



MINUTES
STATE BOARD OF EDUCATION
CONFERENCE CALL MEETING
SEPTEMBER 1, 2016
2:00 p.m., CDT

Present.....6 Mr. Mike Edwards Ms. Lillian Hartgrove Ms. Carolyn Pearre Dr. William Troutt Ms. Wendy Tucker Mr. Fielding Rolston	Absent.....4 Ms. Allison Chancey Mr. Cato Johnson Mr. Lonnie Roberts Ms. Tiffany Cook
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Chairman Rolston welcomed the members and called the meeting to order.

I. Consent Items

A. Adoption of Agenda

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

II. Statement of Necessity

At its July 22, 2016 regularly scheduled board meeting, the State Board of Education (State Board) voted to approve the Tennessee Department of Education’s (Department of Education) recommendation that Bethel University be denied approval as an educator preparation program (EPP). Bethel University requested that the State Board stay its decision denying approval of its EPP. Thus, it was necessary for the Board members to vote on whether to grant the stay.

Time is of the essence when considering whether to stay a decision. Because members of the State Board reside across the State, it was determined that a physical quorum of the members could not swiftly be assembled in Nashville for purposes of this meeting. As such, the Board met via teleconference to decide whether to grant a stay of its July 22 decision. **Elizabeth Taylor**, General Counsel for the State Board, made a statement of the necessity for the teleconference meeting during the meeting.

III. Action Items

A. *Stay of the State Board's July 22, 2016 Decision.*

Chairman Rolston stated that the purpose of this meeting is to consider the petition of Bethel University (Bethel) to stay our decision to deny accreditation. As a state agency, the Board is subject to the provisions of the Uniform Administrative Procedures Act (UAPA). Under the UAPA, a party aggrieved by an agency's decision has the option to challenge the decision through a contested case hearing, petition to stay, or petition to rehear. In this case Bethel is petitioning the State Board to stay its July 22, 2016 action such that Bethel would maintain its continuing approval with stipulations until the fall of 2017.

He further stated that as Bethel had not requested to address the Board at this time he would call upon the State Board's General Counsel, **Elizabeth Taylor**, to walk through the procedural history.

Ms. Taylor outlined the following timeline of events:

- At the July 22, 2016 State Board meeting, the Department of Education recommended that the State Board deny approval of Bethel's EPP.
- This recommendation was based on the National Council for Accreditation of Teacher Education (NCATE) accreditation review, which concluded that the Bethel's EPP does not meet expectations on two of the six NCATE standards.
- On August 3, 2016, Bethel requested that the State Board stay its July 22 decision denying approval of Bethel's EPP and allow Bethel's educator preparation program to continue to operate with a conditional approval status until the fall of 2017.
- Bethel has not requested to address the Board in support of its request for a stay and has not presented any new evidence regarding the accreditation review or the findings.
- However, Counsel for Bethel has communicated that Bethel is relying on its pleadings filed in the related chancery court case.
- Upon information and belief based on those pleadings, it is my understanding that Bethel generally alleges that the decision to deny approval was unauthorized by law, arbitrary and capricious, improper, and as a result, Bethel, its students, faculty, staff, and the local education agencies with which it collaborates have and will suffer irreparable harm.
- Thus, Bethel is requesting that the State Board stay its decision denying accreditation until the fall of 2017, and the meeting today is for the Board to vote on whether to grant or deny Bethel's request for a stay.

Chairman Rolston stated that the Board did have authority to make this decision.

Dr. Troutt asked if there were any allegations that the findings were capricious. **Ms. Taylor** responded that the basis of the petition was that the Board did not have the authority to make such a decision and a possible conflict of interest.

Vice Chair Pearre asked if there had been any new activities done by Bethel to come into compliance with NCATE standards. **Ms. Taylor** stated that to her knowledge there had not been any new activities.

ACTION: **Ms. Tucker** moved to deny Bethel University’s request for a stay. **Mr. Edwards** seconded. A roll call vote was taken as follows:

	Yes	No	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		
Fielding Rolston	X		
Tiffany Cook			X

The motion passed unanimously.

Chairman Rolston thanked members for being available to participate in the meeting by telephone and reminded them of the upcoming workshop and meeting on October 13-14, 2016, in Martin, Tennessee.

The meeting was adjourned.

Approved by: _____ Date _____