

The teaching and learning journal of the Tennessee Education Association

TEACH



State proposal doesn't go far enough on TNReady, teacher evaluations

Gov. Bill Lee recently announced he intends to ask the General Assembly to pass a bill suspending accountability measures for teachers and schools tied to state testing.

TEA responded that his proposal does not go far enough and that TNReady and other state tests should be eliminated this school year.

"The governor's statement was a good first step on how to support educators who are already doing everything they can during a pandemic," said TEA President Beth Brown. "There are additional

Testing and accountability
cont. page 6



COVID active case rates higher for educators than in communities

As TEA looks at the numbers, one thing is clear: more state action is needed now

As educators struggle with the challenges to in-person teaching and learning posed by the pandemic, one of the key questions TEA and its members have asked has remained unanswered: does in-person instruction increase the risk of infection for educators?

While initial studies indicate reopening schools has not led to increased community transmission and a growing body of research points to lower COVID infections and transmissions for younger children, an initial TEA analysis of local school system COVID

data shows higher infection rates for educators than the communities they serve.

While there is still much to understand, the data points to additional action needed to stop the spread.

With a new wave of infections hitting every corner of the state, TEA is calling on the Lee administration to promote educator safety by declaring hard thresholds for suspending in-person instruction when the local infection rate of educators is higher than the surrounding community,



Educators at risk
cont. page 8



Voucher law ruled unconstitutional - AGAIN

The voucher law took another major blow when the Tennessee Court of Civil Appeals unanimously ruled the measure unconstitutional. The three-judge panel, two appointed by Republicans and one appointed by a Democrat, upheld a lower court ruling that the law violated the "home rule" provision of the state constitution when it targeted Nashville and Memphis only. The state is appealing to the state Supreme Court.

TEA has been heavily involved in supporting the lawsuit brought by Metro-Nashville and Shelby County.

Voucher ruling
cont. page 7

Nominations now open for NEA Representative Assembly delegates

Deadline to submit state nominations is Dec. 15, 2020. See page 3 for details.

Districts have legal responsibility in keeping educators, students safe

At a time when the state is experiencing its highest rates of COVID infection yet, educators and their families wonder what can be done to keep them safe, and what, if any, protections they are afforded under the law. TEA legal staff have worked diligently to answer these questions, and there are several FAQs and other resources available at TEAteachers.org/COVID.

In the absence of a statewide set of guidance concerning school reopening, individual districts have had to create their own detailed plans on when to reopen, how they will spend the COVID relief funds received from the state earlier in the year, the circumstances under which



they would close down again, and many other decisions. Many local associations across the state have been involved in those discussions and have provided critical feedback concerning the need to maximize student and employee safety while also providing for the best learning

District liability
cont. page 6

Tennessee educators and students need support, resources more than ever

Tennessee educators and students are experiencing an unprecedented crisis during the global pandemic. The challenges of teaching and learning during this time have exacerbated existing problems with under-resourced schools and over-extended educators.

"Educators are struggling under increased workloads, even longer hours, and constant concern for their health and safety," said TEA President Beth Brown. "I hear nearly every single day from educators who feel like they are drowning under the pressure of juggling virtual and in-person instruction along with normal day-to-day family life."

Educators aren't alone in feeling overwhelmed. Students who lost most

Educators and students in crisis
cont. page 8

How to ease professional challenges amid upheaval

By TEA President Beth Brown



Jessica Stern, a research professor at Boston University, said, "Some people's lives seem to flow in a narrative; mine had many stops and starts. That's what trauma does. It interrupts the plot...It just happens, and then life goes on. No one prepares you for it."

Nothing and no one could have prepared any of us for the ongoing personal and professional trauma of COVID-19.

We weren't prepared to abruptly end in-person instruction last spring and finish the year teaching remotely, with no sense of closure or opportunity to say goodbye to our students.

We weren't prepared to teach in person and remotely at the same time, as so many of us are this fall. We weren't prepared for a doubled workload as we courageously and creatively try to meet the needs of the students we see in person and those we see through a computer screen.

There is no substitute for in-person instruction. However, our commitment to our students should not cost us our health, or possibly our lives or the lives of our loved ones.

We weren't prepared to become armchair epidemiologists, studying active case rates and new case rates and trying to calculate the risk of infection to ourselves, our families, and our students.

We weren't prepared to forfeit our family and friends. We weren't prepared to give up hugs and holidays and celebrations and

community for an ever-lengthening period of time.

We weren't prepared to live with perpetual guilt. We weren't prepared for the persistent worry that we're not doing enough for ourselves, our families, or our students.

We weren't prepared for the narrative of "us versus them." We weren't prepared for a blatant disregard of our needs—our health—as we continue to serve our students to the best of our abilities.

I'll say it again: nothing and no one could have prepared us for the upheaval COVID-19 has created in our lives. However, there are steps that can be taken to ease our professional challenges.

As infection rates spike, it is imperative that the state collects and reports accurate case counts within school districts. Failure to do so forces school district leaders to make health decisions for which they are ill-equipped. As infection rates spike, districts need additional funding to provide high-quality PPEs, additional cleaning services, air filtration systems, and paid leave for educators who need to quarantine. As infection rates spike, it is time for the state to give direct guidance on suspending instruction immediately where infection rates for educators and the communities they serve change. It is not lost on Tennessee educators that most state employees are working remotely while the governor pushed for educators to get back into our classrooms. Educators deserve to be treated fairly and with the same concern.

There is no substitute for in-person instruction. However, our commitment to our students should not cost us our health, or possibly our lives or the lives of our loved ones.

It is time for Governor Lee to recognize that, when the data shows that there is undue or exceptional health risk to educators, he must call on districts to suspend in-person instruction until infection rates are under control.

Teach (USPS 742-450, ISSN 15382907) is published four times (July, October, Jan/Feb, March), by the Tennessee Education Association, 801 Second Avenue North, Nashville, TN 37201-1099. Periodicals Postage Paid at Nashville, TN, and additional mailing offices. **POSTMASTER:** Send address changes to **TENNESSEE EDUCATION ASSOCIATION Teach**, 801 Second Avenue North, Nashville, TN 37201-1099. The subscription price of \$3.06 is allocated from annual membership dues of \$258.00 for active members; \$129.00 for associate, education support and staff members; \$16.00 for retired members; and \$10.00 for student members. Member of State Education Association of Communicators (SEAC).

MANAGING EDITOR: Amanda Chaney
achaney@teane.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

PRESIDENT: Beth Brown* (800) 342-8367
VICE PRESIDENT: Tanya Coats* (865) 308-2787
SECRETARY-TREASURER: Terrance Gibson
(615) 242-8392
DISTRICT 1 Joe Crabtree (423) 794-9357
DISTRICT 2 Michele Bowman (865) 679-6523
DISTRICT 3 Peter Blair (865) 806-2072
DISTRICT 4 Patricia Fontenot-Riley (865) 406-1432
DISTRICT 5 Jeanette Omarkhai (423) 413-9114
DISTRICT 6 Lori Cleveland (423) 488-5826
DISTRICT 7 Brent Estes (931) 205-5297

DISTRICT 7 Emily Mitchell (615) 796-4093

DISTRICT 8 Arielle Dyer (919) 810-2226

DISTRICT 9 Paula Pendergrass (615) 604-6544

DISTRICT 10 Samantha Craig (615) 969-6935

DISTRICT 11 John Friend (256) 275-7662

DISTRICT 11 Fred Riley (615) 525-9303

DISTRICT 12 Doris Morton (731) 394-3233

DISTRICT 12 David Ross (931) 305-8397

DISTRICT 13 Paige Neil (731) 607-3820

DISTRICT 14 Renee Baum (901) 604-2035

DISTRICT 15 Neshilda Johnson (901) 857-6042

ADMINISTRATOR EAST Shauna Foster (865) 591-3536

ADMINISTRATOR MIDDLE Janolyn King (615) 203-5920

ADMINISTRATOR WEST Heather Heard-Davis
(901) 230-4881

HIGHER EDUCATION Clinton Smith (731) 223-0080

BLACK CLASSROOM TEACHER EAST LaDawn Hudgins
(423) 384-3585

BLACK CLASSROOM TEACHER MIDDLE Kenneth Martin (615) 243-4131

BLACK CLASSROOM TEACHER WEST LaTia Watson
(901) 500-1006

STATE SPECIAL SCHOOLS Ginger Henderson

(865) 548-4615

NEW TEACHER Jessica Barker (901) 282-9123

ESP Jacqueline Burton (931) 220-4384

TN NEA DIRECTOR Tiffany Reed (901) 416-2530

TN NEA DIRECTOR Randall Woodard (615) 594-5632

STEAM MEMBER Derrick Sanders, Jr. (513) 418-8973

TN RETIRED Ron Pendergrass (931) 206-5331

AT LARGE ASPIRING DIRECTOR ON NEA BOARD
CarVaughn Page (770) 743-2585

TEA HEADQUARTERS STAFF

INTERIM EXECUTIVE DIRECTOR: Terrance Gibson; ASST. EXECUTIVE DIRECTORS: Steve

McCloud, Jim Wrye; DIRECTOR OF FINANCE &

INFORMATION SYSTEMS: Sylvie Clairborne; UNISERV

FIELD MANAGERS: Jamie Merritt, Leigh Phillips;

MEMBERSHIP PROCESSING MANAGER & TECH

Advocacy efforts don't end on Election Day

By TEA Interim Executive Director Terrance Gibson



Being a public school educator is not an easy job in a normal year. In 2020, everything we already struggle with as educators has multiplied: even longer hours, increased stress and anxiety, intensified public scrutiny and more.

We are in a challenging season that is pulling educators in many different directions. As educators, we can be so entrenched in the day-to-day of educating students, preparing lesson plans, figuring out the latest virtual instruction platforms and sanitizing and re-sanitizing every surface in the classroom. We often don't have the time or energy to question a new policy or wonder who determines the conditions under which educators work.

From salary and rules, to curriculum and educator code of conduct, to SPED requirements and building improvements, there is an elected—or sometimes appointed—official behind these policy decisions impacting our classrooms and our profession.

While the country is focused on national politics and elections, it is the elected and appointed officials at the local and state levels who most heavily influence what public school educators and students experience. Decisions on when it is safe for in-person learning, and whether TNReady and teacher evaluations should be suspended during the pandemic, are all made at the state and local levels.

Decisions on when it is safe for in-person learning and whether TNReady and teacher evaluations should be suspended during the pandemic are all made at the state and local levels.

At the state level, the Tennessee General Assembly, the State Board of Education and Department of Education are the decision-makers. The General Assembly passes laws that guide one or more of the rule-making bodies in setting education policy. Legislators are our go-to source for correcting implementation problems. TEA focuses the majority of our state-level advocacy efforts here.

The State Board of Education makes rules—not laws—and directs the implementation of laws passed by the legislative body. While the board is appointed by the governor and is therefore unaccountable to voters, TEA still maintains regular contact with Board staff and has a TEA member assigned to each State Board member.

The Department of Education implements the policies set by the legislature and state board and makes the day-to-day decisions that impact all schools (like when to bail on TNReady when systems crash).

At the local level, local boards of education set budgets, determine pay scales, add locally mandated tests and more. This body works closest with individual schools and is the most in-tune with the unique needs of local communities. County commissions and city councils also play an important role in providing the funding requested by the local board of education.

Our work to continue improving public education does not stop on Election Day. Our work to influence, monitor and hold policymakers accountable to our students and our profession is ongoing. So, no matter who wins a political race, TEA and our members must continue to advocate at all levels for better schools and to create conditions that attract the best and brightest to our profession.

SPECIALIST: Vacant; STAFF ATTORNEYS: John Allen, Virginia A. McCoy; GOVERNMENT RELATIONS COORDINATOR: Drew Sutton; COMMUNICATIONS COORDINATORS: Amanda Chaney, Alexei Smirnov; INSTRUCTIONAL ADVOCACY & PROFESSIONAL DEVELOPMENT COORDINATORS: Alexandra Bonner, Tommie Leaders; ADVOCACY HOTLINE COORDINATORS: Mary Campbell, Cynthia Wood. UniServ Staff contact information can be found on page 6.

2021 NEA Representative Assembly

Nominations now open for state and local delegates

The NEA Representative Assembly convenes every July for delegates to debate issues that impact American public education, elect NEA leaders, and set policy for the 3.2 million-member association. This is where Tennessee educators can voice their opinions on where our national affiliate should focus its time and resources. State and local delegates to the NEA RA are elected by TEA members.

Serving as a delegate to the NEA RA is an important responsibility. In order to effectively represent the interests of all TEA members, it is important to elect a strong, diverse group of delegates, including ethnic minority members.

To run as a state delegate, a member must submit a nomination letter from the local affiliate (signed by the president and

secretary) or a petition of 50 signatures. Members who run as state delegates may also have their biographical information printed in the January edition of Teach, as long as their nomination paperwork and their biographical statement are submitted by **Tuesday, Dec. 15**. A biography of no more than 150 words and a head shot may be submitted online at [TEAteachers.org/NEADelegate](#).

Bios and head shots will not be accepted via email.

To run as a local delegate, members need to notify their local president of their intent to run. Local presidents are responsible for submitting a ballot list to the TEA Executive Office by February 1, 2021.

Submit bio and head shot: [TEAteachers.org/NEADelegate](#)

TEA Instructional Advocacy guidance on evaluations, classroom hygiene and room arrangement during pandemic

Learning to teach through a pandemic has created an unending list of questions and concerns for educators everywhere. The TEA Instructional Advocacy team has been working hard to provide guidance on some of the most asked questions.

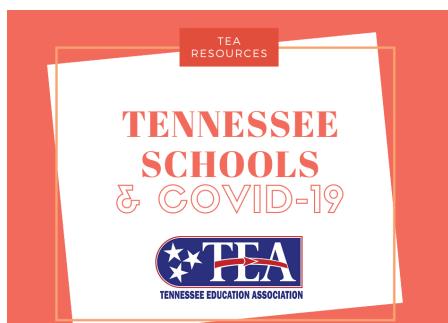
Comprehensive resources on teacher evaluations, best practices for classroom hygiene and room arrangement have been made available to all TEA members. The documents can be found on the TEA website's COVID landing page, [TEAteachers.org/COVID](#), under the "Instruction & Testing" section.

The evaluation brief provides an extensive list of recommendations for every step of a teacher's evaluation and suggestions for observations of virtual instruction.

With many school systems conducting in-person instruction while COVID case numbers continue to climb, the resource on classroom hygiene can serve as members go-to resource for how to protect themselves and their students and reduce the risk of transmission.

The third brief issued covers appropriate classroom arrangement to facilitate learning and keep students safe. This resource also provides practical advice for social distancing during in-person learning.

In addition to these new IPD resources, the TEA COVID-19 landing page is updated regularly with member resources, including a reporting form for those working in school buildings.



TEA Budget Committee seeking member input on 2021-2022 TEA budget

The TEA Budget Committee is seeking input from members on budget priorities for the 2021-2022 fiscal year.

The 2021 TEA Representative Assembly is scheduled for April, causing the budget process to begin earlier than in years past.

The Budget Committee will begin its work this month on drafting a proposed budget to be presented to the TEA Board of Directors at their January 23, 2021, meeting.

Due to the discussion during the 2020 TEA RA, TEA is providing members with an opportunity to provide input prior to the final budget being presented to delegates at the RA.

Members are asked to review the 2020-2021 budget adopted at this year's virtual RA at [TEAteachers.org/budget](#), prior to submitting feedback. All input may be sent via email to Budget@tnea.org.



NEW CONTENT

Online Professional Development At Your Fingertips



1. Engaging Content

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

2. Education Tracker

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

3. Works Around You

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

Access TEA Education Portal Now!

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

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



TEA Legal's "After School Special" series covers hot topics, answer educators' questions

In October, TEA Legal launched a new monthly online series to cover frequently asked questions and hot topics during the pandemic. It is called After School Special and takes place the third Thursday of every month and runs from 4-4:30 p.m. Central.

The series is designed to address educators' concerns on a variety of topics with short, informative presentations from TEA's team of education law experts. Each After School Special will also include time at the end for participants to ask questions. The October presentation covered concerns around virtual instruction.

The next After School Special is scheduled for Thursday, Nov. 19, at 4

p.m. Central/5 p.m. Eastern, and will discuss how educators can advocate for safer in-school working conditions.

While TEA is not advocating for in-person instruction, it is a reality that many educators are dealing with across the state. This presentation will equip participants with the information they need to understand their legal rights in these situations and how to advocate for safer conditions.

Check the TEA website and social media for more details on how to register for the Nov. 19 presentation.

The After School Special series will pause in December for the holidays and will resume in January.



Thursday, Nov. 19, 4p Central: Advocating for safer in-school working conditions

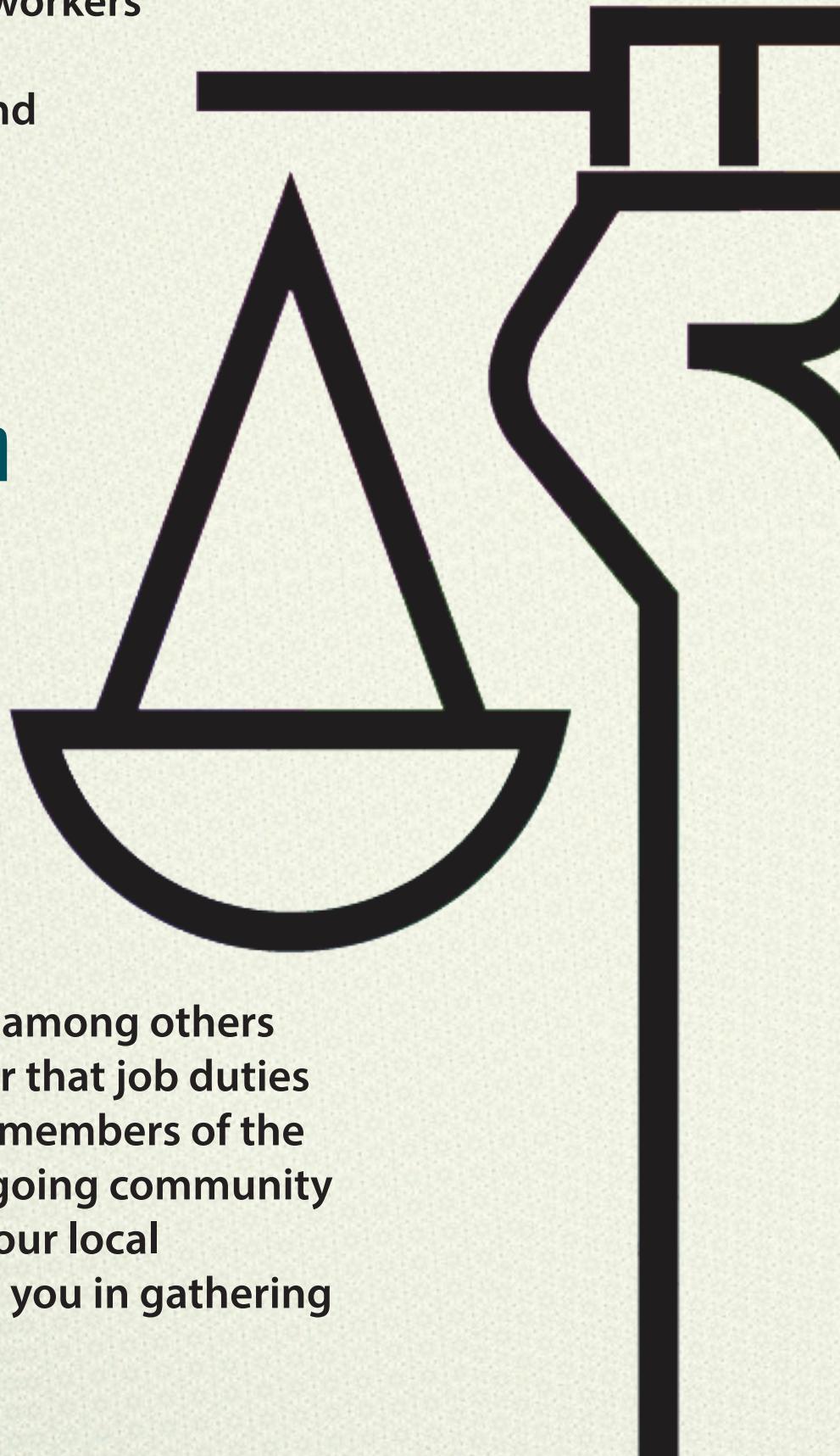
Educator Rights and Protection

Contracting COVID-19 at work

Your legal remedies would likely be limited to those available under the workers' compensation laws, which provide the "exclusive remedy" for workplace injury or illness in almost every state. What that means is that you usually cannot bring traditional tort claims (like negligence) against your employer to recover for workplace injuries or illnesses. Instead, your remedy is limited to the benefits available under workers' compensation, which typically includes medical expenses, partial lost wages, and death benefits.

Workers compensation and COVID-19

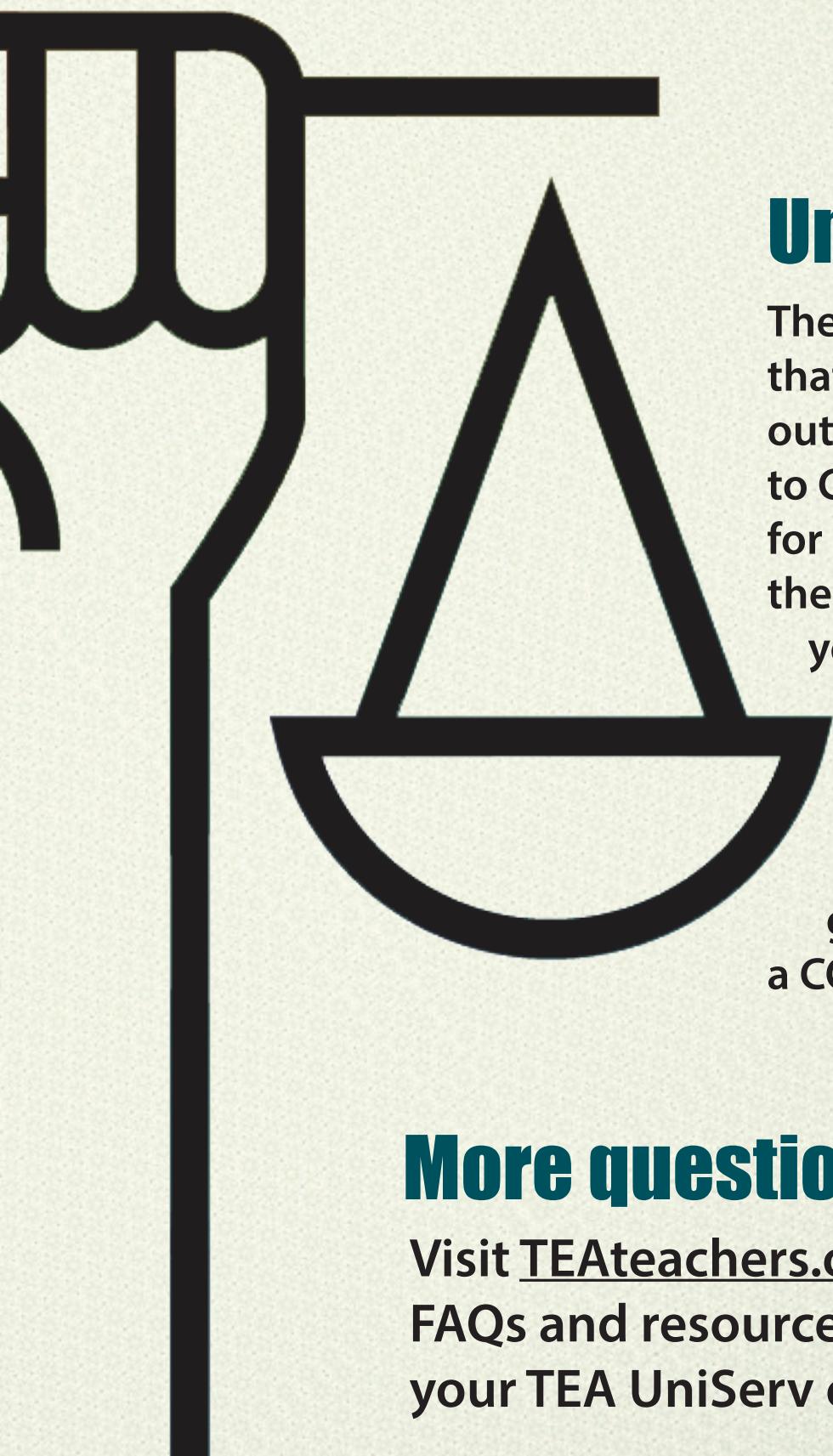
Because an employer might contest whether your illness was caused by exposure to coronavirus at work, you will want to document the timing of your COVID-19 diagnosis and the likely sources of workplace transmission. For example, it would be helpful to show that several infections developed among others with whom you work closely together or that job duties involve frequent, close exposure to the members of the public in a place with a high level of ongoing community transmission. You should also contact your local association, which may be able to assist you in gathering information.



Protections in a Pandemic

Paid sick leave

Through the end of 2020, the Families First Coronavirus Response Act provides emergency paid sick leave for a total of 80 hours for full-time employees; part-time employees receive this paid leave for the average number of hours they work over a two-week period. The amount of pay depends on whether you are using the leave for your own needs (paid at your full rate of pay, capped at \$511 per day) or to care for someone else (paid at 2/3 your regular rate, capped at \$200 per day).



Unemployment

The Department of Labor has made clear that voluntarily deciding to quit your job out of a general concern about exposure to COVID-19 does not make you eligible for unemployment benefits. However, the Department has acknowledged that you are likely eligible for benefits if you are out of work based on advice from a medical professional to self-quarantine because an autoimmune condition puts you at greater-than-average health risks from a COVID infection.

More questions?

Visit TEAteachers.org/COVID for extensive FAQs and resources for educators or contact your TEA UniServ coordinator.



COVID liability law puts school districts on notice to ensure educator, student safety

District liability from page 1

environment for students.

Earlier in the year, a handful of school districts opted to designate their employees as “critical infrastructure,” invoking guidance issued earlier in the year by the federal government that would require educators to continue to report to work even after confirmed exposure to a positive COVID case. This practice is not in keeping with recommendations by the Centers for Disease Control (CDC) nor the Tennessee Department of Health. In fact, the health department and commissioner of education sent a joint letter to districts in August cautioning against doing so, outlining minimum safety precautions for the department of health to recognize a designation, and making certain to mention they could not guarantee doing so wouldn’t expose the district to legal liability.

The potential liability stems in large part from a law passed during a special session of the legislature this summer that creates a cause of action against a school district should their procedures demonstrate “gross negligence.” How a district handles COVID exposure among students and staff could potentially meet that definition.

Many educators are rightly concerned about potential COVID exposure. A recent study by a division of the US Department of Health and Human Services estimates that 42-53% of all school employees meet the CDC definition of increased risk of infection or severe reaction based on underlying health conditions. Moreover, they estimate that 63% of school employees live with at least one adult who met the CDC criteria.

Unfortunately, enhanced risk for COVID exposure doesn’t mean a district is required to make accommodations like requiring an alternative work setting, unless that condition meets the definition of a disability under the Americans with Disabilities Act.

“TEA believes districts should make every effort to offer every reasonable accommodation for employees at increased risk of contracting COVID and becoming seriously ill,” said TEA President Beth Brown.

“Moreover, health experts should always be the main influence on decisions concerning whether or not it is safe to have in-person instruction. That decision should always be guided by the local data on community spread.”

For those systems that have already or will soon be reopening

school buildings, there are numerous changes in both protocol and physical improvements to facilities needed to ensure a safe reopening that will decrease the likelihood of future shutdowns. The two fundamental safety protocols identified by the CDC include the wearing of face coverings and observing social distancing. Every school district should require face coverings for all but the youngest students. Social distancing can be achieved through a variety of means, such as changing lunch arrangements or moving to an alternating block schedule to limit class sizes.

CDC guidance also states airborne transmission of COVID is possible, particularly in enclosed spaces with poor circulation. Physical improvements range from more

expensive upgrades like overhauling antiquated ventilation systems and purchasing high quality air purifiers and CO₂ monitors, to more simple changes such as having box fans blowing out open windows or teaching outdoors whenever practicable.

“The federal and state governments have sent districts and local governments hundreds of millions of dollars in COVID relief funding,” said Brown. “There can be no higher priority than ensuring the safety of our educators and students, and lasting improvements can be made to our schools to ensure that occurs over the long term.”

TEA will make additional school relief funding a top priority in the coming legislative session in January. Stay tuned for ways in which all members can assist in that effort.



Teacher evaluations, TNReady adds unnecessary burden during pandemic

Testing and accountability from page 1

important steps the administration can take quickly to further reduce the burden on teachers and administrators.”

In the next legislative session, TEA will be backing a bill to extend hold-harmless provisions to include suspension of all areas of the evaluation system, a system that takes up enormous time and is not aligned to teaching in a pandemic, such as observations and portfolios for non-tested grades.

“It’s not just standardized testing; our evaluation system is simply not set up to assess teaching during a pandemic,” Brown said. “Many educators are teaching both virtually and in the classroom. We constantly adjust to disruptions caused by infections or quarantines. We teach while doing whatever we can to

minimize transmission and take time to attend to the emotional needs of students dealing with the pandemic. None of these issues are even remotely included in models the state requires schools use to evaluate teachers.”

The administration could save teachers countless hours by letting school systems know that observations, portfolios and other evaluation requirements will be suspended, letting teachers devote that time instead to the hard work required for both in-person and online instruction. It would be a tremendous signal of support to Tennessee’s teachers.

As has been the case for months, TEA also disagrees with the administration on the need to administer state standardized testing during the pandemic and calls for the suspension of TNReady.

“Implementing state tests takes weeks and disrupts instruction,” Brown said. “Our students are already dealing with so many distractions and challenges that we simply cannot afford to take any additional time away from instructional time. Our goal must be to get students back on track, not collect testing data that everyone knows will be so flawed it will have no use.”

Tennessee officials from across the political spectrum have also called for a suspension of state tests.

Congressman Mark Green (R-Clarksville) sent a letter to Education Secretary Betsy DeVos asking the federal government grant Tennessee a waiver to suspend standardized testing.

“Teachers, students, and parents quickly adapted in the wake of this pandemic. To treat this school year like any other by requiring high-

stakes testing and teacher evaluations would force an unnecessary burden on educators and students alike. We should acknowledge these challenges, cancel high-stakes testing, and devote resources to ensuring students can learn safely and effectively in person,” wrote Green in the letter to DeVos.

“State testing will accomplish nothing but take precious instruction time away from our students who can ill afford it,” said Senate Minority Leader Raumesh Akbari (D-Memphis).

“State testing has a role to play in measuring student achievement, but what will we be measuring this year after months of disruptions, changes in teaching methods, and the emotional and economic impact of COVID on families? The flawed data collected is not worth the negative consequences on students.”

Contact TEA

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., Greenville, 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**, tsoborn@teaa.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 — Rhonda Jett**, 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 — Gloria Johnson**, (615) 478-1097; 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 Pope, 2326 Valley Grove Dr., Murfreesboro, TN 37128; phone: (615)898-1060, fax: (855) 301-8214; Assns: Bedford Co., Bledsoe Co., Coffee Co., Fayetteville City, Franklin Co., Grundy Co., Lincoln Co., Manchester, Marion Co., Moore Co., Motlow State Community College, Sequatchie Co., Tullahoma. **District 10 — Jeff Garrett**, P.O. Box 1326, Lebanon, TN 37088-1326; (615)630-2605, fax: (855)320-8755; Assns: Clay Co., Jackson Co., Macon Co., Pickett Co., Robertson Co., Smith Co., Sumner Co., Trousdale Co. **District 11 — Antoinette Lee**, P.O. Box 1412, Antioch, TN 37013; (615)308-5293, fax: (888)519-7331; Assns: FSSD, Marshall Co., Williamson, TN. **District 12 — Sue Ogg**, P.O. Box 210486, Nashville, TN 37211-0486; (615)856-0503, fax: (855)427-6660; Assns: Cheatham Co., Dickson Co., Giles Co., Hickman Co., Humphreys Co., Maury Co. **District 13 — Shannon Bain**, Metro Nashville, 531 Fairground Court, Nashville, TN 37211; (615) 242-8392, (615) 906-2565; Assns: Dept. of Higher Ed., Metropolitan Nashville, TN School For The Blind; **Shante Telfer**, (615)354-

3305; Assns: MTSU, Murfreesboro City, NSCC, Rutherford, TSU. **District 14 — Maria Uffelman**, P.O. Box 99, Cumberland City, TN 37050; phone: (931)827-3333, fax: (855)299-4925; Assns: Austin Peay State University, Clarksville-Montgomery Co., Henry Co., Houston Co., Paris, Stewart Co., UT-Martin. **District 15 — Tom Marchand**, PO Box 42218, Memphis, TN 38174; (901)569-8063, fax: (866)483-2514; Assns: Fayette Co., Hardeman Co., Hardin Co., Lawrence Co., Lewis Co., McNairy Co., Perry Co., Wayne Co. **District 16 — Lorrie Butler**, P.O. Box 387, Henderson, TN 38340; (731)989-4860, fax: (855)299-4591; Assns: Benton Co., Central, Chester Co., Clarksburg, Decatur Co., Henderson Co., Huntingdon, Jackson-Madison Co., Jackson State Community College, Lexington, McKenzie, Weakley Co., West Carroll, West Tennessee School for the Deaf. **District 17 — Terri Jones**, P.O. Box 2140, Cordova, TN 38088; (901)258-3902, fax: (844)270-8083; Assns: Bradford, Crockett Co., Dyer Co., Dyersburg, Dyersburg State Community College, Gibson Co., Haywood Co., Humboldt, Lake Co., Lauderdale

Co., Milan, Obion Co., Tipton Co., Trenton, Union City. **District 18 — Keyth Harrison**, Memphis, TN; (901)305-2467, fax: (855)320-8737; Assns: Bartlett, Collierville, Germantown-Arlington-Lakeland, Millington, Southwest State Community College, University of Memphis.

District 19 — Reginald Fentress, (901)229-6102, fax: (855)320-8737; United Education Association of Shelby County.

www.teateachers.org

www.nea.org

TEA member becomes fifth TN educator inducted in National Teacher Hall of Fame

Veteran TEA member and native Memphis educator Melissa Collins is one of five new inductees to the National Teachers Hall of Fame.

The recognition includes a \$1,000 DonorsChoose grant she plans to use in her classroom and she is slated to travel to Washington, D.C., and an education summit at Disney World next year.

Collins has been teaching at John P. Freeman for 21 years and said she's constantly inspired to be the best educator she can be by her father, Stanley Collins. Collins also credits her father for inspiring her to be active in the local, state and national

association work.

"I'll always be a union baby," Collins said. "I joined the union with no hesitation in my first year of teaching, and I'm grateful for the many leadership opportunities that I've had. Serving on the committees gave me a chance to learn how to collaborate with others, and advocate for teachers and students."

Collins said the National Board Certification, available through TEA and NEA, was a game changer for her.

"It allowed me to lead from the classroom and I'm grateful for it. It helped me to become an

innovative teacher, and it's a gift that keeps on giving," Collins said. "I would recommend to all teachers to pursue the National Board training. It will enhance your practice, you will understand what students need and will learn how to collaborate within the school community and outside."

Collins said she looks forward to the TEA Civication in the spring of 2021, whether it's virtual or in-person.

"TEA taught me how to advocate for the profession and gave me the opportunity to do it with Civication," she said. "Whenever the union needs me, I'm there."



Collaborative conferencing gives teachers a voice in safe working conditions

Educators working in districts that have collaborative conferencing agreements in place between their local association and the school board have been faring better through the pandemic than those without such agreements.

Seventeen local associations were going through the petition process in October to establish collaborative conferencing agreements under the Tennessee PECCA law, while more than 60% of locals already have a memorandum of understanding (MOU) in place.

"Locals with safety provisions in their MOU language are faring better than those without," said Harry Farthing, TEA UniServ Coordinator serving district

1 in East Tennessee. "Safety considerations have always been there, but they rarely had to be used until the pandemic hit."

Carter County Education Association is one of those currently pursuing a collaborative conferencing agreement with the local school board.

"Instead of using the COVID environment as an excuse and giving up, Carter County educators are moving forward stronger than ever," Farthing said.

Metro Nashville Education Association has been successful in reaching a strong agreement that guarantees PPE such as masks compliant with Centers for Disease

Control requirements.

The agreement also calls on MNPS to create and publish a clearinghouse page on its website indicating whom to contact for specific concerns related to health and safety, noncompliance with official district COVID-19 prevention protocols, and/or unsafe working conditions.

"MNEA has banded together to protect teachers," said Shannon Bain, TEA UniServ Coordinator in the district. "Making sure that PPE is guaranteed for every educator and their students and ensuring that special ed teachers would get more advanced equipment if their students are unable to comply with the PPE policy in place is a big deal."

Many of the local associations whose PECCA agreements came up for renewal used online petitions to ensure everyone's safety and moved the collaborative conferencing process forward despite the pandemic.

"Teachers want to engage in future negotiations about their safety conditions," Bain said. "As an educator in Tennessee, you have the right to conference working conditions and salary, and we are using this right to improve our working conditions and students' learning conditions."

Contact your UniServ Coordinator to see if your local association has an MOU in place or how to get the process started.

Introducing NEA Easy Pay

powered by Square Deal Market

Members asked and we listened! Introducing NEA Easy Pay, powered by Square Deal Market. Get your purchases now and pay later—no credit check required. Access thousands of brand-name products including electronics, furniture and much more with interest-free payment plans.



NEA EASY PAY PROGRAM FEATURES:

- ✓ Annual membership fee of \$59.95 waived for NEA members.
- ✓ No credit check—your spending limit of up to \$2,500 is based on your income.
- ✓ Member-only pricing on popular products from top brands such as Apple, LG, KitchenAid, Tempur-Pedic and Kate Spade.
- ✓ Low, worry-free automatic withdrawals from your checking account based on the timing of your paycheck.

Learn more and apply now at
neamb.com/EasyPay

Courts affirm Gov. Lee's voucher law is unconstitutional



Voucher ruling from page 1

During the legislative battle on vouchers in 2019, TEA was able to insert into the bill and the legislative record the constitutional bombs now going off in courts.

"The state constitution is clear that the General Assembly may only pass laws that apply statewide, and if the legislature wants to pass laws affecting only one or two counties, it must be as a referendum or at the request from local governments, neither of which occurred," said TEA General Counsel Steve McCloud. "The state Constitution and decades of case law are clear on this, and the voucher lawsuit has been focused solely on home rule."

COVID active case rates higher for educators than in surrounding communities

Educators at risk from page 1

calling for a statewide suspension of in-person instruction if infection rates continue to rise, and taking more effective steps to decrease transmission in schools.

State school COVID data is incomplete and misleading

The TDOE COVID-19 District Information dashboard is rife with missing data from school districts. The state relies on school systems to self-report COVID cases and the data submitted is inconsistent. The problems prompted TEA to look elsewhere for data to model assessments of risk and rates of transmission.

The state dashboard listed 677 new student cases and 348 new staff cases for the week of October 26-30, up from 442 and 266 the week prior. Total student cases for the two-week period was 1,119.

The Tennessee Department of Health recorded 2,868 new cases for school-age children (5-18) for the same two-week period statewide, and TEA estimates 65% of all Tennessee school age children were in schools regularly. Using TDH data, the number

of new student infections should be approximately 1,900, not 1,119.

Using local dashboards to determine trends in infections

The faultiness of state data collection of school COVID data is in stark contrast to a handful of systems that prioritize making their data public. TEA collected data from the dashboards of Hamilton, Johnson City, Knox, Rutherford, Williamson and Wilson systems, representing approximately one-quarter of all Tennessee students and staff.

As of October 26, active case rates for staff in these school districts averaged .63%, and the active case rate in their respective counties averaged .35%. Excluding Knox County, the percentage of staff in each of these school districts with an active COVID infection rate is double the general population.

"Higher educator active case rates may indicate in-person instruction makes one likelier to contract COVID than the standard risk in the community. The research is still not there, but the data we looked at is troubling," said Jim Wrye, TEA Assistant Executive Director for Communication and Government Relations. "We are educators, not medical professionals or epidemiologists. We know everyone in Tennessee is at-risk of contracting

COVID. But when you see markedly higher active case rates with staff working in schools as the common thread, it is clear that action is needed."

There are no indications these systems are outliers or that their policies or underlying conditions drive increased cases. These systems follow CDC guidelines, have contact tracing and work with local health departments, require masks, and have robust and enforced quarantine rules. Still, these systems have active case rates for staff far higher than the surrounding community.

In contrast is Davidson County, where instruction in elementary grades began on October 13 and other grades are still remote. Active COVID cases of Metro-Nashville staff are comparable with the county active case rate of .35%.

Active case rates are the only data consistently available to TEA. Other important indicators for students and educators such as positivity rates, new case rates, and transmission rates are unavailable. The significance of higher active case rates needs review by public health experts with access to other data areas.

However, higher active case rates are enough of a starting point to

demand action from the state.

Next steps to reduce infection risks to educators

To open or close school building is a local decision by state law, and local control is a bedrock principle of TEA.

When the governor strongly recommended schools close at the beginning of outbreak in March, every school system complied, showing that leadership from the administration does have impact.

The state can and should provide better guidance on when infection rates—whether it is among students and staff or in the community as a whole—indicate a need for suspension of in-person instruction.

"We know how important in-person instruction is to the students and families of Tennessee, and educators are doing our part," said Wrye. "The governor balanced the injury to the academic, physical and emotional well-being of students with the risk of COVID infection to educators, students and their families. After three months we see the infection risk. The governor must take action."

Active case rates are the percent of a population or group with a current COVID case. From an initial positive test, the state records the case as active for 14 days.



TEA: State action necessary for educator protection

Governor to call for suspension of in-person instruction when:

- when the local infection rate of educators is demonstrably higher than the surrounding community,**
- where the county is identified as a Red Zone per the White House Task Force on Coronavirus, and**
- until infection rates decline for a period of weeks and are sustainable.**

State actions to reduce COVID infections of educators and students

Substantial increase of state funding for school systems where the infection rate of staff is higher than the community to be used for

- high quality PPEs, including items issued to frontline medical workers;
- new HVAC and air filtering systems; and
- additional cleaning services.

State enforcement of all CDC guidelines for school operations, including universal mask use and robust quarantine rules.

A state fund to pay for extended sick leave for any educator infected with COVID or required to quarantine because of exposure.

State guidance to prioritize educators with underlying conditions to teach remotely or be assigned other duties that reduce student and co-worker contact.

A requirement for all school systems to timely and accurately report numbers of infected staff and students via a local COVID dashboard and to accurately and timely report these numbers to the state.



Gov. Lee, in quarantine for the latter half of October, can mandate masks and call for closing schools when infections rise.

Educators and students in crisis from page 1

of the spring semester due to the COVID outbreak began the school year with substantial learning loss, and many also have needs for nutrition assistance, aftercare and enrichment programming, and mental health supports. This is especially true in the state's poorest districts and schools, which often serve student populations with high levels of students who require additional staffing and resources such as special education and English Language Learners (ELL).

Making matters worse is the prospect of reduced funding moving forward if districts experience a

loss in student enrollment heading into next school year. Some districts have experienced large increases in homeschool enrollment, and it is not known if those students will return the following school year or not. Rutherford County, for example, saw an 85% increase in homeschool enrollment this year after previously being the fastest growing district in the state. Many other districts have seen similar increases at a time when more resources are required than ever to serve their existing student populations.

"During this uncertain time, schools need more, not fewer resources to meet our students' academic, social,

and emotional needs," said Brown. "We're calling on the legislature to ensure there are no cuts to school funding and critical increases are added to support educators and students. This pandemic has affected more than one school year, and it is going to take more than one year to catch up."

The need for additional resources for Tennessee schools was the subject of a study released in October by the Education Law Center. Among the findings was that the state's school funding formula, the BEP, created large disparities between poorer districts and schools and their wealthier counterparts in the state.

Among them was larger class sizes, particularly for ELL students, as well as much less access to support staff such as social workers, psychologists, and school counselors.

The pandemic has greatly exacerbated these inequities, and students in poorer schools are falling even further behind those who live in more affluent districts.

"The state must make a commitment to our students, our educators, and our economic future by ensuring students and teachers have the resources they need to teach and to reopen schools safely when health officials deem it possible," said Brown.