



**MINUTES
STATE BOARD OF EDUCATION
OCTOBER 14, 2016**

The State Board of Education met for its regular quarterly meeting at the University of Tennessee, Martin, at 9:00 a.m. CDT, on October 14, 2016.

Present..... 8

Absent..... 3

**Mr. Fielding Rolston, Chairman
Ms. Allison Chancey
Mr. Mike Edwards
Ms. Lillian Hartgrove
Mr. Cato Johnson (by telephone)
Ms. Wendy Tucker
Ms. Tiffany Cook
Ms. Victoria Harpool (for Dr. Mike Krause)**

**Ms. Carolyn Pearre
Mr. Lonnie Roberts
Dr. William Troutt**

Chairman Rolston called the meeting to order and welcomed members of the audience. He stated that **Mr. Cato Johnson** was joining the meeting by telephone.

Chairman Rolston then asked **Mr. Johnson** if he would like to make opening remarks since he represents District 8. **Mr. Johnson** said that he would like to thank the Board for the honor of convening the State Board of Education meeting in Congressional District 8 and thanked the University of Tennessee at Martin for providing such a wonderful facility for the meeting. **Chairman Rolston** added his, the Board members and the Board's staff's gratitude as well for the hospitality and wonderful meeting facility.

Chairman Rolston then stated that *Item IV.R.* was being removed from the agenda.

I. Consent Items

- A. *Adoption of Agenda***
- B. *Approval of Minutes from April 15, 2016, July 22, 2016 and September 1, 2016***
- C. *Tennessee Student Assistance Corporation Actions***

ACTION: **Mr. Johnson** moved approval of the Consent Items. **Ms. Tucker** seconded. The motion passed unanimously.

II. Report Items

- A. *Bethel University Petition for Declaratory Order and Request for Stay***

Ms. Elizabeth Taylor, State Board of Education, presented this item. She stated that at the July Board meeting the Board denied approval of Bethel University’s educator preparation program. As a result, Bethel filed for injunctive relief in the Chancery Court. She said that at a hearing on the merits of the injunctive relief, the Chancellor opined that Bethel must first exhaust its administrative remedies under the Uniform Administrative Procedures Act before it could be heard in Chancery Court. As a result Bethel has filed a petition for a declaratory order and stay. **Ms. Taylor** listed the reasons for the petition as follows: (1) The State Board does not have statutory authority to oversee approval of EPPs; (2) State Board Rules 0520-02-04-.01 and State Board Policy 5.504 and the Board’s actions taken under this rule and/or policy are null and void; (3) Tennessee Board of Education policy 5.504 is null and void; and (4) the Board’s action denying Bethel’s approval violated their due process rights. Bethel also asks the Board to stay its decision.

ACTION: **Ms. Tucker** moved that the Board conduct a hearing on this petition pursuant to the Uniform Administrative Procedures Act. **Mr. Edwards** seconded. A roll call vote was taken as follows:

	Yes	No	Abstain	Absent
Allison Chancey	X			
Mike Edwards	X			
Lillian Hartgrove	X			
Cato Johnson	X			
Carolyn Pearre				X
Lonnie Roberts				X
William Troutt				X
Wendy Tucker	X			
Tiffany Cook	X			
Fielding Rolston	X			

The motion passed unanimously.

III. Action Items (First Reading)

A. Approved High School Courses Policy 3.205

Ms. Heather Justice, Department of Education, presented this item. She stated that this item includes new and revised courses within the Health Science, Human Services, Information Technology, and Marketing career clusters that are now better aligned with postsecondary pathways, incorporate added instructional rigor, and reflect the competitive employment demands of our state. These new and revised standards have been created in collaboration with postsecondary faculty, industry representatives, and high school teachers. These changes will go into effect for the 2017–18 school year. She stated that other changes in this item include updating the list of all applicable International Baccalaureate and Cambridge International courses offered. Finally, a new section was created to separate world language courses from English courses.

Chairman Rolston stated that there are instances where it says “to be determined” or left blank. He asked if these would be filled in before final reading. **Ms. Justice** stated that they would be filled in.

ACTION: **Mr. Johnson** moved acceptance on first reading. **Ms. Hartgrove** seconded. The motion passed unanimously.

B. *Non-Public School Approval Process Rule 0520-07-02*

Ms. Marcy Tidwell, Department of Education, presented this item. **Ms. Tidwell** stated that the State Board of Education Rule 0520-07-02 establishes the requirements for six categories of nonpublic schools in Tennessee. In an effort to provide greater clarity and remove outdated language within the non-public school approval process rules, the Department recommends updated language to provide clearer requirements for each non-public school category. Among the proposed changes, the Department recommends the removal of Category VI in its entirety. Additional changes are proposed to align language with current standards for minimum kindergarten age, student reporting requirements, and testing. All proposed rule changes have been reviewed and approved by the Tennessee Non-Public Advisory Council.

ACTION: **Mr. Edwards** moved acceptance on first reading. **Ms. Chancey** seconded. The motion passed unanimously.

C. *Pupil Transportation Rule 0520-01-05*

Mr. Lee Danley, Department of Education, presented this item. He stated that T.C.A. § 49-6-2102 directs the State Board of Education to set the rules and regulations governing school transportation as needed to protect the lives and welfare of school children. The Department of Education met with the Department of Safety to revise the Pupil Transportation Rule to ensure the rule is aligned with all state and federal transportation laws. He said that this item proposes several changes to reflect recently passed transportation related legislation.

ACTION: **Ms. Hartgrove** moved acceptance on first reading. **Mr. Johnson** seconded. The motion passed unanimously.

D. *High School Policy 2.103*

Ms. Casey Haugner, Department of Education, presented this item. She stated that this item would provide additional clarity to previous revisions of the policy including a phase-in period for the ACT/SAT graduation requirement, adding a 10th grade career interest inventory requirement and clarifying requirements for the Move on When Ready Act.

Ms. Tucker stated that the law requires students to take the ACT and asked what specific students are we concerned about in not taking the ACT.

Ms. Haugner stated that one case would be where a student is transferring from one Tennessee school to another where the funding for the ACT was not provided to the high school they transferred to; one would be special needs students who wanted to stay on past the four years to move toward a regular education diploma.

Ms. Tucker stated that it's been the law for students to take the ACT and that we should be doing what the law requires.

Mr. Edwards said that this is a litmus test for every decision that the Board makes and that the Board should ask themselves if this policy accommodates school districts or does it best serve the student.

Ms. Cook stated that her director of schools approached her about this subject in that there are students that have planned to go straight into the work force after graduation, are on the CTE track and do not want to take the ACT. She went on to say that they have applied for early graduation in December and that if they are required to take the ACT now when they had no plans to take it, it will throw their pathway off. She said that they may not be able to take it before they early graduate in December.

Ms. Tucker said that **Ms. Cook** makes a valid point but that it disturbs her because it is the law that students take the ACT and that delaying this means the students are not getting what they need to get into college.

ACTION: After lengthy discussion, **Ms. Hartgrove** moved acceptance on first reading. **Mr. Johnson** seconded. The motion passed with **Ms. Tucker** casting a dissenting vote.

Chairman Rolston stated that with no objection, he would like to consider the following items together:

E. Tennessee Learning Centered Leadership Policy 5.101

F. Educator Licensure Rule 0520-02-03

G. Educator Licensure Policy 5.502

Dr. Amy Wooten, Department of Education, stated that **Item E. – Tennessee Learning Centered Leadership Policy 5.101**, deletes the relevant sections concerning instructional leader licensure and moved into the Educator Licensure Rule and Policy. This change will help to reduce duplication and ensure consistency, creating a single policy for all educator licensure requirements. **Item F. – Educator Licensure Rule 0520-02-03**, and **Item G. – Educator Licensure Policy 5.502**, modifies renewal and advancement requirements for the instructional leader licenses and add language for individuals not primarily serving in Tennessee Academy for School Leaders (TASL)-mandated positions. Additionally, these items clarify the licensure requirements for educational interpreters.

ACTION: **Mr. Johnson** moved acceptance on first reading. **Ms. Tucker** seconded. The motion passed unanimously.

H. Educator Preparation Policy 5.504

Dr. Wooten presented this item. She stated that this item presents revisions to offer revised and updated standards for the preparation of educators for providing instruction in literacy. These new standards represent a significant departure from the prior reading standards. The new standards are tightly aligned with Tennessee’s Read to be Ready initiative, reflect Tennessee specific student standards, as well as Tennessee’s Special Education Framework and RTI2. The new standards also incorporate expectations for a broader range of educators, including secondary teachers and instructional leaders.

ACTION: **Ms. Chancey** moved acceptance on first reading. **Mr. Edwards** seconded. The motion passed unanimously.

I. School Attendance Policy 4.100

Ms. Laura Encalade, State Board of Education, presented this item. She reported that this item presents a comprehensive update to the policy to encompass the most current requirements for compulsory school attendance and excused absences. It also removes the outdated exemption form, which is no longer utilized. She said that updating this policy will help ensure State Board policies are current and relevant for LEAs.

Action: **Mr. Johnson** moved acceptance on first reading. **Ms. Tucker** seconded. The motion passed unanimously.

Chairman Rolston said that with no objection he would like to combine the following as each item either deletes a policy which is outdated or updates out of date provisions of policies or rules:

- J. Guidelines for Out of School Experiences Policy 3.203**
- K. School Safety Policy 2.300**
- L. Model Drug Testing Policy 4.201**
- M. Earthquake Plan Policy 2.304**
- N. Special Courses Policy 3.201**
- O. Leave for Teachers Rule 0520-01-02-.04**
- P. Fiscal Accountability Standards Rule 0520-01-02-.13**
- Q. Approval of Textbooks Rule 0520-01-02-.15**
- R. Two-Way Communications Systems Policy 2.301**

Action: **Ms. Chancey** moved acceptance. **Ms. Hartgrove** seconded. The motion passed unanimously.

IV. Action Items (Final Reading)

A. Professional Assessments Policy 5.105

Dr. Wooten presented this item. She stated that this item recommends the adoption of a new required assessment of pedagogical and pedagogical content knowledge—the

edTPA—for all initial licensure candidates by January 2019. The edTPA is a nationally-available, subject-specific performance assessment that focuses on student learning and principles from research and theory. The edTPA is designed to be educative for candidates, preparation programs, and policy makers. Since 2012, Tennessee has allowed the use of edTPA in lieu of Praxis II: Principals of Learning and Teaching. Eight Educator Preparation Providers have implemented the edTPA including all six TBR Universities, the University of Tennessee-Knoxville, and Vanderbilt University. **Dr. Wooten** said that this final item proposes to require all candidates for licensure to submit qualifying scores on the edTPA. In very limited cases, when an appropriate edTPA is not available, the candidate must submit a qualifying score on the relevant Principles of Learning and Teaching assessment.

Action: **Ms. Chancey** moved to delay this item until January 2017 to be able to give Board members a chance to talk to stakeholders and review cut scores nationwide. There being no second to this motion, **Chairman Rolston** asked for discussion or another motion.

Dr. Heyburn asked **Dr. Wooten** if she could provide additional information to **Ms. Chancey** on the rationale behind the establishment of the cut score. **Dr. Wooten** said that the 37 cut score was established based on conversations with Tennessee Board of Regents institutions and that it was the lowest cut score that was accepted. The 42 is the recommended cut score based on discussions with teachers and providers.

Ms. Chancey stated that one of her concerns was the cost of the edTPA since teachers are already paying for Praxis and asked how much more they would have to pay. **Dr. Wooten** responded that the Praxis exam is \$150 and the edTPA will be \$300. She stated that the Department has some vouchers which have been provided to them for some candidates but do not have enough vouchers for all candidates. She stated that strategies have been put in place for payment of the edTPA.

Action: **Mr. Edwards** moved approval. **Ms. Tucker** seconded. The motion passed with **Ms. Chancey** casting a dissenting vote.

B. *Science Standards*

Ms. Encalade presented this item for final reading. She explained the process involved with review of the science standards. She stated that minor changes had been made since first reading to provide clarity, correct grammatical and typographical errors.

Mr. Edwards stated that science teachers have told him that the standards are an outstanding product. **Chairman Rolston** added that wanted to commend those who had worked on the process and that it was phenomenal that the process worked so well.

Action: **Mr. Edwards** moved approval. **Ms. Tucker** seconded. The motion passed unanimously.

C. *Fine Arts Standards*

Ms. Leigh Cummins, State Board of Education, presented this item. She presented the requirements for fine arts and outlined the changes since first reading which were grammatical in nature. She commended the 31 committee members for their hard work and in particular the committee chair, Drew Davidson, who couldn't be at the meeting. She stated that upon approval these standards would go into effect the 2018-19 school year.

Action: **Ms. Tucker** moved approval. **Mr. Johnson** seconded. The motion passed unanimously.

D. *Physical Activity Policy 4.206*

Ms. Lori Paisley, Department of Education, presented this item. She stated that the changes would align the policy with the new requirements of Public Chapter 669 which was passed during the 2016 Legislative Session.

Action: **Ms. Tucker** moved approval. **Ms. Hartgrove** seconded. The motion passed unanimously.

E. *Health Education and Lifetime Wellness Standards*

Ms. Paisley presented this item. She stated that no changes had been made since first reading and that if approved these standards would be implemented in the 2018-19 school year.

Action: **Ms. Hartgrove** moved approval. **Ms. Tucker** seconded. The motion passed unanimously.

F. *State Approved Textbooks – Section B (Agriculture, Food and Natural Resources; STEM, Health Science, Transportation, Distribution and Logistics; Architecture and Construction)*

Dr. Tammy Shelton, Department of Education, presented this item. She reported that the commission met on September 15, 2016 to review the recommendations from the panel, hear publishers' final responses to the panel reviews, and consider any public comment, either written or verbal. The commission then met on September 26, 2016 to determine the recommended textbooks and instructional materials for final approval.

ACTION: **Ms. Tucker** moved approval. **Mr. Johnson** seconded. The motion passed unanimously.

G. *School Counseling Model and Standards Policy 5.103*

Ms. Haugner presented this item. She stated that to ensure that comprehensive school counseling programs are of high quality, the Department of Education will provide LEAs with guidance to address program expectations and professional development. Clarification of the roles and responsibilities between school counselors and other student support personnel (such as school social workers, school psychologists, etc.)

should be included to prevent duplication of services and establish appropriate expectations for each professional. These documents will be reviewed annually by the Department and will be updated as necessary for dissemination to local boards of education.

Since first reading, an open public comment period has been held. Ms. Haugner outlined the changes that have been made.

Ms. Hartgrove asked how this policy gets delivered to the LEAs and down to the principals. Ms. Haugner stated that this information would not only be presented in e-mails but would include face to face meetings at Supervisor Study Council meetings.

Ms. Hartgrove then said that she believes there is a fiscal impact even though it says there is not on the cover sheet.

Ms. Haugner responded that the costs are included in the Basic Education Program (BEP).

ACTION: **Ms. Hartgrove** moved approval. **Ms. Tucker** seconded. The motion passed unanimously.

H. *Approved High School Courses Policy 3.205*

Ms. Haugner presented this item. She stated that this item presents for the addition of a new elective course, *Preparing for the ACT, College, and Career*, to the High School Course List Policy 3.205, as well as standards for the new course. The proposed new course is meant to provide explicit standards for schools to guide preparation activities for the state's main college and career readiness assessment, the ACT, while setting clear expectations for how to link preparation for this exam to other student planning and readiness activities. These standards have been developed in response to a large need communicated by districts, dozens of which have been submitting special course applications for this type of preparation course for several years. This course is not meant to be solely test-prep activities. Course standards are directly aligned to both ACT college and career readiness standards and Tennessee state standards, and they also include specific expectations for student career exploration and postsecondary planning activities. She then outlined the changes made since first reading.

ACTION: **Mr. Johnson** moved approval. **Ms. Tucker** seconded. The motion passed unanimously.

I. *Nursing Education Standards*

Ms. Justice presented these standards. She stated that in response to feedback from Health Science educators, this item recommends updating language in standard 15 of the nursing education standards to reflect industry technical vocabulary, specifically "patient care plan". This change, if approved, would better support students who are engaging in Work-Based Learning activities as they transition between classroom and real world application of knowledge and skills.

ACTION: Ms. Tucker moved approval. Mr. Johnson seconded. The motion passed unanimously.

J. Employment Standards, Rule 0520-01-02-.03

Ms. Justice presented this item. She stated that there were no changes to this rule since first reading.

ACTION: Mr. Edwards moved approval. Ms. Tucker seconded. A roll call vote was taken as follows:

	Yes	No	Abstain	Absent
Allison Chancey	X			
Mike Edwards	X			
Lillian Hartgrove	X			
Cato Johnson	X			
Carolyn Pearre				X
Lonnie Roberts				X
William Troutt				X
Wendy Tucker	X			
Tiffany Cook	X			
Fielding Rolston	X			

The motion passed unanimously.

K. Minimum Requirements for the Approval of Public Schools, Rule 0520-01-03

Ms. Elizabeth Taylor, State Board of Education, presented this item and stated that this would update this policy by removing out of date content and aligning the policy with legislation passed during the 2016 legislative session.

ACTION: Mr. Edwards moved approval. Ms. Tucker seconded. A roll call vote was taken as follows:

	Yes	No	Abstain	Absent
Allison Chancey	X			
Mike Edwards	X			
Lillian Hartgrove	X			
Cato Johnson	X			
Carolyn Pearre				X
Lonnie Roberts				X
William Troutt				X
Wendy Tucker	X			
Tiffany Cook	X			
Fielding Rolston	X			

The motion passed unanimously.

Chairman Rolston stated that there being no objection, he would like to combine the following items since each item updates or removes out of date policies.

- L. Uniform Grading Policy 3.301**
- M. Curriculum Frameworks Policy 3.200**
- N. Performance Model Policy 2.100**
- O. Reading Policy 3.104**

ACTION: **Ms. Tucker** moved approval. **Ms. Hartgrove** seconded. The motion passed unanimously.

P. Creation or Reactivation of City School Systems, Rule 0520-01-08

Ms. Taylor presented this item and stated that this is to update the rule to align it with current law and practice.

ACTION: **Mr. Johnson** moved approval. **Mr. Edwards** seconded. A roll call vote was taken as follows:

	Yes	No	Abstain	Absent
Allison Chancey	X			
Mike Edwards	X			
Lillian Hartgrove	X			
Cato Johnson	X			
Carolyn Pearre				X
Lonnie Roberts				X
William Troutt				X
Wendy Tucker	X			
Tiffany Cook	X			
Fielding Rolston	X			

The motion passed unanimously.

Q. Non-Public Schools Administrative Rules, Rule 0520-07-01

Ms. Taylor presented this item and said it was to remove a reference to Category VII schools as Tennessee no longer has Category VII schools.

ACTION: **Ms. Hartgrove** moved approval. **Mr. Edwards** seconded. A roll call vote was taken as follows:

	Yes	No	Abstain	Absent
Allison Chancey	X			
Mike Edwards	X			
Lillian Hartgrove	X			
Cato Johnson	X			
Carolyn Pearre				X
Lonnie Roberts				X
William Troutt				X

	Yes	No	Abstain	Absent
Wendy Tucker	X			
Tiffany Cook	X			
Fielding Rolston	X			

The motion passed unanimously.

R. Standards for School Administered Child Care Programs, Rule 0520-12-01

This item was removed from the agenda.

S. Educator Licensure Rule 0520-02-03-.09

Ms. Taylor presented this item. These rule changes are for Board disciplinary action for particular types of infractions. Minor changes have been made since first reading and **Ms. Taylor** outlined these changes.

Chairman Rolston stated that he appreciates the work of the Committee in pulling all of this together.

Ms. Tucker added that she would like to commend **Ms. Hartgrove** for her leadership during this process and thanked **Ms. Taylor** and **Mr. Philip Cramer** for their work on this rule. She went on to say that she feels that this is a big step and that this will send a message to the very small minority of educators who commit these infractions that the Board will take action and that these matters are not taken lightly.

ACTION: **Ms. Hartgrove** moved approval. **Mr. Edwards** seconded. A roll call vote was taken as follows:

	Yes	No	Abstain	Absent
Allison Chancey	X			
Mike Edwards	X			
Lillian Hartgrove	X			
Cato Johnson	X			
Carolyn Pearre				X
Lonnie Roberts				X
William Troutt				X
Wendy Tucker	X			
Tiffany Cook	X			
Fielding Rolston	X			

The motion passed unanimously.

T. Emergency Individualized Education Accounts (IEA) Rules 0520-01-11

Ms. Taylor presented this item. She stated that emergency rules are the identical to the IEA rules the State Board approved on final reading at the May 2016 meeting. The

permanent rules will not be effective until December 1, 2016 so emergency rules need to be in place so applications can be processed with enough time before Jan 1, 2017.

ACTION: **Ms. Tucker** moved approval. **Ms. Chancey** seconded. A roll call vote was taken as follows:

	Yes	No	Abstain	Absent
Allison Chancey	X			
Mike Edwards	X			
Lillian Hartgrove	X			
Cato Johnson	X			
Carolyn Pearre				X
Lonnie Roberts				X
William Troutt				X
Wendy Tucker	X			
Tiffany Cook	X			
Fielding Rolston	X			

The motion passed unanimously.

U. *Standard Setting for End-of-Course Assessments*

Dr. Nakia Towns, Department of Education, presented this item. She stated that the Department administered the new TNReady assessments for grades 9 - 12 during the 2015-16 school year. In order to complete the reporting of achievement data, it is necessary for the State Board to adopt cut scores that will be used to assign student to performance categories on the TNReady assessments.

Dr. Towns stated that during the week of August 22, 2016, panels of Tennessee educators convened in Nashville to recommend cut scores for the following 10 assessments:

- English I, II, and III
- Integrated Math I, II, and III
- Algebra I and II
- Geometry
- United States History

Chairman Rolston said that although these cut scores are where they need to be, they are very rigorous expectations. **Mr. Edwards** stated that the sentiment of the Board is that they were not given very much turnaround time on this item and that this should be a rare occasion.

ACTION: **Mr. Edwards** moved approval. **Ms. Hartgrove** seconded. The motion passed unanimously.

Mr. Edwards stated that there has been lengthy discussion about educators in non-endorsed areas teaching courses. He further said that the statute says this is not

something that can be done and yet his conversations prove that it is happening and that there is no incentive for a district to self-report that they are in violation of the law. He asked how do we know if there are people who are violating this law and what are our options on action to take when we discover this is happening.

Commissioner McQueen said that the Department has limited information about this but that they are working on a mechanism to see if this is happening but that you have to rely on the district partnership to make sure this information is being tracked appropriately. She went on to say that if the Board wants the Department to look into this more closely in terms of a compliance mechanism the Department would be amenable to doing this.

Ms. Tucker and **Mr. Edwards** said that they would like the Department to do this. **Mr. Edwards** also stated that notice should be given to parents that a class is being taught out of the endorsement area.

Ms. Hartgrove said the reality is the districts are trying hard to find the right teachers and that there is a supply and demand issue here. **Mr. Edwards** responded that we all need to know what our roles are and that the role of the State Board is to ensure that people who are qualified to teach subject are in those classrooms. We have known there is a teacher shortage for a long time and nothing has happened. He said it is not the State Board's job to figure out a solution but to say who can go into the classrooms and others have to find the solutions.

Ms. Tucker asked **Ms. Taylor** if parental notification that a teacher was teaching outside their endorsement area would be a rule, policy or statute. **Ms. Taylor** responded that she believes it could be accomplished by rule.

Chairman Rolston stated that this would be an excellent workshop subject for the January meeting for further discussion.

V. *Teacher and Principal Evaluation Policy 5.201*

Dr. Paul Fleming, Department of Education, presented this item. He stated that this item presents several changes to the Teacher and Principal Evaluation policy, including removal of the 2nd grade assessment from the list of optional portfolio models. Additionally, this item proposes an update to the observation pacing guides to clarify the path for educators without a previous individual growth score or level of effectiveness and provides additional guidance for districts with new teachers, PYE teachers, or teachers who are returning to a public school classroom. Finally, the item presents an updated 15% Achievement Measure worksheet that includes nationally recognized industry-based certifications based on the 16 nationally recognized career clusters that the Department promotes.

ACTION: **Mr. Edwards** moved approval. **Ms. Hartgrove** seconded. The motion passed unanimously.

W. Basic Education Program (BEP) Review Committee Appointments

Mr. Nathan James, State Board of Education, presented this item. He stated that every priority listed last year was embraced and funded by the legislature. He reported that a letter was sent to the Governor, Commissioner McQueen and the Department of Finance and Administration with budgetary requests in August rather than in November. **Mr. James** listed the priorities were listed for 2016-17 and then listed the members appointed to the 2016-17 BEP Review Committee.

ACTION: **Mr. Johnson** moved approval. **Mr. Edwards** seconded. The motion passed unanimously.

V. Charter School Appeals

A. Rocketship Tennessee #3

Dr. Sara Heyburn, Executive Director of the State Board of Education, explained the process involved in the charter school appeal process and then presented her recommendation for the appeal from Rocketship Tennessee #3. She stated that the applicant had not determined a geographic area for the school's location, enrollment projection, or a facility plan for the proposed school. With regard to academic plan design and capacity, the operator did not clearly articulate a description of the community from which the school intends to draw students, nor did the operator provide a thorough and compelling explanation for how the academic plan would fit the needs of the two possible geographic locations identified for the school. Moreover, the enrollment projections that Rocketship presented in the application were not aligned with the projections presented in the capacity interview. Finally, there was a lack of evidence provided to determine how the educational program would change based on the suggested change in enrollment.

Dr. Heyburn stated she agrees that the Rocketship amended application does not meet or exceed the standard required for approval. She does not believe that the decision to deny the amended application for Rocketship Tennessee #3 was contrary to the best interests of the students, the school district, or the community. Therefore, her recommendation is that the State Board of Education affirm the decision of Metropolitan Nashville Public Schools to deny the amended application for Rocketship.

Ms. Tucker stated that she believes that Rocketship would succeed based upon the work done by the Nashville Rocketship but that she realizes that the application was not complete.

ACTION: **Ms. Hartgrove** moved approval. **Mr. Edwards** seconded. The motion passed unanimously.

B. Green Dot Charter High School

Dr. Heyburn presented her recommendation for the appeal of Green Dot Charter High School. She stated that given the great responsibility of educating students and the

amount of taxpayer dollars entrusted to a charter school that is approved by a local district, the State Board expects that only those schools that demonstrate a high likelihood of success and meet or exceed the required criteria in all areas will be authorized. Green Dot has met or exceeded the required criteria in all areas and has shown through its application that it is likely to achieve success in a geographic area where they have identified the need for a quality high school option. **Dr. Heyburn** stated that she believes that the decision to deny the amended application for Green Dot Charter High School was contrary to the best interests of the students, the school district, or the community and therefore recommends that the State Board of Education overturn the decision of the Shelby County School Board and approve the amended application for Green Dot Charter High School.

Mr. Johnson asked what **Dr. Heyburn** saw as the greatest disconnect between the committee and staff and where the district says they have the greatest concerns. **Dr. Heyburn** responded the way we reviewed the past performance in the portfolio data and that the district saw the performance data as lacking for them.

Ms. Tucker said this is a transformation model and that in one year the progress shows great gain.

ACTION: **Ms. Tucker** moved approval. **Mr. Edwards** seconded. The motion passed unanimously.

C. *Pathways in Education-Tennessee*

Dr. Heyburn stated that the Review Committee's report and recommendations are sound and grounded in evidence contained in the application and gained at the capacity interview. She further stated that for the reasons explicated in the report, she agrees that the Pathways amended application did not rise to the level of meeting or exceeding the standards required for approval. The academic performance data for the schools operated by the Sponsor's charter management organization, Pathways Management Group, does not indicate success based on state and national standards. The Sponsor's existing schools in Tennessee have not demonstrated academic success through end of course assessments or graduation rates. Additionally, the Sponsor's schools in California and Louisiana perform significantly below the proficiency rates of the states and the school districts in which the schools are located. Therefore, **Dr. Heyburn** agrees that the Sponsor's existing schools have not met the standard to justify replication of the educational model. For these reasons, **Dr. Heyburn** stated, she does not believe that the decision to deny the amended application for Pathways in Education-Tennessee, Inc. was contrary to the best interests of the students, the school district, or the community. Therefore, she recommends that the State Board of Education affirm the decision of Shelby County Schools to deny the amended application for Pathways.

ACTION: **Mr. Johnson** moved approval. **Ms. Tucker** seconded. The motion passed unanimously.

VI. Adjournment

Chairman Rolston thanked the Board members for their thoughtful deliberations. He thanked the University of Tennessee, Martin for their hospitality and announced that the Board will meet next on January 27, 2017. He listed the dates of the 2017 workshop and Board meetings:

January 26, 27
April 20, 21
July 13, 14
October 19, 20

Approved by: _____ Date: _____