

**MINUTES  
STATE BOARD OF EDUCATION  
JULY 27, 2012**

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 July 27, 2012.

**Present..... 9      Absent..... 2**

**Mr. Fielding Rolston, Chairman**  
**Ms. Janet Ayers**  
**Mr. Mike Edwards**  
**Ms. Carolyn Pearre**  
**Mr. Lonnie Roberts**  
**Dr. Jean Anne Rogers**  
**Ms. Teresa Sloyan**  
**Dr. Melvin Wright**  
**Dr. Richard Rhoda, Ex-Officio**

**Ms. Vernita Justice**  
**Ms. Lauren Haley, Student Member**

**Chairman Rolston** called the meeting to order and welcomed members of the audience. The Chairman welcomed our new board member, Ms. Janet Ayers and noted her accomplishments and the expertise that she brings to the board.

**I. Consent Items**

**A. Adoption of Agenda**

**B. Approval of Minutes from April 20, 2012, May 16, 2012, and June 22, 2012.**

**ACTION:** Items III.G and III.H were removed from the agenda. **Mr. Edwards** moved acceptance. **Ms. Sloyan** seconded. The motion passed unanimously.

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

**A. State Board of Education Master Plan**

**Dr. Nixon** noted that comments from the previous workshop have been incorporated and highlighted in this draft. Priorities were discussed. Page six is still a work in progress to record some benchmark data. Data will be available for final consideration in October. **Chairman Rolston** commented that he is concerned about some items with college and career readiness like the spread between NAEP and TCAP.

**ACTION:** **Dr. Wright** moved acceptance on first reading. **Vice Chair Pearre** seconded. The motion passed unanimously.

**B. *Preliminary List of Textbooks for Cycle V/Section V: Reading K-8***

**Mr. Morgan Branch**, Department of Education, presented this item. The list for approval is Reading, K-8. The reviewers vetted these books in light of the Common Core State Standards. The list will be culled and will be ready for final approval at the October SBE meeting. Mr. Mike Edwards asked about e-book option for school districts and Mr. Branch responded that most titles have e-book options that come with the traditional books. Commissioner Huffman added that the issue of textbooks is forefront in the minds of LEAs in terms of both content and cost.

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

**C. *Teacher and Principal Evaluation Policy***

**Commissioner Huffman** outlined the changes under consideration. He noted that these changes are made based upon reports and information from SCORE, TNCRED, and SDE's own report. He noted that the SDE, SBE, and General Assembly will all need to be involved in order to make all the proposed adjustments. Recommendations have been made to make the process stronger. Some items require legislative action and some require the state board to act regarding differences in getting feedback for teachers. The fifteen percent option is a problem for getting observations completed in a timely manner. The acceptable range of results was discussed with the idea of making a proposal to define an acceptable range of deviation. Alternative models for principal evaluation are also being proposed. Multiple measures are a good thing, Knox County has proposed an alternative model and it is the department's recommendation to allow Knox County to do this. He briefly addressed each of the recommendations outlined in the proposal. **Mr. Mike Edwards** commented that these changes are "extraordinary improvements" to the initial model. **Ms. Teresa Sloyan** praised the fact that the SDE reached out to various stakeholders across the state over the course of the year. **Vice-Chair Carolyn Pearre** asked about the timing for final approval of these changes and **Chairman Rolston** responded that the intent is to have a meeting for final approval in approximately two weeks.

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

**D. *Tennessee Early Learning Developmental Standards Amendment***

**Ms. Bobbi Lussier**, Department of Education, presented this item. She proposed revisions for the four year old standards only at this point so Pre-K teachers can implement changes to be ready for Common Core.

**ACTION:** **Vice Chair Pearre** moved acceptance on first reading. **Dr. Wright** seconded. The motion passed unanimously.

**III. Action Items (Final Reading)**

**A. Health Science Education Licensure Policy & Rule Revision**

**B. Trade & Industrial Education Licensure Policy & Rule Revision for Field of Criminal Justice**

**Ms. Heather Justice**, Department of Education, presented items A and B together. The department wants to increase the qualified applicant pool to fill these positions at the secondary level. They conducted a qualified review and then the recommendations were taken to the advisory council on teacher education for review.

**ACTION:** **Vice Chair Pearre** moved approval. **Dr. Wright** seconded. A roll call vote was taken as follows:

|                         | <b>Yes</b> | <b>No</b> | <b>Absent</b> |
|-------------------------|------------|-----------|---------------|
| <b>Janet Ayers</b>      | <b>X</b>   |           |               |
| <b>Mike Edwards</b>     | <b>X</b>   |           |               |
| <b>Vernita Justice</b>  |            |           | <b>X</b>      |
| <b>Carolyn Pearre</b>   | <b>X</b>   |           |               |
| <b>Lonnie Roberts</b>   | <b>X</b>   |           |               |
| <b>Jean Anne Rogers</b> | <b>X</b>   |           |               |
| <b>Fielding Rolston</b> | <b>X</b>   |           |               |
| <b>Teresa Sloyan</b>    | <b>X</b>   |           |               |
| <b>Melvin Wright</b>    | <b>X</b>   |           |               |
| <b>Lauren Haley</b>     |            |           | <b>X</b>      |

The motion passed unanimously.

**C. Approved High School Courses**

**Ms. Lynne Cohen**, Department of Education, presented the item. She told the board that this item places into policy the courses that have previously been approved.

**ACTION:** **Vice Chair Pearre** moved acceptance on final reading. **Dr. Wright** seconded. The motion passed unanimously.

**D. Migrant Education Student Records Exchange Policies & Procedures Manuel**

**Ms. Dannelle Walker**, State Board of Education, presented this item. She stated that there have been no changes since first reading on this item.

**ACTION:** **Vice Chair Pearre** moved acceptance on final reading. **Dr. Rogers** seconded. The motion passed unanimously.

**E. Tennessee Learning Centered Leadership Policy**

**Dr. Sara Heyburn**, Department of Education, presented this item. She noted that there have been no changes to this item since first reading. She also informed the board that this item clarifies the roles of the SDE, SBE and review teams. **Ms. Sloyan** asked about the timeline for major changes to licensure architecture. **Dr. Heyburn** responded that she anticipated final approval of licensure changes in April of 2013.

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

**F. Standards for Professional Learning**

**Dr. Paul Fleming**, Department of Education, presented the professional development standards item. He told the board that there were no changes from first reading and that this list of standards is a smaller, more manageable list that fits better with the current state of professional development best practices for teachers.

**ACTION:** **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. The motion passed unanimously.

**G. License Denial, Suspension, and Revocation Procedure Policy**

*This item was removed from the agenda at the meeting.*

**H. Teacher Licensure Actions, Rule**

*This item was removed from the agenda at the meeting.*

**I. High School Transition Policy**

**Dr. David Sevier**, State Board of Education, presented this item. He noted that this policy change will add College Board exams and college-readiness scores to the High School Policy. **Chairman Rolston** asked if administering the ACT versus the SAT suite of exams was an LEA decision and **Dr. Sevier** replied that even though the district may administer a suite of exams from a single vendor, a student may still take a different exam in order to meet a particular university's entrance requirements.

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

**J. Teacher Licensure, Praxis Changes, Policy**

**Dr. Sara Heyburn**, Department of Education, presented this item to the board. She called to board member's attention that this item has been changed in response to the board's desire to raise the standards for teachers entering the classroom. The proposal also removes the content essay exams in the areas of science. **Ms. Sloyan** asked about the various states that participate in the multi-state standard setting process and **Dr. Heyburn** responded that the panel are representative of all the

states that ETS services. **Vice-Chair Pearre** asked about the implementation timeline for these scores and **Dr. Heyburn** responded that these new scores go into effect this fall.

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

**K. *Special Education Diploma, Rule***

**L. *Special Education Diploma – High School Policy***

**M. *Special Education Programs and Services, Rule***

**Dr. Gary Nixon**, State Board of Education, presented items K., L., and M. together. The 107<sup>th</sup> Generally Assembly approved public chapter 772 to change the IEP certificate to a special education diploma resulting in the changes to each of these items.

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

|                         | Yes | No | Absent |
|-------------------------|-----|----|--------|
| <b>Janet Ayers</b>      | X   |    |        |
| <b>Mike Edwards</b>     | X   |    |        |
| <b>Vernita Justice</b>  |     |    | X      |
| <b>Carolyn Pearre</b>   | X   |    |        |
| <b>Lonnie Roberts</b>   | X   |    |        |
| <b>Jean Anne Rogers</b> | X   |    |        |
| <b>Fielding Rolston</b> | X   |    |        |
| <b>Teresa Sloyan</b>    | X   |    |        |
| <b>Melvin Wright</b>    | X   |    |        |
| <b>Lauren Haley</b>     |     |    | X      |

The motion passed unanimously.

**N. *BEP Salary Schedule for Licensed Instructional Personnel and State Mandated Minimum Salary Schedule for Superintendents/ Directors of Schools for FY 2012-2013***

**O. *BEP 2.0 Allocations for Fiscal Year 2012-2013***

**Dr. Scott Eddins**, State Board of Education, presented items N. and O. together. There was no discussion.

**ACTION:** **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. The motion passed unanimously.

**P. BEP Review Committee New Appointments**

**Dr. Scott Eddins**, State Board of Education, presented the new members for the BEP review committee to fill vacant positions created by attrition. There was no discussion.

**ACTION:** **Mr. Roberts** moved approval. **Vice Chair Pearre** seconded. The motion passed unanimously.

**Q. Commercial Advertising on School Buses, Rule**

**Dr. Scott Eddins**, State Board of Education, presented this item to comply with Public Chapter 665 which amended TCA 49-6-2109(e) by deleting the language “, be composed of lettering on a background color” in the third sentence. This amendment allows for pictures and logos to be used in the advertising. This agenda item proposes to remove the same language from the rule and makes the rule conform to the amended law. **Mr. Edwards** asked if advertising was allowed inside the bus. This rule does not apply to the interior of the bus.

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

|                         | Yes | Abstain | Absent |
|-------------------------|-----|---------|--------|
| <b>Janet Ayers</b>      | X   |         |        |
| <b>Mike Edwards</b>     | X   |         |        |
| <b>Vernita Justice</b>  |     |         | X      |
| <b>Carolyn Pearre</b>   | X   |         |        |
| <b>Lonnie Roberts</b>   | X   |         |        |
| <b>Jean Anne Rogers</b> |     | X       |        |
| <b>Fielding Rolston</b> | X   |         |        |
| <b>Teresa Sloyan</b>    | X   |         |        |
| <b>Melvin Wright</b>    | X   |         |        |
| <b>Lauren Haley</b>     |     |         | X      |

The motion passed with **Dr. Rogers** abstaining noting safety concerns with advertising on the side of a bus.

**R. Admission and Enrollment of Students, Rule**

**Ms. Dannelle Walker**, State Board of Education, presented this item to comply with Public Chapter 991 of 2012. The date for determining when a child residing in Tennessee is eligible to enroll in kindergarten has changed. This change is required to ensure that the rule is compliant with the change in legislation. Rule 0520-01-03-.03(10)(a) “Admission and Enrollment of Students” is amended by deleting subsection in its entirety and replacing it with “During the 2013- 2014 school year, a child entering kindergarten shall be no less than five years of age on or before August 31. For all years thereafter, a child entering kindergarten shall be no less than five years of age on or before August 15. However, a child does not have to enroll in school at five years of age, but enrollment must

occur no later than the beginning of the academic year following the child's sixth birthday."

**ACTION:** **Vice Chair Pearre** moved approval. **Dr. Wright** seconded. A roll call vote was taken as follows:

|                         | <b>Yes</b> | <b>No</b> | <b>Absent</b> |
|-------------------------|------------|-----------|---------------|
| <b>Janet Ayers</b>      | <b>X</b>   |           |               |
| <b>Mike Edwards</b>     | <b>X</b>   |           |               |
| <b>Vernita Justice</b>  |            |           | <b>X</b>      |
| <b>Carolyn Pearre</b>   | <b>X</b>   |           |               |
| <b>Lonnie Roberts</b>   | <b>X</b>   |           |               |
| <b>Jean Anne Rogers</b> | <b>X</b>   |           |               |
| <b>Fielding Rolston</b> | <b>X</b>   |           |               |
| <b>Teresa Sloyan</b>    | <b>X</b>   |           |               |
| <b>Melvin Wright</b>    | <b>X</b>   |           |               |
| <b>Lauren Haley</b>     |            |           | <b>X</b>      |

The motion passed unanimously.

**S. *Educator Evaluation Policy – Non-Public and Charter Schools***

**Dr. Sara Heyburn**, Department of Education, presented this item. This policy change extends the moratorium on the advancement of teacher licenses for those teachers who teach at non-public schools. These teachers are not able to comply with the testing aspects of the new evaluation models as prescribed by law, therefore they cannot advance their license. Charter school proposals for advancement of teacher licenses are to be vetted by the Commissioner on a school-by-school basis. Because charter schools do administer state tests, the department will review the charter proposals to ensure alignment. This policy will take effect for only 1 year.

**ACTION:** **Vice Chair Pearre** moved approval. **Ms. Sloyan** seconded. The motion passed unanimously.

**IV. Charter School Appeal Item**

**A. *Excel Charter Academy Charter School Appeal***

**Dr. Nixon** presented a recommendation to uphold the district's action. **Vice Chair Pearre** asked if this one was the first that concerned adult students. **Dr. Nixon** responded that it is the first that has been presented to the board.

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

|                         | Yes | No | Absent |
|-------------------------|-----|----|--------|
| <b>Janet Ayers</b>      | X   |    |        |
| <b>Mike Edwards</b>     | X   |    |        |
| <b>Vernita Justice</b>  |     |    | X      |
| <b>Carolyn Pearre</b>   | X   |    |        |
| <b>Lonnie Roberts</b>   | X   |    |        |
| <b>Jean Anne Rogers</b> | X   |    |        |
| <b>Fielding Rolston</b> | X   |    |        |
| <b>Teresa Sloyan</b>    | X   |    |        |
| <b>Melvin Wright</b>    | X   |    |        |
| <b>Lauren Haley</b>     |     |    | X      |

The motion passed unanimously.

**B. Great Hearts Academies Charter School Appeal**

**Dr. Nixon** presented findings. **Vice Chair Pearre** asked if the contingencies will be part of the contract with MNPS. Dr. Nixon responded with a ‘yes’. **Ms. Ayers** questions what timeline will inform the diversity plan. **Mr. Roberts** expressed concerns about the details of approving. **Mr. Roberts** believes that the stipulations are already in plan and proposed a motion to approve now without delay. **Mr. Edwards** 2<sup>nd</sup> that motion. **Ms. Ayers** asked, “if the new motion is voted on will it weaken the position of the board?” There was discussion regarding the subjectivity of the diversity plan. **Vice Chair Pearre** commented on the three issues that seem to be driving differing points of view. **Dr. Rogers** commented that the board should follow staff recommendations. **Chairman Rolston** spoke to be specific on these three items. **Ms. Sloyan** asked to include that action be taken at the next meeting. **Mr. Roberts** agreed that would help the process and withdraws previous motion and replaces with a new motion to approve staff recommendation with the addition that the MNPS school board needs to take action at their next meeting. **Mr. Edwards** asked, “What if MNPS does not take action?” **Ms. Walker** states that has never happened. Great Hearts would have the option of legal action.

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

|                         | Yes | No | Absent |
|-------------------------|-----|----|--------|
| <b>Janet Ayers</b>      | X   |    |        |
| <b>Mike Edwards</b>     | X   |    |        |
| <b>Vernita Justice</b>  |     |    | X      |
| <b>Carolyn Pearre</b>   | X   |    |        |
| <b>Lonnie Roberts</b>   | X   |    |        |
| <b>Jean Anne Rogers</b> | X   |    |        |
| <b>Fielding Rolston</b> | X   |    |        |
| <b>Teresa Sloyan</b>    | X   |    |        |
| <b>Melvin Wright</b>    | X   |    |        |
| <b>Lauren Haley</b>     |     |    | X      |

The motion passed unanimously.

**C. Knoxville Charter Academy Charter School Appeal**

**Dr. Nixon** presented the circumstances of the appeal with the recommendation to uphold the decision of the Knox County School Board. There was no further discussion.

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

|                         | <b>Yes</b> | <b>No</b> | <b>Absent</b> |
|-------------------------|------------|-----------|---------------|
| <b>Janet Ayers</b>      | <b>X</b>   |           |               |
| <b>Mike Edwards</b>     | <b>X</b>   |           |               |
| <b>Vernita Justice</b>  |            |           | <b>X</b>      |
| <b>Carolyn Pearre</b>   | <b>X</b>   |           |               |
| <b>Lonnie Roberts</b>   | <b>X</b>   |           |               |
| <b>Jean Anne Rogers</b> | <b>X</b>   |           |               |
| <b>Fielding Rolston</b> | <b>X</b>   |           |               |
| <b>Teresa Sloyan</b>    | <b>X</b>   |           |               |
| <b>Melvin Wright</b>    | <b>X</b>   |           |               |
| <b>Lauren Haley</b>     |            |           | <b>X</b>      |

The motion passed unanimously.

**V. Teacher Revocation Appeal Item**

**A. Gregory Payne**

"Pursuant to the Tennessee Uniform Administrative Procedures Act, the Board is required to hear Mr. Payne's appeal of the Initial Order of the Administrative Law Judge."

**Mr. Rich Haglund** presented the conditions of the case. **Vice Chair Pearre** moved to accept the staff recommendations.

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

|                         | <b>Yes</b> | <b>No</b> | <b>Absent</b> |
|-------------------------|------------|-----------|---------------|
| <b>Janet Ayers</b>      | <b>X</b>   |           |               |
| <b>Mike Edwards</b>     | <b>X</b>   |           |               |
| <b>Vernita Justice</b>  |            |           | <b>X</b>      |
| <b>Carolyn Pearre</b>   | <b>X</b>   |           |               |
| <b>Lonnie Roberts</b>   | <b>X</b>   |           |               |
| <b>Jean Anne Rogers</b> | <b>X</b>   |           |               |
| <b>Fielding Rolston</b> | <b>X</b>   |           |               |
| <b>Teresa Sloyan</b>    | <b>X</b>   |           |               |
| <b>Melvin Wright</b>    | <b>X</b>   |           |               |
| <b>Lauren Haley</b>     |            |           | <b>X</b>      |

The motion passed unanimously.

**VI. Teacher License Actions**

- A.** *Kyra Bryant – Revocation*
- B.** *Leslie Conduff – Denial*
- C.** *Anne Cushing – Suspension, six (6) months, with contingency*
- D.** *Mark Dillon – Suspension, one (1) year*
- E.** *Mark S. Foster – Revocation*
- F.** *Donald Grogan – Suspension, concurrent*
- G.** *Kent Duane Haley – Revocation, concurrent*
- H.** *Claude P. Luckey – Revocation, concurrent*
- I.** *Mark Maclellan – Revocation, concurrent*
- J.** *Greg McGill – Revocation, concurrent*
- K.** *David Noles – Revocation*
- L.** *Larry S. Ottinger – Suspension, concurrent*
- M.** *Jessica Lynn Raico – Revocation, concurrent*
- N.** *Eric L. Reames – Revocation*
- O.** *Stephen J. Risher – Revocation, concurrent*
- P.** *Mary Katherine Roberts – Revocation*
- Q.** *William B. Seamons – Revocation*
- R.** *John Sullivan – Revocation*
- S.** *Kenneth C. Thomas – Revocation*
- T.** *Meredith L. Welch – Suspension, six (6) months, with contingency*
- U.** *Regina York – Suspension, concurrent*

**ACTION:** Items A. through U. were taken together for vote. **Dr. Wright** moved approval. **Dr. Rogers** seconded. A roll call vote was taken as follows:

|                         | <b>Yes</b> | <b>No</b> | <b>Absent</b> |
|-------------------------|------------|-----------|---------------|
| <b>Janet Ayers</b>      | <b>X</b>   |           |               |
| <b>Mike Edwards</b>     | <b>X</b>   |           |               |
| <b>Vernita Justice</b>  |            |           | <b>X</b>      |
| <b>Carolyn Pearre</b>   | <b>X</b>   |           |               |
| <b>Lonnie Roberts</b>   | <b>X</b>   |           |               |
| <b>Jean Anne Rogers</b> | <b>X</b>   |           |               |
| <b>Fielding Rolston</b> | <b>X</b>   |           |               |
| <b>Teresa Sloyan</b>    | <b>X</b>   |           |               |
| <b>Melvin Wright</b>    | <b>X</b>   |           |               |
| <b>Lauren Haley</b>     |            |           | <b>X</b>      |

The motion passed unanimously.

### VIII. Adjournment

**Chairman Rolston** then thanked the Board members for their thoughtful deliberations and announced that the Board will meet next on October 19, 2012 for its regularly scheduled quarterly meeting.

Meeting dates for 2013 were announced as follows:

February 1  
 April 19  
 July 26  
 October 25

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_