# MINUTES STATE BOARD OF EDUCATION SPECIAL CALLED MEETING SEPTEMBER 24, 2015

The State Board of Education met in special session at 1:00 p.m., CDT, on September 24, 2015 at the Tennessee School Boards Association office.

Mr. Fielding Rolston, Chairman

**Chairman Rolston** called the meeting to order and welcomed members of the audience. He acknowledged Dr. William Troutt on the phone. He commended the staff on the workshop presentations and stated that it was really well done.

#### I. Consent Items

- A. Adoption of Agenda
- B. Approval of Minutes from July 24, 2015 and August 3, 2015
- C. Appointment of Hearing Officers for Rulemaking Hearing on Individualized Education Account Rules

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

#### II. Action Items (First Reading)

## A. Charter School Performance Framework

**Ms. Tess Stovall**, State Board of Education, presented this item. She stated that this framework is the key document that would hold any authorized charter school accountable in terms of academic, financial and operational performance. She reported that the State Board of Education will publish a report annually of the performance of any charter schools it has authorized, and the report will be based on the established framework.

**Ms. Stovall** said that the performance framework was first approved in October 2014, and these changes ensure the framework is aligned to the state's accountability system as well as to include a few additional measures. The cover page goes into great detail the proposed changes, but the top level changes are:

- 1. The addition of the three-year TVAAS Composite data point in order to capture year-to-year growth and growth over time.
- 2. A change to the gap closure measure to look at TVAAS subgroup growth which is a measure that the Department is now using to evaluate gap closure.
- 3. Assessments have been added to certain measures as new assessments have been added by the Department.

**Ms. Tucker** said that she wanted to commend the staff on the great job they did in developing this framework and stated that it will give the schools what they need to know.

Chairman Rolston agreed with Ms. Tucker.

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

#### B. Charter School Intervention Policy 6.700

**Ms. Stovall** presented this item. She stated that previously, the policy stated that the State Board would establish an intervention plan stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. The State Board staff developed this plan based on national best practices of current authorizers and their tiers of interventions. The entire intervention policy will be incorporated as an exhibit to any charter agreement signed between the State Board and the governing body of an authorized school.

**Ms. Tucker** asked what could trigger an intervention. **Ms. Stovall** responded that it could be many things at any time and that if an issue came up, an intervention could be done.

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

## III. Action Items (Final Reading)

## A. Educator Licensure Policy 5.502

**Dr. Amy Wooten**, Department of Education, presented this item. She stated that over the past 18 months, the State Board of Education adopted two new rules and two new policies to address educator licensure and preparation. The previous rules, Teacher Education and Licensure (0520-02-03) and Licensure (0520-02-04), were replaced with Educator Licensure (0520-02-03) and Educator Preparation (0520-02-04). In addition, the new Educator Licensure Policy replaces the Transitional Licensure Policy. In tandem with this change, the Board also adopted the Educator Preparation Policy, which replaced the Tennessee Licensure Standards and Induction Guidelines, as well as the Transitional Licensure Policy. She further said that this item simply made a few minor technical corrections.

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

## B. Professional Assessment for Tennessee Educators Policy 5.105

**Dr. Wooten** presented this item and stated that it corrected some technical errors and brings this policy into alignment with the Educator Licensure Policy.

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

## C. Basic Education Program (BEP) Review Committee Appointments

**Ms. Laura Encalade**, State Board of Education, presented the listing of individuals appointed to serve on the 2015-16 BEP Review Committee:

- Lyle Ailshie, Director of Schools, Kingsport City Schools
- Harry Brooks, Chair, House Education Administration and Planning Committee
- David Connor, Executive Director, Tennessee County Services Association
- Sen. Dolores Gresham, Chair, Senate Education Committee
- Lee Harrell, Director of Government Relations, Tennessee Schools Board Association
- Vincent Harvell, Director of Business Operations, Haywood County Schools
- Chris Henson, Interim Director of Schools, Metro Nashville Public Schools
- Sara Heyburn, Executive Director, Tennessee State Board of Education
- Dorsey Hopson, Director of Schools, Shelby County Schools
- Karen King, Assistant Superintendent, Sevier County Schools
- Candice McQueen, Commissioner, Department of Education
- Larry Martin, Commissioner, Department of Finance and Administration
- Wayne Miller, Executive Director, Tennessee Organization of School Superintendents
- Mitchell Moore, City Manager, City of Athens, Tennessee Municipal League
- Rick Nicholson, Senate Budget Director, Office of Legislative Budget Analysis
- **Don Odom,** Director of Schools, Rutherford County Schools
- Lynnisse Roehrich-Patrick, Executive Director, Tennessee Advisory Commission on Intergovernmental Relations (TACIR)
- Larry Ridings, Tennessee School Systems for Equity
- Fielding Rolston, Chairman, Tennessee State Board of Education
- Mary Ann Sparks, Deputy Director of Schools, Wilson County Schools
- Justin P. Wilson, Comptroller of the Treasury
- Hunter Zanardi, Instructional Specialist, Putnam County Schools

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

**Chairman Rolston** asked **Ms. Encalade** for an update on the Standards Review Process and stated that the process had gone way beyond our expectations. She said that she was happy to do so and said that the review teams had been meeting over the summer

and that their initial recommendations would be posted on the website for additional review and feedback. The higher education community will also be coordinating with UT, TBR and TICUA to review the standards and make sure they are meeting the appropriate benchmarks for college and workforce readiness. The Standards Recommendation Committee will then meet to hear a collection of feedback on the standards recommended and all of that information will be coming to the Board in January on first reading. She further said that team members would be present at the October meeting to talk about some of the key and significant changes they have made.

**Ms. Encalade** also reported that the Science Standards were posted on the website and were ready for review. She also stated that the Social Studies Standards will be reviewed starting in January.

## D. Educator Licensure, Permanent Rule 0520-02-03

Ms. Angie Sanders, State Board of Education, presented this item. She explained that this rule change was first approved by the Board in 2014. Due to a technical error in the 2015 Rules Omnibus Bill, this was inadvertently allowed to expire on June 30, 2015. An emergency rule was approved by the Board at the July 2015 meeting and a rulemaking hearing, as required by statute, was held on August 28, 2015, for the permanent rules. This vote will ensure that the changes initially approved by the Board last year become permanent rules.

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

Allison Chancey Mike Edwards Lillian Hartgrove Cato Johnson Carolyn Pearre Lonnie Roberts William Troutt Wendy Tucker Fielding Rolston

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The motion passed unanimously.

## IV. Charter School Appeal Items

## A. Omni Prep Academy High School

**Dr. Sara Heyburn,** Executive Director, State Board of Education, presented this item. She reported that Omni Prep Academy High School submitted an initial charter application to Shelby County Schools. After reviewing the application, the Shelby

County Board of Education voted to deny the charter proposal at the regularly scheduled board meeting held on May 26, 2015.

She further stated that on June 25, 2015, Omni Prep Academy High School sponsors submitted an amended application to address the deficiencies cited in the initial application. At the July 21, 2015 meeting of the Shelby County Board of Education, the board voted to deny the amended application and that on July 31, 2015, the sponsors of the Omni Prep Academy High School charter application appealed to the State Board of Education. She reported that a hearing was held on September 2, 2015 at the Shelby County Board of Education and that the State Board of Education Charter Application Review Committee conducted a de novo on the record review of the application and held a capacity interview with the applicant on September 10, 2015.

**Dr. Heyburn** said that based on the following procedural history, findings of fact, and Review Committee Report, the decision to deny the OPAHS application was not "contrary to the best interests of the pupils, school district, or community" and that she recommends that the State Board affirm the decision of Shelby County Schools.

**Ms. Tucker** asked about the student growth data for the Omni Prep Academy Lower School and Omni Prep Academy Middle School and if the schools are showing significant growth. **Dr. Heyburn** stated that the schools had shown some growth but areas of academic challenges remained for the schools.

**Ms. Tucker** asked if the applicant planned to rely on the existing resources of the two schools to start this school and **Dr. Heyburn** confirmed that they planned to share some staff and resources as well as to hire some additional staff for the new school.

ACTION:

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

| Allison Chancey         |
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| Mike Edwards            |
| Lillian Hartgrove       |
| Cato Johnson            |
| Carolyn Pearre          |
| <b>Lonnie Roberts</b>   |
| William Troutt          |
| Wendy Tucker            |
| <b>Fielding Rolston</b> |

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The motion passed unanimously.

#### V. Teacher License Actions

**Chairman Rolston** moved that Items **V.F., V.G., and V.I.** be considered separately and that the rest of the items be considered as a block.

ACTION: Ms. Tucker moved approval of the staff recommendations for Items V.A., V.B., V.C., V.D., V.E., V.H., and V.J. Mr. Edwards seconded. The motion passed unanimously.

- A. Spurgeon Banyard Rescind July 2015 Order of Revocation
- B. Stacia Bearden Suspension, one (1) year
- C. Lisa Elliott Revocation, automatic
- D. Kendra Grisham Revocation
- E. Michael Lewis Revocation, automatic
- H. Abby Mills Formal Reprimand
- J. Christy Swope Formal Reprimand

ACTION:

**Ms. Chancey** moved approval. **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          |     |    | Х      |
| Carolyn Pearre        |     |    | Х      |
| <b>Lonnie Roberts</b> |     |    | Х      |
| William Troutt        | Х   |    |        |
| Wendy Tucker          | X   |    |        |
| Fielding Rolston      | Х   |    |        |

The motion passed unanimously.

## F. Charles McMillan – Formal Reprimand

**Mr. Philip Cramer**, State Board of Education, presented background information on Mr. McMillan.

**Mr. Edwards** asked if a motion could be to revoke this license. **Mr. Cramer** responded that it could not because notice of this action had not been given.

**ACTION**:

**Ms. Tucker** moved to withdraw this action for further review by the staff and reissuance of appropriate notification. **Mr. Edwards** seconded. A roll call vote was taken as follows:

| <b>Allison Chancey</b>   |
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| Mike Edwards             |
| <b>Lillian Hartgrove</b> |
| Cato Johnson             |
| <b>Carolyn Pearre</b>    |

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| <b>Lonnie Roberts</b>   |     |    | Х      |
| William Troutt          | X   |    |        |
| Wendy Tucker            | Х   |    |        |
| <b>Fielding Rolston</b> | X   |    |        |

The motion passed unanimously.

## G. Jeffry Michael – Suspension, one (1) year, retroactive

**ACTION**:

**Ms. Tucker** moved that this item be pulled for further investigation. **Ms. Chancey** seconded. A roll call vote was taken as follows:

|                       | Yes | No | Absent |
|-----------------------|-----|----|--------|
| Allison Chancey       | X   |    |        |
| Mike Edwards          | X   |    |        |
| Lillian Hartgrove     | Х   |    |        |
| Cato Johnson          |     |    | Х      |
| Carolyn Pearre        |     |    | X      |
| <b>Lonnie Roberts</b> |     |    | Х      |
| William Troutt        | Х   |    |        |
| Wendy Tucker          | Х   |    |        |
| Fielding Rolston      | X   |    |        |

The motion passed unanimously.

# I. Jeffrey Murdock – Suspension, two (2) years

**ACTION**:

**Ms. Tucker** moved that this item be pulled for notification of revocation. **Mr. Edwards** seconded. A roll call vote was taken as follows:

|                       | Yes | No | Absent |
|-----------------------|-----|----|--------|
| Allison Chancey       | X   |    |        |
| Mike Edwards          | Х   |    |        |
| Lillian Hartgrove     | Х   |    |        |
| Cato Johnson          |     |    | Х      |
| Carolyn Pearre        |     |    | Х      |
| <b>Lonnie Roberts</b> |     |    | Х      |
| William Troutt        | Х   |    |        |
| Wendy Tucker          | Х   |    |        |
| Fielding Rolston      | Х   |    |        |

The motion passed unanimously.

Ms. Hartgrove stated that she would like to go on record clarifying what she said in the workshop about in some instances people could change and should be given a second

chance and that she voted today the way she felt like she should vote and that she is always going to vote her conscience. She went on to say that she believes in some situations she feels like people could turn their life around and that serious consideration should be given to that if the right information is given.

**Ms. Tucker** asked if in a future work session **Mr. Cramer** could present what goes into making these recommendations and the process. **Dr. Heyburn** said that was a great suggestion.

**Dr. Troutt** stated that he was looking forward to having the Board in Memphis for its October meeting. **Chairman Rolston** thanked him for the invitation and for making the arrangements.

## VI. Adjournment

**Chairman Rolston** then thanked the Board members for their thoughtful deliberations and announced that the Board will meet next on October 22-23, at Rhodes College in Memphis.

| Approved by: | Date: |
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| Approved by. | Date  |