



**MINUTES**  
**STATE BOARD OF EDUCATION**  
**THE UNIVERSITY OF MEMPHIS UC SENATE CHAMBER**  
**499 UNIVERSITY STREET**  
**MEMPHIS, TN 38152**  
**October 29, 2021**  
**9:00 a.m. CDT**  
**Meeting Recording:**

<https://www.youtube.com/watch?v=tHSHETIGLfU>

**Note:** These minutes correspond to the video recording. Each item has a minute counter assigned to the subject location in the video file.

Member	PRESENT	ABSENT
Mr. Darrell Cobbins	x	
Mr. Nicholas Darnell	x	
Mr. Bob Eby - Vice Chairman	x	
Mr. Mike Edwards	x	
Mr. Gordon Ferguson	x	
Mr. Garren Hamby – student member		x-excused
Mr. Larry Jensen	x	
Ms. Elissa Kim	x	
Dr. Emily House - THEC Executive Director		x
Mr. Nate Morrow		x-excused
Ms. Lillian Hartgrove - Chairman	x	

**Welcome & Introductions** Ms. Lillian Hartgrove, Chairman of the State Board of Education  
 Dr. Sara Morrison, Executive Director of the State Board of Education

**Statement** Letter from Senator Mark White read into the record by Dr. Sara Morrison

**I. Consent Items** Chairman Lillian Hartgrove (00:00-08:34)  
 Chairman Hartgrove presented the consent agenda, which included items I.A. through I.D. Mr. Ferguson made a motion to approve the consent agenda, which Mr. Darnell seconded. All members voted to approve of the motion.

**A. Adoption of the Agenda**

**B. Minutes from July 23, 2021 Meeting, September 28, 2021, SBE Literacy Subcommittee WebEx Meeting, and October 12, 2021 Educator Preparation & Licensure Subcommittee WebEx Meeting**

- C. **Basic Education Program (BEP) Review Committee Appointments**
- D. **Licensure Discipline Settlement Approvals**

## II. Report Items

- A. **SBE Literacy Subcommittee – September 21, 2021** (08:34-10:21)  
Subcommittee Chair Nate Morrow provided a report on the discussion of the September 21, 2021, Literacy Subcommittee. Ms. Ali Gaffey, Director of Engagement and Accountability with the Tennessee State Board of Education, presented the report.
- B. **SBE Educator Preparation & Licensure Subcommittee Meeting – October 12, 2021, Subcommittee**  
Chairman Lillian Hartgrove provided an oral report on the October 12, 2021 Educator Preparation and Licensure Subcommittee. (10:21-14:19)  
**Commissioner’s Comments**  
Dr. Penny Schwinn, Commissioner of the Tennessee Department of Education (14:19-34:41)

## III. Action Items (First Reading)

- A. **LEA Teacher Training Program Rules 0520-02-07** (34:41-41:58)  
This was the first reading of the new rule to establish LEA Teacher Training Programs requirements under Public Chapter 571 (2021). Ms. Amy Owen, Deputy Executive Director for Policy and Research with the State Board of Education, presented the item. Mr. Edwards made a motion to accept the item on first reading; Ms. Kim seconded the motion. All members voted to approve the motion.
- B. **Statewide Dual Credit Course Approval – World History Course Standards** (41:58-49:19)  
This was the first reading of revisions to course standards for Statewide Dual Credit World History based on revisions provided by the Tennessee Board of Regents. Ms. Amy Owen presented the item. Mr. Eby made a motion to accept the item on first reading; Mr. Ferguson seconded the motion. All members voted to approve the motion.
- C. **Special Education Programs and Services Rule 0520-01-09-.02, .23, and .24** (49:19-59:19)  
This was the first reading of the rule to add requirements for conducting Functional Behavioral Assessments (FBAs) and developing Behavior Intervention Plans (BIPs) for students with disabilities. This item also revises sections of the rule to align with Public chapter 134 of the 2021 legislative session. Ms. Rachel Suppé, Assistant General Counsel for Civil Rights and Special Populations, presented the rule. Mr. Eby made a motion to accept the item on first reading; Ms. Kim seconded the motion. All members voted to approve the motion.
- D. **STEM/STEAM Standards Framework for Grades K-5** (59:19-1:05:36)  
This was the first reading of the item to approve new and revised K-5 STEM/STEAM course standards, which have been created in collaboration with postsecondary faculty, industry representatives, and K-5 teachers. These changes will go into effect for the 2022-23 school year. Mr. Jack Powers, Director of Policy with the Tennessee Department of Education, presented the

item. Mr. Edwards made a motion to accept the item on first reading; Mr. Ferguson seconded the motion. All members voted to approve the motion.

**E. Residential Mental Health Facilities Rule 0520-01-20 (1:05:36-1:21:10)**

This was the first reading of the rule to create new Residential Mental Health Facilities Rules under Public Chapter 589 of the 2021 legislative session. The rule establishes procedures for approving educational programs or instructional services provided by out-of-state residential mental health facilities. Mr. Jack Powers presented the rule. Mr. Edwards made a motion to accept the item on first reading; Ms. Kim seconded the motion. All members voted to approve the motion.

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

**A. Repeal Charter School Performance Framework (1:21:10-1:22:47)**

This was the final reading of the item to repeal the Charter School Performance Framework because these duties have been transferred to the Charter School Commission. There have been no changes to this item since the first reading. Ms. Ali Gaffey, Director of Engagement and Accountability for the State Board, presented the item. Mr. Edwards made a motion to approve the item on final reading; Mr. Eby seconded the motion. All members voted to approve the motion.

**B. Repeal Charter Amendment and Appeals Rule 0520-14-01-.06 (1:22:47-1:23:29)**

This was the final reading of the rule to repeal Rule 0520-14-01-.06 because these duties have been transferred to the Charter School Commission. There have been no changes to this rule since the first reading. Ms. Ali Gaffey presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> Repeal Charter Amendment and Appeals Rule 0520-14-01-.06			
<b>Motion:</b> Mr. Ferguson <b>Second:</b> Mr. Darnell			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**C. Charter School Governing Body Training Approval Rule 0520-14-01-.07 (1:23:59-1:25:17)**

This was the final reading of the rule to revise specific requirements for charter school governing body training programs. There have been changes to this item since the first reading. Ms. Ali Gaffey presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> Charter School Governing Body Training Approval Rule 0520-14-01-.07			
<b>Motion:</b> Mr. Cobbins <b>Second:</b> Mr. Darnell			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**D. School Board Training Rule 0520-01-02-.11 (1:25:17-1:26:56)**

This was the final reading of the rule to revise specific requirements for local school board members' training programs. There have been changes to this item since the first reading. Ms. Ali Gaffey presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> School Board Training Rule 0520-01-02-.11			
<b>Motion:</b> Mr. Eby <b>Second:</b> Mr. Edwards			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**E. Career & Technical Education (CTE) Courses and Standards (1:26:56-1:38:40)**

This was the final reading of the item to revise course standards for several CTE career clusters. Since first reading, there have been changes to the Agriculture, Food, and Natural Resources Career Cluster; the Education and Training Career Cluster; and the Human Services Career Cluster. Mr. Darnell had questions about the criteria for educators to teach the Teaching as a Profession courses. The Department of Education pledged to bring the item back for possible amendment at the next State Board meeting. Mr. Jack Powers presented the item. Mr. Darnell made a motion to approve the item on final reading; Mr. Edwards seconded the motion. All members voted to approve the motion.

**F. Organization and Administration of Schools Rule 0520-01-02-.31 (1:38:40-1:42:14)**

This was the final reading of the rule to re-establish the requirement for local boards of education to develop and maintain five-year strategic plans. There have been changes to this

item since the first reading. Ms. Angie Sanders, General Counsel with the State Board of Education, presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> Organization and Administration of Schools Rule 0520-01-02-.31			
<b>Motion:</b> Mr. Eby <b>Second:</b> Ms. Kim			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**G. Employment Standards for Additional Support Personnel Rule 0520-02-06-.04 (1:42:14-1:44:02)**

This was the final reading of the rule to create multiple pathways for individuals to serve as Speech-Language Pathology Assistants (SLPAs). There have been changes to this item since the first reading in February 2021. Mr. Michael Deurlein, Senior Director of Educator Licensure and Preparation with the Tennessee Department of Education, presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> Employment Standards for Additional Support Personnel Rule 0520-02-06-.04			
<b>Motion:</b> Mr. Edwards <b>Second:</b> Ms. Kim			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**H. Individualized Education Accounts (IEA) Rule 0520-01-11 (1:44:02-1:45:41)**

This was the final reading of the rule to modernize and clarify rule language to ensure implementation of the Individualized Education Account (IEA) Program and clarify statutory requirements. There have been changes to this item since the first reading. Ms. Rachel Suppé presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> Individualized Education Accounts (IEA) Rule 0520-01-11			
<b>Motion:</b> Mr. Cobbins <b>Second:</b> Mr. Ferguson			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

I. **English as a Second Language (ESL) Programs Rule 0520-01-19-.03 – Identification, Screening, and Service Delivery** (1:50:08-1:52:24)

This was the final reading of the rule to update a change in WIDA’s kindergarten screening instrument. At the beginning of the 2021-22 school year, Tennessee local education agencies (LEAs) will switch from using the current screener (W-APT) and start using the new screener (WIDA Screener for Kindergarten). There have been changes to this item since the first reading. Mr. Jack Powers presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> English as a Second Language (ESL) Programs Rule 0520-01-19-.03 – Identification, Screening, and Service Delivery			
<b>Motion:</b> Mr. Edwards <b>Second:</b> Mr. Eby			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

J. **School Health Policies Rule 0520-01-13-.01** (1:47:29-1:50:08)

This was the reading of the rule to define requirements for temporary remote instruction for quarantined students due to a positive COVID-19 test or COVID-19 exposure in the 2021-22 school year. There have been minor clerical changes to this item since the first reading. Mr. Jack Powers presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> School Health Policies Permanent Rule 0520-01-13-.01			
<b>Motion:</b> Mr. Ferguson <b>Second:</b> Mr. Jensen			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**K. Virtual Education Permanent Rule 0520-01-03-.05 (1:52:24-1:56:11)**

This was the final reading of the rule to revise the Virtual Education rule to define the purpose of virtual education programs offered by an LEA or public charter school. The rule ensures that schools have clear guidance on the difference between a virtual education program and a virtual school. There have been changes to this item since the first reading. Mr. Jack Powers presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> Virtual Education Permanent Rule0520-01-03-.05			
<b>Motion:</b> Mr. Eby <b>Second:</b> Ms. Kim			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**L. Educator Licensure Permanent Rule 0520-02-03-.03 through .05 and .10 through .11 (1:56:11-2:00:37)**

This was the final reading of the rule to enact the licensure flexibilities created by Public Chapter 125 and 493. Revisions will describe how educators may use a professional license in another state to acquire a professional license in Tennessee without being required to pass assessments. This item also brings revisions to allow educators to use specific nationally recognized credentials to reactivate a Tennessee school services personnel license. It presents revisions to create a licensure pathway for speech-language pathologist assistants (SLPAs). There have been changes to this item since the first reading. Mr. Michael Deurlein presented the rule. This item required a roll-call vote.

<b>Item/Rule:</b> Educator Licensure Permanent Rule 0520-02-03-.03 through .05 and .10 through .11			
<b>Motion:</b> Mr. Ferguson <b>Second:</b> Mr. Eby			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**M. Civil Rights Compliance Rule 0520-12-04 (Item pulled from agenda)**

This was the final reading of the item to promulgate rules on the Department of Education’s Office of Civil Rights procedures to ensure compliance with Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972.

At the Chair’s request and without objection, this item was removed from the agenda prior to the start of the meeting to allow time for additional stakeholder input and potential revisions.

**N. Project SEARCH Course Standards Approval (2:00:37-2:02:29)**

This was the final reading of the item to approve the course standards for Project SEARCH, an internship program for students with disabilities. There have been minor clerical changes to this item since the first reading. Ms. Robin Yeh, Policy Analyst with the Tennessee Department of Education, presented the item. Mr. Darnell made a motion to approve the item on final reading; Ms. Kim seconded the motion. All members voted to approve the motion.

**O. Approved High School Courses Policy 3.205 (2:02:29-2:03:26)**

This was the first and final reading of the item to add Project SEARCH to the Approved High School Course Policy upon course approval from the Board. Ms. Robin Yeh presented the item. Ms. Kim made a motion to approve the item on final reading; Mr. Edwards seconded the motion. All members voted to approve the motion.

**P. Professional Assessments for Tennessee Educators Policy 5.105 (2:03:26-2:06:41)**

This was the first and final reading of the item to postpone an increase in the required passing score on edTPA from January 1, 2022, to January 1, 2023. Ms. Amy Owen presented the item. Mr. Darnell made a motion to approve the item on final reading; Mr. Edwards seconded the motion. All members voted to approve the motion.

**Q. Textbook and Instructional Materials Waiver Requests (2:06:41-2:15:26)**

This was the first and final reading of LEA requests for textbook and instructional materials waivers. Ms. Amy Owen presented the item. Mr. Edwards made a motion to approve the item on final reading; Mr. Ferguson seconded the motion. All members voted to approve the motion.



**R. 2020-21 State Identified Reward & Priority Exit Schools (2:15:26-2:19:33)**

This was the first and final reading of 2020-21 Reward Schools list and Priority Schools exit list. Mr. Jack Powers presented the item. This item required a roll-call vote.

<b>Item/Rule:</b> 2020-21 State Identified Reward & Priority Exit Schools			
<b>Motion:</b> Mr. Edwards <b>Second:</b> Ms. Kim			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**S. 2020-21 State Identified Exemplary Districts (2:19:33-2:21:55)**

This was the first and final reading of 2020-21 Exemplary districts list. Mr. Jack Powers presented the item. This item required a roll-call vote.

<b>Item/Rule:</b> 2020-21 State Identified Exemplary Districts			
<b>Motion:</b> Mr. Eby <b>Second:</b> Mr. Edwards			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**V. Teacher License Actions (2:21:55-2:23:41)**

Mr. Todd Madison, Staff Attorney for the State Board of Education, presented the teacher licensure items. Members of the Board did not provide any comment. This item required a roll-call vote.

- A. Caleb Bullock – Revocation, Automatic, Permanent
- B. Rachele Clark – Revocation/Voluntary Surrender
- C. Michael Davis – Revocation, Automatic
- D. John Decker – Suspension, 2 Years with Professional Development
- E. Kevin Dever – Suspension, 1 Month
- F. Ashley Hayes – Suspension, 6 Months Retroactive

- G. Catherine Hilton – Suspension, 3 Years Concurrent with Probation
- H. Holland Hilton – Suspension, 3 Years Concurrent with Probation
- I. Ashley Hobbs – Suspension, 2 Years with Proof of Treatment
- J. Brock Jones – Revocation, Automatic, Permanent
- K. Kathleen Margrave – Suspension, 2 Years with Proof of Treatment
- L. Anna Pittman – Revocation, Automatic, Permanent
- M. James Sales – Restoration
- N. Randy Stokes – Denial with Stipulation
- O. Ryan Trotter – Suspension, 2 Years Concurrent with Probation
- P. Erica Wilson – Denial

<b>Item/Rule:</b> Teacher License Actions			
<b>Motion:</b> Mr. Ferguson			
<b>Second:</b> Mr. Eby			
<b>Member</b>	<b>YEA</b>	<b>NAY</b>	<b>ABSTAIN</b>
Mr. Darrell Cobbins	x		
Mr. Nicholas Darnell	x		
Mr. Bob Eby - Vice Chairman	x		
Mr. Mike Edwards	x		
Mr. Gordon Ferguson	x		
Mr. Larry Jensen	x		
Ms. Elissa Kim	x		
Ms. Lillian Hartgrove - Chairman	x		

**VI. Adjournment**

**MEETING DATES FOR 2022:**

**February 4, 2022**

**May 20, 2022**

**July 22, 2022**

**October 28, 2022**

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