

MINUTES STATE BOARD OF EDUCATION Senate Hearing Room 1, Cordell Hull Building 425 5th Avenue North Nashville, TN 37243 July 22, 2022

9:00 a.m. CST

Video Recording: https://www.youtube.com/watch?v=OpzGl j 3gE

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

MEMBER	PRESENT	ABSENT
Mr. Darrell Cobbins	Х	
Mr. Nicholas Darnell	Х	
Mr. Bob Eby - Vice Chairman	Х	
Mr. Ryan Holt	Х	
Dr. Emily House - Director, THEC	Х	
Victoria Harpool attended as designee		
for Dr. House		
Mr. Larry Jensen		X
Mr. Jordan Mollenhour	Х	
Mr. Nate Morrow	Х	
Mr. Warren Wells	Х	
Ms. Lillian Hartgrove - Chairman	Х	

Welcome and Introductions

(01:00-04:38)

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

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

Chairman Hartgrove noted, without objection, that items II. I, II. L, and II. M will be removed from the agenda and presented at a later meeting. Additionally, Item III. Q will be split into two items to consider the recommendation for Rhodes College separately. Mr. Eby made a motion to remove item III. Y from the agenda and be presented at a later meeting. Mr. Mollenhour seconded the motion. All members voted to approve the motion.

I. Consent Items (04:39-05:41)

Chairman Hartgrove presented the items. Mr. Wells made the motion to approve the consent agenda and Mr. Darnell provided the second. All members voted to approve the motion by voice vote.

- A. Adoption of Agenda
- B. Minutes from May 20, 2022 SBE Meeting
- C. Licensure Discipline Settlement Approvals

Item to approve settlements on several licensure actions as recommended by State Board attorneys.

D. 2023 SBE Quarterly Meeting Dates

Item to approve the 2023 SBE meeting dates.

II. Action Items (First Reading)

A. Non-Public Schools Administrative Rule 0520-07-01

(05:42-13:48)

First reading of the item to remove outdated language, provide greater clarity regarding the maintenance of student records and transfers of students, and to specify reporting and monitoring requirements applicable to non-public schools. Ms. Angie Sanders, General Counsel for the State Board of Education, presented the item. Mr. Eby requested the addition of definitions to the rule between first and final reading. Mr. Eby made the motion and Mr. Cobbins seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

B. Non-Public Schools Approval Process Rule 0520-07-02

(13:48-16:19)

First reading of the item to remove outdated language, ensure consistency with current state and federal laws and rules, and to provide greater clarity regarding the specific requirements applicable to each category of non-public schools. The item was presented by Ms. Angie Sanders. Mr. Cobbins made the motion and Mr. Holt seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

C. Special Courses Policy 3.201

(16:20-18:50)

First reading of the item to specify the process for a charter school to request approval of a special course. Ms. Angie Sanders presented the item. Mr. Eby made the motion and Mr. Morrow seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

D. Uniform Grading System Permanent Rule 0520-01-03-.02

(18:51-29:28)

First reading of the item to align this rule with Public Chapter 1080 of the 2022 legislative session. Ms. Catherine Johnson, Deputy Director of Academic Policy for the State Board of Education, presented the item. Mr. Wells made the motion and Mr. Cobbins seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

E. Educator Licensure Rule 0520-02-03-.02 through -.05 and -.10 through -.15 (29:29-31:32)

First reading of the item to make various revisions to the Educator Licensure Rule in response to recent statutory changes, including Public Chapter 692, Public Chapter 932, and Public Chapter 1093 of the 2022 legislative session. Revisions include creating a Limited License pathway, adding flexibilities for issuance of permits and endorsement exemptions, and expanding the type of qualifying experience for individuals applying for an instructional leader license through an out-of-state pathway. Mr. Jack Powers, Director of Policy at the Department of Education, presented the item. Mr. Morrow made the motion and Mr. Holt seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

F. Graduation Requirements Rule 0520-01-03-.06

(31:33-38:05)

First reading of the item to add requirements for an Industry 4.0 diploma distinction pursuant to Public Chapter 946 of the 2022 legislative session. Revisions also include adding computer science as a graduation requirement starting with 9th grade students in the 2024-25 school year pursuant to Public Chapter 979 of 2022. Ms. Deborah Knoll, Assistant Commissioner of CTE for the Department of Education, presented the item. Mr. Eby made the motion and Mr. Wells seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

G. Evaluations - General Requirements for Evaluations Rule

(38:06-41:00)

First reading of the item to align the Educator Evaluation Rule with recent statutory changes, including Public Chapter 991 and Public Chapter 1096 of the 2022 legislative session. Ms. Martha Moore, Senior Director of Educator Effectiveness for the Department of Education, presented the item. Mr. Cobbins made the motion and Mr. Holt seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

H. Individualized Education Accounts (IEA) Rule 0520-01-11-.02, -.04, -.06, and -.08 (41:01-44:39)

First reading of the item to add "specific learning disability" as an eligible disability category for the IEA program pursuant to Public Chapter 1019 of the 2022 legislative session. Ms. Robin Yeh, Policy Analyst for the Tennessee Department of Education, presented the item. Mr. Cobbins requested a report on the IEA participation rate before final reading. Mr. Darnell made the motion and Mr. Cobbins seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

I. Special Education Programs and Services Rule 0520-01-09-.10 and .11 (item pulled from agenda)

First reading of the 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.

At the Chairman's request and without objection, this item was removed from the agenda and will be presented at a later meeting.

J. Course Access Program Rule 0520-01-14-.02 through -.06

(44:40-46:19)

First reading of the item to align the Course Access Program Rule with recent statutory changes from Public Chapter 929 of the 2022 legislative session. Mr. Jack Powers presented the item. Mr. Eby made the motion and Mr. Morrow seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

K. Career and Technical Education (CTE) Course Standards

(46:20-53:54)

First reading of the item to revise course standards for several CTE career clusters. Ms. Sarah Williams, Senior Director of Career and Technical Education for the Department of Education, presented the item. Chairman Hartgrove requested further definition and examples of professionalism be added between first and final reading. Mr. Morrow made the motion and Mr. Darnell seconded the motion to accept the item on first reading. All members voted to approve the motion by voice vote.

L. Dyslexia Individualized Learning Plans Rule 0520-01-22 (item pulled from agenda)

First reading of the item to create a new rule to outline requirements for LEAs to develop dyslexia individualized learning plan for students identified with characteristics of dyslexia.

At the Chairman's request and without objection, this item was removed from the agenda and will be presented at a later meeting.

M. English as a Second Language (ESL) Programs Rule 0520-01-19 (item pulled from agenda) 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.

At the Chairman's request and without objection, this item was removed from the agenda and will be presented at a later meeting.

N. Interscholastic Athletics Rule 0520-01-23

(53:55-1:01:08)

First reading of the item to create an Interscholastic Athletics rule pursuant to Public Chapter 909 of the 2022 legislative session. Ms. Shaundraya Hersey, Staff Attorney for the Department of Education, presented the item. Mr. Holt and Mr. Morrow requested that additional clarity be provided between first and final reading on the Commissioner's authority and the process to determine the amount of funds withheld. Mr. Wells made the motion and Mr. Mollenhour seconded the motion to accept the item on first reading. Mr. Cobbins opposed the motion while all other members voted to approve the motion by voice vote.

O. Tennessee Academic Standards for Science

(1:01:09-1:07:14)

First reading of the item to approve revisions to the K-12 Science Standards, as recommended by the Science Standards Recommendation Committee. Ms. Catherine Johnson presented the item. Mr. Eby made the motion and Mr. Holt seconded the motion to accept the item on first reading. All members voted to approve the motion.

III. Action Items (Final Reading)

A. Board Members Policy 1.200

(1:07:15-1:10:10)

Final reading of the item to revise the policy in accordance with recent changes to statute. There have been changes to this item since first reading. Ms. Angie Sanders presented the item. Mr. Mollenhour made the motion and Mr. Morrow seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

B. Educator Licensure – Denial, Formal Reprimand, Suspension, and Revocation Rule 0520-02-03-.09 (1:10:11-1:12:56)

Final reading of the item to create a new category of offenses that are subject to disciplinary action to include misdemeanor convictions where the victim is a minor and to make other technical corrections. There have been changes to this item since first reading. Mr. Todd Madison, Senior Staff Attorney for the State Board of Education, presented the item. This item required a roll-call vote.

Item/Rule: Educator Licensure – Denial,
Formal Reprimand, Suspension, and
Revocation Rule 0520-02-0309
Motion: Mr. Holt
Second: Mr. Cobbins

YEA	NAY	PNV	Absent
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C. Repeal English as a Second Language (ESL) Program Policy 3.207 (1:12:56-1:14:16) Final reading of the item to repeal policy 3.207 due to duplicative content with ESL Rule 0520-01-19. There have been no changes to this item since first reading. Ms. Catherine Johnson presented the item. Mr. Darnell made the motion and Mr. Holt seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

D. Statewide Dual Credit (SDC) Course Approval – Sociology Course Standards (1:14:17-1:18:46)

Final reading of the item to remove approval of SDE Sociology course due to conflicts with law. There have been no changes to this item since first reading. Ms. Catherine Johnson presented the item. Mr. Mollenhour made the motion and Mr. Eby seconded the motion

to approve the item on final reading. All members voted to approve the motion by voice vote.

E. Statewide Dual Credit (SDC) Courses Approvals

(1:18:47-1:20:44)

Final reading of the item to approve several proposed new and revised statewide dual credit courses. There have been no changes to this item since first reading. Ms. Catherine Johnson presented the item. Mr. Eby made the motion and Mr. Wells seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

F. Teaching as a Profession and Foundational Literacy Course Standards (1:20:45-1:23:07) Final reading of the item to revise the Teaching as a Profession (TAP) courses and add a new course to the TAP program of student-focused foundational literacy skills pursuant to the Tennessee Literacy Success Act. There have been no changes to this item since first reading. Dr. Lisa Coons presented the item. Mr. Cobbins made the motion and Mr. Morrow seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

G. Approved High School Courses Policy 3.205

Ms. Lillian Hartgrove - Chairman

(1:23:08-1:24:45)

Final reading of the item to update the approved high school courses policy with new and removed courses. There has been one change to this item since first reading. Ms. Catherine Johnson presented the item. Mr. Darnell made the motion and Mr. Wells seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

H. Charter Schools – Approval of a Charter School Rule 0520-14-01-.01 (1:24:46-1:31:05) Final reading of the item to clarify definition of "complete application" for the purposes of approval of charter applicants. The changes will apply to applicants seeking to open a charter school in the 2024-25 school year. There have been minor changes to this item since first reading. Mr. Nate Parker, Senior Director of Choice for the Department of Education, presented the item. This item required a roll-call vote.

Item/Rule: Charter Schools – Approval of a Charter School Rule 0520-14-01-.01 Motion: Mr. Mollenhour Second: Mr. Holt **MEMBER** YEA NAY **PNV Absent** Mr. Darrell Cobbins Χ Χ Mr. Nicholas Darnell Mr. Bob Eby - Vice Chairman Χ Χ Mr. Ryan Holt Mr. Larry Jensen Χ Mr. Jordan Mollenhour Χ Χ Mr. Nate Morrow Χ Mr. Warren Wells

Χ

I. Academic and Instructional Requirements Rule 0520-01-03-.03 and .16 (1:33:14-2:24:58)

Final reading of the item to revise promotion and retention requirements of 3rd grade students pursuant to Public Chapter 1 of the 2021 First Extraordinary Session. These changes go into effect beginning the 2022-23 school year. There have been changes to this item since first reading. Ms. Casey Haugner Wrenn, Assistant Commissioner of Assessments for the Department of Education, Mr. Jack Powers, and Dr. Lisa Coons presented the item. Mr. Mollenhour made a motion to amend the item by changing the term "guardian" to "legal guardian" in specific sections and Mr. Eby seconded the motion. All members voted to approve the motion by voice vote. Mr. Eby made a motion to amend the item by changing the term "materials" to "high quality instructional materials" in a specific section and Mr. Cobbins seconded the motion. All members voted to approve the motion by voice vote. This item required a roll-call vote.

Item/Rule: Academic and Instructional Requirements Rule 0520-01-03-.03 and .16

Motion: Mr. Holt 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			

J. Educator Evaluation Policy 5.201

(2:24:59-2:29:19)

Final reading of the item to update the approved achievement measures list and charter observation models. There have been changes to this item since first reading to add state-adopted benchmark assessment to the achievement measure list to align with Public Chapter 914 of 2022. Ms. Martha Moore presented the item. Chairman Hartgrove requested unanimous consent to reinstate language that was inadvertently deleted. The request was made without objection. Mr. Eby made the motion and Mr. Morrow seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

K. Educator Preparation Provider and Program Reviews and Annual Reports Rule 0520-02-04-.07 (2:26:20-2:32:27)

Final reading of the item to provide a pathway by which the Department could bring a status change recommendation to EPP and SAP approvals based on program alignment with EPP Literacy Standards. There have been changes to this item since first reading to align with Public Chapter 974 of 2022. Ms. Annie Insana, Senior Director of Educator

Preparation for the Department of Education, presented the item. This item required a roll-call vote.

Item/Rule: Educator Preparation
Provider and Program Reviews and
Annual Reports Rule 0520-02-0407
Motion: Mr. Eby

YEA	NAY	PNV	Absent
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L. Educator Licensure Policy 5.502

Second: Mr. Holt

(2:32:28-2:40:14)

Final reading of the item to specify the endorsements in which educators will need to submit qualifying scores on an approved literacy assessment or complete approved professional development in foundational literacy skills. There have been changes to this item since first reading to align with Public Chapter 979 of 2022. Mr. Jack Powers presented the item. Mr. Darnell requested an update from the Department of Education on the number of educators enrolled in the new endorsement process. Mr. Eby made the motion and Mr. Wells seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

M. Tennessee Academic Standards for Fourth-Year Mathematics Courses (2:40:15-2:43:22) Final reading of the item to adopt revised standards for fourth-year math courses, developed in accordance with the standards review process laid out in statute. There has been a technical edit to fix numbering in Pre-calculus since first reading. Ms. Catherine Johnson presented the item. Mr. Cobbins made the motion and Mr. Darnell seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

N. Academic and Instructional Requirements - Uniform Grading System Emergency Rule 0520-01-03-.02 (2:43:23-2:46:29)

First and final reading of the item to align this rule with Public Chapter 1080 of the 2022 legislative session. Ms. Catherine Johnson presented the item. This item required a roll-call vote.

Item/Rule: Academic and Instructional Requirements - Uniform Grading System Emergency Rule 0520-01-03-.02

Motion: Mr. Holt 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					

O. Uniform Grading Policy 3.301

(2:46:30-2:48:05)

First and final reading of the item to align this rule with Public Chapter 1080 of the 2022 legislative session. Ms. Catherine Johnson presented the item. Mr. Cobbins made the motion and Mr. Eby seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

P. High School Policy 2.103

(2:48:06-2:49:15)

First and final reading of the item to align this rule with Public Chapter 1080 of the 2022 legislative session. Ms. Catherine Johnson presented the item. Mr. Darnell made the motion and Mr. Wells seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

Q. Educator Preparation Program (EPP) and Specialty Area Program (SAP) Approval Recommendations (2:49:16-2:57:00)

First and final reading of the item to recommend EPPs and SAPs for approval after comprehensive review. Ms. Annie Insana presented the item. By member request, the recommendation for Rhodes College was pulled for separate consideration. Mr. Eby made the motion and Mr. Morrow seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

The recommendation for Rhodes College was voted upon separately from the other recommendations within this item. Due to a potential perceived conflict of interest, Mr. Cobbins recused himself from the vote. Mr. Wells made the motion and Mr. Mollenhour seconded the motion to approve the item on final reading. All other members voted to approve the motion by voice vote.

R. Standard Setting for Alternative Social Studies Assessments and MSAA Assessments

(2:57:01-3:01:09)

First and final reading of the item to set cut scores for alternative social studies assessments. Ms. Casey Haugner Wrenn presented the item. Mr. Holt made the motion

and Mr. Mollenhour seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

S. Fiscal Year 2022-23 Basic Education Program (BEP) Allocations (3:01:10-3:07:10) First and final reading of BEP allocations for the 2022-23 school year. Ms. Maryanne

Durski, Chief Financial Officer for the Department of Education, presented the item. Mr. Eby made the motion and Mr. Mollenhour seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

T. 2022-23 Special Course Approvals

(3:07:11-3:11:48)

First and final reading of special course approval recommendations. Dr. Lisa Coons presented the item. Mr. Mollenhour requested that the Department of Education ensure all items are received in advance of the meeting. Mr. Mollenhour made the motion and Mr. Cobbins seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

U. Physical Education Standards

(3:11:49-3:16:18)

First and final reading to propose no revisions to the Physical Education standards in the scheduled review cycle. The Department plans to conduct stakeholder outreach during the 2022-23 school year to propose recommendations in July 2023. Ms. Heather Piergies, Physical Education and Physical Activity Coordinator for the Department of Education, presented the item. Mr. Eby made the motion and Mr. Wells seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

V. Health and Wellness Standards

(3:16:19-3:17:55)

First and final reading to propose no revisions to the Health and Wellness standards in the scheduled review cycle. The Department plans to conduct stakeholder outreach during the 2022-23 school year to propose recommendations in July 2023. Ms. Heather Piergies presented the item. Mr. Cobbins made the motion and Mr. Darnell seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

W. Fine Arts Standards

(3:17:56-3:20:34)

First and final reading to propose no revisions to the Fine Arts standards in the scheduled review cycle. The Department plans to conduct stakeholder outreach during the 2022-23 school year to propose recommendations in July 2023. Mr. Todd Shipley, Director of Fine Arts for the Department of Education, presented the item. Mr. Cobbins made the motion and Mr. Wells seconded the motion to approve the item on final reading. All members voted to approve the motion by voice vote.

X. Educator Licensure - Requirements for the Limited License Emergency Rule 0520-02-03-.16 (3:20:35-3:22:15)

First and final reading of emergency rule to enact requirements for a limited license and a pathway to advance from a limited license to a practitioner license pursuant to Public Chapter 1093 of 2022 legislative session. Mr. Jack Powers presented the item. This item required a roll-call vote.

Item/Rule: Educator Licensure Requirements for the Limited License
Emergency Rule 0520-02-03-.16

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	X			
Mr. Larry Jensen				Х
Mr. Jordan Mollenhour	Х			
Mr. Nate Morrow	Х			
Mr. Warren Wells	Х			
Ms. Lillian Hartgrove - Chairman	Х			

Y. Resolution 2022-01 (item pulled from agenda)

(3:22:15)

First and final reading of a resolution in support of Tennessee teachers and educator preparation programs.

By member request, this item was removed from the agenda and will be presented at a later meeting.

IV. Automatic Teacher License Actions

(3:22:16-3:25:29)

Mr. Todd Madison, Mr. Alex Anderson, Staff Attorney for the State Board of Education, and Ms. Candace Carter, Staff Attorney for the State Board of Education, presented the automatic teacher license discipline item. This item required a roll-call vote.

A. Automatic Licensure Actions – Revocation and Permanent Revocation – Clifton Horn

Item/Rule: Automatic Teacher License
Actions
Motion: Mr. Morrow
Second: Mr. Mollenhour

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

Ms. Lillian Hartgrove - Chairman	Х		

V. Teacher License Discipline Actions

(3:25:30-3:27:05)

Mr. Todd Madison, Mr. Alex Anderson, and Ms. Candace Carter presented the teacher license discipline items. All actions were considered as a consent agenda for a single roll-call vote.

- A. Terrance Parker Andrews Voluntary Surrender
- B. Vicki Wenona Beerman Formal Reprimand
- C. Gelonzo Davis Voluntary Surrender
- D. Kelly M. Downing Formal Reprimand
- E. Kendall Hastings Suspension, 3 Months with Professional Development
- F. Kindelris Johnson Suspension, 6 Months
- G. Aldrianne Myers Denial with Stipulation

Item/Rule: Teacher License Discipline

- H. Alicia Danielle Sharp Suspension, 2 Years with Professional Development
- I. Darius Taylor Denial of Permit

Actions				
Motion: Mr. Cobbins				
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			

VI. Adjournment (3:27:06)

REMAINING MEETING DATES FOR 2022: October 28, 2022

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