

TENNESSEE EDUCATION ASSOCIATION PUBLIC SCHOOL ADVOCATE



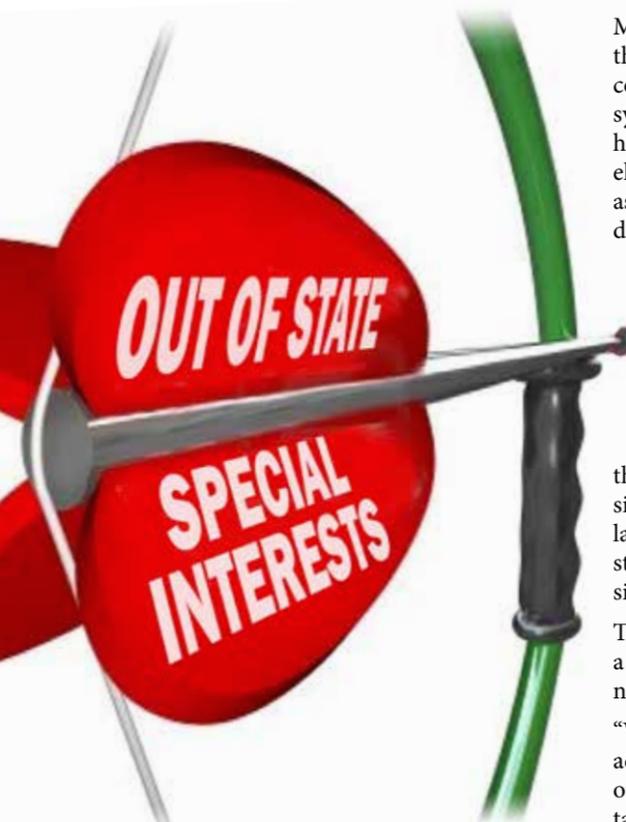
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TEA LEGISLATIVE REPORT | FEBRUARY 27, 2016 | VOL. 2, ISSUE 4



TEA TARGETED BY SPECIAL INTERESTS

Payroll deduction loss could cause problems for state and local associations



Most members pay their dues through payroll deduction, a convenience offered by the school system for decades. Two bills have been introduced this year to eliminate an educator's ability to pay association dues through payroll deduction, and to



hurt the association in the process. The private school voucher fight consumed the first weeks of the legislative session, with both sides going all-in to influence lawmakers. Fortunately for our students and our public schools, our side prevailed.

The consequence of winning such a hotly contested battle is that TEA now has a target on its back.

"We are the largest and strongest advocate standing in the way of out-of-state privatizers who seek to take funds from public schools,"

said TEA Chief Lobbyist Jim Wrye. "These groups now see we are the only force that can stand up to them and stop their anti-school agenda. So now they have set their sights on trying to undermine TEA by attacking dues."

Sen. Todd Gardenhire's (R-Chattanooga) bill, one he rewrote from regulating bicycle helmets into one that targets the ability of teachers to pay their membership dues, has already been defeated. That bill (SB 151/HB 294) was taken off notice in a House committee when the House sponsor, Rep. Bill Spivey (R-Lewisburg), was unable to get enough votes to pass it.

"There's no doubt teachers were targeted because of our pushback on vouchers, and our ability to support pro-public school legislators," said Wrye. "If we weren't considered a force to be

TEA UNDER ATTACK
go to page 5

Proposed BEP changes could create winners, losers, while overall funding increases

Governor Bill Haslam's budget has some bright spots for schools and educators this year. \$104 million for teacher compensation. Another \$156 million for additional improvements, including funding a 12th month of teacher insurance. But, in the face of this good news, there are also some areas of concern.

Haslam is proposing significant changes to the BEP – the state's funding formula for schools. These are the first proposed formula changes since 2007 when Gov. Phil

BEP CHANGES
go to page 7

Questions and concerns still plague TNReady

A massive tech failure on day one. Test-scorers hired on Craigslist. An unclear path forward. That's TNReady so far, and we're just getting started.

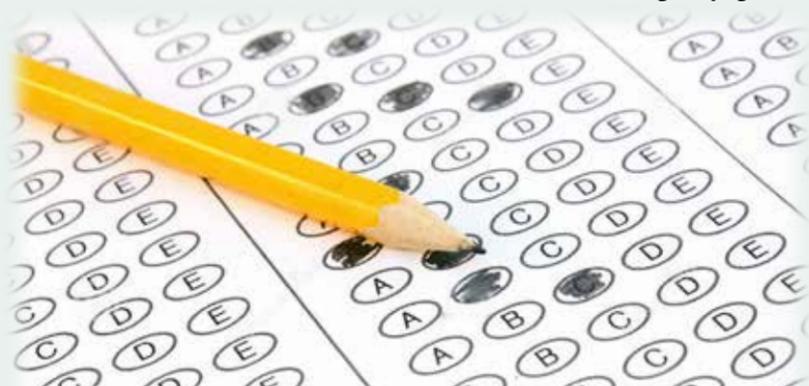
Despite predictions from those working in schools across the state that Tennessee wasn't ready for TNReady from a technological standpoint, the state Department of Education proceeded with day one testing on February 8th. By now, we all know that within minutes, it became clear that there were huge breakdowns in the technology. We simply weren't yet TNReady.

After blaming the vendor the

state had chosen, Commissioner Candice McQueen announced that all tests would be given on pencil and paper going forward. New testing windows have been announced for these tests. The state's goal is to count the thousands of students who successfully submitted an online, but TEA still has questions.

Studies of PARCC in New York and Rhode Island indicate that students who took tests like TNReady on pencil and paper received higher scores than those taking the same tests online. Will Tennessee scrap

TNReady QUESTIONS
go to page 7



The state constitution has a school funding mandate (above). There is a bill to change this requirement. Read the story on page 7.

Vouchers not quite dead, but not very alive either

The voucher bill is still on the clerk's desk where it was placed after its sponsor, Rep. Bill Dunn (R-Knoxville), realized two weeks ago he didn't have the votes on the House floor to pass it.

In spite of spending millions of dollars to push unproven and dangerous vouchers into Tennessee schools, privatizers didn't have the 50 votes needed to pass the voucher bill.

Thanks to the hundreds of TEA members who came to the Capitol in recent weeks, and thousands that called and emailed their legislator from across the state, we were able to beat vouchers - for now.

"Our members worked very hard to defeat vouchers for the fourth year in a row," said TEA President Barbara

VOUCHER BILL
go to page 2



THE STRONGEST VOICE FOR SCHOOLS AND EDUCATORS

Troubles continue with failed TNReady assessment

By TEA President Barbara Gray



To the average Tennessean, it probably appears as though the dust is settling after TNReady's failure a few weeks ago and the state made the move back to a pencil and paper assessment. As educators though, we know that is far from the case.

Changing from an online to a paper-based assessment at the last minute is not a minor change for students, educators or schools. With the new paper test comes a completely new set of challenges and concerns.

I have been hearing from educators statewide as materials start to come in for the new pencil and paper TNReady. The biggest concern we are hearing from our teachers is that students in grades 3-5 must now sit for 150 minutes of testing in one day, with only a 20 minute break for lunch. For students in

grades 6 and up that time lengthens to 180 minutes.

The paper test also has a new set of expectations for school faculty members. School counselors and other staff are being pulled away from their regular responsibilities to meet the test administration requirements for security, counting, distribution, coding and packing to return to the state.

Aside from concerns about students, a new testing manual with different guidelines and instructions on administering is creating additional stress and frustrations for administrators and teachers.

It is just one thing after another with this new assessment. The thing that frustrates me the

Changing from an online to a paper-based assessment at the last minute is not a minor change for students, educators or schools.

most personally is that the testing window in some districts now stretches into May. When students aren't even completing the test until May, how can the state possibly get scores back with enough time to make all of these high-stakes decisions it has tied to these assessments?

The state has already acknowledged it will not have scores in time for students' final grades and has now announced plans to waive its inclusion in teacher evaluations, but these scores still impact hiring or firing decisions and the state's priority list.

My question is this – if the state will not have scores back in a reasonable amount of time following the end of the school year, why are we putting our students and teachers through this at all?

After spending more than half of the school year preparing students for an online assessment, we must now help our students shift gears and focus on how to excel on a paper-based assessment. But to what end? Scores won't be in student grades or teacher evaluations.

At this point, is the state merely putting students and teachers through the motions?

With vouchers down, privatizers aim to hurt legislators

By TEA Executive Director Carolyn Crowder



A quote on the back of the book, Coraline, says, "Fairy tales are more than true. Not because they tell you dragons exist, but because they tell you dragons can be beaten."

Currently, we have a dragon on the run in the state legislature. The dragon is made up of a group of people who would rather destroy public education than adequately support

it. They have come up against a formidable foe – the Tennessee Education Association.

Here are the top four reasons I know we have the dragon on the run.

Reason #4: There was not even an attempt to engage in a fair fight. The voucher bill that passed out of a House subcommittee had been prevented from reaching the House floor three years in a row. This year, it came out. Not because voucher supporters convinced the majority of committee members it was the right thing to do – but because it was introduced when it was known two key

votes would be missing.

Reason #3: Regular protocol was replaced with shady tactics. A bill targeting TEA member's right to payroll deduct their dues suddenly became a substitute for a bill that was originally written to address bicycle helmets. When it was clear that this bill was going to die in committee – a "clone" of the bill was suddenly introduced in a committee that would have a harder time killing it.

Reason #2: Truth was utterly abandoned. After TEA stalled the voucher bill on the House floor and made it impossible to pass the bicycle helmet/payroll deduction bill out of committee, the dragon started spreading half truths and outright lies about TEA in hopes that this would help the "clone" payroll bill move forward.

Reason #1: Our collective voice makes our enemies tremble in fear! The payroll bill targets TEA locals engaged in collaborative conferencing and /or the

Our enemies are targeting our friends in the Tennessee legislature who stand strong in opposition to vouchers and support our public schools.

political process. The dragon is tired of spending millions of dollars on elections and lobbying only to be beaten by the collective voice of TEA members. Therefore, it does not want that voice heard at the state or local level.

While attacking our collective voice and our right to deduct our Association dues through payroll, our enemies are also targeting our friends in the Tennessee legislature who stand strong in opposition to vouchers and support our public schools.

If you notice that your representative is being targeted with negative ads, consider where the money is coming from. Most likely, out-of-state special interest groups like Students First, American Federation for Children and Americans for Prosperity are funding these vicious attacks. The likes of the Koch brothers can't stand that so many Tennessee politicians like their local schools and have the strength of character to stand up to billionaire "reformers." Be sure to educate your friends and neighbors about these attacks because they will only get stronger. The more we win, the louder and less reasonable will be the screams of our enemies.

King Arthur may have had his legendary sword Excalibur – but TEA's collective voice is a far mightier weapon.

We just need to keep using it until we slay the dragon once and for all!

TEA protects teachers' right to run for local offices

A bill that would have prohibited teachers from serving on county commissions was heavily amended this week, 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.

Vouchers remain in legislative limbo

VOUCHER BILL from page 1

Gray. "You called your legislators and it made a

huge difference. Hearing from folks back home solidified the 'no' votes of a critical mass of legislators who are now firmly opposed to vouchers."

As Rep. Dale Carr (R-Sevierville) told the *Knoxville News Sentinel*, the calls against vouchers were 10-1 or 12-1 in Sevier County.

"I'm hearing from teachers, administrators and retired teachers," Carr said. "All the teachers calling are against it. I will not vote for vouchers. If I support my people, I cannot vote for vouchers."

Gray said it was the kind of impact that only teachers, the most trusted members of local communities, could achieve.

"United against a grave danger, we prevailed over millions of dollars of out-of-state privatization interests and beat them back where they came from."

Still, Gray said our fight is far from over.

"Rep. Dunn promised to return with vouchers next year," she said. "And if he doesn't, someone else will. These power- and money-hungry privatizers are after our public schools and only we can stop them."

When Dunn realized he lacked support in the House, he asked for his bill to lay on the clerk's desk, meaning it can be scheduled for a vote at a different time.

Tabling the bill stalls it indefinitely. It's a procedural move that makes it difficult for the House to reconsider the measure this session,

but TEA is watching the bill to make sure it stays dormant throughout this year's session.

Leading up to the latest blow to the voucher bill, TEA members were critical in educating their elected officials and local communities about the dangers of vouchers.

Vouchers are a threat to every school in every district across the state. Dunn's bill originally included an expansion clause that would open up vouchers to all low-income students in any district with a single school in the bottom 5 percent.

In a scramble to garner votes, it was amended at the last moment to Shelby County only, yet it would have left a voucher malignancy ready to spread across Tennessee.

President Gray encourages TEA members to build on this most recent victory and continue their dialogue with legislators face to face during spring break as part of the TEA *Civication* (see back page to register).



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.

HB1453/SB2242 (Byrd/Hensley) - Establishing a two-year hold harmless period in teacher evaluations
This is the two-year hold harmless on the use of growth data from TNReady in teacher evaluations.

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.

HB1787/SB1797 (Parkinson/Nicely) - Abolishing the ASD
As introduced, this bill abolishes the Achievement School District.

Bills TEA Opposes

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

HB294/SB151 (Spivey/Gardenhire) - Eliminating payroll dues deduction
This would eliminate payroll deduction of dues for any school system engaged in collaborative conferencing.

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.

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.

Tennessee teachers deserve a raise

Veteran, teacher writes to state lawmakers

While it is likely that you do not know who I am, and I probably do not live in your district, we have much in common. We both live in the great state of Tennessee and we both have an interest in the most valuable resource in the state: children. Since we may never meet, I want you to know some things about who you are working for in your district, as well as those who live elsewhere in our state.

My name is Daniel Worsham. I grew up in the cities of Lebanon and Hendersonville, Tenn., where I played and was privileged to go to school with my school teacher parents. My parents taught me at an early age that our greatest job in life was to take care of others before we took care of ourselves. I have tried every day to live with the understanding that the interest of those around me must come before my own. After I graduated from Hendersonville High School, I went to college for a couple years and while enrolled in college, I joined the Tennessee National Guard so that I could give back to this wonderful state that had given me so many opportunities.

As a member of the Guard, I served our country and state for eight and a half years. I served with the 278th ACR/RCT during a 21-month deployment and training to Iraq in 2004/2005, and again with the 253rd MP company based in Lenoir City, when they deployed to Iraq in 2010/2011. I was chosen to go to training missions in Bulgaria and also served in Washington, D.C., as security, along with the rest of my unit, for President Obama's inauguration. I have received many awards and citations including being chosen as the NCO of the year for the 30th troop command and runner-up for the state. During all these times in my life I wore my "Old Hickory" and "Three Rivers" patches with great pride. I was given the chance to train other soldiers during my time in service and began to realize the gift I have is to teach others. My soldiers were always ready for whatever challenges they met on the battlefield, as well as when they attended training programs, and later when they resumed their roles in civilian life. I am a very proud Tennessean who was willing to lay down my life for those who live here! I love my state and will always answer its call when it needs me.

Because of this, I feel my state needs me more now than ever as a teacher. I love what I do! The children in my classroom bring me a feeling of peace as they learn and ask questions because they have a thirst for knowledge. I have found where I belong. After my time of military service I felt lost, and I have discovered that the students are what I needed to help me find meaning in my life. I stay involved in my school, many times taking attention away from my own family. My day does not end at 3 p.m. every day, even though I wish it did on many days when I find myself exhausted from having worked so hard. I coach football after school with our middle school

team and am proud to say that we had a great season this past year because of the extra effort that we as coaching staff have devoted to the students and the program.

My students learn more than math, and my football players learn more than football. My job is more than teaching math. I have a job that requires me to teach children how to live life and deal with the challenges they face daily. My job requires me to push the children beyond what they feel they are capable of achieving.

My life has been devoted to making our country, as well as the state that I love, the best it can be. It is what the teachers I have had in my life have taught me, and it is what I will teach my students until the day I retire. I am hopeful that they will make this same quality a priority in their lives.

I invite you to come to my classroom and meet my students, see the work that I put in from the time I show up until the minute I leave. Allow me to tell you about the U.S. and Tennessee state flags hanging on my wall that have flown twice over foreign soil and the University of Tennessee banner (my alma mater) that I received as a gift from my brother who flew it over Afghanistan during his time away from family. Let me introduce you to the children who I encourage every day, while giving some of them time away from adverse home lives that could one day cripple their spirits. Observe as I attempt to get them to strive for a better life where they do not have to rely on any "program" to find a way to exist. I simply want to instill within each of my students the confidence to become productive, successful citizens who have an obligation to make our community, our state and our nation better.

I have come to learn that I have been a teacher my entire life and I will remain a teacher until I die. I love MY STATE, MY TENNESSEE, as do the others with whom I work. I will not quit this profession because I do not receive a raise, but I do know that those who are just beginning their careers will seek other careers and other paths when they sense that they are neither appreciated nor respected when they cannot depend on state leaders for support.

This is not an easy career, and that is part of the reason I chose it. The reward is worth the challenge to me, but without change, and a guarantee for the support of public education and of those who want to dedicate their lives to students, we will lose the very best individuals who are well-trained and pushing towards a better future.

Tennessee teachers deserve a raise. Your support will be genuinely appreciated.

Daniel Worsham teaches at Upperman Middle School in Putnam County.

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MAKE SURE YOUR EDUCATION VOICE IS HEARD!

Groups attempt to silence educators

TEA UNDER ATTACK from page 1

reckoned with, nobody would bother to attack us in this manner?" The second bill, HB 2229, will be heard in the House Education Administration and Planning committee on March 8.

While some legislators and the deep-pocketed out-of-state backers believe this legislation will dismantle TEA, what it really does is attack you and the choices you have made on how to spend your own money.

"This bill stands to create a lot of headaches and additional work for our members," said TEA President Barbara Gray. "Losing payroll deduction will place a tremendous burden on membership chairs to convert members quickly to avoid a break in services."

If passed, any member not currently using bank draft or electronic funds transfer to pay association dues could see an interruption in services that are of great importance to them – including losing auto, home and life insurance policies, no longer having a professional advocate, losing access to travel discounts for summer vacations and more.

TEA President Barbara Gray said the proposed legislation is one of many attempts by out-of-state special interest groups to silence anyone who opposes efforts to take crucial funding from public schools.

"Payroll dues deduction has worked for decades without any problems or burden placed on local school districts, but now we're under attack because of our efforts to keep taxpayer dollars where they belong - in public schools," Gray said. "TEA membership is just a slot on a paycheck just like United Way, the Farm Bureau or any other entity. We must fight this dangerous bill so we can continue to stand up for our schools and our communities."

TEA continues to fight the bill, pointing out its many dangers. Chief among them would be teachers' inability to impact the political process, something that the out-of-state special interest groups are hoping to accomplish. We cannot afford to let them win.

To protect your membership, see page 7 for details on how to make the switch to EZ Pay. It is a quick five minute process that puts you in control of your TEA membership.

In partnership with the attack on association dues, privatization groups are also trying to silence supporters of public education by running hateful attacks on our friends in the legislature ahead of the August 4 primary election.

"Numerous legislators have stood strong with educators and parents this session to protect our students and schools," said Wrye. "All supporters of public education must now stand strong with these legislators as election season approaches. We must protect our friends in the legislature and work diligently to elect people who understand the importance of maintaining a strong system of public schools in Tennessee."

TEA will be working closely with our local associations and community groups to create a strong turnout for the primary elections in August.

OPEN STATE PRIMARY: August 4

EARLY BEGINS VOTING: JULY 15

WE NEED TO KEEP THE FRIENDS OF PUBLIC EDUCATION WHO STOOD WITH US TO PROTECT OUR STUDENTS, OUR SCHOOLS AND OUR PROFESSION.



Rep. Barbara Cooper
D-Memphis



Rep. Gary Hicks
R-Rogersville



Reps. Cooper and Hicks are just two of many friends of public education we must help to re-elect! Their primary is the only election they will have.

EVERY EDUCATOR REGISTERED TO VOTE CAN PARTICIPATE IN THE STATE OPEN PRIMARY!

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!

TEA fight against TVAAS continues

TEA has been waging an attack on multiple fronts over the state's use of unreliable, flawed TVAAS data in high-stakes decisions for years now.

"The war against TVAAS is a marathon, not a sprint," said TEA Executive Director Carolyn Crowder. "To put an end to the state's unfair and inappropriate use of TVAAS estimates, we have to take it step-by-step."

TEA's first battle victory was getting legislation passed to prohibit the use of TVAAS in teacher licensure decisions. Next came the law banning districts from forcing a correlation between a teacher's observation scores and her TVAAS estimates. After that, our advocacy led to the governor reducing the weight of TVAAS in evaluations for teachers in non-tested grades and subject areas.

"Our latest win is Gov. Haslam reversing course and introducing his own legislation to hold teachers harmless from TVAAS estimates as the state transitions to TNReady," Crowder said. "Each victory is significant, but the war is far from over."

A federal court recently dismissed TEA's lawsuit challenging the constitutionality of using TVAAS in high-stakes decisions for teachers. While the case was

dismissed, it was not a loss for our fight.

This ruling marks the second time a federal court has indicated it has substantial concerns about the fairness and imprecision of using value added statistical estimates in high stakes decisions for teachers. It is exactly what national entities the American Statistical Association and the American Education Research Association recognized when they cautioned against using estimates like TVAAS in teacher evaluations.

The discovery process in this lawsuit with state and local officials, as well as the company that provides TVAAS score to the state (SAS), was exceptionally helpful in uncovering some basic truths and answering some of our nagging questions about TVAAS.

"The more we found out the more inappropriate we came to understand the measure is on high-stakes decisions," said TEA President Barbara Gray. "There is so much that is arbitrary and variable it puts teachers into a big game of 'maybe.' That is no way to treat professionals who can be fired or hurt economically by a TVAAS score."

As an example, during deposition TEA legal asked a senior SAS official why only six students provide enough student data to have a valid TVAAS score for a teacher, a seemingly low sample size. The answer TEA received was that it was "one more than five."

TEA has gathered all of the information on TVAAS and put it into a presentation that we are now giving to various audiences around the state, and the association will continue working to get information to lawmakers.

"National groups are right that we should not use value-added in high-stakes decisions. We know it is not right," Gray said. "Now we need a true and fair understanding of what TVAAS is for lawmakers and the administration to change a flawed system."

TEA lawyers are studying the ruling and will advise us about whether they believe an appeal is appropriate, but that decision has not yet been made.

The privatizers want our schools. Only TEA can fight them!

Out-of-state special interests push bills to destroy public education, we must be ready for a long fight

Out-of-state special interests bent on destroying Tennessee public education have been flooding Tennessee legislative campaigns with cash in recent years. American Federation for Children, Students First, Stand for Children, The Beacon Center and others push vouchers, radical charter expansion, cuts in funding, and the elimination of tenure and other teacher protections. For the second year in a row, they are attacking our payroll dues in an attempt to silence our voices. These groups and others spent more than \$1 million in races for the Tennessee General Assembly in 2014 and nearly \$8 million on pushing vouchers in this legislative session alone.

These are the same groups you see in the national news who are bankrolling the legal battles to end tenure, close public schools and hand the education of our nation's children over to for-profit organizations. They are bad-mouthing good politicians because they stood strong for public schools.

TEA is doing everything we can to fight this menace. During the last election, we spent \$200,000, draining a fair amount of our TEA Fund PAC. It is critical that we increase our PAC funds to support the legislators who are fighting to protect public education in Tennessee.

The good news – last primary we were successful in defeating anti-education legislators and defending those lawmakers who stood with us to defeat vouchers, help protect teacher licenses, and stand by us on other critical issues. The bad news –

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STOCKHOLDERS
I GOTTA FEED....



because of our success, out-of-state groups are back with even more campaign cash, and TEA is the only source of funds and votes for legislators who stand strong with public schools.

These organizations are not used to losing, but that's exactly what they've been doing four years in a row. Tennessee is the only state to successfully beat back private school voucher proposals for three years and, most recently, we dealt the voucher

bill a severe blow from which it is unlikely to recover until next year. That's why privatizers are putting their full efforts into unseating our friends in the legislature and replacing them with candidates who support privatization. We must be ready for a big election battle in 2016.

While attacking our friends in the Statehouse, both Republicans and Democrats alike, these same deep-pocketed organizations have also begun

meddling in local elections. Educators in Williamson County witnessed a huge influx of cash from Americans for Prosperity into its school board races during the last election.

TEA is ready for the battle, but we need your voice, your vote and your financial support for the TEA Fund PAC to continue winning the fight to protect our students and our profession.

BEP CHANGES
from page 1

Bredesen and the legislature passed BEP 2.0, a long overdue formula update.

Haslam's proposal, the BEP Enhancement Act, makes improvements in the way state salary dollars must be spent. While TEA continues to support a return to a true state minimum salary schedule, this step by Haslam is a move in the right direction. We will fight to ensure that when the General Assembly funds a teacher pay raise, that money gets in the pockets of local teachers.

The new BEP plan also freezes BEP 2.0 and phases out the Cost Differential Factor (CDF), funds that went to districts with higher costs of living. While the overall BEP spending is expanding, several urban and suburban districts may see a loss of state funds, while moving toward greater funding equity. Some lawmakers have referred to it as robbing Peter to pay Paul.

"It is a tough effort, especially at a time when systems are suing the state over funding adequacy," said TEA President Barbara Gray. "In testimony this legislative session, Tennessee's Comptroller of the Treasury, Justin Wilson, noted that the state underfunds its schools by a minimum of \$500 million a year."

Gray noted that the BEP Review Committee reports from 2013 and 2014 confirm this figure. Both Hamilton County and Shelby County are suing the state due to lack of adequate funding.

Now, as details of the new BEP are emerging, Williamson County is threatening a lawsuit. Williamson stands to lose nearly \$5 million with the "enhanced" BEP. A judge has already ruled that Hamilton County's funding lawsuit can move forward. Now, the case that the BEP is inadequate is even stronger.

"The administration has made historic additions to overall education funding. But how state dollars are allocated is going to be a big lift," said TEA Chief Lobbyist Jim Wrye.

While funding equity among school districts is an important goal, it should not be achieved at the expense of funding adequacy for high-cost districts. TEA will work to improve this legislation to ensure that all Tennessee districts have fair and adequate funding from our state. In a time when our state is looking at a surplus of nearly \$1 billion, we can afford to make proper funding of our schools a top priority.

Constitutional amendment would change school funding mandate

A House resolution seeks to change a fundamental part of the Tennessee State Constitution that has driven school funding for decades. Rep. Bill Dunn (R-Knoxville) has sponsored the resolution changing Article 11, Section 12, responding to recent lawsuits by Shelby, Hamilton, and other counties whether the state adequately funds education. TEA opposes the changes, concerned that it could negatively impact education investment in the future.

The current constitutional section states: "The state of Tennessee recognizes the inherent value of education and encourages its support. The General Assembly shall provide for the maintenance, support and eligibility standards of a system of free public schools."

The constitutional mandate to provide for public schools is important. It was the basis for a series of small schools lawsuits, where rural districts with less ability to raise local revenue sued claiming that students in their districts had less access to education because of substantially lower funding. For three decades these suits were successful, with the Tennessee Supreme Court finding the General Assembly was not meeting its constitutional duty because of growing inequities in funding from district to district. The rulings were the basis of the BEP funding law, the State Minimum Salary Schedule for teachers, and other important laws and policies.

The recent lawsuits are different. While small schools were about equity, Shelby, Hamilton and others are suing about whether the General Assembly adequately funds education overall. It is the hope that the courts would see that the state is not providing enough for public schools. Successful suits in other states have pushed legislatures to improve school funding.

Tennessee state government provides far less funding as a percentage of overall K-12 investment than most neighboring states. While Alabama, Kentucky and other state government provide the majority of school funding, Tennessee provides less than half. It is why Tennessee gets

poor grades for funding by national groups, but often receives high marks for how equitably it distributes those state funds.

Dunn's resolution clearly is in response to the adequacy lawsuits, though experts believe that it may negatively affect past precedent on equity as well.

The resolution would change the constitution to read: "The State of Tennessee recognizes the inherent value of education and encourages its support. The General Assembly as the elected representatives of the people shall provide for the maintenance, support and eligibility standards of a system of free public schools in such manner as the General Assembly may determine."

Constitutional changes take a long time and have many hurdles. A majority in both houses must pass the resolution this year. Then two-thirds of each body would need to pass the resolution next year, when the 110th General Assembly is seated after the elections.

"It is right and good there is a constitutional mandate to provide for education, it is what the people wanted and it has served the state well," said Jim Wrye, TEA lobbyist. "The General Assembly is the supreme branch of our state government, but it's not the only branch. Important landmark rulings and cases from the judiciary have helped the General Assembly create law that positively impacts students every single day."

The state of Tennessee recognizes the inherent value of education and encourages its support. The General Assembly shall provide for the maintenance, support and eligibility standards of a system of free public schools.

Tennessee State Constitution, Article XI, Section 12



Article 11, Section 12 of the Tennessee State Constitution (above) is the requirement to fund public schools in Tennessee.

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Where does Tennessee rank in funding and outcomes?

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Our state ranks 46th for investment per child, and is far below most of its neighboring states in education funding.

TEA President: Governor's flexibility proposal a step in the right direction

TNReady QUESTIONS from page 1

these initial scores?

Also, in the wake of the collapse, Governor Haslam and Commissioner McQueen announced they are proposing to not require that TNReady scores be included in this year's teacher TVAAS results.

"TEA has been pushing for this common-sense solution all along, and we are pleased to see we finally have agreement," said TEA President Barbara Gray. "What's still not clear is whether schools will be held harmless from test-based accountability provisions. TEA believes they should, and we will fight for this at the legislative level."

Under the governor's proposal, teachers would have the choice to include or not to include student results from 2015-16 TNReady data in their evaluation score.

"Practically speaking, if TNReady results from this year help a teacher earn a higher evaluation score, they would be used," according to a memo sent last

week by the DOE. "If they do not help a teacher earn a higher score, they would not be used."

Also under the governor's hold harmless proposal, if at any point in this three-year transition the student growth data from the 2015-16 TNReady test does not benefit a teacher, educators have the option each year to exclude the 2015-16 TNReady data from their evaluations.

Due to the failed rollout of TNReady and the resulting transition from an online assessment to a paper format, the department said it wants to provide additional flexibility for educators.

Another key area of concern 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.

"Tennessee parents, students, and teachers need to know that there is integrity in the testing process," said TEA Executive Director Carolyn Crowder.

"Starting the recruitment process on Craigslist just doesn't instill a lot of confidence."

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

DOE admitted that Measurement, Inc. recruits TNReady test graders on Craigslist.

Need information, services?

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