



**MINUTES**  
**STATE BOARD OF EDUCATION**  
**February Quarterly Meeting**  
**Nashville, TN 37243**  
**August 4, 2023**  
**9:00 am CT**  
**Video Recording:**

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

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

<b>MEMBER</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>Note</b>
Mr. Darrell Cobbins – Vice Chair	X		
Ms. Lillian Hartgrove – Chair Emeritus	X		
Mr. Ryan Holt	X		
Dr. Bob Smith – Victoria Harpool, Designee	X		
Mr. Larry Jensen	X		
Mrs. McInturff	X		
Mr. Jordan Mollenhour	X		
Mr. Nate Morrow		X	Excused
Mr. Warren Wells	X		
Mr. Bob Eby - Chair	X		

**Welcome and Introductions** (0:17:34-0:18:07)

Mr. Bob Eby, Chairman for the State Board of Education

Update on August 3, 2023 Board Workshop (0:18:08-0:19:48)

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

**I. Consent Items** (0:19:49-0:24:55)

**A. Adoption of Agenda**

**B. Minutes from May 19, 2023 Meeting and June 22, 2023 Special Called Meeting**

These two items were presented by Chairman Bob Eby. Mr. Cobbins provided the motion and Mr. Jensen provided the second. This item was approved by voice vote.

**C. 2024 State Board of Education Quarterly Meeting Dates**

This item was presented by Chairman Bob Eby. Mr. Jensen proposed changing the August meeting dates to August 15<sup>th</sup> and 16<sup>th</sup>. Mr. Jensen provided the motion and Mr. Wells provided the second. This motion was approved by voice vote.

**II. Report Items** (0:24:56-0:46:41)

**A. State Board of Education Member Updates**

**B. Tennessee Investment in Student Achievement (TISA) Allocations for FY 2023-24**

**III. First Reading Items**

**A. Physical Education Course Standards** (0:46:42-0:51:42)

This item was presented by Ms. Lori Paisley, Senior Director of Coordinated School Health for the Department. Mr. Eby asked why the forward roll was taken out of the standards. They were removed for safety concerns. Mr. Cobbins provided the motion and Mr. Holt provided the second. This motion was accepted by voice vote.

**B. Health Education Course Standards** (0:51:43-56:46)

This item was presented by Ms. Lori Paisley, Senior Director of Coordinated School Health for the Department. Ms. Hartgrove mentioned she is happy with the changes that were made, particularly around mental and emotional health. Ms. Hartgrove provided the motion. Mr. Wells provided the second. This motion was accepted by voice vote.

**C. Career and Technical Education (CTE) Course Standards** (0:56:47-1:07:10)

This item was presented by Ms. Deborah Knoll, Assistant Commissioner of College, Career, and Technical Education for the Department. Mr. Eby asked for how many districts offered each course, and that information was provided. Ms. Hartgrove highlighted the stakeholder engagement that was conducted. Mr. Jensen asked how long it takes for new courses to be created. Ms. Knoll laid out the steps and stated it would take about a year. Mr. Mollenhour provided the motion. Mr. Jensen provided the second. This motion was accepted by voice vote.

**D. High School Career Exploration Courses Standards** (1:07:11-1:14:41)

This item was presented by Ms. Deborah Knoll, Assistant Commissioner of College, Career, and Technical Education for the Department. Ms. Hartgrove inquired how many students have taken the 12<sup>th</sup> grade course. Ms. Knoll did not have it readily available but would follow up. Mr. Mollenhour praised the work of the department for their work on this item. Mr. Mollenhour provided the motion. Ms. Hartgrove provided the second. This motion was accepted by voice vote.

**E. District and School Operations – Alternative Education Rule 0520-01-020.03**

(1:14:41-1:17:45)

This item was presented by Ms. Angie Sanders, General Counsel for the State Board of Education. Ms. Hartgrove provided the motion. Mr. Mollenhour provided the second. This motion was accepted by voice vote.

**F. Academic and Instructional Requirements – Academic Program Requirements Rule 0520-01-03-.03** (1:17:46-1:27:27)

This item was presented by Mr. Jay Baker, Assistant Commissioner of Adult Education for the Department of Labor and Workforce Development. Mr. Cobbins thanked Mr. Baker for the workshop presentation and wanted to ensure there would be outreach to the public and these changes, he asked for updated on their outreach plan. Chairman Eby asked if all pathways were

equivalent. Mr. Baker replied yes. Mr. Holt asked why TN discontinued the GED in 2016. Mr. Baker responded that he was not in the current position and could only speculate. Mr. Wells stated it was a pricing issue. Mr. Jensen provided the motion. Mr. Cobbins provided the second. The motion was accepted by voice vote.

**G. District and School Operations – State Enrollment and Attendance Guidelines Rule 0520-01-03-.03 (1:27:28-1:30:48)**

Items G-H were presented by Mr. Jay Baker, Assistant Commissioner of Adult Education for the Department of Labor and Workforce Development at one time. Mr. Cobbins provided the motion and Ms. Hartgrove provided the second. The motion was accepted by voice vote.

**H. Employment Standards – Employment Standards for Supervisor Rule 0520-02-06-.03 and -.04**

Mr. Holt provided the motion and Mr. Wells provided the second. This item was accepted by voice vote.

**I. Standards for School Administered Childcare Programs – Staff Rule 0520-12-01-.07**

Ms. Hartgrove provided the motion for this item and Mr. Cobbins provided the second. This motion was accepted by voice vote.

**J. Public Records Request Rule 0520-15-01**

(1:30:49-1:42:04)

This item was presented by Ms. Angie Sanders, General Counsel for the State Board of Education. Mr. Mollenhour wanted to clarify the new language about oral requests vs. in writing. Ms. Sanders clarified that the law requires requests for inspection be allowed orally. Other members mentioned some confusion over language. Ms. Sanders stated this would be adjusted for final reading. Mr. Mollenhour provided the motion and Mr. Holt provided the second. This motion was accepted by voice vote.

**K. Education of Incarcerated Student Rule 0520-01-12**

(1:42:03-1:52:35)

This item was presented by Mr. Scott Indermuehle, Senior Director for IDEA for the Department. Mr. Mollenhour asked if superintendents would be able to reasonably meet the five-day deadline? Mr. Indermuehle shared that is the existing timeline. Mr. Wells made a comment that people he has shared this with appreciate these changes. Mr. Wells provided the motion and Mr. Jensen provided the second. This motion was accepted by voice vote.

**L. Education Savings Account Rule 0520-01-16-.02, -.04, -.06, -.08, -.10 (1:52:36-1:59:31)**

This item was presented by Ms. Lauren Huddleston, Director of ESA Programs and Outreach for the Department. Mr. Eby wanted to confirm if homeschool students would have to attend a public school before qualifying for the ESA. Ms. Huddleston said there were a variety of circumstances, for example, a student who was eligible to attend a TN public school for kindergarten, but instead was homeschooled, under the new changes, they would immediately qualify for the ESA. Mr. Mollenhour clarified this was also the case for students attending private schools. Mr. Cobbins provided the motion and Mr. Jensen provided the second. This motion was accepted by voice vote.

**10 Minute Break**

**M. Educator Licensure – Endorsement Exemptions and Permits Rule 0520-02-03-.11**

(2:12:2-52:18:46)

This item was presented by Ms. Taylor Reid, Senior Director of Licensure for the Department. Chairman Eby asked a question about getting teachers licensed. Ms. Reid clarified that the exemptions are only for licensed educators. Chairman Eby highlighted the importance of having licensed physical education teachers. He then requested an update a year from now on how many exemptions were granted for elementary physical education. Ms. Reid stated that to date, there 3 exemption requests for physical education (any grade) out of over 7,000 total requests. Mr. Holt provided the motion and Ms. Hartgrove provided the second. This motion was accepted by voice vote.

**N. Individualized Education Accounts Rule 0520-01-11-.02, -.04, -.05, and -.09**

(2:18:47-2:33:17)

This item was presented by Ms. Phara Williams, IEA Director for the Department. Mr. Jensen asked who is eligible for access to IEA. Ms. Williams stated that it would be eligible to students who were enrolled in a TN public school the previous year or would be enrolling in a TN public school for the first time. Mr. Jensen is concerned about preventing certain students from having access to an IEA. Conversation continued around access based on when students were or were not enrolled in a TN public school. Concern was also expressed about how complicated the application process is. The Board would like to continue conversations on how these processes can be improved. Mr. Cobbins provided the motions and Ms. Hartgrove provided the second. Mr. Jensen abstained. This motion was accepted by voice vote.

**O. Licensure Reinstatement and Restoration Applications Policy 5.500**

(2:33:18-2:34:00)

This item was presented by Mr. Todd Madison, Senior Associate Counsel for the State Board. Mr. Cobbins provided the motion and Ms. Hartgrove provided the second. This motion was accepted by voice vote.

**P. Permit and Licensure Denial, Formal Reprimand, Suspension, and Revocation Policy 5.501**

(2:34:01-2:36:27)

This item was presented by Mr. Todd Madison, Senior Associate Counsel for the State Board. Ms. Hartgrove provided the motion and Mr. Cobbins provided the second. This motion was accepted by voice vote.

**IV. Final Reading Items**

**A. School Counseling Model and Standards Policy 5.103**

(2:36:28-2:38:25)

This item was presented by Ms. Shannon Gordon, Chief Operating Officer with the Department. Mr. Cobbins motioned to approve the item. Mr. Wells provided the second. This motion was approved by voice vote.

**B. Special Education Caseload and Class Size Standards Policy 3.206**

(2:38:26-2:48:36)

This item was presented by Ms. Jennifer Jordan, Assistant Commissioner of Special Education and Intervention Programs. Mr. Cobbins inquired about the maximum class size requirements. Ms. Jordan stated the reason the maximum is so high is because many special education students are served in the general education classroom, so the Department aligned those numbers. Mr. Cobbins then inquired about a self-contained setting if they should have a lower maximum. Ms. Jordan stated they are going to conduct stakeholder engagement around class size and caseload. Based on those conversations, further changes may come before the State Board. Chairman Eby inquired about waivers for class size and waivers for paraprofessionals. Ms. Sanders stated that

federal law prohibits licensure exemptions for special education teachers. The class size waivers are typically off set by additional licensed paraprofessionals to maintain an appropriate adult-student ratio. Mr. Cobbins provided the motion. Ms. Hartgrove provided the second. This motion was approved by voice vote.

**C. Coordinated School Health Program Policy 4.204 (2:48:37-2:50:35)**

This item was presented by Ms. Shannon Gordon, Chief Operating Officer with the Department. Mr. Wells provided the motion. Ms. McInturff provided the second. This motion was approved by voice vote.

**D. Educator Evaluation Policy 5.201 (2:50:36-2:54:35)**

This item was presented by Ms. Martha Moore, Senior Director of Educator Effectiveness for the Department. Mr. Cobbins provided the motion. Ms. Hartgrove provided the second. This motion was approved by voice vote.

**E. Fiscal Capacity Formula Review and Approval Rule 0520-01-02-.33 (2:54:36-2:58:40)**

This item was presented by Ms. Angie Sanders, General Counsel for the State Board of Education. Chairman Eby asked about a language consistency question. Ms. Sanders stated that was not a substantive change and could be made on submission to the attorney general’s office. Mr. Holt provided the motion. Mr. Cobbins provided the second. This motion required a roll call vote and was approved.

<b>Item/Rule: Fiscal Capacity Formula Review and Approval Rule 0520-01-02-.33</b>				
<b>Motion: Holt Second: Cobbins</b>				
<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

**F. Universal Student Screeners and State Adopted Benchmark Assessment Rule 0520-01-03-.15 (2:58:41-3:01:30)**

This item was presented by Robin Yeh, with the Deputy Director of Policy with the Department. Mr. Cobbins provided the motion. Mr. Wells provided the second. This motion required a roll call vote and was approved.

<b>Item/Rule: Universal Student Screeners and State Adopted Benchmark Assessment Rule 0520-01-03-.15</b>				
<b>Motion: Cobbins Second: Wells</b>				

MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

**G. Educator Licensure – Denial, Formal Reprimand, Suspension, and Revocation Rule 0520-02-03-.09 (3:01:31-3:07:06)**

This item was presented by Mr. Todd Madison, Senior Associate Counsel for the State Board. Mr. Jensen wanted to confirm that there is an active check of the registries. Ms. Sanders state that she believes the districts are responsible for checking the registries. Ms. Hartgrove provided the motion and Mr. Cobbins provided the second. This motion required a roll call vote and was approved.

<b>Item/Rule: Educator Licensure – Denial, Formal Reprimand, Suspension, and Revocation Rule 0520-02-03-.09</b>				
<b>Motion: Hartgrove</b>				
<b>Second: Cobbins</b>				
MEMBER	YEA	NAY	PNV	Absent
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

**H. Educator Preparation Rule 0520-02-04-.02, -.04, -.07, -.09, and -.10 (3:07:07-3:13:07)**

This item was presented by Mr. Michael Deurlein, Deputy Executive Director of Policy & Research. Mr. Mollenhour inquired about whether the intent of the implicit bias law is being held to. Mr. Deurlein responded that there are inconsistencies in CAEP language and further clarifications will need to be made before next steps can be taken. Mr. Mollenhour provided the motion. Mr. Cobbins provided the second. This motion required a roll call vote and was approved.

<b>Item/Rule: Educator Preparation Rule 0520-02-04-.02, -.04, -.07, -.09, and -.10</b>				
<b>Motion: Mollenhour</b>				
<b>Second: Cobbins</b>				
<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

**I. Occupational Educator Scholarship Program Rule 0520-02-05-.02 through, -.05 (3:07:08-3:15:30)**

This item was presented by Ms. Brooke Amos, Assistant Commissioner of Human Capital for the Department. Ms. Hartgrove provided the motion. Mr. Holt provided the second. This motion required a roll call vote and was approved.

<b>Item/Rule: Occupational Educator Scholarship Program Rule 0520-02-05-.02 through -.05</b>				
<b>Motion: Hartgrove</b>				
<b>Second: Holt</b>				
<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

**J. Charter Schools Governing Body Training Approval Rule 0520-14-01-.07 (3:15:31-3:22:01)**

This item was presented by Ms. Ali Reid, Director of Engagement and Accountability for the State Board. Mr. Holt clarified that training hours must be completed by. Ms. Reid clarified that since this is a rule, it is not in effect yet, the existing year is still in effect and hours will need to be submitted by November 15<sup>th</sup> for this school year. Mr. Holt provided the motion. Mr. Jensen provided the second. This motion required a roll call vote and was approved.

<b>Item/Rule: Charter Schools Governing Body Training Approval Rule 0520-14-01-.07</b>				
<b>Motion: Holt Second: Jensen</b>				
<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

**K. High School Policy 2.103** (3:22:02-3:27:55)

This item was presented by Ms. Christy Wall, Assistant Commissioner of Academics, and Instructional Strategy for the Department. Ms. Hartgrove proposed an amendment to page 19 of the policy section V.8.H. The amendment deletes the language that says, “develops exams for this purpose.” Ms. Hartgrove provided the motion to amend. Mr. Wells provided the second. The motion to amend the policy was approved by voice vote. Mr. Mollenhour provided the motion to approve the policy as amended. Ms. Hartgrove provided the second. The motion was approved, as amended, by voice vote.

**L. Educator Preparation Providers (EPP) and Specialty Area Programs (SAP) Approvals** (3:27:56-3:39:43)

This item was presented by Ms. Brooke Amos, Assistant Commissioner of Human Capital for the Department. Ms. Hartgrove clarified that Sumner County schools approval was for CTE only. Chairman Eby clarified that Fisk’s denial included their SAPs. He then clarified that students who could complete their program within 12 months are permitted to do so at Fisk, those that can’t would need to enroll in a different EPP program. The nine current students should be able to complete their program of study within the next 12 months. Mr. Jensen provided the motion. Ms. Hartgrove provided the second. This motion was approved by voice vote.

**V. Automatic Teacher License Actions**

**A. Automatic Teacher License Actions – Revocation & Permanent Revocation** (3:39:44-3:41:18)

This item was presented by Mr. Todd, Madison, Mr. Alex Anderson, and Mr. Ryan Shanahan. Mr. Jensen provided the motion. Ms. Hartgrove provided the second. This motion required a roll call vote and the motion was approved.

<b>Item/Rule: Automatic Teacher Licensure Actions – Revocation &amp; Permanent Revocation</b>				
<b>Motion: Jensen Second: Hartgrove</b>				
<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>



Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

**VI. Teacher Licensure Discipline Actions**

(3:41:19-4:06:56)

This item was presented by Mr. Todd, Madison, Mr. Alex Anderson, and Mr. Ryan Shanahan. Mr. Cobbins asked if the State Board could require an individual to read the Tennessee Teacher Code of Ethics as a condition of reinstatement of their license. Mr. Madison responded that was something that could be done. Mr. Cobbins made a motion that Items D and K be taken up separately. Mr. Jensen provided the second. The motion was approved by roll call vote. For all items except D and K, Mr. Wells provided a motion for approval and Mr. Holt provided the second. This motion required a roll call vote and was approved. For item D, Mr. Cobbins moved to amend the discipline action to include racial sensitivity training as part of the condition for reinstatement of the license. Mr. Mollenhour expressed concern in making changes to the recommendations of the legal team. Chairman Eby expressed that historically, this has not been an uncommon occurrence. Mr. Cobbins provided the motion for approval of Item D and Mr. Holt provided the second. This item required a roll call vote and was approved as amended. For item K, Mr. Cobbins motioned to require behavioral or anger management training. Mr. Madison shared that since this is a voluntary surrender, the individual would need to come back before the board before they could regain their license. Mr. Cobbins felt that was acceptable. Mr. Cobbins provided the motion to approve Item K and Mr. Mollenhour provided the second. This item required a roll call vote and was approved.

<b>Item/Rule: Motion to pull items D and K from group consideration.</b>				
<b>Motion: Cobbins</b>				
<b>Second: Jensen</b>				
<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

<b>Item/Rule: All items except D and K.</b>				
<b>Motion: Wells</b>				
<b>Second: Holt</b>				

<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

<b>Item/Rule: Item D</b>				
<b>Motion: Cobbins</b>				
<b>Second: Holt</b>				
<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

<b>Item/Rule: Item K</b>				
<b>Motion: Cobbins</b>				
<b>Second: Mollenhour</b>				
<b>MEMBER</b>	<b>YEA</b>	<b>NAY</b>	<b>PNV</b>	<b>Absent</b>
Mr. Darrell Cobbins – Vice Chair	X			
Ms. Lillian Hartgrove – Chair Emeritus	X			
Mr. Ryan Holt	X			
Mr. Larry Jensen	X			
Mrs. McInturff	X			
Mr. Jordan Mollenhour	X			
Mr. Nate Morrow				X
Mr. Warren Wells	X			
Mr. Bob Eby - Chair	X			

**VII. Adjournment**

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