

# TENNESSEE EDUCATION ASSOCIATION PUBLIC SCHOOL ADVOCATE



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TEA LEGISLATIVE REPORT | APRIL 9, 2016 | VOL. 2, ISSUE 6



## Third strike for payroll bill

### TEA defeats payroll attack for third time this year

The out-of-state special interests know it's only TEA standing up to their anti-public school agenda. That's why they are trying to damage us by eliminating payroll dues deduction and putting membership at-risk.

And just like in baseball, it took three strikes to put an end to the payroll deduction fight this session.

"We've never had to kill a bad bill three times in one year," said TEA lobbyist Jim Wrye. "It just goes to show how much our opponents really want to hurt us, and how effective our members are in beating these groups."

The first attack on TEA members' ability to pay association dues by payroll deduction came when Sen. Todd Gardenhire (R-Chattanooga) hijacked a bicycle helmet safety bill and rapidly forced the bill through the Senate without any meaningful debate. The bicycle helmet bill, rewritten as an attack on TEA, was defeated by the association in the House Education Administration & Planning committee.

When the special interests lost the first battle,

a second payroll deduction bill was introduced in another House Education committee – Administration & Planning. After many phone calls, emails and face-to-face meetings with TEA members, the committee voted down the bill on March 22.

"TEA has made many powerful enemies who are used to winning," said TEA President Barbara Gray. "This attack on TEA members' ability to use payroll deduction was in retaliation for our success in defeating out-of-state groups' private school voucher proposals year after year. Despite the deep pockets of our opponents, public school advocates are the ones batting a thousand this year."

The third and final attempt to silence educators was made on April 6, when bill sponsor Rep. Spivey attempted to revive the bill in the House Education Administration & Planning committee for reconsideration. He was unable to get enough votes to reconsider the bill after Reps. Harry Brooks, Jim Coley, Kevin Dunlap, Craig Fitzhugh, Kent Calfee, Eddie Smith and Mark White stood strong for educators. Good riddance to this bad bill.



## More funds to reach paychecks under BEP *Expect increases in August*

When the General Assembly passes a pay raise for teachers, that raise should show up in a teacher's paycheck. It's a simple principle that TEA has been fighting for since former education commissioner Kevin Huffman gutted the state minimum salary schedule in 2013.

Unfortunately, state raises have not translated to local raises since then. Now there is a new measure to improve that gap, thanks to the tireless advocacy of TEA members across the state.

Here's how it worked.

Following a year of meetings, Governor Bill Haslam's BEP Task Force provided him with recommendations for improving the state's funding formula for schools, last updated in 2007. Included among the changes is a requirement that districts spend their BEP instructional funds on teacher compensation if their average salary falls below the state average.

In recent years, teachers have been seeing raises at half or even one-third of what was approved and funded by the legislature. With the new changes, teachers in almost every district in the state will see raises that more closely

PUSHING FUNDING INTO PAYCHECKS  
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## Constitutional school funding requirement still under attack

Tennessee already ranks near the bottom of the list for what the state invests in our students. Under a proposed constitutional amendment being considered by the General Assembly, there is potential to drop even further down the list.

The proposal is sponsored by Rep. Bill Dunn (R-Knoxville) and Sen. Dolores Gresham (R-Somerville) (right), both prime sponsors of vouchers, are promoting a resolution to change the state constitutional requirement for funding schools.

"It should be a huge red flag to supporters of public education when a bill is sponsored in both chambers by legislators who are strong advocates of privatizing our public schools," said TEA Executive Director Carolyn Crowder.

Sen. Brian Kelsey was originally the Senate sponsor until he learned about the potential implications for public schools – particularly the rural schools districts in the state.



"Sen. Kelsey took his name off the bill because he understands the serious implications for many Tennessee school districts should this proposed constitutional amendment pass," Crowder said. "Equitable funding of all school districts has been a tough issue for our state in the past, and has required interference from the Supreme Court on more than

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THE STRONGEST VOICE FOR SCHOOLS AND EDUCATORS

# As the dust settles, who exactly is being held harmless?

By TEA President Barbara Gray



“Hold harmless” seems to be the phrase of 2016. You see it in nearly every news story about testing and any updates from the legislature. So what does it really mean and who exactly is being held harmless? Let me clear up some of the confusion for you.

The first hold harmless announcement came early on from the state that test scores from this year’s TNReady tests would not count toward students’ final grades. There is a state law that requires that student test score on the state assessment be included in final report card grades, but that law is being waived this year. So, our students are being held harmless in 2016.

After TEA initiated the call in 2015 for a hold harmless period for teachers, the movement gained steady momentum throughout the year. Many local school boards passed resolutions asking the General Assembly to waive TNReady scores from teacher evaluations for

the 2015-16 school year.

When the first day of the new online TNReady assessment crashed in spectacular fashion, the administration had no choice but to get on board with a hold harmless period for teachers.

Gov. Haslam filed his own legislation to give teachers the choice on whether to use TNReady scores in their evaluations. If it helps you use it; if it hurts you, you can leave it out.

The governor’s proposal passed the House and Senate easily and was signed by Gov. Haslam on April 6. So, teachers are being held harmless in 2016.

The final step of protecting our students, educators and schools from test-based high-stakes decisions in TNReady’s first year was to ensure

schools would not be placed on the priority list as a result of this year’s test. While no legislation has passed to protect schools, the State Department of Education has announced plans to reduce the impact of first-year TNReady score on our schools.

The department will follow a different procedure for generating its next priority list in 2017. The state will release two priority lists — one that only reflects test scores from TNReady’s first year, and second that will include scores from the both the 2014-15 and 2016-17 school years.

To be at risk for state intervention, like an ASD takeover, a school must appear on both priority lists.

So, students and teachers are completely in the clear. No TNReady data from the 2015-16 school year can negatively impact either group. Schools are mostly held harmless. TNReady data from the 2015-16 will still be factored into school performance, but in a much less significant way.

We fully expect this debate to continue into the 2016-17 school year with a strong push to further extend the hold harmless window for our students, teachers and schools.

If you have more questions about how TNReady data will be used this year, please contact your UniServ director or the TEA Instructional Advocacy team.

**Students and teachers are completely in the clear. No TNReady data from the 2015-16 school year can negatively impact either group.**

# With payroll bill dead at last, our fight continues

By TEA Executive Director Carolyn Crowder



After several political maneuvers rarely witnessed in the Tennessee legislature, a few lawmakers and their backers who attempted to deprive us of the right to deduct our dues from paychecks simply ran out of options. After three failed attempts, the payroll deduction fight finally came to an end.

Sponsored by Rep. Billy Spivey (R-Lewisburg) in the

House and Sen. Dolores Gresham (R-Somerville) in the Senate, the bill singled out TEA because we’ve been consistently successful in defeating privatizers and enemies of public education.

This bill has already been defeated twice before, only to be resurrected during the final moments of the last Education Administration and Planning Committee in the House (due to an obscure rule that proves that no bad idea is truly dead in the legislature until its members are adjourned for the year).

In spite of a constantly changing schedule, many teachers came to the committee room to monitor deliberations on the bill. Some of us stood in the

packed room for four hours, but the prize was worth it — we got to see the payroll bill finally die an unceremonious death because there were not enough votes to reconsider it, even after a majority vote defeated a motion to adjourn the final session before the payroll bill was heard!

The vote to reconsider the payroll bill was 6 to 4 against, with two legislators present and not voting (as good as a no) and one legislator absent.

It was a close call and a glorious moment, which once again brought home that when we are united, we can achieve anything!

Winning a fight like this is truly a team effort. Hundreds of teachers came to the Statehouse and spoke in person with their legislators or called to ask them to vote no on this and many other bad

**We can undermine our enemies’ efforts once and for all by switching to the safe and secure EZ Pay method through a checking account or credit card.**

bills. Members of the Tennessee Retired Teachers Association joined us throughout the session and again during the final hearing of the payroll bill to advocate against these attacks! Of course, the entire effort was led by our TEA Government Relations team.

Still, as happy as we are to keep our payroll deduction this year, this fight is far from over. We won this year, as we have in years past when this issue came up, but that doesn’t mean we are in the clear.

The deep-pocketed out-of-state privatization and “school reform” groups will keep coming after educators’ ability to use payroll deduction to support TEA.

They believe they can significantly weaken and silence the powerful, united voice of Tennessee educators by eliminating payroll deductions.

There is no doubt TEA was the target of this punitive and petty bill, just like there is no doubt a similar bill will resurface again next year.

The only way for us to undermine our enemies’ efforts once and for all is for all TEA members to transition to the safe and secure EZ Pay method.

EZ Pay allows you to pay association dues through a checking account or credit card (see instructions on the opposite page). With our enemies at bay until next January, we have just enough time to make it work!

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**Privatizers are targeting your membership.**

**TEA is the  
LARGEST  
and  
STRONGEST  
advocate for  
public education.**

Out-of-state interest groups want to weaken TEA and silence your voice by eliminating payroll dues deduction. It is time to take control of your membership and remove the threat. Make the switch to EZ Pay today!

*Protecting your membership is easy with EZ Pay through your credit card or checking account. It is fast, easy, and ensures your membership in TEA - the only organization protecting our schools!*

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## CONSTITUTIONAL AMENDMENT from page 1

one occasion to ensure rural districts receive equal funding from the state. If passed, school districts could lose the legal grounds to file lawsuits challenging state funding levels.”

Historically, the only time significant new investment reached our schools was when the Supreme Court found the state in violation of Article XI, Section 12 of the Tennessee Constitution which requires the General Assembly to provide for the support and maintenance of a “system of free public schools.”

If Gresham and Dunn are successful, the proposed amendment could likely insulate the state from future lawsuits similar to the ones currently pending by Shelby, Hamilton and other counties about the adequacy of state funding. This amendment would prevent districts from seeking relief in the courts for inequitable or inadequate funding.

“This proposal has a long uphill battle to fight to become law, but it is important that all supporters of public education

take this seriously now,” said Crowder. “School budgets in our state are already incredibly tight. Any threat to our local school districts’ ability to provide a system of quality public schools for all Tennessee students must be stopped in its tracks as quickly as possible.”

If the legislation passes both chambers this year, it must come back again next session and receive two-thirds support from both bodies in 2017 before it can be placed on the ballot for Tennesseans to vote on the amendment in 2018. If the initiative succeeds, the earliest time this proposed change could have any impact on Tennessee schools would be the 2019 session of the Tennessee General Assembly.

“Tennesseans love their local public schools. We believe the public will stand with our schools and fight back against this threat to public education funding,” Crowder said. “The Tennessee Constitution is clear: the General Assembly must support and adequately fund our schools. We are urging legislators to reject this change that could have devastating long-term consequences, especially for our rural school districts.”

## State speaks out against pairing gap policies with state-sponsored insurance

SB2111/HB2410 has been introduced to allow supplemental gap insurance for employees in the State Group Insurance Program (SGIP) Limited PPO, something more than 50 school systems have done. The state says the limited/gap combination creates higher state payouts while lowering funds from premiums, creating a drain on the plan. The reason for the bill is because the state is considering how to deal with the financial hit from increased enrollment in the Limited PPO paired with a gap insurance policy, including enforcing a rule not allowing gap insurance for limited plan participants.

TEA is deferred on the bill, understanding that they will live or die on the fiscal note.

Has the self-funded SGIP taken a financial hit? Gap insurance salesmen say no and the state says yes, and that’s where the legislation fight occurs. In Tennessee every piece of legislation has a note from the Fiscal Review Committee, and SB2111/HB2410 has a very large one, more than \$7 million recurring by the state’s reckoning. If the note doesn’t change, the bill probably dies.

TEA doesn’t control Fiscal Review, which is an independent office of the General Assembly. TEA believes the state numbers are hard to disprove—claims are claims in self-insured plans. The money collected by premiums needs to cover all the costs.

That doesn’t help school systems which used limited/gap to be able to offer health insurance to all employees, including those like bus drivers who did not receive benefits or did so at exorbitant costs. For two years, the state did not tell systems about possible problems with limited/gap, or facts regarding the Affordable Care Act and who qualifies as a full-time employee, or fictions about tax penalties for teacher health benefits. TEA tried to provide facts about these topics and worked to have the state provide guidance to systems.

Systems were told by gap vendors they had no choice but to bring in all employees and give them the same insurance, and many made budget by encouraging or driving enrollment in the Limited PPO plus a gap policy.

The state has a responsibility to make sure school system costs remain stable as they

## TEA protected teachers’ right to run for local offices, teachers encouraged to run

A bill that would have prohibited teachers from serving on county commissions was heavily amended in February, and no longer prevents educators from running for local office. HB985, sponsored by Rep. Courtney Rogers of Sumner County, was moved out of subcommittee after receiving amendments that mirror the recommendations of a study done over the summer.

The amended bill strengthens conflict of interest laws, requiring commissioners to

recuse themselves from a vote that would increase the pay and benefits for themselves or their spouse. The sponsor of the amendment explained that this should lead counties to break up budgets by department, so that those working in the sheriff’s department won’t vote on the sheriff’s budget, and so on.

“We feel this amendment shows good faith in working toward a compromise,” said TEA Chief Lobbyist Jim Wrye. “The dozens of TEA members serving on county

commissions in the state can still be an important voice for education, and can still vote on critical issues like revenue.”

TEA will continue to defend the rights of teachers to serve their communities and advocate for their students.

The 2013 TEA Representative Assembly unanimously passed a new business item directing TEA Government Relations to set up a program to help in local elections. TEA had already been working hard to elect pro-education state legislators, and to bring to bear its resources at a local level made sense.

“TEA has the best voter data in the state, and the people with skills and experience in campaigns,” said TEA President Barbara Gray. “It only makes sense to use those resources to help local associations win important elections at the local level.”

Using targeting data and proven campaign methods, TEA can really be an asset to local associations looking to elect pro-education candidates for school board, county commission, and municipal elections.

**TEA local campaign assistance program helps member-backed candidates win at the county and city level.**

*At top and right are examples of printed campaign materials created by TEA staff to help local associations. TEA set up direct mail for Overton County, and printed campaign brochures for BCEA President Grady Caskey.*

# PUBLIC SCHOOLS ARE UNDER ATTACK!

## HELP DEFEND THEM BY MAKING A CONTRIBUTION TO THE TEA FUND

You are already doing your part to defend schools by being a member. If you can, please help in the fight just a little bit more by making a small donation per month to the TEA Fund.

For members attending the TEA RA, please hear the call to donate funds to the TEA Fund coming in your packets. If you would like to donate from home, please send a check to:

TEA Fund, 801 2nd Ave N., Nashville, TN 37201



**TEA FUND**  
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THE SCHOOL DEFENSE FUND OF TENNESSEE

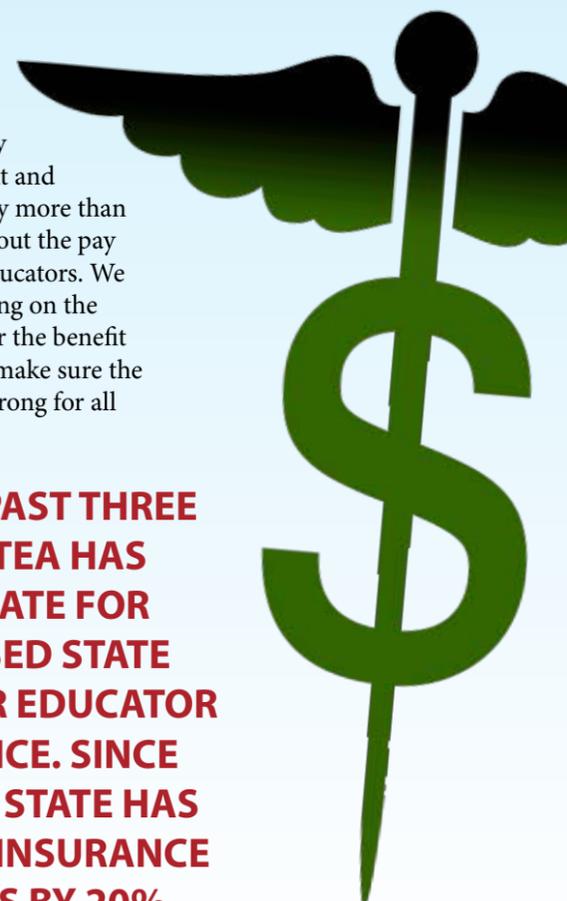
deal with keeping the plan solvent. It is not enough for the SGIP to simply say systems can’t do this anymore, they need to be more engaged with solutions.

In recent committee testimony SGIP head Laurie Lee highlighted other low-cost plans offered through the state. She noted that putting funding currently used to pay gap insurance premiums into Health Savings Accounts, which became available this year, would actually provide a richer benefit to employees. TEA will be looking at the numbers to see if the state claims are true.

What is not disputable is that if the current drain on the state plan is not stopped, then premiums will be going up for systems who did not go along with the gap/limited idea, or the Limited may be altered fundamentally.

For two years TEA has been working to increase state insurance funding by more than 20 percent and state salary money by more than 8 percent. We are about the pay and benefits of all educators. We are constantly working on the issue of insurance for the benefit of members, and to make sure the state plan remains strong for all using it.

**FOR THE PAST THREE YEARS TEA HAS ADVOCATE FOR INCREASED STATE FUNDS FOR EDUCATOR INSURANCE. SINCE 2014, THE STATE HAS INCREASE INSURANCE DOLLARS BY 20%**



## Largest increase in school funding without tax hike about to be passed

Final details on the state education budget are being made on what will be a historic increase in K-12 funding.

More than \$240 million in additional dollars are being added to the BEP, the largest single year increase without a corresponding tax increase in state history. Other additional dollars for buildings, transportation and maintenance will help local school budgets.

State revenues are growing rapidly with the state economy, and the administration has used much of that growth for education.

Foremost is \$105 million increase for teacher salaries. This on the heels of the \$96 million last year counts as an 8 percent state increase in two years. Now it is up to the association to make sure this money gets into teacher paychecks. A provision in the proposed BEP revision will help

**\$105 million**  
for teacher compensation

Funds in the BEP Instructional component must be used for compensation if the school system is below the state average for teacher salaries. Other systems may use funds for salaries and/or benefits.

**\$30 million**  
for teacher health insurance

A twelfth month of state insurance payment is added. This should free up more local funds for other purposes.

**\$15 million**  
for classroom technology

Recurring technology funds going to schools to purchase and maintain computers.

to do so (see page 1).

"Many teachers did not see the benefits of what was passed last year, and we've been working hard to change the law to see that it does not happen again," said TEA president Barbara Gray. "Whether its through conferencing, or other means, we will work with all local associations to make sure these increases are felt in the classroom and in our family budgets."

## More delays with TNReady

There's no doubt the transition to TNReady got off to a rocky start. From a massive technical failure on day one to a shift to paper-and-pencil tests that created delays in many districts, this year has been a tough one for students and teachers dealing with standardized tests.

Now that Phase I is complete and districts are preparing for Phase II, questions remain about how the test will be used this year and when scores will be ready.

First, legislation supported by TEA that will hold teachers harmless for this year's TNReady scores passed unanimously in the General Assembly and awaits Governor Haslam's signature. For more on this, see the story on page 1.

Next, while full student scores will not be ready until October or November 2016, the Department of Education anticipates having the data needed for growth scores available in time to include them in teacher evaluations this summer. Of course, those scores are subject to the "hold harmless" provisions, but the DOE is expressing confidence that the data will be back in time to be included. It's not yet clear how the shift to paper-and-pencil tests will impact results or the timeliness of getting them back to teachers and districts.

More recently, it was announced that the state may use paper-and-pencil tests next year. Tennessee Education Commissioner Candice McQueen expressed continued concerns about the state's vendor and their ability to successfully administer the online test. Problems with computer-based

testing in Alaska this year caused that state to scrap new tests and put them off until next year.

Additionally, McQueen has said next year's tests will be shorter, scrapping Phase I Math and shortening Phase I ELA. This should result in a significant reduction in the 11 hours or more students will spend completing TNReady exams this year.

One area of concern still unresolved is the quality of those individuals scoring the TNReady tests. As early as March 2015, reports surfaced of our state's testing vendor, Measurement, Inc. recruiting test scorers via ads on Craigslist. Earlier this month, similar ads surfaced again. Initially, the Department of Education touted the rigorous screening process of the TNReady graders. However, when faced with withering questions from legislators and parents, the DOE finally admitted that Measurement, Inc. recruits TNReady test graders on Craigslist. Those ads suggest that all that's needed is a bachelor's degree and some provided training – that's a far cry from the specialized knowledge required of Tennessee's teachers who teach the subjects being assessed.

It's definitely been a challenging transition. While some questions have been answered (teacher evaluation, return time for scores), other questions remain such as what will the tests look like next year and how will the state ensure quality scorers.

TEA will continue to monitor all aspects of TNReady and work to ensure the process going forward is open, transparent, and fair.

## Hold harmless bill signed by governor

Last year, TEA began promoting a "hold harmless" period while schools transitioned to the new TNReady test.

This month, legislation addressing the "holding harmless" of teachers in this first year of TNReady received unanimous support in both the House and the Senate. The legislation was signed this week by Gov. Bill Haslam.

What does this hold harmless legislation mean for teachers?

The legislation says that if TNReady scores result in a lower overall evaluation score for a teacher, those scores will not be used in a teacher's evaluation. Conversely, if including TNReady scores improves a teacher's overall score, the scores may be included. The goal is to provide maximum flexibility during the transition to the new test.

The new law also addresses teachers in non-tested subjects. Specifically, unless including school-wide TVAAS data generated from the TNReady test increases a teacher's overall evaluation score, that data will not be included in a teacher's evaluation. This would mean 85 percent of that teacher's evaluation would be based on observations and 15 percent on achievement data. On the other hand, if including school-wide TVAAS based on TNReady improves a

teacher's score, that data would count for 15 percent, making the observation count 70 percent.

Sound confusing? The bottom line is that teachers need not worry about TNReady negatively impacting their evaluation scores this year. If TNReady scores result in lower evaluation scores, they will be excluded, whether you teach a tested or non-tested subject.

"This legislation will impact every Tennessee teacher," said TEA President Barbara Gray. "The Governor and General Assembly have acknowledged what TEA has been saying all along: Using TNReady scores to evaluate teachers this year doesn't make sense. Because of this legislation, the transition to TNReady will be smoother."

TEA initially called for a two-year moratorium on using TNReady scores in teacher evaluations. After this year's test and round of evaluations, we will evaluate whether to push for a second "hold harmless" year in 2017.

TEA Chief Lobbyist Jim Wrye said, "The General Assembly has been responsive to our concerns. We'll be watching how this law plays out for teachers across the state. If further improvement is needed, we'll be back next year. Teachers deserve an evaluation system that makes sense and treats them fairly."

## TEA vigilant on voucher fight as session comes to an end

Out-of-state privatizers are facing the final days to get a private school voucher bill passed this legislative session. TEA is anticipating a last-minute Hail Mary attempt to force this unwanted and unneeded legislation into Tennessee law. We will be there to stop these attempts until the final gavel drops.

The proposed voucher bill is currently "on the clerk's desk." This means it would take a majority vote of the House to bring the bill up for consideration. Considering that bill sponsor Rep. Bill Dunn was unable to build enough support for the bill to pass, we do not expect him to find enough votes to consider the bill again this session.

Regardless, TEA will remain vigilant to ensure our students and our public schools are protected from out-of-state interest groups seeking to destroy public education in Tennessee.



MAKE SURE YOUR EDUCATION VOICE IS HEARD!

# OPEN STATE PRIMARY: August 4

## EARLY VOTING BEGINS: JULY 15

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TO PROTECT OUR STUDENTS, OUR SCHOOLS AND OUR PROFESSION.



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REP. RAUMESH AKBARI  
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REP. JIMMY ELDRIDGE  
R-JACKSON

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Their **primary** is the only election they will have.



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**Voting history, campaign contributions or even party preference is not a factor in Tennessee.**

The winners of many *primary elections* will be the next legislators to serve in the Tennessee General Assembly. This means you can't wait until November to elect your next state senator or representative!

Early voting starts **July 15**, primary day is **August 4**.

Vote for the legislators who stood with us! Let's stand for them!

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(865)688-1175, fax: (866)518-3104; Assns: Claiborne, Grainger, Jefferson, Sevier, Union, Scott, Campbell, Oneida (in Scott Co.), Walters State Comm. College. **District 4 — Duran Williams**, KCEA, 2411 Magnolia Avenue, Knoxville, TN 37917; (865)522-9793, fax: (865)522-9866; Assns: Knox, Pellissippi State Comm. College, UT-Knoxville, TSD. **District 5 — Jason White**, P.O. Box 5502, Oak Ridge, TN 37831; (615)521-1333, fax: (855)301-8366; Assns: Anderson, Clinton, Oak Ridge, Blount, Alcoa, Maryville, Lenoir City, Loudon. **District 6 — Jim Jordan (interim)**, P.O. Box 3629, Chattanooga, TN 37404, (423)956-2984, fax: (866)483-2514; Assns: Bradley, Cleveland, Cleveland State Comm. College, McMinn, Athens, Etowah, Meigs, Monroe, Sweetwater, Polk, Rhea-Dayton, Roane. **District 7 — Theresa Turner**, HCEA P.O. Box 21267, Chattanooga, TN 37424; (423)429-6567, fax: (855)301-8457; Assns: Chattanooga State Comm. College, Hamilton, UT-Chattanooga. **District 8 — Josh**

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**District 13 — Mary Campbell, Susan Dalton**, Metro Nashville, 531 Fairground Court, Nashville, TN 37211; (615)347-6578 (Campbell), (615)476-3161 (Dalton), fax: (855)299-4968 (Campbell), (855)299-5837 (Dalton); Assns: Cumberland Uni., Dept. of Higher Ed., Metro Nashville, TN School For The Blind, Lebanon, Wilson. **District 14 — Maria Uffelman**, P.O. Box 99, Cumberland City, TN 37050; phone: (931)827-3333, fax: (855)299-4925; Assns: Austin Peay State Uni., Clarksville-Montgomery, Robertson. **District 15 — Cheryl Richardson**, P.O. Box 354, Goodlettsville, TN 37070; phone: (615)630-2601, fax: (888)519-4879; Assns: Benton, West Carroll, Central, Clarksburg, Huntingdon, McKenzie, Henry, Paris, Houston, Humphreys, Stewart, Cheatham, Dickson, Hickman. **District 16 — Lorrie Butler**, P.O. Box 387, Henderson, TN 38340; (731)989-4860, fax: (855)299-4591; Assns: Chester, Hardeman, West TSD, Henderson, Lexington, Jackson-Madison, Jackson State Comm. College,

McNairy, Decatur, Hardin. **District 17 — Terri Jones**, P.O. Box 2140, Cordova, TN 38088; (901)258-3902, fax: (844)270-8083; Assns: Crockett, Dyer, Dyersburg, Dyersburg State Comm. College, Gibson, Humboldt, Milan, Trenton, Haywood, Lake, Lauderdale, Obion, Union City, UT-Martin, Tipton, Weakley. **District 18 — Zandra Foster**, 3897 Homewood Cove, Memphis, TN 38128; (901)377-9472, fax: (855)320-8737;— Assns: Bartlett, Collierville, Fayette, Germantown-Arlington-Lakeland, Millington, Southwest State Comm. College, Uni. of Memphis. **District 19 — Assns: TEA West — Karla Carpenter, UniServ Field Manager; UniServ Directors: Glenda Jones, Tom Marchand, Terri Jones**, 6520 Stage Road, Bartlett, TN 38134; phone/fax (901)379-6939; [www.unitedshelby.org](http://www.unitedshelby.org).

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

# New Shelby County association thriving, growing in battle with privatizers

Working in a school system targeted by national privatization groups whose goal is to eliminate public education is no easy feat. But the courageous teachers, education support professionals and administrators of Shelby County persevered and grew stronger this year under a new local - the United Education Association of Shelby County.

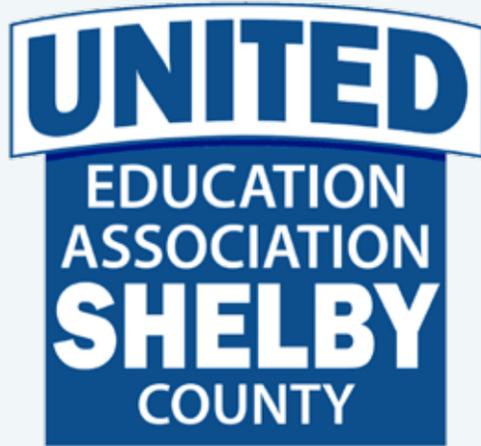
Months after hundreds of teachers lost their positions as schools were converted to charters or taken over by the state, UEA members held multiple successful events to draw attention to the importance of staying - and fighting - united.

The new association was formed last year after the Memphis-Shelby County Education Association (MSCEA) leadership decided to disaffiliate, a shocking and unfortunate act. In response, TEA protected association membership for thousands of educators, and a new, vibrant local association was formed to take on the challenges faced by Shelby County schools.

When NEA requested an audit of MSCEA financial records in 2015, the old leadership of MSCEA said "No," and disaffiliated from TEA in September of 2015.

TEA had no choice but to recognize MSCEA had disaffiliated, even though it was a decision of local leadership without a vote of the membership.

Amid the turmoil of MSCEA leadership, TEA



moved Memphis UniServ staff to a new office known as TEA West, so they could continue to serve Shelby County members without interference.

Dues for TEA and NEA paid by payroll deduction are sent to the state office, ensuring state and national membership is protected, and rights and benefits continue.

As a result, MSCEA is no longer an affiliated association.

On September 30, 2015, NEA General Counsel Alice O'Brien sent a letter to MSCEA informing the organization to cease and desist using the name Memphis-Shelby County Education Association or any use of "education association," as only affiliates of NEA may use the term.

There is now a vibrant new local association, the UEA.



Former MSCEA members opposing disaffiliation with TEA and dissatisfied with the hijacking of their local have created the United Education Association of Shelby County, recognized by TEA and NEA.

There are hundreds of education bills filed during the session. Below is a partial list of bills of interest.

## Bills TEA Supports

**HB1794/SB2030 (Byrd/Briggs) - Expanding tenure eligibility**  
This would expand tenure eligibility to teachers whose evaluations rate them as effective, or a 3, rather than just 4 and 5 as in current law.

**HB2378/SB2336 (Van Huss/Nicely)- Caps time students spend on standardized testing.**

**HB2503/SB2525 (Brooks, K./Dickerson) - Preference for tenured teachers**  
This would establish a preference for effective tenured teachers to be retained over non-tenured teachers in the event of a staff reduction.

**HB1537/SB2540 (McCormick/Norris) - Release of test questions**  
Requires release of test questions and answers to parents and teachers, notification of and justification for all assessments, and eliminates two standardized tests.

**HB2200/SB2351 (Dunn/Dickerson)- Calls for a moratorium on ASD expansion, among other changes.**

## Bills TEA Opposes

**HB1049/SB999 (Dunn/Gardenhire) - Voucher bill**  
This is the private school voucher bill.

**HJR493 (Dunn)- Constitutional Amendment**  
Amends the state constitution of Tennessee to emphasize the legislature has sole discretion in determining education policy. Attempts to remove the court's ability to review school funding and other policies.

**HB2229/SB1707 (Spivey/Gresham) - Attack on payroll dues**  
This is another attack on payroll deduction, that would include all school systems, including the state special schools. This bill would eliminate payroll deduction for anything except benefits provided through the LEA or charitable contributions to a 501(c)(3)."

**HB985/SB466 (Rogers/Bell) - Keeping teachers off county commissions**  
This would prohibit teachers from serving on their county commissions.

**HB1879/SB2497 (Kane/Gresham) - Bypassing LEAs in favor of private schools**  
Creates a catalog of online courses that would enable portability of per pupil funding to go to private schools and online providers, bypassing the LEA's ability to make decisions about offerings.

### PUSHING FUNDING INTO PAYCHECKS from page 1

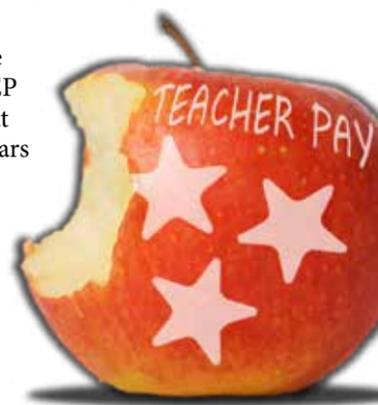
match legislative appropriations.

This is because the BEP change forces local school boards to spend salary funds on improving teacher pay unless they already pay above the state average. This common sense idea means more money in teachers' paychecks.

"Governor Haslam has pledged to make Tennessee the fastest-improving state in the nation in teacher pay," said TEA President Barbara Gray. "With \$100 million for teacher pay raises and a change to the BEP formula for how these funds are spent, we're taking steps in the right direction. We encourage Governor Haslam and the legislature to keep working toward the goal of strong compensation for our state's educators."

TEA has been pressing the administration and legislators to ensure that when the General Assembly passes a raise, it gets into teachers' paychecks. While a return to the state minimum salary schedule is the best way to make this happen, Haslam's proposal is a big step in the right direction. Tennessee teachers deserve professional pay for the challenging work they do every day.

TEA will continue to advocate for BEP improvements that leverage local dollars as well as putting state dollars into teacher pay increases.



## Summer

# Leadership Academy



SAVE THE DATE

June 16 - 18

Embassy Suites Hotel - Cool Springs

# Be a delegate to the TEA Representative Assembly

## Run for office, help protect our schools and profession!

### May 13-14, 2016



### 2016 Assembly to convene in Cool Springs

Hundreds of delegates from local affiliates across Tennessee and student chapters on college campuses are expected to attend the annual business meeting of the Tennessee Education Association set for May 13-14 at the Franklin Marriott Hotel in Cool Springs.

The new location is expected to further ease access and comfort of attendees, as well as provide

them with better dining and entertainment options after the close of RA business on Friday night and Saturday afternoon.

Elections for the TEA Board of Directors top the convention agenda, along with announcing award winners and voting on new business items and proposed changes to the association's bylaws defining future TEA activities.

#### 2016 TEA RA Elections

President  
Vice President

#### TEA-FCPE Executive Council

District 2 Two-year unexpired term

District 4 Three-year term

District 6 Three-year term

District 7 Three-year term

District 8 Three-year term

District 10 Three-year term

District 11 Three-year term

District 14 Three-year term

District 15 Three-year term

#### TEA Board of Directors

District 4 Three-year term

District 5 Two-year unexpired term

District 7 Three-year term

District 10 Three-year term

District 14 Three-year term

District 15 Two-year unexpired term

Contact your local association president to be a part of the 2016 TEA Representative Assembly!

Join your colleagues from across the state at the fabulous Franklin Marriott Hotel, Cool Springs.



TEA members line up to vote during the 2015 TEA Representative Assembly in Cool Springs. Any TEA member can run for office in the local, state and national association.