

**MINUTES
STATE BOARD OF EDUCATION
NOVEMBER 4, 2011**

The State Board of Education met for its regular meeting in Room 12 of the Legislative Plaza, Nashville, Tennessee, at 9:00 a.m., CST, on November 4, 2011.

Present..... 7 Absent..... 3

**Mr. Fielding Rolston
Mr. Mike Edwards
Ms. Vernita Justice
Mr. Lonnie Roberts
Dr. Jean Anne Rogers
Ms. Teresa Sloyan
Dr. Richard Rhoda, Ex-Officio**

**Mr. James Ayers
Ms. Carolyn Pearre
Dr. Melvin Wright**

Chairman Rolston called the meeting to order and welcomed members of the audience.

I. Consent Items (Voice Vote)

- A. *Adoption of Agenda***
- B. *Approval of Minutes from August 5, 2011***

ACTION: **Dr. Rogers** moved acceptance. **Mr. Roberts** seconded. The motion passed unanimously.

II. Report Items

A. *Basic Education Program Review Committee Report*

Mr. Art Fuller, State Board of Education, reviewed the executive summary of the 2011 Basic Education Program Review Committee Report. **Mr. Fuller** reviewed the committee’s discussion related to BEP insurance premiums (\$56.8 million gap), capital outlay reductions (\$34.4 million gap), and three recommendations from the Tennessee Small School Systems for Equity (TSSE). **Mr. Fuller** commented that a number of the recommendations from TSSE are already in process within the Department of Education.

B. *Report Card on the Effectiveness of Teacher Training Programs*

Ms. Emily Carter, Department of Education, provided an update on the findings from the *2011 Report Card on the Effectiveness of Teacher Training Programs*. **Ms. Carter** reviewed the overall format of the report including a new glossary of terms, additional demographic and academic

information for teachers, and mentioned a new online version of the report that would become available in the coming months.

Chairman Rolston commented about the effort put into measuring the effectiveness of training programs.

Ms. Sloyan asked if there as an ability in the report to differentiate between teachers in masters vs. bachelors programs.

Ms. Carter indicated that the report currently differentiates between teachers with 3 or less years of experience and those with more than 3 years experience.

Commissioner Huffman thanked the Tennessee Higher Education Commission for the work involved in pulling together the report.

III. Action Items (First Reading)

A. *Migrant Education, Title IC, Service Delivery*

Ms. Paula Gaddis, Department of Education, presented this item. This item addresses the delivery of services to migrant students and improves the program for these students. It also allows for flexibility regarding summer programs and services.

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

B. *Teacher Preparation Program Approval Cycle*

Dr. David Sevier, State Board of Education, presented this item. He noted that approving this item would bring the State's approval cycle in line with the NCATE accreditation cycle. Aligning these events will allow teacher training programs to work a single approval cycle and allow them to focus on program improvement.

Mr. Edwards asked about the continued looks at programs over time and **Dr. Sevier** replied that the approval process is a continual one and that mechanisms are in place for ongoing assessment.

ACTION: **Dr. Rogers** moved acceptance on first reading. **Mr. Roberts** seconded. The motion passed unanimously.

C. *Public Virtual Schools, Rule*

Dr. Sevier presented this item. He noted that many of the proposed rules are actually a reflection of statutes. He also commented that these rules do not address an area of increasing concern relative to virtual schools and programs- funding. **Dr. Sevier** commented that any

changes in the funding mechanism for virtual schools, or any other type of schools, would need to be handled by way of the BEP process.

Chairman Rolston stated that the Board may need to seek changes in the legislation for virtual schools.

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

D. *Isolation and Restraint Reporting, Rule*

Mr. Bill Wilson, Department of Education, presented this item. He noted that Public Chapter 457 mandated promulgation of this rule and also mandated the creation of a standard reporting format to be used in all school districts. This rule was developed with the disability advocacy community, counsels for the Department of Education and State Board of Education, and school administrators. It was also endorsed by the Advisory Council of the Education of Students with Disabilities. Finally, **Mr. Wilson** commented that the items listed in the rule will be incorporated into a form with anticipation of being in use by the 2012-2013 school year.

ACTION: **Mr. Roberts** moved acceptance on first reading. **Dr. Rogers** seconded. The motion passed unanimously.

E. *Charter Schools Funding and Enrollment, Rules*

Mr. Rich Haglund, Department of Education, reviewed four technical updates to the rule, based on updates to the charter school law during the past legislative session. The updates included 1) requiring local education agencies to prepay the local share of BEP funds based on projected enrollment, 2) the elimination of the charter school enrollment chart which was based on outdated language, 3) a clarification that transportation funds will be provided in the same manner as received by local districts, and 4) including a specific date for projected enrollment to be reported to the state.

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

IV. Action Items (Final Reading)

A. *Pre-Service Teacher Performance Assessment*

Dr. Sevier presented this item and noted that the only change since first reading was increasing the length of the pilot from one to two years in order to accommodate those candidates who are close to beginning their internship.

ACTION: **Ms. Sloyan** moved approval. **Mr. Roberts** seconded. The motion passed unanimously.

B. *Official List of Textbooks for Cycle VI/Section VI – Visual Arts, Music, Theatre Arts, Dance, Spelling, Literature, Driver Education, Computer Science, Health Sciences Education, Business Technology, Marketing Education, Technology Engineering Education, Trade & Industrial Education*

Mr. Branch reviewed the process of textbook selection, which are reviewed by a cadre of teachers who are content professionals.

Mr. Edwards asked about digital editions of the textbooks.

Mr. Branch stated that almost all textbook versions have the option of a digital format.

Mr. Edwards asked if there would be an economic advantage to placing a greater emphasis on digital editions.

Mr. Branch replied that all school systems do not have the internal digital capacity.

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

C. *English as a Second Language (ESL) Policy 3.207 Revision*

Ms. Gaddis presented this item. She noted that this clarifies and reduces pupil-teacher ratios. The change is gradual, giving LEAs enough time to make necessary adjustments.

ACTION: **Mr. Roberts** moved approval. **Ms. Justice** seconded. The motion passed unanimously.

D. *Distance Learning and e-Learning Policy*

Dr. Sevier presented this item and noted that these changes bring the policy in line with current statute and State Board of Education rules. It also gives more flexibility allowing districts to find the best virtual programs and opportunities that work for them.

ACTION: **Dr. Rogers** moved approval. **Ms. Sloyan** seconded. The motion passed unanimously.

E. *Tennessee Learning Centered Leadership Policy*

Dr. Gary Nixon, Executive Director of the State Board of Education, stated that the Board first approved the Tennessee Learning Centered Leadership Policy at the November 2008 meeting. Later at the October

2010 meeting, the Board amended the policy to abolish previous interstate agreements and allow states that have completed a significantly similar redesign of the leadership preparation programs to apply to the Board for reciprocity. This proposed amendment would allow a Tennessee LEA to partner with an out-of-state institution of higher education and apply for approval as a leadership preparation program and be authorized to recommend candidates to the state for initial leadership licensure. Further, **Dr. Nixon** stated that these programs must meet the same standards and go through the same approval process as any other in-state-approved program.

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

F. Health Science Teacher Licensure, Rule

Ms. Lynne Cohen, Department of Education, presented this item,. She noted that this is a technical correction to the rule to bring it into alignment with the parallel policy passed in 2010.

ACTION: **Mr. Roberts** moved approval. **Dr. Rogers** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers			X
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre			X
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright			X

The motion passed unanimously.

G. Teacher and Principal Evaluation Policy

Dr. Sara Heyburn, Department of Education, presented this item. She noted that, after obtaining feedback from the field, that the evaluation and observation process could be improved by combining and instructional observation and a planning observation.

Ms. Sloyan asked about other mid-year adjustments to the policy and **Dr. Heyburn** replied that she did not anticipate any more necessary changes to the policy during the current school year.

H. *TCAP Achievement Levels: Standard Setting Process and Implementation for Algebra II*

Mr. Zach Rossley, Department of Education, presented this item. He noted that the Algebra II exam is an anchor exam used for college placement, and that the scores are used to help facilitate the process. This makes the setting of these scores particularly important. **Mr. Rossley** addressed the meaning of the scores along as they relate to student learning.

Mr. Edwards asked for some clarification regarding statistical measures and **Chairman Rolston** responded that the Board members might benefit from a tutorial in statistics. **Mr. Rossley** responded that the score of “proficient” translates to a 22 on the ACT exam -- the measure of college readiness.

ACTION: **Ms. Sloyan** moved approval. **Mr. Roberts** seconded. The motion passed unanimously.

I. *High School Transition Policy*

Dr. Sevier presented this item and noted that the Board has, in prior action, taken action to align end-of-course assessments with appropriate curriculum; including AP, IB, Cambridge, dual credit, and dual enrollment.

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

J. *Charter School Appeals Policy*

Ms. Dannelle Walker, State Board of Education, presented this item and noted that this rule amendment puts the rule in harmony with the requirements of Public Chapter 466, requiring the State Board of Education to provide written objective reasons for any decision to remand a charter school denial. She also reminded Board members that this was already Board practice; it just needed to be incorporated into the rule.

ACTION: **Dr. Rogers** moved approval. **Mr. Roberts** seconded. The motion passed unanimously.

V. *Teacher Revocation Appeal Items*

A. *Lucille I. Richardson*

Mr. Wilson presented this appeal. He states that upon receiving notice of the Board’s intent to deny reinstatement of her license, **Ms. Richardson** requested a hearing and a case was docketed with the Administrative

Procedures Division. At the conclusion of the hearing held on August 19, 2011, the Administrative Law Judge assigned to the case denied **Ms. Richardson's** request for reinstatement.

Ms. Richardson appealed the initial order on August 25, 2011.

Pursuant to the Tennessee Uniform Administrative Procedures Act, the Board is required to hear **Ms. Richardson's** appeal and render a final order or an order remanding the matter for further proceedings within sixty (60) days after receipt of briefs and oral argument, unless that period is waived or extended with the written consent of all parties or for good cause shown. Pursuant to Tenn. Code Ann. §§ 4-5-314 and 315, the Board may take any one of the following actions:

1. Adopt- in whole or in part- the initial order as the final order.
2. Enter a new final order, with findings of fact and conclusions of law.
3. Remand the matter to the administrative judge with specific instructions for further proceedings.

ACTION: **Mr. Edwards** moved approval of the Administrative Law Judge's order. **Ms. Sloyan** seconded. A roll call vote was taken as follows:

	Yes	No	Abstain	Absent
Jim Ayers				X
Mike Edwards	X			
Vernita Justice			X	
Carolyn Pearre				X
Lonnie Roberts	X			
Jean Anne Rogers	X			
Fielding Rolston	X			
Teresa Sloyan	X			
Melvin Wright				X

The motion passed by majority vote.

VI. Teacher License Actions

A. Ronald Keith Goad – Suspension, one (1) year

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

	Yes	No	Absent
Jim Ayers			X
Mike Edwards	X		
Vernita Justice	X		

	Yes	No	Absent
Carolyn Pearre			X
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright			X

The motion passed unanimously.

B. *Anne I. Holmes – Revocation, concurrent*

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

	Yes	No	Absent
Jim Ayers			X
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre			X
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright			X

The motion passed unanimously.

C. *Ginny L. Mallard – Revocation*

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

	Yes	No	Absent
Jim Ayers			X
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre			X
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright			X

The motion passed unanimously.

D. David Mason – Revocation

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

	Yes	No	Absent
Jim Ayers			X
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre			X
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright			X

The motion passed unanimously.

E. Daniel L. Runyon – Revocation

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

	Yes	No	Absent
Jim Ayers			X
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre			X
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright			X

The motion passed unanimously.

F. Lindsey S. Seymour – Revocation

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

	Yes	No	Absent
Jim Ayers			X
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre			X
Lonnie Roberts	X		
Jean Anne Rogers	X		

	Yes	No	Absent
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright			X

The motion passed unanimously.

G. Virginia Weitnauer – Suspension, one (1) year

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

	Yes	No	Absent
Jim Ayers			X
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre			X
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright			X

The motion passed unanimously.

VII. Adjournment

Chairman Rolston then thanked the Board members for their thoughtful deliberations and announced that the Board will meet next on January 27, 2012 for its regularly scheduled quarterly meeting.

Approved by: _____ Date: _____