

TENNESSEE STATE BOARD OF EDUCATION

ACCOUNTABILITY HEARINGS

1.600

Policy Sections:

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I. Purpose.

Pursuant to T.C.A. § 49-3-112, the State Board of Education ("State Board") is authorized to conduct Accountability Hearings ("Hearings") and require the attendance of a local education agency ("LEA") that operates a public school, or a public charter school, that receives a "D" or "F" letter grade to report on the school's performance and how spending decisions may have affected the ability to achieve the school's performance goals. Following an Accountability Hearing, the State Board may recommend that the Tennessee Department of Education ("Department") impose a corrective action plan or audit and investigate the LEA or charter school's academic programming and spending. The Department shall report the outcomes of a corrective action plan or audit and investigation to the State Board.

The purpose of the Hearings is to publicly acknowledge schools demonstrating consistent underperformance, consider the many inputs, including spending decisions, that may impact student outcomes, transparently discuss school improvement practices, and promote quality public education for all students in Tennessee.

State Board Rules 0520-09-02 defines the eligibility criteria for LEAs, charter schools, and authorizers called for a Hearing, the notification process, hearing procedures, and the corrective action(s) the State Board may recommend following a Hearing. This policy defines the implementation timeline for the Hearings, appointment of the State Board's Hearing Committee ("Hearing Committee"), and the criteria for the corrective action(s) the State Board may recommended.

II. Accountability Hearings Timeline. The State Board shall begin conducting Accountability Hearings in the 2025-26 school year.

(1) The timeline for LEAs and charter schools called for a Hearing is as follows:

- (a) State Board shall notify the LEAs and charter schools called for a Hearing in writing within ten (10) business days following the Department's annual release of school letter grades;
- (b) Required attendees, as outlined in State Board Rule 0520-09-02-.03, shall participate in a Hearing preparation call with State Board staff;

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- (c) LEAs and charter schools shall submit any data and information requested in the notification letter to State Board staff within four (4) weeks of the date of the notification letter;
- (d) The Hearing Committee shall hold Hearings during the second semester of the school year. The Hearings shall be scheduled for up to sixty (60) minutes for a Hearing called on behalf of one (1) or (2) schools or up to ninety (90) minutes for a Hearing called on behalf of three (3) or more schools;
- (e) Ahead of a subsequent State Board meeting following the Hearings, the Hearing Committee shall submit to the State Board a report on its proposed recommendation regarding corrective action. The report shall be submitted by the Hearing Committee in accordance with the timelines set out in State Board Policy 1.200. At the State Board meeting, the State Board shall vote to approve, deny, or amend the Hearing Committee's proposed recommendation in accordance with the requirements of State Board Rule 0520-09-02-.04;
- (f) Within ten (10) calendar days of the State Board's vote, the State Board's executive director shall notify in writing the Department and the LEA or charter school and its authorizer of its decision whether to recommend corrective action;
- (g) Within thirty (30) calendar days of the State Board's written notification, the Department shall notify in writing the State Board and the LEA or charter school and its authorizer of its decision and rationale for its decision whether to impose the recommended corrective action;
- (h) At the next State Board meeting following the Hearing, the Department shall provide documentation of the rationale for any apportioned costs between the Department and the LEA or charter school to implement a corrective action and the State Board shall vote whether to approve the cost apportionment; and
- (i) The Department shall report the status of any corrective action recommended by the State Board within one (1) year of the State Board's recommendation.

III. The Hearing Committee.

- (1) The Chair of the State Board shall annually appoint three (3) voting members of the State Board to serve on the Hearing Committee.
- (2) Members of the Hearing Committee shall serve for one (1) year terms and may be reappointed.

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- (3) Hearing Committee members shall be responsible for attending all Hearings and for proposing a recommendation for corrective action to the State Board for each LEA or charter school called to a Hearing.
- (4) The Hearings shall be open to participation for all State Board members; however, only those appointed to the Hearing Committee may vote in committee on any proposed recommendation for corrective action, as outlined in State Board Rule 0520-09-02-.04.

IV. Corrective Action.

- (1) State Board Rule 0520-09-02-.04 outlines the types of corrective action the State Board may recommend, and the Department may impose, following a Hearing.
- (2) The Department shall ensure alignment between an imposed corrective action and any existing accountability structures and requirements of the LEA or charter school, including those assigned based on federal designations.
- (3) A corrective action plan recommended by the State Board and imposed by the Department pursuant to State Board Rule 0520-09-02-.04(2)(a)(1) or (2)(c)(1) shall:
 - (a) Be developed within the existing LEA plan, the existing school improvement plan for a charter school, or another existing plan as determined by the Department;
 - (b) Require a comprehensive needs assessment using a tool developed by the Department or conducted by an independent third party selected by the LEA or charter school and approved by the Department, to examine the root cause of the factors causing or contributing to the underperformance;
 - (c) Require a school climate survey, administered to the F-rated school(s), to examine the relationships between conditions for learning and academic outcomes;
 - (d) Set specific and measurable action items, timelines, and performance targets in response to the results of the comprehensive needs assessment and school climate survey;
 - (e) Establish a team of LEA, or charter school, staff responsible for overseeing the required actions and timelines within the corrective action plan;
 - (f) Include short-term monitoring cycles conducted by the LEA or charter school's team of no more than thirty (30) days to review data, evaluate impact of strategies and adjust action steps within the corrective action plan, as needed; and
 - (g) Be submitted by the LEA or charter school to the Department for approval.

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- (4) An audit and investigation recommended by the State Board and conducted by the Department pursuant to Rule 0520-09-02-.04(2)(b)(1) or (2)(c)(2) shall analyze LEA or charter school revenue and expenditures, including:
- (a) Revenue generated under the Tennessee Investment in Student Achievement ("TISA") Act by each school within the LEA or charter network, if applicable;
 - (b) General purpose funds and federal expenditures by each school within the LEA or charter network, if applicable; and
 - (c) Funding of school-level initiatives for the "F" rated school(s), as outlined in the school improvement plan.
- (5) LEAs and charter schools shall only be required to report to the Department the outcomes of an imposed corrective action through the conclusion of the corrective action.
- (6) In accordance with State Board Rule 0520-09-02-.01(3), an LEA shall only be called for a Hearing if it has not been called during the two (2) consecutive school years prior to the school year in which the Hearing was held. If, during the period in which the LEA cannot be called for another Hearing, the LEA has one (1) or more additional schools that meet the eligibility criteria outlined in State Board Rule 0520-09-02-.01, the Department shall require the LEA to update its existing plan referenced in paragraph (IV)(3)(a) of this policy to include action steps that address the needs of the additional school(s).