



MINUTES
STATE BOARD OF EDUCATION
March Special Called Meeting
Nashville, TN 37243
March 23, 2023
1:00 pm CT
Video Recording:

<https://www.youtube.com/watch?v=6PI8SrxabLs>

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
Mr. Darrell Cobbins – Vice Chair	X	
Mr. Nicholas Darnell	X	
Ms. Lillian Hartgrove	X	
Mr. Ryan Holt	X	
Dr. Bob Smith (Victoria Hartgrove designee)	X	
Mr. Larry Jensen	X (late)	
Mr. Jordan Mollenhour	X (late)	
Mr. Nate Morrow	X	
Mr. Warren Wells	X	
Mr. Bob Eby - Chairman	X	

- I. **Letter of Necessity** (0:04:10-0:05:39)
 Sander, General Counsel for the State Board Ms. Angela

- II. **Consent Items** (0:05:40-0:07:31)
 - A. **Adoption of Agenda**
 This item was presented by Chairman Bob Eby. Mr. Nate Morrow provided the motion. Mr. Jordan Mollenhour provided the second.

Item/Rule: Adoption of Agenda					
Motion: Mr. Morrow Second: Mr. Mollenhour					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt					X
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

III. First Reading Items

(0:07:32-0:09:40)

A. Promotion and Retention Policy 3.300

Ms. Robin Yeh, Deputy Director of Policy informed the Board that Dr. David Laird was having technical difficulties. The Chair proposed to move this item to the end of the meeting. Mr. Warren Wells made the motion. Mr. Mollenhour provided the second. The motion was approved, and this item was moved to the end of the agenda.

Item/Rule: Move item to end of agenda					
Motion: Mr. Morrow Second: Mr. Mollenhour					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt					X
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

IV. Final Reading Items

- A. District and School Operations Rule 0520-01-02-.01, -.09, -.10, and -.1305** (0:09:41-0:13:24)
 Ms. Maryanne Durski, Chief Financial Officer for the Department of Education, presented this item. Ms. Lillian Hartgrove made the motion. Mr. Mollenhour provided the second. This item required a roll-call vote.

Item/Rule: District and School Operations Rule 0520-01-02-.01, -.09, -.10, and -.1305					
Motion: Ms. Hartgrove Second: Mr. Mollenhour					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt					X
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

- B. Education of Incarcerated Students Rule 0520-01-12-.03 and -.05** (0:13:25-0:16:07)
 Ms. Durski presented this item. Mr. Morrow made the motion. Mr. Ryan Holt seconded the motion. This item required a roll-call vote.

Item/Rule: Education of Incarcerated Students Rule 0520-01-12-.03 and .05					
Motion: Mr. Morrow Second: Mr. Holt					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt	X				
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

- C. School and Student Health Services Rule 0520-01-13-.01** (0:16:08-0:19:05)
 Ms. Durski presented this item. Mr. Nick Darnell made the motion. Mr. Wells seconded the motion. This item required a roll-call vote.

Item/Rule: School and Student Health Services Rule 0520-01-13-.01					
Motion: Mr. Darnell Second: Mr. Wells					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt	X				
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

- D. Court Ordered Day Treatment Facilities - Calculation of Funds Rule 0520-01-15-.05** (0:19:06-0:21:46)
 Ms. Durski presented this item. Ms. Hargrove made the motion. Mr. Morrow seconded the motion. This item required a roll-call vote.

Item/Rule: Court Order Day Treatment Facilities – Calculation of Funds Rule 0520-01-15-.05					
Motion: Ms. Hartgrove Second: Mr. Morrow					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt	X				
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

- E. Education Savings Accounts Rule 0520-01-16-.04, -.06, and -.10** (0:21:47-0:24:47)
 Ms. Durski presented this item. Mr. Wells made the motion. Mr. Mollenhour seconded the motion. This item required a roll-call vote.

Item/Rule: Education Savings Accounts Rule 0520-01-16-.04, .06, and .10					
Motion: Mr. Wells Second: Mr. Mollenhour					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt	X				
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

- F. Continuous Learning Plans – Purpose of CLP Rule 0520-01-17-.02** (0:24:48-0:27:24)
Ms. Durski presented this item. Mr. Darnell made the motion. Ms. Hartgrove seconded the motion. This item required a roll-call vote.

Item/Rule: Continuous Learning Plans – Propose of CLP Rule 0520-01-17-.02					
Motion: Mr. Darnell Second: Ms. Hartgrove					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt	X				
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

- G. Residential Mental Health Facilities Rule 0520-01-20-.02, -.05, and -.06** (0:27:25-0:29:58)
Ms. Durski presented this item. Mr. Wells made the motion. Mr. Mollenhour seconded the motion. This item required a roll-call vote.

Item/Rule: Residential Mental Health Facilities Rule 0520-01-20-.02, .05, and .06					
Motion: Mr. Wells Second: Mr. Mollenhour					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt	X				
Mr. Larry Jensen					X
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

H. Fiscal Capacity Formula Approval (0:29:59-0:38:33)

This item was presented by Ms. Lina Wesson, Assistant Director for the Comptroller Office of Research and Education Accountability. Mr. Mollenhour inquired if the data would be made public. Dr. Sara Morrison, Executive Director for the State Board confirmed the Board and the Department were working on that. Chairman Eby asked about what kind of public input is considered. Ms. Wesson stated that there is no public input considered as the output is the average of the formulas used to calculate it. Mr. Mollenhour made the motion. Ms. Hartgrove provided the second. This item required a roll call vote.

Item/Rule: Fiscal Capacity Formula Approval					
Motion: Mr. Mollenhour Second: Ms. Hartgroves					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt	X				
Mr. Larry Jensen	X				
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

I. Textbook/Instruction Materials Waiver Request: Metro-Nashville Public Schools (0:38:34-0:42:16)

This item was presented by Ms. Catherine Johnson, Deputy Director of Academic Policy for the State Board. Mr. Holt made the motion. Mr. Morrow provided the second. This item required a roll call vote.

Item/Rule: Textbook/Instructional Materials Waiver Request: Metro-Nashville Public Schools					
Motion: Mr. Darnell Second: Mr. Wells					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair					X
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove	X				
Mr. Ryan Holt	X				
Mr. Larry Jensen	X				
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				
Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

V. Return to First Reading Item

(0:42:17-1:53:06)

A. Promotion and Retention Policy 3.300

This item was presented by Ms. Robin Yeh. Dr. David Laird, Assistant Commissioner for Assessment and Accountability expanded on what the policy does and how it works. Ms. Hartgrove asked how the student retest would work. Dr. David Laird stated that any student is eligible to take a retake assessment held at the end of May to early June per law functions like a TCAP assessment. The one difference is that the design of the retake assessment does not include constructed response questions. There was further discussion about the retake assessments. There was then a discussion on the adequate growth measure and how it is measured. The discussion continued around both of these topics and general confusion over this policy, the rule, and the law. The conversation then moved to potential issues of pushing this vote back to a future meeting and what a modified schedule would look like. Mr. Mollenhour provided a motion to postpone consideration until the next State Board meeting on May 19, 2023. Chairman Eby provided the second. This required a roll call vote.

Item/Rule: Move consideration to next Board meeting					
Motion: Mr. Mollenhour Second: Mr. Eby					
MEMBER	YEA	NAY	PNV	Absent	Technical Difficulties
Mr. Darrell Cobbins – Vice Chair	X				
Mr. Nicholas Darnell	X				
Ms. Lillian Hartgrove		X			
Mr. Ryan Holt	X				
Mr. Larry Jensen	X				
Mr. Jordan Mollenhour	X				
Mr. Nate Morrow	X				

Mr. Warren Wells	X				
Mr. Bob Eby - Chairman	X				

VI. Adjournment

(1:53:06-1:53:31)

This meeting was conducted electronically and included board members participating by electronic means of communication. Information regarding public participation in the meeting can be obtained in the Board Meetings policy [here](#).

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