

# TENNESSEE EDUCATION ASSOCIATION PUBLIC SCHOOL ADVOCATE

LEGISLATIVE REPORT | March 19, 2020 | VOLUME 6, ISSUE 3



TEA Legal answers your  
COVID-19 questions.  
FAQ on  
pages 4-5



Disclaimer: As of our print deadline on Thursday, March 19, at 4 p.m. Central, all of the information in this publication was up-to-date, but things are changing rapidly with the impact of COVID-19 on our public schools and the Tennessee General Assembly. Please stay connected to TEA's social media and website for the latest information.

## Statewide closures throw school year into uncertainty



### Fights are done, legislature will not likely be coming back

Remember those fights and concerns over bills and issues like state board overreach and early literacy instruction?

We can pretty much forget it all. A global pandemic puts a lot in perspective.

With the General Assembly adjourning until later in the year, the chances of it reconvening are slim. If a coronavirus case occurs with a lawmaker or legislative staff, the body won't meet again.

“With so many of the big issues dependent on funding and being eliminated in the budget, I

**General Assembly**  
cont. page 6

Following Gov. Bill Lee's encouragement, schools statewide have closed due to the ongoing COVID-19 virus spread. As uncertainty grows around exactly how long schools will be closed, educators, parents and students are left with a lot of questions.

“When Gov. Lee called for schools to close, TEA immediately began working closely with legislators and local boards of education to ensure supports were in place for students and

educators, and that no student or educator would be harmed by the closure,” said TEA President Beth Brown.

If your district is asking anything of educators that goes against the legislation described in detail below, please contact your TEA UniServ immediately.

TEA Legal is working diligently to keep members up to date. Please see an in-depth FAQ on pages 4 and 5, and stay connected with TEA on social media and at [TEAteachers.org](http://TEAteachers.org) for more information.

**COVID-19 FAQ**  
pages 4-5

## Lawmakers suspend tests and portfolio, grant shortened school year

From the moment Gov. Lee suspended school through March, TEA advocated for a suspension of state testing and hold harmless legislation for students, teachers and schools. HB2818/SB2672 was the outcome of TEA's advocacy and met all needs identified by the association.

“We were disappointed when the department sent out a statement that they were planning on state testing. The morning of March 16, as we were about to publicly call for a statewide school closure and testing moratorium, the governor announced schools should close for the remainder of March. Within minutes TEA was leading the push for a suspension of state testing and hold-harmless protections for

students and educators,” said TEA President Beth Brown.

HB2818/SB2672 is the most comprehensive suspension of the test and punish system in Tennessee history. It is appropriate for the extraordinary issues we face.

For the 2019-2020 school year all state tests are suspended, though school systems may voluntarily administer them.

TVAAS scores, if they are generated, cannot be used to evaluate teachers unless it benefits the teacher.

Teachers using alternative growth models, including K/pre-K portfolios, are not required by the state to finish them. Systems may ask teachers to submit portfolios

**TNReady waiver**  
cont. page 7



**THE STRONGEST VOICE FOR SCHOOLS AND EDUCATORS**

# Educators and TEA provide stability in uncertain times

By TEA President Beth Brown



During my childhood, my mother always displayed at least one picture of a lighthouse in our home, and I vividly remember her singing the words of one of her favorite hymns: “Let the lower lights be burning; send a gleam across the wave. Some poor fainting, struggling seaman you may rescue, you may save.” As an adult, I recognize my mother’s love of lighthouses as her way of reminding her children of the hope we have in our family, our friends, and our faith.

Lighthouses serve as navigational aids and warn boats of dangerous areas. Metaphorically, lighthouses symbolize guidance and overcoming challenges and adversity. If March 2020 doesn’t qualify as a time of challenge and adversity, I don’t know what does!

Nothing about life is normal right now.

Following the devastating tornadoes of March 3rd, we are mourning loss of life; destruction of homes, churches, and businesses; and damage—some of it irreparable—to several Middle Tennessee schools.

*During this uncertain time, we, as educators, can be lighthouses for our families, students, and communities.*

Amid the COVID-19 pandemic, we are “socially distancing” ourselves from our students, colleagues, friends, and communities. As we try to avoid respiratory illness, students and educators alike are

heartsick, not knowing when—or if—we will return to school this year. School districts are planning how to get meals to students in an orderly and safe manner, how to mitigate learning loss due to extended closures, and how to honor graduating seniors when proms and graduations may not be possible.

No, nothing in life is normal. We are anxious about the safety and wellbeing of our own families as well as our students and colleagues. Toilet paper is a hot commodity, and we closely follow the news and social media just waiting to see if anyone in our community has been diagnosed with this dreaded virus and how quickly the nation’s number of cases rises.

During this uncertain time, we, as educators, can be lighthouses for our families, students, and communities. Let’s model healthy choices, like maintaining a regular schedule, eating healthy meals, and getting fresh air and exercise. Let’s use our screen time productively, to have virtual chats with our friends and colleagues or to read a book to our students. Let’s make the most of our time with our families by taking a hike or putting together a puzzle.

During this uncertain time, TEA is a lighthouse to Tennessee’s public education supporters. Though our building stands mostly empty as we work remotely, we are working...working for you. You have many questions about what happens next and about what is expected of you in the meantime. We are working with state policymakers to ensure that the best efforts are made to ensure students and educators are kept safe, well, and whole during this turbulent period. We will continue to share resources and updates about developments at the state level via our website and our social media channels regularly.

TEA, I understand the trepidation you feel right now. I feel it with you, but we will get through this. Shine on.

# Remembering storm victims while attention shifts

By TEA Executive Director Carolyn Crowder



In just the first three weeks of March, some Tennesseans have experienced enough trauma and worry to last a lifetime. As the general public’s attention shifts to the rapid spread of the coronavirus, we must remember that our fellow teachers, students and communities affected by the tornadoes in Middle Tennessee still need our support.

I want to say directly to our members who are still dealing with the aftermath of the storms and who are now facing a new challenge with the global pandemic: Your association has not forgotten you. We are here and will continue to support you in whatever way you need. Please remember that as a TEA member you have access to exclusive benefits and resources to help you work through these difficult times.

- Member Assistance Program: [TEAteachers.org/MAP](https://teateachers.org/MAP)  
MAP offers comprehensive assistance to members and family in your household 24 hours a day, 7 days a week. The program is free and services are completely confidential. If you are feeling overwhelmed or struggling emotionally, services are available to help you when and where you need it.
- NEA Member Benefits support: [bit.ly/NEA\\_disastersupport](https://bit.ly/NEA_disastersupport)  
NEA Member Benefits has resources specifically for those who have experienced a FEMA-declared natural disaster. At the link you will find information on help with insurance claims and financial support.

If others would like to support those still working to recover from storm damage, here are a few organizations to consider:

- Middle Tennessee Emergency Response Fund: [cfmt.org](https://cfmt.org)
- Gideon’s Army (focusing on Nashville): [gideonsarmyunited.org](https://gideonsarmyunited.org)
- Churches of Christ Disaster Relief Fund (focusing on Mt. Juliet and Putnam County): [disasterrelieffort.org](https://disasterrelieffort.org)
- Nourish Food Bank (focusing on Mt. Juliet and Putnam County): [nourishfoodbanks.org](https://nourishfoodbanks.org)

It really has been quite a year already, and we still have 9 months ahead. The trauma of the past few weeks and the uncertainty of what is to come weighs heavily even for educators like us who are used to being pulled in 100 different ways and keeping 10 different plates spinning all at once.

I encourage you to lean on your association.

Stay connected and check in with your colleagues. While friends, family and community members are dealing with similar concerns, these times present a unique challenge for educators. We don’t just stress and worry about our own family, we stress and worry about the well-being of our students and school family, as well.

*The trauma of the past few weeks and the uncertainty of what is to come weighs heavy even for educators like us who are used to being pulled in 100 different ways and keeping 10 different plates spinning all at once.*

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UniServ Staff contact information can be found on page 6.

# Key privatization advocates retiring in droves

One year after passing a controversial voucher law, several of the program's most outspoken proponents have announced that they will not seek re-election. The program is currently set to go into effect this summer despite schools around the nation remaining closed due to the COVID-19 crisis and the General Assembly taking the extraordinary step of passing a provisional budget and then going into recess until the summer. The program is also the subject of multiple lawsuits, including one being led by former state attorney general and current Metro Nashville legal director Bob Cooper, who recently made a request to have the program struck down as unconstitutional.

Notable voucher proponents who have recently announced they intend to retire from the legislature include Senator Delores Gresham (R-Somerville), who has chaired the Senate Education committee for several years. She joins Speaker Pro Tempore Bill Dunn (R-Knoxville), who personally handled the voucher bill in the house last year. Also retiring is Rep. Andy

Holt (R-Dresden), a long-time supporter of privatization efforts.

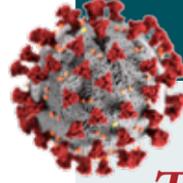
It is not clear whether or not the scandal associated with the program and widespread public opposition to its early implementation factored into the thinking of those who are set to retire, but it is clear that education remains a top priority for voters who are asked what will influence their decisions on whom to support in elections this summer.

"Voters will take to the polls when primaries are held on August 6th, which in many cases are the general election in highly partisan districts," said TEA Chief Lobbyist Jim Wrye. "Teachers should inform themselves on which candidates support public education and should be on the lookout for communications regarding TEA-endorsed candidates."

TEA's Fund for Children and Public Education will be meeting to endorse candidates this summer and will communicate that information widely to members once those decisions have been made.

# ASK TEA

## ANSWERS FROM THE EXPERTS AT THE TEA HOTLINE



### *The Coronavirus Edition*

**Q:** If my district closes due to COVID-19, will I be required to use my sick leave days?

**A:** No, Tenn. Code Ann. § 49-5-716 states a teacher, including a teacher on pre-approved leave or other type of leave, shall not be charged with a day of leave for any day on which the teacher's school or the school district is closed due to natural disaster, inclement weather, serious outbreak of contagious illness, or other unexpected event. If you are charged leave during the closure due to COVID-19, contact your UniServ coordinator or association representative for assistance.

**Q:** During the closure due to COVID-19, what happens to a teacher's previously approved FMLA leave?

**A:** Teachers on an approved FMLA leave at the time of the closure due to COVID-19, as well as those scheduled to start such a leave during the closure, should have their FMLA eligibility paused during the period of the closure, and for the duration of the closure, be treated like other teachers employed by the district—meaning they should not be charged leave and should be paid according to their pay schedules.

**Q:** Will support professionals be paid during school closures?

**A:** Now is the time that we must act in solidarity, organizing and advocating for what is right and just! While educators have more statutory protections regarding pay, the association feels strongly that education support professionals (ESPs) likewise should be paid during these uncertain times. COVID-19 should not cause any school employee to lose pay, nor should it result in any loss of BEP funding for school districts.

As provided by state law, the length of the school term shall not affect the amount or timing of payments made to a district under the BEP if the district operates for a full term. Directors of schools may request that the Tennessee Commissioner of Education waive instructional day requirements due to a serious outbreak of illness. See Tenn. Code Ann. §49-6-3004(g). Under its existing budget, your district should be able to continue paying its ESPs, in addition to other district faculty and staff. To ensure your district maintains its funding in the wake of this COVID-19 pandemic, talk to your local association leadership about organizing to ask your DOS to seek a waiver of any instructional days missed.

For TEA's latest FAQs and resources related to closures due to COVID-19, visit [teateachers.org/covid-19-resources](https://teateachers.org/covid-19-resources).



*The TEA Advocacy Hotline supports local leaders and building representatives in answering member questions. If you have an employment-related question, please contact your building rep or UniServ coordinator.*

## Register online now!

# 2020 TEA Summer Leadership Academy

**WHEN:** June 11-13, 2020  
*\*Contingent on status of COVID-19.*

**WHERE:** Embassy Suites  
Cool Springs

**DETAILS:** [TEAteachers.org/SLA](https://TEAteachers.org/SLA)



*Honor the Past,  
Own the Present,  
Shape the Future!*

## Student rebate application due May 1

Student members seeking a membership fee rebate must submit a completed Student Rebate Application for fiscal year 2018-19 by May 1.

Active members who in 2018-19 were in their first year of educational employment are eligible for a rebate of \$20 per year of paid student

membership, up to four years.

The application is available on the NEA website ([nea.org/home/1676.htm](https://nea.org/home/1676.htm)) and must be returned to NEA Membership Management Services by May 1 in order to be eligible (address/email/fax are noted on the form).

Rebates are mailed to the member at the address in the IMS database in August. Questions can be directed to [studentrebate@nea.org](mailto:studentrebate@nea.org).



Student Tennessee Education Association

# COVID-19 and IEP

## Educators' frequently asked questions

### How will school closures impact IEP and re-evaluation meetings that are due?

Guidance from TDOE regarding IEP re-evaluations places responsibility on the school district to obtain parental consent regarding annual IEP re-evaluations. While the TDOE guidance discusses the ability of a parent to waive in-person meetings in favor of video-conferencing, the guidance does not discuss whether or not a District is required to have video conferenced meetings. Below is the excerpt from TDOE guidance on March 18, 2020.

*The IDEA requires that the child's IEP be reviewed periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and revise the IEP, as appropriate. There is some flexibility in this provision. For example, in making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent of a child with a disability and the public agency may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP. In addition, when conducting IEP Team meetings and placement meetings, the parent of a child with a disability and a public agency may agree to use alternative means of meeting participation requirements, such as video conferences and conference calls. These decisions must include the child's parent or guardian and meaningfully work towards ensuring that each child receives an IEP review commensurate with the intent of the law, and in the best interest of the child. Districts and schools are strongly encouraged to document decisions related to these re-evaluation timelines and maintain that decision-making rationale in the student's file.*

### My Special Ed Director wants to hold meetings for initial eligibility on an IEP now. Can this timeline be waived? My school district is closed.

Yes, according to guidance provided by TDOE. See below.

#### **Initial Evaluation Timelines**

*The IDEA provides that initial evaluations must be conducted within 60 calendar days of receiving parental consent or within a state established time frame. Due to the current states of emergency at the federal and state levels, evaluations initiated or in process on or after March 3, 2020 may be completed within 90 calendar days of receipt of parental consent, rather than the usual 60-day requirements. This will allow for districts experiencing school closures to make reasonable accommodations commensurate with the general durations of closures. If your LEA is unaffected by the states of emergency, it is expected that evaluations will continue to be completed within the 60-calendar day timeline.*

### With schools closed due to the COVID-19 pandemic, will teachers be required to report to work?

Districts and schools should heed guidance from community partners to make sure that teachers are safe during this national emergency.

Generally speaking, when schools are closed, the policies of school systems in Tennessee coincide with the policies of Americans avoid groups of more than 10 people. To assist their communities, mandates requiring teachers to report to schools when schools are closed should be avoided.

Under normal circumstances, during the school year, the law and typically expressed as a district's contract, are contractually obligated to perform their duties as defined in state law, consistent with any individual agreements or memorandum of understanding (MOU) that may apply to their duties (duties of a teacher) and 49-6-3004 (school closure).

With that said, obviously the current closure of schools is making our response in this unique context different than might be. Because teachers face the same health risks as everyone else this time of crisis, they should consider their safety. Following current CDC, as well as state and local, guidance, teachers are not to report during the closure, those at high risk of an underlying health condition and those with family obligations such as caring for their own school-age children. Teachers should discuss their concerns with their supervisors and seek a resolution.

In the event member concerns cannot be resolved, a teacher is not subjected to discipline stemming from a failure to report. If teachers hesitate to seek assistance from local leadership, and if teachers are directed to report, it should be viewed as an act of insubordination. A finding of insubordination under the law is reasonable only if the response should be reasonable. Teachers should not be held liable for heeding President Trump's and CDC recommendations regarding school system.



# Public Schools

Answers answered by TEA's expert legal team

## COVID-19 emergency, can work?

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students are taken care of and fed

osed, teachers do not report. Closure  
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0. While many teachers will seek to  
questing entire faculties to report to  
not be issued.

the school term, which is defined by state  
s approved school calendar, teachers  
their job-related duties as enumerated  
ual written contract or memorandum  
y. See Tenn. Code Ann. §§ 49-5-201  
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osings reflect exigent circumstances  
text more nuanced than it otherwise  
ne sort of issues as other citizens during  
their specific situations in light of  
guidance. In the instance of a directive  
gher risk of infection due to age or  
with competing family responsibilities,  
children or disabled relatives, should  
risors in an effort to reach an amicable

be resolved favorably, or if any member  
n a directive to report, they should not  
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onableness. The thing asked of teachers  
not be forced to choose between  
commendations and a directive by their

## Is it possible for an LEA to be simultaneously closed to contain the spread of COVID-19 and open for the purposes of instruction and accountability?

It would seem impossible for Tennessee's public schools to quickly implement a legally sufficient alternative instructional protocol that would allow LEAs to continue delivering instruction while their physical campuses were closed. Beyond the dearth of seemingly significant advanced planning, training, and procurement of resources that presumably would be needed to implement a mandatory alternative instructional protocol at this point in the school year is the federal requirement that LEAs must ensure their students with disabilities receive a free appropriate public education (FAPE). The following excerpt from guidance recently issued by the U.S. Department of Education regarding Coronavirus/COVID-19 distills this concept:

### **Question A-1: Is an LEA required to continue to provide a free appropriate public education (FAPE) to students with disabilities during a school closure caused by a COVID-19 outbreak?**

*The IDEA, Section 504, and Title II of the ADA do not specifically address a situation in which elementary and secondary schools are closed for an extended period of time (generally more than 10 consecutive days) because of exceptional circumstances, such as an outbreak of a particular disease. If an LEA closes its schools to slow or stop the spread of COVID-19, and does not provide any educational services to the general student population, then an LEA would not be required to provide services to students with disabilities during that same period of time.*

*If an LEA continues to provide educational opportunities to the general student population during a school closure, the school must ensure that students with disabilities also have equal access to the same opportunities, including the provision of FAPE. (34 CFR §§ 104.4, 104.33 (Section 504) and 28 CFR § 35.130 (Title II of the ADA)). SEAs, LEAs, and schools must ensure that, to the greatest extent possible, each student with a disability can be provided the special education and related services identified in the student's IEP developed under IDEA, or a plan developed under Section 504. (34 CFR §§ 300.101 and 300.201 (IDEA), and 34 CFR § 104.33 (Section 504)).*

**TEA Legal will be providing regular updates and guidance for educators online at [TEAteachers.org/COVID-19-resources](https://TEAteachers.org/COVID-19-resources).**

### **Other pandemic resources for educators:**

- [ED.gov/coronavirus](https://ED.gov/coronavirus)
- [TN.gov/governor/covid-19](https://TN.gov/governor/covid-19)
- [NEAtoday.org](https://NEAtoday.org)



# CONFERENCING CORNER

## Metropolitan Nashville EA leaders committed to PECCA amid chaos

Immediately following the devastating tornado in Nashville and just a week before the coronavirus hit Middle Tennessee, MNEA's PECCA team was focused on working toward a strong MOU for Nashville educators. Team members showed up after a day spent

volunteering with storm cleanup to be trained by TEA UniServ staff, Tina Parlier and Harry Farthing.

If local teams are interested in virtual meetings about preparing for a PECCA election or any issues regarding collaborative conferencing, please contact your TEA UniServ or Mary Campbell, [mcampbell@tnea.org](mailto:mcampbell@tnea.org).



# THANK YOU



## TO THE MEMBERS WHO COMMITTED TO COME TO THE RALLY!

## *Fights are done, legislature will not likely be coming back*

### General Assembly from page 1

can't imagine this General Assembly will reconvene," said TEA Chief Lobbyist Jim Wrye. "We were making great headway on a lot of our bills, and others we were engaged in the fight. The most important issues were about state K-12 funding, and with the COVID-19 pandemic making revenue estimates plummet, all the fights are over. Now it's on to the elections to support pro-public education candidates in the primaries in August."

Member engagement was tremendous on bills dealing with a variety of issues, including early literacy, K/pre-K portfolios, student discipline, making TVAAS optional and eliminating the A-F school grading system that was to be implemented this year.

A highlight was testimony from TEA member Jama Cook, a kindergarten teacher who went before the House Education Committee to speak on a bill related to state high-stakes tests in grades K-2 and the portfolio system.

Prior to Cook's testimony, liaisons from the State Department of Education were grilled about the portfolio system and what alternatives had been approved by the state based on the TEA-backed bill that was passed almost one year ago. Their answer was none. Many on the committee were visibly incensed.

Cook noted she was a portfolio leader for her



*After testimony from State Department of Education liaisons that a year after a bill passed requiring alternatives to portfolios, none had been approved by the state. Sumner County Kindergarten teacher and TEA member Jama Cook testified on the difficulties of the portfolio and how kindergarten teachers actually measure students.*

county as well as being a scorer for the state. She relayed just how problematic the summer state portfolio scoring session was when she couldn't even log into the portfolio system to begin scores.

"I am here today because I am a believer in action. Seeing a problem, knowing you can make a difference, and choosing not to take action is the ultimate injustice," she said.

She painted a picture to legislators of the time consuming process of getting the portfolio system started at the beginning of the year, noting that she had 22 kindergartners, no teaching assistant, and that collecting the eight data points per student is a one-on-one process.

When lawmakers began to question Cook how the state could be assured it was getting value for its

funding if a ban on standardized tests in the earliest grades were made, she had a direct answer.

"We assess our students all the time; we do it for RTI and we use the data to adjust our teaching practice to meet student needs," she said. Rep. John Ragan asked could the state rely on the RTI screener data. "Yes," she said.

The committee passed the bill 16-7 with bipartisan support.

"Legislators were on the side of teachers, and even when the department or the administration were opposed to a bill, lawmakers were listening to their educators and voting accordingly. There is a deep change going on. I just wish we could have continued to the end of a normal session," said Wrye.

### Contact TEA

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### UniServ Coordinators

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Co., TSD, Union Co., Walters State Community College. **District 4 — Jason White**, KCEA, 2411 Magnolia Avenue, Knoxville, TN 37917; (865)522-9793, fax: (865)522-9866; Assns: Knox, Pellissippi State Comm. College, UT-Knoxville. **District 5 — Tom Hopkins**, P.O. Box 5502, Oak Ridge, TN 37831; (423)416-7330, fax: (855)301-8366; Assns: Alcoa, Anderson Co., Blount Co., Clinton, Maryville, Monroe Co., Oak Ridge, Polk Co., Sweetwater. **District 6 — Shannon Bain**, P.O. Box 3452, Lebanon, TN 37088, phone: (615)547-7769, fax: (844)274-0765; Assns: Cannon Co., Cumberland Co., Cumberland University, DeKalb Co., Lebanon, Putnam Co., Van Buren Co., Warren Co., White Co., Wilson Co., TTU. **District 7 — Vacant**, HCEA 4655 Shallowford Road, Chattanooga, TN 37411; (423)485-9535, fax: (423)485-9512; Assns: Bradley Co., Chattanooga State Community College, Cleveland, Hamilton Co., UT-Chattanooga. **District 8 — Vacant**, (615) 242-8392; Assns: Athens City, Etowah, Fentress Co., Lenoir City, Loudon Co., McMinn Co., Meigs Co., Morgan Co., Overton Co., Rhea-Dayton Co.,

Roane Co., York Institute. **District 9 — Jackie Pope**, 2326 Valley Grove Dr., Murfreesboro, TN 37128; phone: (615)898-1060, fax: (855) 301-8214, Assns: Bedford Co., Bledsoe Co., Coffee Co., Fayetteville City, Franklin Co., Grundy Co., Lincoln Co., Manchester, Marion Co., Moore Co., Motlow State Community College, Sequatchie Co., Tullahoma. **District 10 — Jeff Garrett**, P.O. Box 1326, Lebanon, TN 37088-1326; (615)630-2605, fax (855)320-8755; Assns: Clay Co., Jackson Co., Macon Co., Pickett Co., Robertson Co., Smith Co., Sumner Co., Trousdale Co. **District 11 — Antoinette Lee**, P.O. Box 1412, Antioch, TN 37013; (615)308-5293, fax: (888)519-7331; Assns: FSSD, Marshall Co., Williamson, TN Dept. of Ed. **District 12 — Sue Ogg**; P.O. Box 210486, Nashville, TN 37211-0486; (615)856-0503, fax: (855)427-6660 — Assns: Cheatham Co., Dickson Co., Giles Co., Hickman Co., Humphreys Co., Maury Co. **District 13 — Leigh Phillips**, Metro Nashville, 531 Fairground Court, Nashville, TN 37211; (615) 866-8689; Assns: Dept. of Higher Ed., Metropolitan Nashville, TN School For The Blind,

MTSU, Murfreesboro City, NSCC, Rutherford, TSU. **District 14 — Maria Uffelman**, P.O. Box 99, Cumberland City, TN 37050; phone: (931)827-3333, fax: (855)299-4925; Assns: Austin Peay State University, Clarksville-Montgomery Co., Henry Co., Houston Co., Paris, Stewart Co., UT-Martin. **District 15 — Tom Marchand**, PO Box 42218 Memphis, TN 38174; (901)569-8063, fax: (866)483-2514; Assns: Fayette Co., Hardeman Co., Hardin Co., Lawrence Co., Lewis Co., McNairy Co., Perry Co., Wayne Co. **District 16 — Lorrie Butler**, P.O. Box 387, Henderson, TN 38340; (731)989-4860, fax: (855)299-4591; Assns: Benton Co., Central, Chester Co., Clarksville, Decatur Co., Henderson Co., Huntingdon, Jackson-Madison Co., Jackson State Community College, Lexington, McKenzie, Weakley Co., West Carroll, West Tennessee School for the Deaf. **District 17 — Terri Jones**, P.O. Box 2140, Cordova, TN 38088; (901)258-3902, fax: (844)270-8083; Assns: Bradford, Crockett Co., Dyer Co., Dyersburg, Dyersburg State Community College, Gibson Co., Haywood Co., Humboldt, Lake Co., Lauderdale Co., Milan, Obion

Co., Tipton Co., Trenton, Union City. **District 18 — Keyth Harrison**, Memphis, TN; (901)305-2467, fax: (855)320-8737;— Assns: Bartlett, Collierville, Germantown-Arlington-Lakeland, Millington, Southwest State Community College, University of Memphis. **District 19 — Reginald Fentress**, (901)229-6102, fax: (855)320.8737; United Education Association of Shelby County.

[www.teateachers.org](http://www.teateachers.org)  
[www.nea.org](http://www.nea.org)

## Lawmakers suspend tests and portfolio, grants shortened school year

### TNReady waiver from page 1

and other work; however, scores from these can only be used if it benefits the teacher. In practical terms, no teacher will be required to finish portfolios. This addition was added at TEA request by Rep. Mark Cochran (R-Athens).

“Our bill to eliminate mandatory portfolios passed the House Education Committee overwhelmingly the week before statewide school closure due to the strength of our members,” said Brown. “Legislators were ready to guarantee our members didn’t have to worry about this burdensome mandate.”

A critical part of the bill is school systems shall be given a waiver for the 180-day classroom instruction mandate.

“We’re not sure whether school will resume this year, and we needed to be sure school systems wouldn’t be penalized,” said Brown. Under the legislation, state K-12 funding is guaranteed through the school year regardless of how many instruction days occur. Importantly, the state doubled its help to local government to \$200 million to meet local education funding needs.

Other guarantees in the legislation are a suspension of the school priority list and putting schools under state control in the ASD. Teachers will be held harmless in coming years if any data is generated from 2019-2020 state tests.

The commissioner must submit a modified ESSA plan to the federal government on

all areas of the legislation, and Dr. Schwinn notified the USDOE Tennessee intends to waive all testing and accountability in the state plan. The U.S. Department of Education released guidance that it will waive state-wide testing and accountability measures.

The legislation gives the commissioner broad authority to waive state rules and statutes to meet the needs of schools, and the state board will create emergency rules for this year.



**Rep. Mark Cochran was key in passing a comprehensive testing moratorium and hold harmless bill.**

“There are so many issues we still need to resolve with the closing of schools, from student teachers who can’t finish their placement to veteran teachers who won’t be able to fulfill license renewal requirements. This will be the next phase of TEA work on making sure we are held harmless from this extraordinary situation,” said head of TEA Legal Services Steve McCloud. “This legislation was

an important first step, and members can count on our legal team to be diligent that all issues facing members will be addressed.”

The TEA Hotline remains open for member concerns, but TEA Legal asks members to withhold hypothetical questions and only contact the Hotline when an actual issue comes up.

“We have a lot of great information in this publication and on our website if members want answers,” said McCloud. “But in these extraordinary times only when you are confronted with an actual problem should you engage your association. We will be busy meeting member needs.”

## TEA Bill Tracker The ones to watch

During this unprecedented public health crisis, the General Assembly intends to pass a budget, along with several bills deemed essential to the functioning of state government, and recess for a period of no less than 8 weeks. At the time of publication, this has not yet occurred, but likely will in the coming hours or days.

Due to the uncertainty of the COVID-19 outbreak, it is not possible to say with reasonable certainty whether or not the General Assembly will be able to reconvene in the summer. If they do not, a number of significant pieces of legislation that hadn’t yet received final approval will not become law. This includes the following:

- The governor’s early literacy initiative
- The reduction in the professional privilege tax
- Improving the funding ratios for support staff such as school nurses and social workers
- Eliminating the pre-k/kindergarten portfolio and prohibits mandated assessments in the early grades
- Eliminating the A-F school grading system
- Eliminating the school voucher program

These and other concepts will need to be re-introduced when the 112th General Assembly convenes next year.

## TESTING MORATORIUM, HOLD HARMLESS 2019-2020

- ➔ **All state tests shall not be required this school year; LEAs may volunteer to test.**
- ➔ **TVAAS scores from state tests shall not be used to evaluate teachers, unless where it benefits teachers, including teachers who use schoolwide scores.**
- ➔ **Teachers required to use alternative growth models, including K/pre-K portfolios, will not be required by the state to do so. LEAs may ask teachers to submit portfolios and other work; however scores from these can only be used if it benefits the teacher. In practical terms, no teacher will be required to finish portfolios unless they want to.**
- ➔ **State tests cannot put a school on the priority list or into the ASD.**
- ➔ **All LEAs shall be given a waiver for the 180-day classroom instruction mandate.**
- ➔ **State K12 funding is guaranteed, regardless of instruction days.**
- ➔ **Teachers will be held harmless in coming years if data is generated from 2020 tests.**
- ➔ **The commissioner has broad authority to waive all state rules and statutes to meet the needs of schools, and the state board may create emergency rules for this year.**
- ➔ **The commissioner must submit a modified ESSA plan to the federal government on all areas of this legislation.**

## Earn PDPs at home with online trainings

While Tennessee schools may be closed for weeks due to the novel COVID-19 coronavirus, extra time at home creates an opportunity to build up your Professional Development Points (PDPs) ahead of your licensure renewal deadline (August 31 of your renewal year).

As in-person trainings and seminars have been canceled across the country, TEA has online resources to keep your license and teaching practices up-to-date.

“The TEA online learning portal provides members with convenient trainings they can complete at home on the couch,” said TEA President Beth Brown. “If you haven’t tried it, I encourage you to log in and explore the offerings currently available.”

Recently added courses include effective use of technology, using the science of learning and the brain to optimize teaching instruction, advocating for oneself as a para-educator, and many more.

“The TEA learning portal is free to all members, allowing you to learn at your own pace from the comfort of your home,” said TEA Assistant

Executive Director Terrance Gibson. “The portal’s education tracker tool, which records and monitors learning progress, allows members to pick up where they left off, making household distractions a non-issue.”

Since TEA launched online professional development, some of the most popular courses have been on classroom management, collaborating with families, Tennessee teacher code of ethics, and the evaluation process.

“We also offer more than 100 NEA micro-credentials on bullying and sexual harassment prevention, early career educator training, working with English language learners, classroom management, ESSA, and others,” Gibson said.

A micro-credential is a short, competency-based recognition grounded in research and best practice that allows teachers to demonstrate mastery in a particular area, such as addressing challenging classroom behaviors and promote student success.

Learn more at [nea.certificationbank.com](http://nea.certificationbank.com).



NEW CONTENT

## Online Professional Development At Your Fingertips



### Learning That Fits Around Your Schedule

- Free Access For All TEA Members
- Engaging Courses To Boost Your Knowledge
- Online Training From The Comfort Of Your Own Home
- Education Tracker That Automatically Records Learning Progress

In conjunction with our content partners, we're able to increase the number of professional development opportunities available to our members.

### Reasons To Love Learning With Us

#### 1. Engaging Content

Our engaging online courses and webinars help to make earning PDPs a more rewarding experience for you.

#### 2. Education Tracker

The tracker tool automatically records and monitors your PDPs learning progress, as well as storing all your course completion certificates.

#### 3. Works Around You

Having constant online access to the content gives you the flexibility and convenience of being able to fit learning around your busy schedule.

### Access TEA Education Portal Now!

<http://www.teateachers.org/user/login>

Log in as a TEA member. Use "tea-member" as log-in name and your membership ID as password. You can find your 10-digit member number on your TEA membership card or the address label of TEACH or the TEA PUBLIC SCHOOL ADVOCATE. Go to RESOURCES > PROFESSIONAL DEVELOPMENT WORKSHOPS, and click on the EDUCATION PORTAL link.

### 2020 EMERGING LEADERS SCHOOL APPLICATION

This application form should be received by the TEA by 4:30 p.m., Friday, April 10, 2020.

Dr. ( ) Mr. ( ) Mrs. ( ) Ms. ( )

Name: \_\_\_\_\_

Local Association – do not abbreviate: \_\_\_\_\_

( ) Active      ( ) ESP      ( ) Higher Ed      ( ) Administrator

Your Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Home phone: ( ) \_\_\_\_\_ Work phone: ( ) \_\_\_\_\_

Cell phone: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_

Name of school/work site: \_\_\_\_\_

Work Position: \_\_\_\_\_

Specifically, for my Association this coming school year, I plan to: \_\_\_\_\_

I certify that I have been a TEA member for no more than 10 years and have not held a local, state, or national office (president, vice president, secretary, treasurer, member of local executive committees, board of directors). If selected for this training, I definitely plan to attend the Emerging Leaders School and will assume a leadership role upon returning to my local association.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Return to: Jamye Merritt, UniServ Manager  
Tennessee Education Association  
801 Second Avenue North  
Nashville, TN 37201-1099

The application may also be completed online: [TEAteachers.org/ELS](http://TEAteachers.org/ELS).

**Emerging  
Leaders  
School**  
June 11-13 • Cool Springs

### Ready to get more involved? Apply for TEA's Emerging Leaders School

For the second year, TEA's Emerging Leaders School will be held in conjunction with the 2020 TEA Summer Leadership Academy. The purpose of the Emerging Leaders school, held June 11-13 at the Embassy Suites Cool Springs, is to introduce potential leaders to the association, and provide experiences and training to prepare them for future leadership roles in TEA, NEA and their local affiliates. The program is also designed to discover leadership talent and help potential leaders become involved in the organization at the local, state, and national levels.

Applications are open to educators who have been members of TEA for no more than 10 years and who have not held a local, state, or national office (president, vice president, secretary, treasurer, member of local executive committee, board of directors). Participants must be a newly elected or appointed association representative, or be willing to commit to serving as an association representative, or in some other leadership role for the 2020-2021 year. Application forms must be received at the TEA Headquarters by 4:30 p.m., Friday, April 10.

TEA will provide up to 30 scholarships for the school. More information and the application form are available online at [TEAteachers.org/ELS](http://TEAteachers.org/ELS).

