

<b>TENNESSEE STATE BOARD OF EDUCATION</b>	
<b>ACCOUNTABILITY HEARINGS</b>	<b>1.600</b>

**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 that receives a “D” or “F” letter grade, or a public charter school that receives a “D” or “F” letter grade and the public charter school’s authorizer, to report on the school’s performance and how spending decisions may have affected the ability to achieve student 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 define 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 Accountability Hearing Committee (“Hearing Committee”), and the criteria for the corrective action(s) the State Board may recommend.

**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 via electronic mail within ten (10) business days following the Department’s annual release of school letter grades;

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- (b) Required attendees, as outlined in State Board Rule 0520-09-02-.03, shall participate in a Hearing preparation call with State Board staff;
- (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 seventy-five (75) minutes per LEA or charter school;
- (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 five (5) business days of the State Board's vote, the State Board's executive director shall notify in writing via electronic mail 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 the State Board and the LEA or charter school and its authorizer in writing via electronic mail of its decision and rationale for its decision whether to impose the recommended corrective action and any next steps;
- (h) At the next State Board meeting following written notification of the Department's decision regarding corrective action, 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. The State Board shall vote whether to approve the cost apportionment; and
- (i) LEAs and public charter schools shall report the outcomes of a corrective action, as requested by the Department, and the Department shall report on the status of any corrective action recommended by the State Board within one (1) year of the State Board's recommendation.

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**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.
- (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 and 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 as a result of federal accountability designations.
- (3) If the Hearing Committee proposes a corrective action plan, it shall recommend either a level one (1) corrective action plan or a level two (2) corrective action plan.
  - (a) A level one (1) corrective action plan must, at a minimum:
    1. Be based on the “F” rated school(s) that were the focus of the Hearing and developed by the LEA or public charter school;
    2. Document the strategies shared with the Hearing Committee by the LEA or public charter school during the Accountability Hearing;
    3. Be incorporated into the existing LEA plan, the existing school improvement plan for a charter school, or another existing accountability plan that is currently approved by the Department;

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4. Include 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;
  5. Establish a team of LEA or charter school staff responsible for overseeing the required actions and timelines within the plan;
  6. Include short-term monitoring cycles conducted by the LEA or charter school's established team of no more than thirty (30) days to review data, evaluate the impact of strategies, and adjust action steps within the plan, as needed; and
  7. Be submitted by the LEA or charter school to the Department for approval.
- (b) A level two (2) corrective action plan must, at a minimum:
1. Be based on the "F" rated school(s) that were the focus of the Hearing and developed by the LEA or public charter school in consultation with the Department;
  2. Be incorporated into the existing LEA plan, the existing school improvement plan for a charter school, or another existing accountability plan that is currently approved by the Department;
  3. Include 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;
  4. Include a school climate survey, administered to, at a minimum, students, parents and guardians, and educators of the "F" rated school(s), to examine the relationships between conditions for learning and academic outcomes;
  5. Set specific and measurable action items, timelines, and performance targets in response to the results of the comprehensive needs assessment and school climate survey;
  6. Establish a team of LEA or charter school staff responsible for overseeing the required actions and timelines within the plan; and

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7. Include short-term monitoring cycles conducted by the LEA or charter school's established team and the Department of no more than thirty (30) days to review data, evaluate the impact of strategies, and adjust action steps within the plan, as needed; and
  8. Be submitted by the LEA or charter school to the Department for approval.
- (c) Any corrective action plan shall be developed within the timeline set by the Department. The Department shall review all plans within thirty (30) calendar days of submission and may:
1. Approve the corrective action plan; or
  2. Request that the LEA or public charter school revise the corrective action plan based on feedback from the Department.
- (d) If, based on the results of the comprehensive needs assessment detailed in paragraph (IV)(3)(a)3 or (IV)(3)(b)3 of this policy, the Department determines that a change in the level of the corrective action plan is warranted, the Department may choose to impose a different level of a corrective action plan than the level recommended by the State Board. The Department shall provide details regarding any change to the State Board's recommendation as part of its annual report on outcomes required in State Board Rule 0520-09-02-.04(7).
- (e) If the State Board recommends a corrective action plan and, in the school year immediately following its Hearing, the "F" rated school(s) in which the LEA or charter school was called on behalf of are no longer rated as an "F", the Department may not impose the recommended corrective action plan.
- (f) If an LEA that received a recommendation for a corrective action plan has one (1) or more additional schools that meet the eligibility criteria outlined in State Board Rule 0520-09-02-.01 during the years in which the LEA is exempt from being called for another Hearing in accordance with State Board Rule 0520-09-02-.01(3), the Department shall require the LEA to update its corrective action plan referenced in paragraph (IV)(3) of this policy to include action steps that address the needs of the additional school(s).
- (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 but not limited to:

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- (a) Revenue generated under the Tennessee Investment in Student Achievement (“TISA”) Act by each school within the LEA or by the charter school (or each school within the charter school’s network in Tennessee, if applicable);
  - (b) General purpose funds and federal expenditures by each school within the LEA or by the charter school (or each school within the charter school’s network in Tennessee, if applicable);
  - (c) Funding of school-level initiatives for the “F” rated school(s), as outlined in the school improvement plan; and
  - (d) Contractual relationships with any vendor(s) contracted for the purpose of academic implementation or instructional support to the “F” rated school(s).
- (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.