



TENNESSEE
STATE BOARD OF EDUCATION

Legislative Update

2015 SESSION

NATHAN R. JAMES

DIRECTOR OF LEGISLATIVE AFFAIRS

Briefing Sequence

- Major legislation including standards review, Individualized Education Act, and SBOE specific legislation presented in detail.
- A list of legislation potentially requiring the SBOE to promulgate rules.
- Confirmation overview.

SB 341 / HB 23 Related to SBOE authority (Sen. Gresham & Rep. Forgety)

- This Law repairs an error created by legislation passed in 2014 regarding the authority of the state board of education to revoke licenses and certificates. This bill clarifies that the SBOE does have the authority to revoke licenses and certificates for misconduct.
- <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB0023>

SB 341 / HB 23

(Sen. Gresham & Rep. Forgety)

- Passed the Senate on 3/2/15 Ayes 31, Nays 0.
- Passed the House of Reps. 4/15/15 Ayes 96, Nays 0.
- Signed by the Governor on 4/24/15.
- Effective July 1st, 2015 at 12:01 A.M. (The unusual step of prescribing the precise minute of effectuation was required because other legislation, passed last year, within this same section, is slated to become effective on the same date. The strange wording permits harmony within the section of the code, rather than the potential of having one enacting date conflict with the other.)

Prime Sponsors

SEN. DOLORES GRESHAM (R-FAYETTE)



REP. JOHN FORGETY (R-MCMINN)



SB 215/ HB 329 Related to the Advisory Council on Teacher Education and Certification (Sen. Bell & Rep. Faison)

- This bill eliminated the largely inactive Advisory Council on Teacher Education and Certification. This council had met only by telephone twice in the last two years. The State Board Of Education has frequent interaction with all stakeholder organizations i.e. higher ed., professional organizations, directors of schools etc. The State Board Of Education is committed to bringing stakeholders together on this and all other issues on a frequent basis. That structure allows us to be more nimble and responsive as well as inclusive. For these reasons we recommended the termination of the council as it existed and pledged to the Legislature to engage in a continuous and inclusive policy of engagement.

SB 215/ HB 329 Related to the Advisory Council on Teacher Education and Certification (Sen. Bell & Rep. Faison)

- Passed the Senate on 3/12/15 Ayes 32, Nays 0.
 - Passed the House of Reps. 4/9/15 Ayes 96, Nays 0.
 - Signed by Governor 4/22/15.
 - Effective upon the governor's signature.
-
- <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0215>

Prime Sponsors

SEN. MIKE BELL (R-BRADLEY)



REP. JEREMY FAISON (R-COCKE)



SB 482 / HB 819 Related to meetings of the SBOE
(Sen. Gresham & Rep. Brooks of Knox)

- This bill strikes the requirement that the State Board hold all four of its quarterly meetings in Nashville, and instead will allow us to hold at least two of them in places outside of Nashville. We are committed to raising our profile around the state, and this bill provides us a tool to do that. Dr. Brian Noland the President of ETSU has offered to host the SBOE for its July meeting!

SB 482 / HB 819 Related to meetings of the SBOE (Sen. Gresham & Rep. Brooks of Knox)

- Passed the Senate on 3/2/15 Ayes 31, Nays 0.
- Passed the House of Reps. 4/22/15 Ayes 94, Nays 0.
- It will be transmitted to the Governor on 5/1/15.
- Effective upon the governor's signature.
- <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0482>

Prime Sponsors

SEN. DOLORES GRESHAM (R-FAYETTE)



REP. HARRY BROOKS (R-KNOX)



SB 248 / HB 382 Extending the SBOE Sunset date through June 30th 2019 (Sen. Bell & Rep. Faison)

- Passed the Senate on 3/23/15 Ayes 33, Nays 0.
- Passed the House of Reps. 4/6/15 Ayes 96, Nays 0.
- Signed by the Governor on 4/20/15.
- Effective upon the governor's signature.
- <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0248>

SB 27 / HB 138 "Individualized Education Act" (Sen. Gresham & Rep. Moody)

- Permits students identified with certain disabilities* to use state and local BEP funds (approximately \$6600) to acquire educational services such as enrollment in a private school, tutoring, curriculum materials, transportation; educational therapies, services provided under contract with a public school; assessments; computer hardware or technology if used for the student's educational needs, etc.
- Funds will be remitted to an Individualized Education Account (IEA) on a quarterly basis for use by the parent for eligible services.
- No federal funds included as parent waives services and obligations under IDEA and student would not be enrolled in a public school.
- LEA would retain any additional local funds on top of BEP (averages \$1200).
- *An "eligible student" is a resident of this state who:
 - Has an individualized education program (IEP) in effect at the time the request for participation in the program is received by the department and has one of the following disabilities: (1) Autism;
 - (2) Deaf-blindness;
 - (3) Hearing impairments;
 - (4) Intellectual disability;
 - (5) Orthopedic impairments;
 - (6) Traumatic brain injury; or
 - (7) Visual impairments.

Provisions Continued

- Estimated 18,000 students eligible with estimated 5 percent of eligible students participating.
- Student must have an IEP in effect at the time of the request to participate in the program.
- Students must take either the TCAP tests or a nationally recognized norm-referenced test with results reported to the parent.

Provisions Continued

- A parent of an eligible student will qualify to participate in the program if the parent signs an agreement promising:
 - (1) To provide an education for the qualified student in at least the subjects of reading, grammar, mathematics, social studies, and science; and
 - (2) Not to enroll the parent's participating student in a public school and to release the LEA in which the student resides and is zoned to attend from all obligations to educate the student. Participation in the program will have the same effect as a parental refusal to consent to the receipt of services under the Individuals with Disabilities Education Act (IDEA).

Role of the State Board

- Make all rules needed to effectuate the statute through the normal rulemaking process (rather than emergency rules [until August 1st, 2016]*). The effective date for the bill was changed to allow the State Board of Education to engage in the rulemaking process in consultation with the Tennessee Departments of Education and Health.
- The Department of Education, in accordance with rules promulgated by the state board of education, will create an application and approval process for nonpublic schools and providers to become participating schools and participating providers.

SB 27 / HB 138 "Individualized Education Act" (Sen. Gresham & Rep. Moody)

- Passed the Senate on 4/21/15 Ayes 27, Nays 3.
 - Passed the House of Reps. 4/22/15 Ayes 52, Nays 43.
 - It will be transmitted to the Governor on????
- Effective date: for purposes other than rulemaking is January 1, 2016; for all other purposes upon the signature of the governor.
 - The first award of IEAs will be during the 2016-2017 school year.
 - <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0027>

Prime Sponsors

SEN. DOLORES GRESHAM (R-FAYETTE)



REP. DEBRA MOODY (R-TIPTON)



HB 1035 / SB 1163 The Standards Bill

- This legislation requires the state board of education to implement a process replacing the set of standards known as the Common Core State Standards adopted in 2010 with new sets of standards adopted to fit the needs of Tennessee students. These postsecondary-and-workforce ready standards must be adopted through an open, transparent process that allows all Tennesseans an opportunity to participate. These standards must be adopted and fully implemented in Tennessee public schools in the 2017-2018 school year.
- It further codifies the established process.

Role of the State Board

- SBOE will appoint two standards review and development committees for ELA and math respectively. Each committee will be composed of two representatives from institutions of higher education located in the state and six educators who reside in the state and work in grades K-12.
- SBOE will also appoint six advisory teams. Three teams to advise each of the development committees. The advisory teams will be structured by grade levels, so that one advisory team reviews standards for K-5, one for grades 6-8, and one for grades 9-12 in each subject. Each advisory team will be composed of one representative from an institution of higher education located in the state and six educators who reside in the state and work in the appropriate grade levels and subject.
- Public input has been solicited through a website.
- Each standards review and development committee will review its advisory teams' reports and make recommendations for the new set of standards to the standards recommendation committee.

Standards Recommendation Committee

- The standards recommendation committee will be composed of 10 members, each subject to legislative confirmation. The Governor will appoint four members, the Lt. Governor will appoint three members, and the Speaker of the House will appoint three members. The standards recommendation committee will review and evaluate the recommendations of the two standards review and development committees and post the recommendations to the web site created pursuant to this amendment for the purpose of gathering additional feedback from the public. The standards recommendation committee must make the final recommendations as to the new set of standards to the state board, which will adopt sets of standards in English language arts and mathematics that fit the needs of Tennessee students in K-12.

HB 1035 / SB 1163 The Standards Bill

- Passed the House on 4/20/2015 97 Ayes, 0 Nays
- Passed the Senate on 4/21/2015 28 Ayes, 1 Nay
- Signed by the Governor 5/11/2015
- Effective upon the Governors Signature
- <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB1035>

Timeline

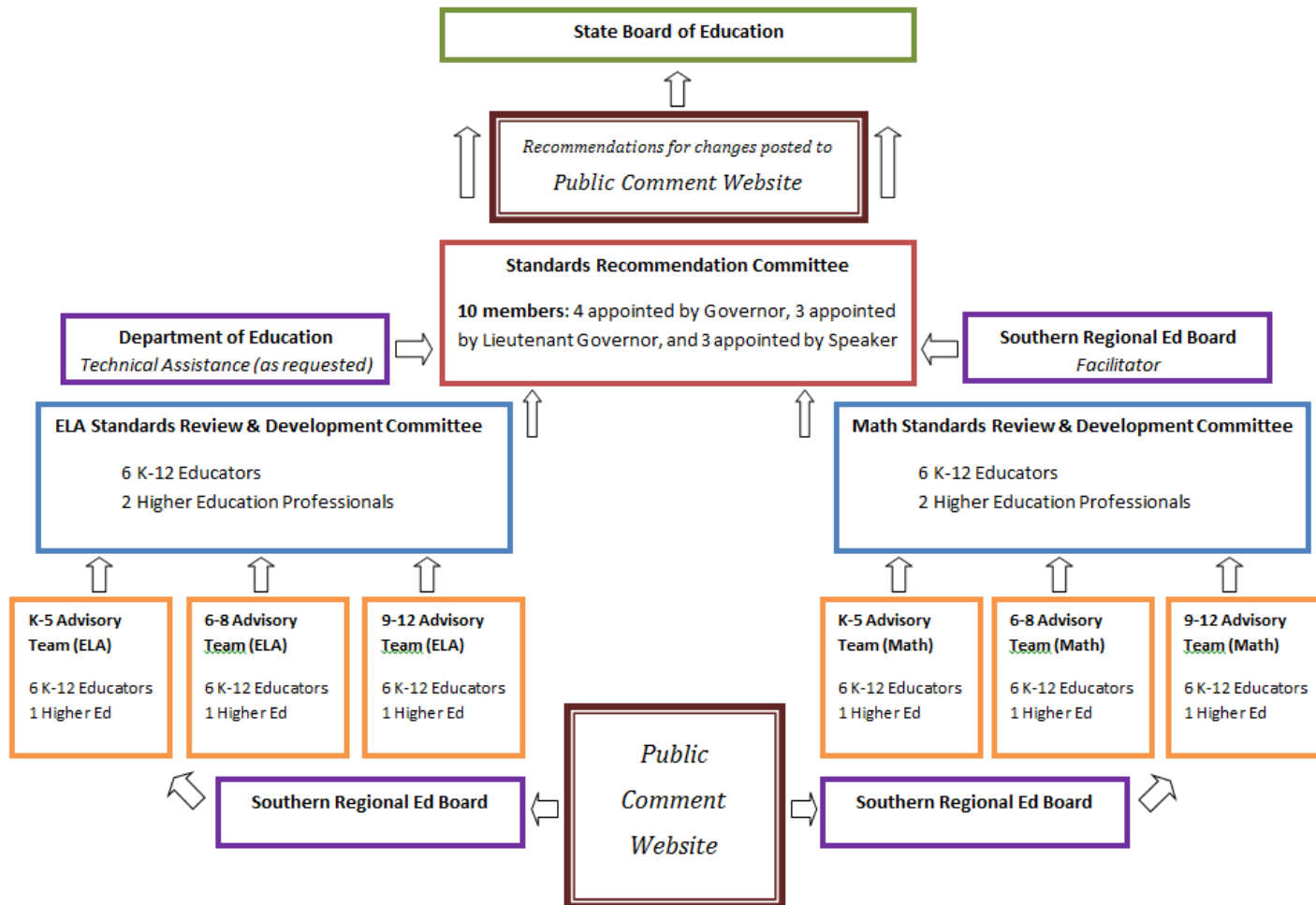
With the closure of the website, the process for reviewing the feedback and revising and developing standards begins. Below is a proposed timeline for the process going forward:

- **June 2015:** Educator advisory team and committee members begin work
- **August 2015:** Standards Recommendation Committee (SRC), appointed by the Governor, Lt. Governor and Speaker of the House through HB 1035, is established
- **Fall 2015:** SRC reviews recommended changes to standards and opens website for additional public comment
- **Fall 2015-Spring 2016:** Website open for additional public comment on proposed changes to standards
- **April 2016:** SRC presents new standards recommendations to the State Board of Education for first reading
- **April 2016-June 2016:** State Board of Education receives additional stakeholder feedback
- **July 2016:** SRC presents new standards recommendations to the State Board of Education for final reading; State Board of Education replaces current standards with new standards

Key Takeaways

- The majority of the feedback on the website came from Tennessee K-12 teachers and parents.
- While a standard-by-standard analysis will follow, a majority of the standards, received a “keep it” rating from reviewers; however, we also know there are standards that, through more detailed analysis, will require additional attention and revision.
- In addition to their own content area expertise and knowledge, educator committee members will be encouraged to use the website feedback to guide discussions and proposed changes.

The Standards Review Process



Prime Sponsors

SEN. MIKE BELL (R-BRADLEY)



REP. BILLY SPIVEY (R-MARSHALL)



Other Bills and Resolutions Potentially Requiring our Action

- HB 891 / SB 359 Potential rule or policy changes related to non-school sponsored extracurricular activities.
- HB 874 / SB 882 Potential rule or policy changes related to years of service split between the LEA and charter schools.
- SB 1088 / HB 904 Restricts SBOE from denying principal licensure for out of state graduate programs.
- HB 968 / SB 1082 Requires a study of the age and physical condition of textbooks.
- HB 36 / SB 285 Allows LEA to not use TCAP scores in the student's final grade if the scores are not received at least five instructional days before the end of the school year.
- SB 1246 / HB834 This bill permits local boards of education to adopt a policy that excuses a student from school to attend a released time course in religious moral instruction for at least one class period during each school week if the parent assents and if such release time would not conflict with the instruction of courses in subjects tested for accountability purposes under state or federal law.
- SJR 142 Expresses the sense of the General Assembly that the SBOE should approve, and encourage the establishment of teacher training programs for occupational teacher licensure which are innovative in design and delivery methods, including online components when possible.

Whether Rain, Sleet, Hail or Snow...It's to the Senate we will go!



Congratulations to our Members on their Successful Confirmations.

RESOLUTIONS

DATE SIGNED BY GOV. HASLAM

SJR14 Wendy Tucker

4/8/2015

SJR 33 Lillian Hartgrove

4/2/2015

SJR 34 Cato Johnson

4/2/2015

SJR 35 William Troutt

4/17/2015