, M, N, P, Q, R, S, and T Teacher Licensure Actions		
<b>Motion:</b> Mr. Edwards <b>Second:</b> Mr. Ferguson		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	x	
<b>Mr. Nicholas Darnell</b>	x	
<b>Mr. Bob Eby - Vice Chair</b>	x	
<b>Mr. Mike Edwards</b>	x	
<b>Mr. Gordon Ferguson</b>	x	
<b>Ms. Elissa Kim</b>	x	
<b>Ms. Wendy Tucker</b>	x	
<b>Ms. Lillian Hartgrove - Chairman</b>	x	

- E. Jermaine Johnson – Restoration
- G. Martin McFarlane – Revocation, Automatic
- H. Timothy Mercer – Revocation, Automatic, Permanent
- I. Michael Miles – Voluntary Surrender
- J. Jason Moore – Revocation, Automatic, Permanent
- M. Whitney Roberson – Formal Reprimand
- N. Velita Smith – Voluntary Surrender
- P. Lonnie Vann – Revocation, Automatic\*
- Q. Jameka Ward – Revocation, Automatic
- R. Michael Warwick – Revocation, Automatic, Permanent
- S. Johnny Washington – Voluntary Surrender
- T. Meghan Wilson – Revocation, Automatic

\*A. Nicholas Colbaugh – Suspension, 2 Years Retroactive

Mr. Eby made a motion to decline the Staff’s recommendation and elected to suspend Mr. Colbaugh’s license for two years. Ms. Tucker made a friendly amendment to add a screening process before license reinstatement. The item was sent back to the staff for further action. The roll call vote was unanimous.

<b>Item/Rule:</b> *A. Nicholas Colbaugh – Suspension, 2 Years Retroactive		
<b>Motion:</b> Mr. Eby <b>Second:</b> Ms. Tucker		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	x	
<b>Mr. Nicholas Darnell</b>	x	
<b>Mr. Bob Eby - Vice Chair</b>	x	
<b>Mr. Mike Edwards</b>	x	
<b>Mr. Gordon Ferguson</b>	x	
<b>Ms. Elissa Kim</b>	x	
<b>Ms. Wendy Tucker</b>	x	
<b>Ms. Lillian Hartgrove - Chairman</b>	x	

\*B. Billy Ray Duncan – Restoration denied

Ms. Tucker made the motion to decline the staff’s recommendation and Mr. Edwards seconded the motion to send the item back to the staff for further action. The roll call vote was unanimous.

<b>Item/Rule:</b> *B. Billy Ray Duncan – Restoration denied		
<b>Motion:</b> Ms. Tucker <b>Second:</b> Mr. Edwards		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	x	
<b>Mr. Nicholas Darnell</b>	x	
<b>Mr. Bob Eby - Vice Chair</b>	x	

<b>Mr. Mike Edwards</b>	X	
<b>Mr. Gordon Ferguson</b>	X	
<b>Ms. Elissa Kim</b>	X	
<b>Ms. Wendy Tucker</b>	X	
<b>Ms. Lillian Hartgrove - Chairman</b>	X	

\*C. Chase Helton – Voluntary Surrender\*

Ms. Tucker made the motion to accept the staff’s recommendation for the item and Mr. Eby seconded the motion. The roll call vote was unanimous.

<b>Item/Rule: *C. Chase Helton – Voluntary Surrender*</b>		
<b>Motion: Ms. Tucker                      Second: Mr. Eby</b>		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	X	
<b>Mr. Nicholas Darnell</b>	X	
<b>Mr. Bob Eby - Vice Chair</b>	X	
<b>Mr. Mike Edwards</b>	X	
<b>Mr. Gordon Ferguson</b>	X	
<b>Ms. Elissa Kim</b>	X	
<b>Ms. Wendy Tucker</b>	X	
<b>Ms. Lillian Hartgrove - Chairman</b>	X	

\*D. Walter Hite – Suspension, 3 Months Retroactive

Mr. Darnell made the motion to accept the staff’s recommendation and Ms. Tucker seconded the motion. The roll call vote was unanimous.

<b>Item/Rule: *D. Walter Hite – Suspension, 3 Months Retroactive</b>		
<b>Motion: Mr. Darnell                      Second: Ms. Tucker</b>		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	X	
<b>Mr. Nicholas Darnell</b>	X	
<b>Mr. Bob Eby - Vice Chair</b>	X	
<b>Mr. Mike Edwards</b>	X	
<b>Mr. Gordon Ferguson</b>	X	
<b>Ms. Elissa Kim</b>	X	
<b>Ms. Wendy Tucker</b>	X	
<b>Ms. Lillian Hartgrove - Chairman</b>	X	



\*F. Melissa Lamb – Formal Reprimand

Mr. Darnell made the motion to accept the staff’s recommendation and Ms. Tucker seconded the motion. The roll call vote was unanimous.

<b>Item/Rule:</b> *F. Melissa Lamb – Formal Reprimand		
<b>Motion:</b> Mr. Darnell <b>Second:</b> Ms. Tucker		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
Mr. Darrell Cobbins	X	
Mr. Nicholas Darnell	X	
Mr. Bob Eby - Vice Chair	X	
Mr. Mike Edwards	X	
Mr. Gordon Ferguson	X	
Ms. Elissa Kim	X	
Ms. Wendy Tucker	X	
Ms. Lillian Hartgrove - Chairman	X	

\*K. Larry Nidiffer – Suspension, 3 Months

The motion was made by Mr. Eby to decline the staff’s recommendation and Mr. Ferguson seconded the motion to send the item back to the staff for further action. The roll call vote was unanimous.

<b>Item/Rule:</b> *K. Larry Nidiffer – Suspension, 3 Months		
<b>Motion:</b> Mr. Eby <b>Second:</b> Mr. Ferguson		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
Mr. Darrell Cobbins	X	
Mr. Nicholas Darnell	X	
Mr. Bob Eby - Vice Chair	X	
Mr. Mike Edwards	X	
Mr. Gordon Ferguson	X	
Ms. Elissa Kim	X	
Ms. Wendy Tucker	X	
Ms. Lillian Hartgrove - Chairman	X	

\*L. Leeona Oszust (Acuff) – Suspension, 1 Year Retroactive\*\*

The motion was made by Ms. Tucker to decline the staff’s recommendation and Mr. Edwards seconded the motion to send the item back to the staff for further action. The roll call vote was unanimous.

<b>Item/Rule:</b> *L. Leeona Oszust (Acuff) – Suspension, 1 Year Retroactive**		
<b>Motion:</b> Ms. Tucker <b>Second:</b> Mr. Edwards		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	x	
<b>Mr. Nicholas Darnell</b>	x	
<b>Mr. Bob Eby - Vice Chair</b>	x	
<b>Mr. Mike Edwards</b>	x	
<b>Mr. Gordon Ferguson</b>	x	
<b>Ms. Elissa Kim</b>	x	
<b>Ms. Wendy Tucker</b>	x	
<b>Ms. Lillian Hartgrove - Chairman</b>	x	

\*O. Emily Tubb – Restoration

Ms. Tucker made the motion to accept the staff’s recommendation and Mr. Ferguson seconded the motion. The roll call vote was unanimous.

<b>Item/Rule:</b> *O. Emily Tubb – Restoration		
<b>Motion:</b> Ms. Tucker <b>Second:</b> Mr. Ferguson		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	x	
<b>Mr. Nicholas Darnell</b>	x	
<b>Mr. Bob Eby - Vice Chair</b>	x	
<b>Mr. Mike Edwards</b>	x	
<b>Mr. Gordon Ferguson</b>	x	
<b>Ms. Elissa Kim</b>	x	
<b>Ms. Wendy Tucker</b>	x	
<b>Ms. Lillian Hartgrove - Chairman</b>	x	

**V. Teacher Licensure Appeal Actions** (2:58:28-3:02:26)

The item was presented by Ms. Brittani Kendrick.

**A. Erin Knight**

Pursuant to the Tennessee Uniform Administrative Procedures Act, the Board is required to hear Ms. Knight’s appeal of the Initial Order of the Administrative Law Judge. Ms. Tucker made the motion to accept the judge’s decision in whole and Mr. Eby seconded the motion. The roll call vote was unanimous.

<b>Item/Rule:</b> A. Erin Knight Appeal of the Initial Order of the Administrative Law Judge.		
<b>Motion:</b> Ms. Tucker <b>Second:</b> Mr. Eby		
<b>Member</b>	<b>YEA</b>	<b>NAY</b>
<b>Mr. Darrell Cobbins</b>	X	
<b>Mr. Nicholas Darnell</b>	X	
<b>Mr. Bob Eby-Vice Chair</b>	X	
<b>Mr. Mike Edwards</b>	X	
<b>Mr. Gordon Ferguson</b>	X	
<b>Ms. Elissa Kim</b>	X	
<b>Ms. Wendy Tucker</b>	X	
<b>Ms. Lillian Hartgrove-Chairman</b>	X	

VI.      **Adjournment**

(3:06:14)

**MEETING DATES FOR 2019:**

**July 26, 2019**

**November 15, 2019**

**State Board of Education  
1<sup>th</sup> Floor – Andrew Johnson Tower  
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