

# TEACH

The teaching and learning journal of the Tennessee Education Association



## TEA Legal cautions members on liability waivers

TEA field and legal staff have been inundated with questions from members surrounding rumors that districts may ask educators to sign liability waivers when returning to in-person instruction.

While at the time of publication there have been no confirmed instances of a school district asking educators to sign a waiver, TEA Legal has issued guidance to members on how to handle the situation should it arise.



**Liability waiver**  
cont. page 3

## Calls to suspend testing, teacher evaluation gain momentum

District leaders, educators and parents are grappling with what the 2020-2021 school year will look like for Tennessee students, and plans are being adjusted daily as virus numbers continue to rise. TEA's priority is always the health, safety and welfare of students and educators. In order for districts to remain focused on that priority, TEA believes state-mandated testing and teacher evaluation are unnecessary distractions



for what will already be a difficult and stressful school year.

TEA is calling for a moratorium on state-mandated testing and teacher evaluation for the 2020-2021 school year.

"In a normal year, TNReady is a deeply flawed measure of academic

**Testing and evaluations**  
cont. page 3

## Data should drive reopening decisions

Containment is essential. Two key measures to follow. Trends show spread increase.

Regardless of reopening plans and dates, it is still a question *if* in-person instruction will happen in the coming weeks or months.

The decision should be based on whether the virus is sufficiently contained. Current data and trends in Tennessee indicate the answer is *no*.

TEA monitors daily two key data points for COVID-19: *new case rates* and *active case rates*. These measures are part of the data health officials

**Key measures for school reopening**  
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## TEA survey shows serious concerns about ability to safely reopen schools

TEA conducted an extensive survey of more than 23,000 Tennessee educators, parents and community members on the reopening of schools and a variety of topics, including the emotional and physical health of students impacted by the coronavirus and the effect on learning and the educational

challenges caused by the pandemic moving forward. The crucial part of the survey was opinions on next steps as the school year approaches and educators are increasingly concerned about how to follow CDC guidelines and prevent the spread of the coronavirus.

"As front-line workers, educators have kept our students engaged during the spring months of quarantine and continue to do everything possible to care for our students. We know it will take a lot more than what was included in state and local education budgets to keep our students and educators safe in the fall," said



## TN avoided cuts, still not enough

In the midst of so much uncertainty, one thing remains clear: the children of Tennessee need their educators more than ever. It is imperative that Tennessee's

teaching workforce be kept intact, and layoffs must not occur despite budget shortfalls at every level of government.

It remains to be seen if schools can reopen safely in the coming weeks, and districts are actively making plans and responding to data that changes daily. Regardless of whether schools resume in-person instruction, students will still need their teachers to provide them with much-needed instruction and care.

"The fact is that we will require more, not fewer, educators this fall to meet the needs of our students who have suffered greatly during this pandemic," said TEA President Beth Brown. "More teachers



**Reopening survey**  
cont. page 7

**Funding concerns**  
cont. page 7



THE PROFESSIONAL ASSOCIATION OF TENNESSEE

# Finding trust amid our many pandemic emotions

By TEA President Beth Brown



When we teach our young children to process their feelings, we often say “use your words.” Right now, amid a raging pandemic, I have a lot of feelings...and a lot of words.

I feel lonely. To mitigate risk to myself and to others, I’ve spent the past few months in my home, by myself. My professional obligations are conducted virtually, which just doesn’t compare to being able to walk down the hall, sit down with a colleague, and talk through an issue. And my personal life? It’s non-existent. I miss my mom; I miss my friends; I miss life. Heck, I even miss rush-hour traffic.

I feel betrayed. A few short months ago, educators’ efforts were repeatedly and publicly praised by communities and policymakers. There were calls for increased educator pay and elimination of resource and opportunity gaps for students. Those calls have faded, and educators face the new school year with inadequate resources to meet the challenges ahead.

*In many parts of our state, educators and students will return to school buildings without the guarantee of personal protective equipment or adequate cleaning supplies...*

I feel anxious. In many parts of our state, educators and students will return to school buildings without the guarantee of personal protective equipment or adequate cleaning supplies, and in many parts of the state, the spread of the coronavirus is not contained. Will educators and students be infected? Will they unknowingly carry the

virus home to their families?

I feel conflicted. I am torn between returning to my building or continuing to work remotely. How do I balance my safety with my desire to do my job most effectively? Educators across the state are feeling the same, with some even contemplating the gut-wrenching question “Should I leave the profession altogether?”

I feel guilty. Most educators put their students’ needs before their own: it’s simply who we are as people and as professionals. But right now, my priority is my own health and wellbeing, which is entirely contrary to my nature and is creating an immense sense of shame—even though I know it is unwarranted.

I feel angry. It is reprehensible that there is even discussion of resuming in-person instruction in areas where the coronavirus is not contained. When I hear statements that school buildings must reopen regardless of risk, I am outraged that educators have been deemed expendable.

I am a Tennessee educator, and I am not alone in having these feelings. But there’s something else I feel.

I feel trust.

I trust that TEA will continue to advocate at the local, state, and national levels for the resources that our educators and students need during this unprecedented time. I trust that TEA will elevate educators’ voices to the media, to communities, and to local and state policymakers. I trust that TEA will fight for me.

I trust that as our state continues to grapple with how and when schools reopen, TEA will remain—as it has been for over 150 years—the strongest advocate for Tennessee’s students and educators.

# When faced with a crisis, all eyes turn toward educators

By TEA Interim Executive Director Terrance Gibson



National crisis dumped on public school educators is par for the course. Throughout history there have been episodes when the country could not effectively deal with an issue or crisis and public school employees were charged with addressing the challenge. When it was the issue of desegregation, we educators answered the call to make school an integrated, welcoming environment. When it was the issue of drug abuse, we saw schools charged with piloting programs like D.A.R.E. When communities saw the rise of gang violence, public school educators were asked to implement G.R.E.A.T. curriculum. During the financial crisis of the mid-2000s and the increased bankruptcy statistics, schools were charged with creating personal finance courses.

Now our country is grappling with an unprecedented pandemic that has also caused an economic downturn. Once again, all eyes are on our public schools to fix another crisis. Educators are being unfairly asked to shoulder the burden of helping our communities “get back to normal” by reopening schools in communities that do not yet have control of community spread of the coronavirus. The rush to reopen schools has been dumped on educators just as other issues were throughout history.

Educators have not wavered when faced with one challenge after another. Teachers have been on the front line throughout this process providing meals, making distance learning work without proper resources and

*Educators are being unfairly asked to shoulder the burden of helping our communities “get back to normal.”*

comforting students through the trauma of these uncertain times. But we must be given resources and equipment and allowed meaningful input to create the safest environment possible for all involved.

TEA has surveyed educators and community members and heard a loud and clear message: unfunded demands on educators with no support for educator health, safety, and whole-child mental health are the top concerns as reopening plans are discussed and announced without educators’ input. It is unfair to put educators on the front line in a crisis but not at the table to discuss what is best for all involved. It is unacceptable and sends an unintended message that policymakers do not appreciate educators.

Since March, TEA has challenged those in power to prioritize educator and student safety. We have stressed to legislators, policymakers and district officials that there are no simple solutions to these complex problems brought on by the pandemic. The issue of reopening schools should be approached with caution that involves the voice of educators and infectious disease experts.

We urge educators to fight for a seat at the table and ask community members to support us in that quest. We must all engage with fellow TEA members and recruit potential members to join us as we speak up and speak out on the multitude of issues impacting schools under this pandemic. Educator voice around the issues of safety, planning time, PPEs, structured school days and student expectations must be front and center in any district reopening and continued learning plans.

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MANAGING EDITOR: Amanda Chaney  
achaney@tea.org  
ASSISTANT EXECUTIVE DIRECTOR: Jim Wrye  
INTERIM EXECUTIVE DIRECTOR & PUBLISHER:  
Terrance Gibson

## Tennessee Education Association

801 Second Avenue North  
Nashville, TN 37201-1099  
Telephone: (615) 242-8392,  
Toll Free: (800) 342-8367, (800) 342-8262  
Fax: (615) 259-4581  
Website: www.teateachers.org

## BOARD OF DIRECTORS

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VICE PRESIDENT: Tanya Coats\* (865) 308-2787  
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UniServ Staff contact information can be found on page 6.

# State testing, evaluation unfair and inappropriate in pandemic

**Testing and evaluations**  
from page 1

achievement and teacher performance,” said TEA President Beth Brown. “Educators and students already face many new challenges and additional stress in the coming year. It would be unfair and inappropriate to put them through the state’s high-stakes summative testing system. Moreover, because of the wide disruption in instruction there will be no validity or reliability in TNReady data.”

Teachers already measure student progress through grading assignments and teacher-created tests that are as valid as any accountability system. Many Tennessee teachers also use state-approved benchmark assessments that provide important data to inform instruction and gauge student needs.

“Assessments, both benchmark and those created by teachers, are valuable tools because they are designed or chosen by education professionals closest to the classroom,” Brown said. “Unfortunately, that is not what we have with TNReady. Additionally, the millions allocated for state testing could be better spent implementing safety measures and increasing the

number of school nurses.”

In addition to concerns around testing, the teacher evaluation system is also unsustainable while dealing with the coronavirus pandemic.

With the possibility of some students learning in-person, some online and others in a hybrid format, there is no way to effectively implement the TEAM rubric or other teacher evaluation models. There is not a single teacher evaluation model approved by the State Board of Education that is valid and reliable in this educational environment. Tennessee teachers need support, encouragement and flexibility as they navigate teaching in a pandemic.

School districts statewide are joining the call to suspend testing and evaluation, but more support is needed. TEA encourages all members to advocate at the local level to ensure districts stand with students and teachers on these issues.



**ADVOCATE  
FAIRNESS**

# Educators are critical in fight for racial justice

In addition to facing concerns around the coronavirus pandemic, educators are also returning to school after a summer of widespread protests and calls to end our country’s history of systemic racism. Educators can and should be a leading voice in the fight for racial justice.

“As educators, we see first-hand the ways systemic racism impacts our students and our communities,” said TEA President Beth Brown. “Calling attention to and working to end the racism we see in our everyday lives is an important part of our commitment to ensuring all children have access

to a high-quality public education.”

Communities statewide gathered to protest systemic racism in policing, including many demonstrations organized by students. Educators should anticipate questions and increased interest in racial and social justice issues among students.

NEA has extensive resources available to support educators in this important work and assist with how to address racial justice issues in the classroom. Please visit [NEAedjustice.org/resources](http://NEAedjustice.org/resources) to learn more.



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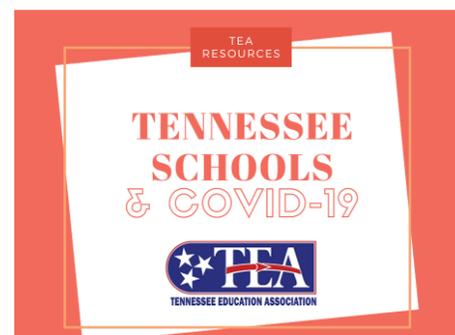
## TEA Legal FAQs should be first stop for information

**Liability waiver**  
from page 1

Ideally, members should not sign any sort of waiver of their legal or contractual rights that they do not fully understand and voluntarily agree to without first speaking to their UniServ coordinator or local association leadership for guidance,” said TEA Assistant Executive Director of Legal Advocacy Steve McCloud. “If necessary, local leadership or UniServ will involve TEA Legal so members can be advised of their rights with respect to signing the waiver before being required to do so.”

Again, at the time of publication there are no confirmed instances of educators being asked to sign a liability waiver. TEA Legal has been working relentlessly since the beginning of the pandemic to provide guidance and reassurance to members as new concerns arise.

TEA members should visit [TEAteachers.org/COVID-resources](http://TEAteachers.org/COVID-resources) for more information on this issue and many other concerns educators are facing during the pandemic. You will be required to login. Your membership number can be found on the mailing label of this publication.



# NOW MORE

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and our profession depend on a  
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- ✓ Prevent layoffs and reductions in positions.
- ✓ Protect related arts programs.

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Where TN is for national ranking

**Investment per student: 4**

Source: NEA Rankings of the States

**On-time graduation: 3**

Source: NCES

**Minority on-time graduation: 5**

Source: NCES

**Average ACT score: 11**

of 20 states requiring *all* students to take ACT

**Funding by ACT states: 17**

of states requiring ACT, TN is \$2,092 per student *below* average

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# THAN EVER

## Virtual action is needed now!

**FEDERAL:** Urge your congressperson to prioritize education funding. It is clear the federal government can and must do more to help public schools reopen safely

**STATE:** Tell the governor and state legislators to dip into the billions held in reserves for critical needs of students and to make schools safer. We need nurses, counselors, and supplies!

**LOCAL:** Work with your local school board and system to ensure data drives reopening decisions and safety protocols.

*For schools to reopen and in-person instruction resume, the data must show the virus is contained and we have the resources needed for safety.*



/TennesseeEA

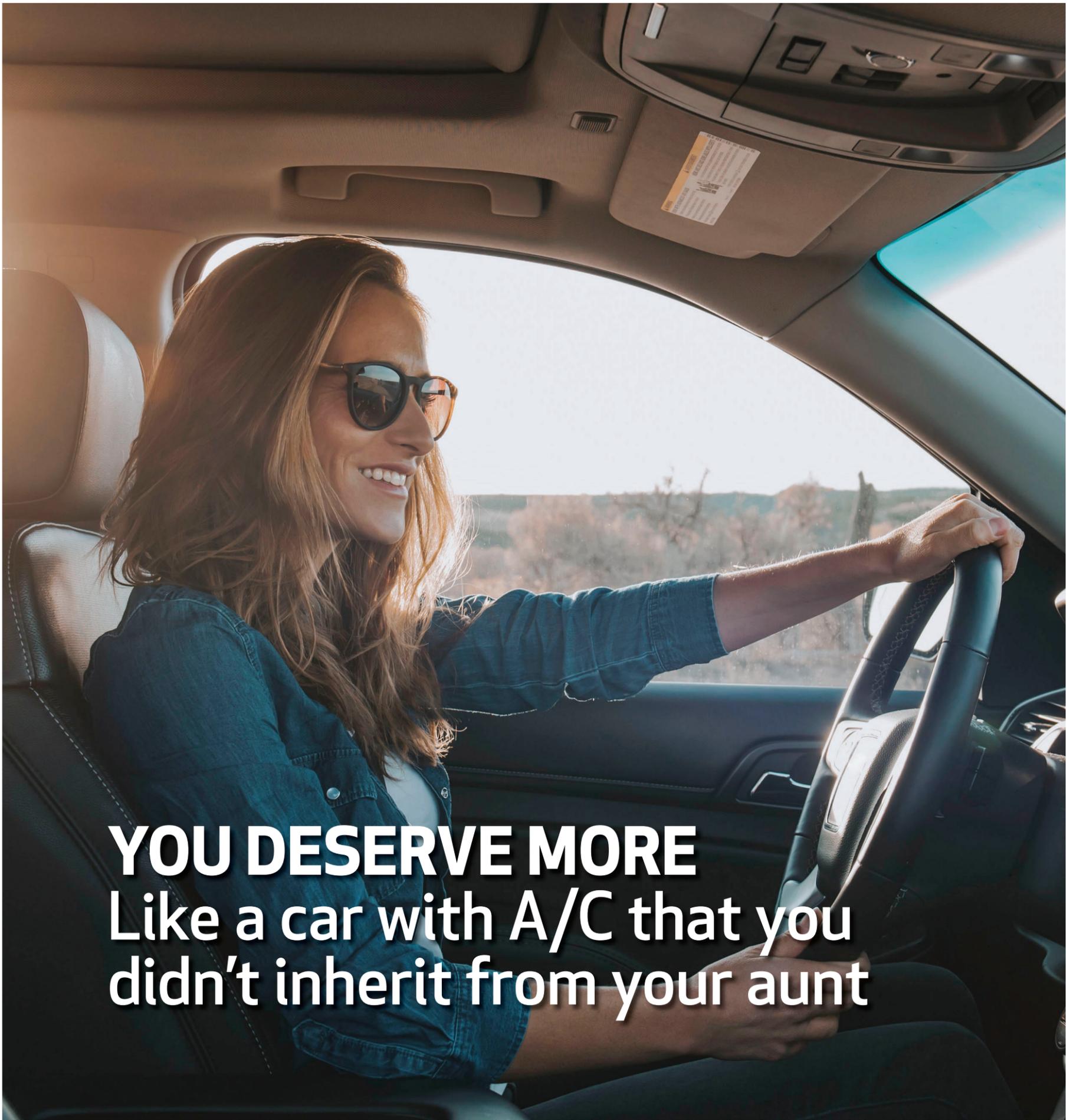


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Tennessee Education Association  
801 Second Avenue N., Nashville, TN 37201-1099  
(615) 242-8392, (800) 342-8367  
FAX (615) 259-4581

### UniServ Coordinators

**District 1 — Harry Farthing**, P.O. Box 298, Elizabethton, TN 37644; phone: (423)262-8035, fax: (866)379-0949; Assns: Bristol, Carter Co., East Tennessee State University, Elizabethton, Johnson City, Johnson Co., Kingsport, Northeast State Community College, Sullivan Co., Washington Co. **District 2 — Jennifer Gaby**, P.O. Box 70, Afton, TN 37616; (423)234-0700, fax: (855)299-0723; Assns: Cocke Co., Greene Co., Greeneville, Hamblen Co., Hancock Co., Hawkins Co., Jefferson Co., Newport, Rogersville, Unicoi Co. **District 3 — Tina Parlier**, P.O. Box 70288, Knoxville, TN 37938-0288, (865)688-1175, fax: (866)518-3104; Assns: Campbell Co., Claiborne Co., Grainger Co., Oneida, Scott Co., Sevier

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 — Terra Osborn**, tosborn@nea.org; 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., Lenior City, Loudon Co., McMinn Co., Meigs Co., Morgan Co., Overton Co., Rhea-Dayton Co., Roane Co., York Institute. **District 9 — Jackie**

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**Funding concerns**  
from page 1

and support staff will be needed to ensure students can safely return to school. Effective social distancing must be in place along with rigorous disinfecting protocols, which will require more resources.”

The need to recruit additional educators is pressing, as a large portion of the current teaching staff is eligible for retirement, and many educators may opt to retire out of health concerns if districts do not take adequate steps to ensure a safe return to school. A recent national survey by *USA Today* indicated as many as one in five teachers said they are unlikely to return to school in the fall, including more than one in four above the age of 55.

Other states have already seen devastating reductions in public education staff, while Tennessee has so far been kept largely intact. According to the US Bureau of Labor and Statistics, the national average of the reduction in public education workforce from May 2020 compared to May 2019 has

been 8.6%. Tennessee has the 14th-lowest reduction, and we must remain vigilant to ensure no further losses occur.

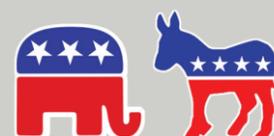
There are resources available to ensure there are no reductions in staff and that additional dollars can be allocated to ensuring a safe environment for educators and students. Prior to adjourning in June, the state legislature allocated \$200 million in unrestricted emergency relief to counties and cities. TEA demands the majority of that money be spent backfilling school budgets that have been devastated by the pandemic.

Additionally, the US Senate is expected to introduce the latest COVID-19 relief package as soon as this week, with hundreds of billions of dollars expected to be allocated to states for protection of essential workers, including educators.

“Now is the time for the state and all school districts to make the right decision to ensure our students’ needs are met,” said Brown. “Educators are desperate to get back to school for our kids, but we must make sure we follow the science to be successful.”

# Elect a champion of public schools!

**Students and educators are counting on you to support strong public school advocates in local elections and state primary races.**



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# TENNESSEE HAS OPEN PRIMARIES

**Early Voting: July 17-Aug. 1**  
**Election Day: Thursday, Aug. 6**



## More than 23,000 Tennesseans agree: schools need resources, training, counselors to reopen

**Reopening survey**  
from page 1

TEA President Beth Brown. According to the TEA survey, an overwhelming majority of respondents stressed the need for smaller class sizes, an increased focus on safety measures such as providing face masks, expanding cleaning supplies and services, and continuous temperature monitoring of students and staff. Deep concerns on virus transmission in the normal functioning of schools was clear in the survey responses.

While larger school districts have already announced the beginning of 2020-21 school year will be strictly online, the majority of LEAs in the state plan to reopen school buildings.

“Answers on proper sanitation and prevention procedures are not coming from the state. A lot of that is being left up to individual districts and we’re not seeing a lot of clarity around that at the district level. I think that districts are struggling with that themselves,” Brown said.

Another clear signal from the thousands of survey responses is the state should suspend standardized testing. Sixty percent of respondents favored scrapping the normal assessment cycle in the upcoming school year.

The TEA survey highlighted the need for various approaches to address

possible student learning regression, including more dedicated staff to evaluate students’ individual needs and allowing local school districts to determine what and how much benchmark testing to use to gauge student knowledge.

The survey also found more than 64% of respondents see the need for additional counseling and mental health supports for students in the upcoming school year.

Highlighting technological limitations and a growing disparity in funding between urban and rural districts, only 66% of respondents said their district offered some form of professional development for teaching in a virtual classroom.

“We’ve said for years that our schools and educators do more with so much less than most states, and the past several months proved that again,” said TEA Interim Executive Director Terrance J. Gibson. “It is important that we do everything possible to support educators in their work to continue teaching and learning.”

Gibson notes the survey showed the need to make educators’ professional development helpful to tackle new learning issues, easy to obtain, relevant to the technology and connectivity hurdles teachers face,

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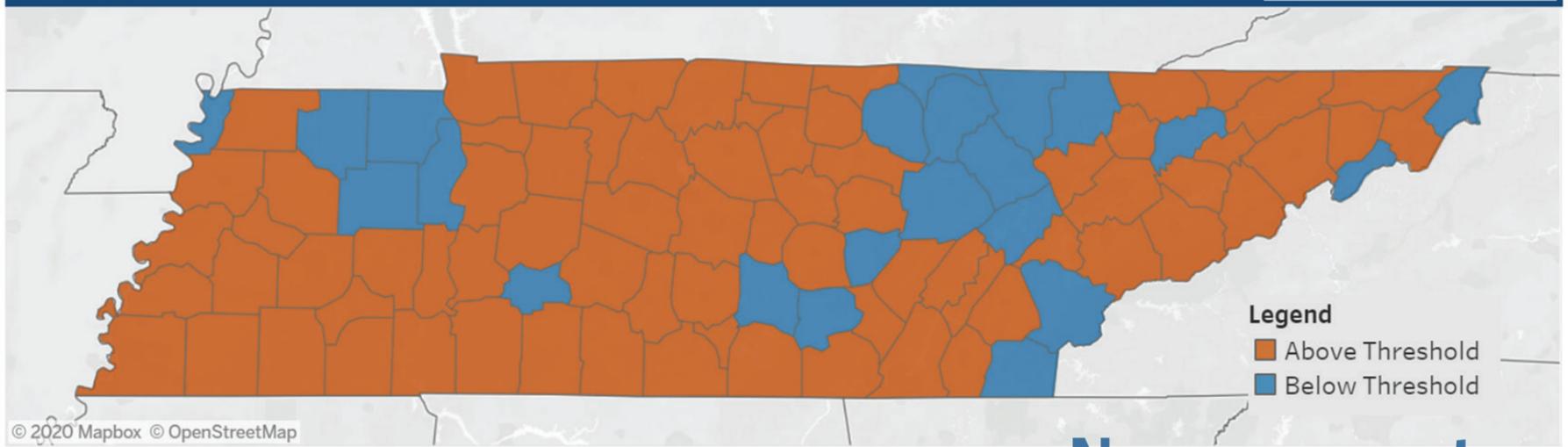
and, most importantly, inclusive of proven strategies to improve student participation and parental involvement if Tennessee schools must shift to distance learning should infections increase.

“Tennessee educators went above and beyond the call of duty this past spring, and the reality of returning to schools with a mandate to do even more without the needed resources and training is a clear and present concern of educators and parents,” said Gibson.

One bright area of the survey was how

schools responded to the most basic needs of Tennessee’s most vulnerable populations. Nearly every single response said their school district provided meals for students since buildings closed in March.

“Our latest survey underscores what we’ve been hearing from educators and parents across Tennessee: everyone is eager for our schools to open in the fall but ensuring we do it in the safest and most responsible manner possible is key. That requires proper funding,” Brown said.



Above: the Tennessee Department of Health map of counties above and below the new case rate threshold, July 20, 2020.

This map, updated daily, can be found at [tn.gov/health/cedep/ncov/data/epi-curves.html](https://tn.gov/health/cedep/ncov/data/epi-curves.html).

# New case rates

*New and active case rates are two important measures to know if the virus is sufficiently contained*

**Key measures for school reopening from page 1**

use to make recommendations to school systems.

Baseline measures like these have been used in reopening plans. They, along with other measures, provide data to make school decisions based on science, not politics, economics or other issues.

“Returning to school is important for the healthy development and wellbeing of children, but we must pursue reopening in a way that is safe for all students, teachers and staff,” wrote NEA and the American Academy of Pediatrics in a joint statement. “Science should drive decision-making on safely reopening schools.”

The virus must be sufficiently contained before in-person classes can resume. New and active case rates are important measures to understand if containment has occurred. Here is a quick explanation of each:

**NEW CASE RATES**

The Tennessee Department of Health and the Centers for Disease Control have set a virus containment threshold of less than 10 new COVID-19 cases per 100,000 people in a 14-day period.

This threshold can be applied to a geographic region or an individual county.

Different Tennessee regions and counties have gone above or below this threshold over the past months and weeks, with a trend of more counties going above during the current virus resurgence.

A daily map is generated by the state health department to show which counties have gone above the threshold. The July 20 map showed the majority of Tennessee’s counties are now above the new case rate.

This map changes daily as new data comes in. At publication, all urban and suburban counties were above the threshold while a handful of rural counties were below.

The map also is a quick indicator that new infections vary from county to county and region to region.

The new case rate threshold is an

important tool to view virus containment.

**ACTIVE CASE RATES**

The active case rate is the percentage of a county’s population with active coronavirus cases.

Some school system reopening plans use active case rates to determine in-person instruction, alternative scheduling, and school closures if they’ve been reopened.

Active case rate thresholds and the decisions tied to them can vary in school system plans, and the methodology in setting those thresholds also varies in the field of public health.

A common active case rate model for schools uses four thresholds:



- No spread with zero active cases,
- Low spread if less than .5% of an area’s population have an active case,
- Medium or intermediate spread if active cases are above .5% and below 1%, and
- High spread if more than 1% of an area’s population.

In a number of school systems’ reopening plans, active case thresholds prescribe actions such as delaying or suspending in-person instruction in a high spread environment or altering schedules during intermediate spread.

Using active case rates has a track record in Tennessee education. Prior to the coronavirus outbreak, several systems called off school because of a rise in flu cases. Suspending school due to illness is common in

Tennessee, but with a new, highly communicable and deadly virus, the decision to suspend in-person instruction has much greater stakes.

**KNOWLEDGE IS POWER**

TEA and its members do not need to be epidemiologists to understand and follow new and active case rates. These simple and important measures provide knowledge to make informed decisions about if or when schools reopen.

It is clear trends in these measures are going in the wrong direction.

When the data indicates the virus has not been contained and is spreading, schools should remain closed. Educators and parents understand new and active case rates are an important part of ensuring data is the basis of sound school decisions.

## Typical thresholds for active case rates

Active case rates are an important indication of virus containment and can be used to determine many decisions including whether to open or close schools.

The Tennessee Department of Health calculates the number of active cases by the number of total cases minus the number of recovered cases. TDH defines “recovered” as people who (1) have been confirmed to be asymptomatic by their local or regional health department and have completed their required isolation period or (2) are at least 21 days beyond the first test confirming their illness.

**No Spread      Zero positive COVID-19 active cases**

**Low Spread      Less than 0.5% of population with active COVID-19 cases.**

**Medium Spread      Between 0.5% - 1% of population with active COVID-19 cases.**

**High Spread      Greater than 1% of population with active COVID-19 cases.**

Active case rates in certain counties	Shelby	0.57%	Williamson	0.65%	Sumner	0.73%	Macon	0.84%	SOURCE: TDH active case data, July 20, 2020. Population, U.S. Census estimates, 2018.
	Davidson	0.85%	Rutherford	0.75%	Robertson	0.68%	Hardeman	0.90%	