

# TENNESSEE EDUCATION ASSOCIATION PUBLIC SCHOOL ADVOCATE



HOTEL ROOMS ARE  
GOING FAST FOR  
CIVICATION!  
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LEGISLATIVE REPORT | March 6, 2017 | VOLUME 3, ISSUE 4

## Charter law overhaul shifts state power, attempted to establish property rights

*With charter applications occurring across the state, a concern over increased SBE control*

When Tennessee's Senator Lamar Alexander ushered in a new education law by way of the Every Student Succeeds Act (ESSA), he lauded it as the end of the federal government acting as the "national school board." Alexander and other ESSA proponents stressed the importance of state and local control over education policy and funding. Now, however, legislation in the Tennessee General Assembly could allow an outside national group to have control over how Tennessee governs charter schools.

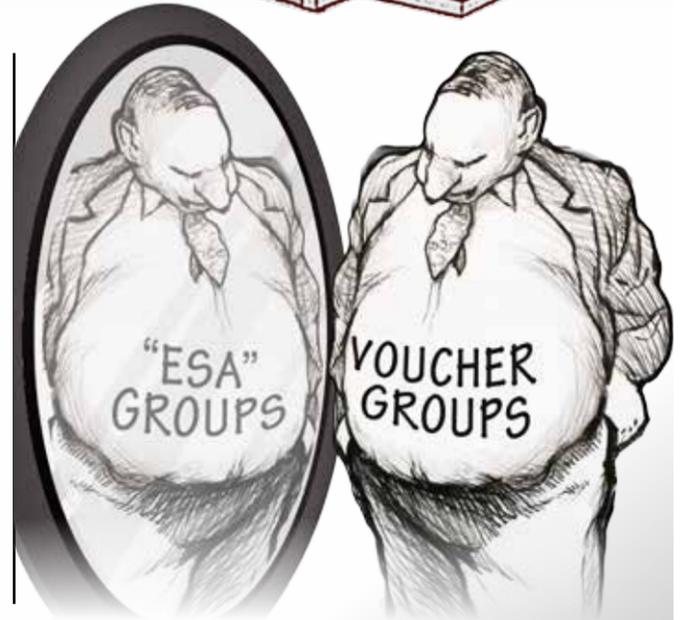
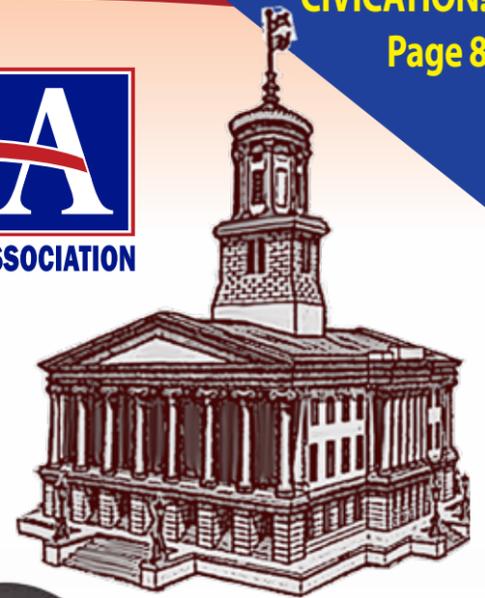
House Bill 310 rewrites Tennessee's charter school law. While some of the changes are simply needed updates or technical improvements, the bill also includes some real problems, including expanding some state board powers.

The bill requires the state board of education approve any charter school authorizing

standards used by school systems. This leaves open the possibility that outside national groups, such as the pro-charter National Association of Charter School Authorizers (NACSA), could dictate policy to local school boards, if the state board of education adopts their authorizing recommendations. This new language would mean the unelected state board could effectively block local efforts at other, potentially more rigorous standards, such as the Annenberg Standards adopted last year by the Metro Nashville School Board. These standards have been specifically criticized by NACSA.

TEA believes there is no reason Tennessee should allow an unelected state board of education to potentially prevent local school boards from using their own charter authorizing standards. TEA also opposes

**Charters**  
cont. page 5



## Privatizers put new face on vouchers, threat to all public schools remain

**See Education Savings Account**  
cont. page 4

## Next up on the payroll fight - a tax

Sen. Dolores Gresham (R-Somerville) has found a new approach to attacking TEA and local associations. Her proposed legislation would allow a 10 percent withholding tax on associations.

"While we know that deduction of association dues constitutes no expense to the school districts, it's obvious that this bill is a teacher tax and a direct attack on our association," said TEA President Barbara Gray. "Last year, we defeated similar attacks by out-of-state special interests three times, and now they are back with new tricks."

According to the bill's language, "if a local board of education provides payroll deduction of dues of a professional employees' organization for its professional employees, then the LEA may withhold up to ten percent (10%) of the dues deducted for administrative expenses."

This administrative fee functions like a tax on local and state associations. In last year's payroll fight, the legislative Fiscal Review Committee said that payroll deduction for dues costs boards nothing, because payroll departments already provide for many other deductions for things like supplemental insurance or financial services. The Gresham bill singles out professional associations only for administrative fees.

TEA anticipated that efforts to silence educators would resume in this session in retaliation for our success in

**Teacher tax**  
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## State announces testing changes

Some changes in testing are looming on the horizon, one brought to you by the State Department of Education, and another—a less certain one—proposed in the General Assembly.

The department announced last week it will cut the time spent on science and social studies tests in the third and fourth grades by 50 percent, while focusing more on reading assessments.

As the department works to finalize its Every Student Succeeds Act draft plan, which is expected to be submitted to the federal government in April, it has been reviewing more than 2,000 pieces of feedback on the plan, including a thorough review of their plan by TEA.

The need to reduce the testing requirements for the two subjects in the lower grades and boost some parts of the reading test were part of that input, said Candice McQueen, Tennessee Education Commissioner.

**Testing**  
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**THE STRONGEST VOICE FOR SCHOOLS AND EDUCATORS**

# Remind your legislators that they work for you and your students

By TEA President Barbara Gray



In recent months you have likely seen numerous marches promoted on social media and in the news. People have marched nationwide both for and against a number of important issues.

When it comes to public education, what role can public marches play in achieving our goals? What makes a march successful?

I will never forget marching in the rain in 2011, with many of you right there beside me, to protest the legislature pushing a bill to silence teachers by ending collective

bargaining. Now, we all know the outcome of that march was not what we wanted, but does that make it unsuccessful?

As a result of that vote to end collective bargaining for Tennessee teachers and those powerful images of a flood of teachers marching

*Thanks to that rainy Saturday march in 2011, public school educators are now a visible and powerful force in the legislature.*

toward the Capitol in the rain, legislators unintentionally woke a sleeping giant.

The vote pushed teachers out of the easy and comfortable place we had been enjoying. We realized as long as politicians were

involved in public education, we had better be involved in politics.

You can't always measure your victories in straight wins and losses. Sometimes you have to see the bigger picture, see the residual impact and see the potential to turn the tide in your favor. Losing the battle doesn't mean you lost the war.

Hundreds of educators now flood the halls of the Tennessee General Assembly week after week, every year. Legislators' voicemails and email inboxes are filled with messages from educators back home telling them how their votes are impacting your classroom and your students.

Thanks to that rainy Saturday march in 2011, public school educators are now a visible and powerful force in the legislature. While we don't have any rainy Saturday marches planned this year, we still need you to be here walking the halls of the legislature reminding your legislators that they work for you.

If you haven't already made your plans to attend Civication during your spring break, what are you waiting for? Come spend the Tuesday or your spring break with me and your colleagues from across the state in advocating for the students and profession we all love.



# In advocating for public education, we must focus on our goals

By TEA Executive Director Carolyn Crowder



Life in the moment can often distract us from our goals and our plans for where we want to be or what we seek to accomplish. My biggest successes in life have been as a result of intentional planning, focus and commitment to a set of core goals, not of acting on impulses or distractions.

The legislative session each year provides a wealth of opportunities to get distracted, lose focus and get drawn away from what matters most – creating great public schools for every student. There are literally hundreds of education bills filed each year. To be successful, though, we cannot fight every battle. We have to be strategic, set goals for the session and plan how to accomplish those goals.

Our members set our legislative priorities through the TEA Legislative Editing Committee and the TEA Representative Assembly. With this member direction, our government relations team can review those hundreds of bills – sounds fun, right? – through the lens of “does this fall under the priorities identified by our members?”

TEA employs the same method when planning the association's budget. The association's mission, vision and strategic goals, set by the TEA RA and board of directors, is the foundation of the TEA budget. We are strategic and intentional in planning how to use association funds, not just in the current year, but in the years to come.

The ability to keep your eyes on the long-term goals and not get caught up in the events of the day, I believe is the key to success. This rule applies not just to association planning, but also in political advocacy.

I want to encourage you as you advocate for your students, your school and your profession during the legislative session to always keep the goal of great public schools in mind. Have an open mind when you meet with or contact your

*As you advocate for your students, your school and your profession during the legislative session, always stay focused on your goal - great public schools.*

legislators. You will likely not agree on every issue, but to keep moving forward we must find common ground with legislators on both sides of the aisle in order to accomplish our goal of creating great public schools for every child.

With some legislators we have to start small. Find one area of common ground and build from there. As you build a rapport with your elected officials, they will come to recognize you as an expert in how legislation will impact the students and teachers back home.

At a time when education is under attack by so many private interest groups who want to undermine the strength of our public schools, we cannot afford to cast aside lawmakers who are not with us on 100 percent of our issues. If a legislator is with us on even one issue that affects our students or our profession, then it is worth building that relationship.

Every vote counts!

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## Charter schools are not just for urban districts anymore

By Joe Crabtree, Johnson City EA president and TEA board member



One of my favorite poems is “First They Came...” written by Martin Niemoller. The poem talks of standing by and quietly watching as

others are taken away. Ultimately, at the end of the poem, “they” come for the author and there is no one left to speak out for him. This poem has taught me that we in public education cannot sit idly by as others come for us.

In recent years, there has been a movement aimed at increasing charter schools in Tennessee. Initially, we were told that this would only affect the urban areas of our state and charters would only open where there were “failing” schools. While TEA stood up and spoke out about the less-than-stellar data on charter schools, many of our legislators and outside stakeholders sat by and allowed these charter schools to come into our state with the understanding they would not come into our less urban areas.

Fast forward to August 2016 when an article was published in the Johnson City Press titled “STEM-focused Charter School Could Be in Johnson City by 2017.” The proposed charter school came out of nowhere and without warning.

Johnson City is located in northeast Tennessee with a population of approximately 61,000. The Johnson City School System has a population of approximately 8,000 students and 12 schools. For years, the Johnson City School System has ranked as one of the top systems in the state and has zero “failing” schools. It is important to understand that our school system does not meet the criteria, set forth by state lawmakers, for opening a charter school. Yet, here we stand with a charter school proposal in front of us.

In November, our school board gave the dean of this STEM school an opportunity to present her proposal. They were told that this STEM school will open in 2017-2018 as a private school before applying to

open as a charter school in 2018-2019. The population targeted for this school is lower socio-economic female freshmen. The dean claimed that this is an under-served population in Johnson City.

Our board members questioned the necessity of this STEM school when we have been given the chance to make changes that would meet the needs of this specific population. Over the past two years, Johnson City has begun refining our focus on bringing more STEM-based educational opportunities to our students. Based on this refinement, our board members made it clear this STEM school is not needed in Johnson City.

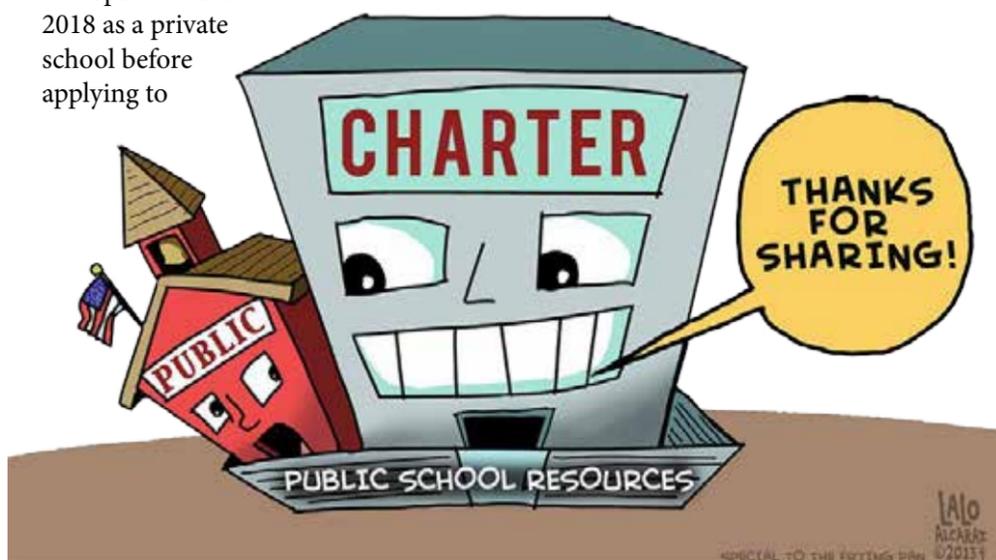
As we have seen in numerous reports, charter schools are not the ultimate solution for improving public education. There is no definitive evidence that charter schools out-perform their corresponding public schools. In fact, there is evidence to show that the public schools fare better than most charter schools. Further, charter schools take away critical funding and other resources from the public school systems. With our schools continuing to struggle for adequate funding, we cannot afford to have charter schools coming into our school systems.

Currently, charter schools have to gain approval from the local school boards before opening. If denied, the charter school can appeal the decision to the State Board of Education. Our legislators are constantly preaching more local control, yet they allow the State Board of Education to override those decisions made at the local level.

Who would have ever believed that a small, super-successful suburban school system would be facing a charter school trying to come into our area? If you think it can't happen to your more rural areas...think again!

Educate yourselves on the laws moving through our Tennessee General Assembly (such as House Bill 310) that look to expand charter schools in Tennessee. Speak with your school board members, teachers, parents, community leaders, and legislators. Let them know these charter schools are not the answer.

Take a stand before they come for your schools, too!



Cartoon appears courtesy of Lalo Alcaraz and Capital & Main

# ASK TEA

## ANSWERS FROM THE EXPERTS AT THE TEA HOTLINE

**Q:** In the context of collaborative conferencing under PECCA, our board team insists it cannot conference regarding any issue covered by law. As representatives of the professional employees, we believe the teams can agree to grant greater rights or different terms, provided there is no conflict with existing law. Who is correct?

**A:** The employees' representatives' position best captures the teams' authority to conference. The Professional Educators' Collaborative Conferencing Act (PECCA) provides that the “scope of a memorandum shall extend to those matters of mutual agreement between the board of education and the professional employees;” however, the scope cannot include proposals contrary to existing state or federal law. In other words, as long as the teams' agreement on a particular employment issue does not contain provisions contrary to existing law, PECCA does not prohibit conferencing on that issue or an MOU provision concerning that issue. For example, Tennessee law already provides for a minimum amount of planning time for teachers each week. It would not be inappropriate for the PECCA teams to conference for additional planning time in their school district as such an agreement would not be contrary to existing law.

Because teams approach conferencing from different perspectives, at times disagreements arise regarding what subject matter is permissible for conferencing. The Hotline provides guidance for those engaged in conferencing to help avoid pitfalls and overcome obstacles. PECCA teams can contact their UniServ coordinators for PECCA tools and guidance.

**Q:** Due to a recent car accident, I am on an extended leave likely to continue through April. As I am a first-year teacher, it is doubtful my required observations can be completed, but my evaluator thinks I might qualify for a partial year exemption. What is a partial year exemption, and would I qualify?

**A:** A partial year exemption (PYE) is a Tennessee Department of Education created mechanism used to address situations in which the mandatory evaluation protocol cannot be completed. According to Department of Education guidance on point, which is found on the department's TEAM website, it seems your situation would qualify. However, the department's guidance fails to cite any specific authority that would enable us to definitively conclude you are entitled to such relief.

Before taking a PYE in lieu of an evaluation score, members are urged to consider the potential unintended consequences. A single year without data could result in future repercussions with regard to evaluations, performance pay, and tenure decisions due to the cumulative nature of evaluation scores. If you have questions about partial year exemptions, contact your association representative (AR) or UniServ coordinator.



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

# New studies show vouchers don't improve student outcomes

Would you invest your money in a project you knew was destined to fail? Of course not! So, why do some Tennessee lawmakers keep pushing failed voucher schemes? Yes, the usual suspects are back again, pushing vouchers on Tennessee's taxpayers. It's a bad deal for taxpayers, and now, there's even more evidence suggesting that vouchers not only don't get good results, they actually hurt student progress.

The most recent analysis of large-scale voucher schemes comes from the Thomas B. Fordham Institute. Yes, that's right. Fordham. The folks who spend all day every day trying to find ways to foist "school choice" on our public schools.

Here's the deal: The Fordham study found that vouchers don't get results. In fact, the key takeaway from the study – based on a program in Ohio – was, "Students who use vouchers to attend private schools have fared worse academically compared to their closely matched peers attending public schools."

Yes, worse. We are always told by voucher advocates at the General Assembly that providing vouchers is a way out of "failing schools." It's an opportunity to succeed, they say. The results in Ohio say just the opposite. Vouchers there actually led to students losing ground academically.

Here's how the researchers, who used longitudinal analysis to study ten years of data, put it:

"The students who use vouchers to attend private schools have fared worse academically compared to their closely matched peers attending public schools. The study finds negative effects that are greater in math than in English language arts. Such impacts also appear to persist over time, suggesting that the results are not driven simply

by the setbacks that typically accompany any change of school."

The Ohio study was a long-term analysis of a large-scale voucher program. It found clear evidence that vouchers hurt the academic progress of students. That's not what we want or need in Tennessee.

Interestingly, studies in Louisiana and Indiana also showed negative impacts of vouchers. In Louisiana, researchers found:

"...large negative results in both reading and math. Public elementary school students who started at the 50th percentile in math and then used a voucher to transfer to a private school dropped to the 26th percentile in a single year. Results were somewhat better in the second year, but were still well below the starting point."

That's a pretty significant drop in performance. Then, there's Indiana:

"In mathematics," they found, "voucher students who transfer to private schools experienced significant losses in achievement." They also saw no improvement in reading.

In all three states, the impact was most negative on math achievement. A single study showing negative student achievement as a result of vouchers might be explained away as an anomaly. But, we have three studies across three states that all show the same result: Vouchers just don't work. In fact, they harm kids.

Further evidence is emerging that not only do vouchers fail kids, they also increase costs for taxpayers. A new study out of Stanford University analyzed twenty five years of data and found no significant improvement in student outcomes.



Additionally, the researcher conducting the study found costs associated with vouchers could raise public education total costs by 25 percent or more.

We know that the excellent teaching and high standards provided by our public schools are what kids need to succeed. We also know our schools require adequate resources to get the job done. What we don't need is a voucher scheme that spends public money on private schools. Research tells us what we can expect from that: A waste of taxpayer dollars and a loss of progress for students.

"Our communities deserve better than a plan that funnels their tax dollars to private schools and leaves their children behind," said TEA President Barbara Gray. "We know vouchers don't work, and now there's clear evidence to prove it. TEA will oppose vouchers at every turn and stand up and defend our public schools."

## New face, same threat: "Savings Accounts" undermine public schools

Privatization forces are working from every angle to undermine public education in Tennessee. These groups have added a new attack this year to run alongside the private school voucher proposals that have been shot down for years – education savings accounts.

A proposal by Rep. Roger Kane

would allow any parent in the state to receive a debit card from the state to spend on up to \$7,000 of public money on tuition or education services of their choosing. While the proposal caps the program for the pilot year at just under 10,000 students, the program has the potential to strip more than \$71

million a year from public school budgets.

"The true colors of privatization advocates are beginning to show," said TEA Executive Director Carolyn Crowder. "After years of claiming to just be worried about the 'poor, disadvantaged' students, this new proposal shows what they are really after – dismantling all public education in our state by stealing millions and millions of dollars from our already under-funded public schools."

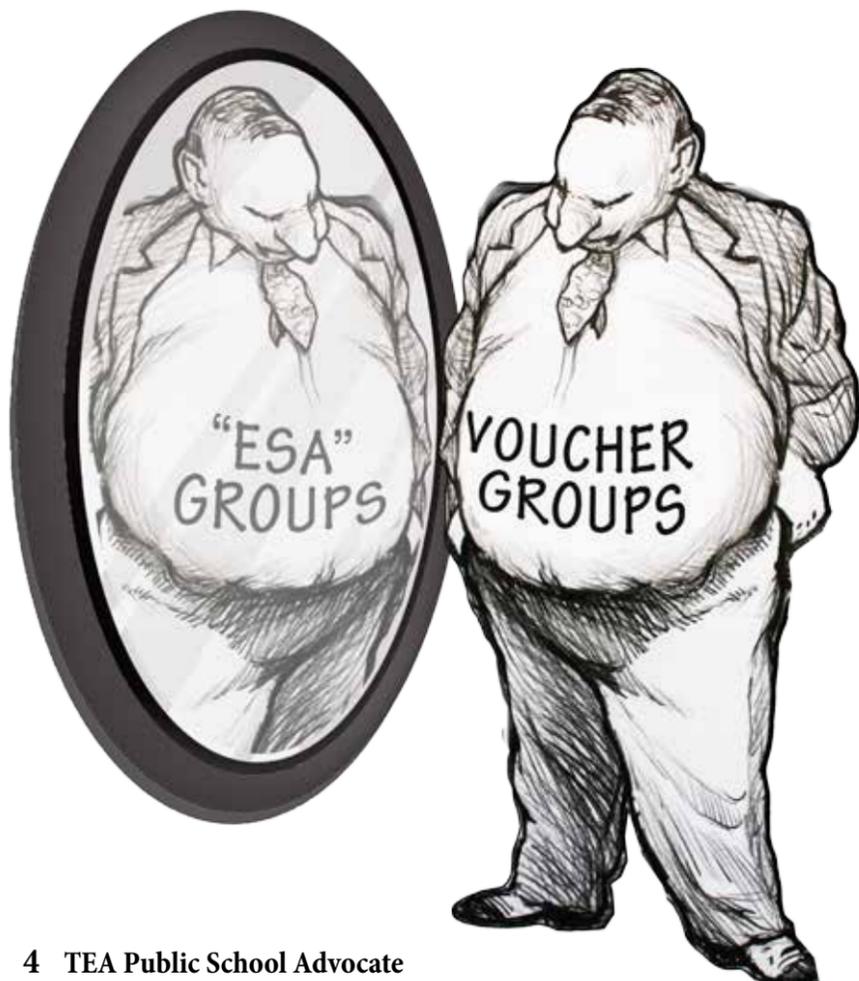
Kane's proposal for "empowerment scholarship accounts" is open to all

families, regardless of income or performance of their zoned schools.

The bill is currently scheduled for further discussion in the House Education Administration and Planning subcommittee next week.

"If passed, this legislation would cripple our public schools statewide," Crowder said. "Any legislator who values their local public schools must vote against this dangerous proposal."

Educators and supporters of public education are encouraged to contact their legislators immediately to voice strong opposition to HB460/SB395.



# Charter bill puts public money into private hands

## Charters from page 1

expanding the state board of education overriding local board decisions to deny charter applications, something else NACSA has advocated for in Tennessee.

House Bill 310 also creates a dedicated state fund for charter school facilities. While schools across the state have clear needs for infrastructure and capital improvements, Governor Haslam and some legislators are trying to direct \$6 million tax dollars to charter schools for purchases or leases of property.

While this pool of cash could be used to make needed repairs or alterations to structures currently owned by local school systems, the legislation could also allow for a funnel of money to flow from taxpayers to private real estate developers.

The original version of this bill would have extended the right of first refusal to any vacant or underutilized school building to a charter company, giving amazing leverage on publicly owned land. After TEA and others objected,

this new property right was eliminated in an amendment. Yet the focus on property remains a grave concern.

“There are good actors in the charter movement, but when you bring in property and money, it raises the potential for problems,” said TEA lobbyist Jim Wrye.

Some legislators have said the goal is to raise nearly \$18million over a three year period for the dedicated charter facilities fund. That part or all of it can be used to improving or purchasing private property for private entities is a big problem. TEA is suggesting to lawmakers to put in a clawback provision when a charter property bought with public funds is no longer used as a charter school. The clawback would allow the state to get its money returned when the property is sold for another use.

There are positive aspects to the bill, such as providing an increased authorizer fee for school systems reviewing charter applications, but the possibility of using public funds to acquire public land for a charter operator remains a concern.

TEA will work to ensure that we preserve local control and provide our public schools the resources they need to succeed.



## An ESSA update as the administration proposes changes in state law

The Every Student Succeeds Act (ESSA) was signed into law in late 2015. The new federal education law replaces No Child Left Behind and makes changes to accountability and other features of national education policy.

One key element of ESSA is the flexibility given to states to develop their own methods of meeting accountability goals. This legislative session includes legislation based on the state's ESSA plan that makes significant changes in how the state addresses low-performing schools.

### Local Control

ESSA grants both states and districts greater flexibility in approaches to improve the lowest-performing schools. The state's ESSA plan acknowledges the role district-led Innovation Zones have played in improving school performance. The legislation (HB308) places increased emphasis on locally-designed, locally-implemented school improvement plans that must be approved by the Commissioner of Education.

### Achievement School District

While the state's ESSA legislation envisions continuing to use the Achievement School District as a tool for school turnarounds, the emphasis again is on local level change. The proposed law would cap the time a school can be in the ASD at 10 years.

This cap will force the district and state to work together on a transition plan for any schools assigned to the ASD.

The new law would also restrict the ability of a charter school to expand beyond the grades a school served at the time that school was assigned to the ASD. The bottom line: The state's ESSA plan and this legislation mean a scaling back of the ASD. The result should mean a more focused intervention approach.

House Bill 308 makes important steps toward curbing the “blow it up” model of school turnaround.

“Up until now, the model used by the state for school turnarounds



Tennessee's Sen. Alexander (left) watches as then President Obama signs the ESSA law

was incredibly disruptive,” said TEA President Barbara Gray. “This new approach is not perfect, but it marks a significant improvement. Students and communities don't need more disruption, they need support and stability.”

Commissioner Candice McQueen also recently said in a legislative committee that Tennessee's

intervention models haven't worked and that other ideas and efforts are needed.

TEA will continue to monitor this legislation and to support an approach to school turnarounds that is based on community engagement and providing resources and support to schools.

## Contact your senator TODAY about these important issues:

**SB 0161 by Kelsey (HB 0126 by Brooks H) - OPPOSE** - This is the Shelby County voucher pilot. Vouchers have been proven time and again not to improve outcomes, so a pilot study in Memphis is unnecessary. Additionally, other states that began with small studies quickly spread statewide, as is currently the intent with the IEA program. This will be no different.

**SB 0380 by Gardenhire (HB 0336 by \*Dunn) - OPPOSE** - This is the voucher bill that allows students from systems with a priority school to apply for a voucher. This is the same bill that has failed to pass the last four years.

**SB 0395 by Gresham (HB 0460 by \*Kane) - OPPOSE** - This is an Education Savings Account bill with no eligibility restrictions. See article to the left. This bill was delayed until 3/14 in the House after concerns were raised.

**SB 0987 by Kelsey (HB 1109 by \*DeBerry) - OPPOSE** - This bill would remove restrictions on IEA program eligibility that mandate a student have attended a Tennessee public school, be eligible to attend for the first time, or have been a program participant in the previous year.

**SB 0573 by Gresham (HB 0715 by Moody) - OPPOSE** - This bill appears to expand the list of diagnoses for which students would be eligible for the IEA special education voucher beyond the original scope, and possibly eliminating the need for an IEP from a public school to participate.

**SB 0771 by Beavers (HB 0888 by Pody) - OPPOSE** - This is the so-called “bathroom bill” that would prohibit transgendered students from using restrooms or facilities that correspond to their gender identity. There is a case from Virginia before the US Supreme Court set to begin 3/28 that will set precedent on this issue. It makes no sense to debate this bill prior to that decision being handed down.

# The truth about NEA and “family planning”

“NEA uses dues dollars to support abortion!” is one our critics’ most-loved accusations. It can be quite effective in turning legislators - and educators - against the association, but what is the real story?

A resolution has been filed in the Tennessee Senate grossly misrepresenting a standing NEA resolution on family planning.

Senate Joint Resolution 70 calls on the board of the Tennessee Education Association to advocate for repeal of a 1985 NEA Resolution on Family Planning (I-17). SJR70 says I-17 makes NEA advocate for abortion rights and taxpayer funded abortions.

“The claims made in this resolution are false, with assumptions so massive as to stretch any kind of reason,” said TEA Chief Lobbyist Jim Wrye. “The history behind the resolution and NEA’s actions since the resolution paint a very different picture.”

The resolution and the term “reproductive freedom” came about in 1985 in response to teachers being fired for being pregnant and unwed.

A few years earlier, teacher Jeanne Eckmann, a former nun candidate, who was raped and

became pregnant, made headlines for wanting to keep her baby and her job. She was fired because of her pregnancy and choice to be a single mother. Her association fought for her and the court found the firing unlawful and unfair.

Later, the association fought for a pregnant teacher in rural Alabama, Jean Avery, who also was fired because she was unwed. The court found her firing for pregnancy infringed on her rights. Several more cases, and a lot of work to change state laws and policy, have made pregnancy and other important family matters safe for teachers.

TEA members attending the 1985 Representative Assembly voted on the resolution with the Eckmann case as the cause.

“Those who claim NEA is ‘pro-abortion’ don’t know the facts,” Wrye said. “If expenditures for legal services are any measure, then it is accurate to describe NEA as ‘pro-child’ and ‘pro-family.’ NEA has spent tens of thousands of dues dollars defending the rights of members to choose childbirth — not one penny to defend abortion.”

## NEA Resolution I-17, Family Planning:

*The National Education Association believes in family planning, including the right to reproductive freedom. The Association also believes the government should give high priority to making available all methods of family planning to women and men unable to take advantage of private facilities. The Association further believes in the implementation of community-operated, school-based family planning clinics that will provide intensive counseling by trained personnel. (1985, 2015)*

Family planning is an important issue to education. Teen pregnancy is a major barrier to academic achievement and finishing high school. We must continually work to reduce it.

Family planning and abortion are not identical, as SJR70 implies. Family planning seeks to reduce or eliminate unplanned pregnancy.

The NEA resolution does not advocate for taxpayer funded abortions, it advocates family planning methods be available to everyone and government should play a role where private practices are lacking.

## Legislators revive push to target your association

### Teacher tax from page 1

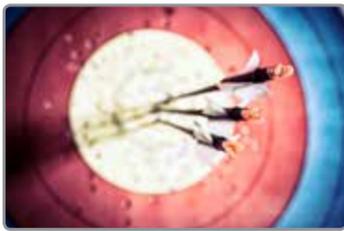
defeating private school voucher proposals year after year, and for defending pro-public school legislators from out-of-state special interests in last year’s primaries.

“We are the only professional organization working to protect and advance public education in Tennessee,” Gray said. “As it did last year, defeating attacks on our rights will take in-person meetings, calls to our elected officials and making sure Tennessee educators come to the Statehouse during spring break as part of Civication.”

Gresham was a prime sponsor of the attacks on TEA last year. Even though it was defeated twice before, the payroll deduction bill was resurrected during the final moments of the last Education Administration and Planning Committee in the House in April 2016 – due to an obscure rule that proves that no bad idea is truly dead in the legislature until its members are adjourned for the year.

Then, Gresham attempted to insert the bill into another piece of legislation in the final hours of the session, trying to get the measure directly on the House and Senate floors.

Killing a bad idea four times may be a record for a legislative session.



## Proposed legislation gives new teachers \$500 for class supplies

A 2016 Scholastic report confirmed what teachers nationwide already knew - teachers are increasingly dipping into their own wallets to purchase classroom supplies as state and local funding fail to fully fund public education. The burden can be especially great for first year teachers setting up their classrooms.

A bill sponsored by Rep. Eddie Smith (R-Knoxville) and Sen. Steve Dickerson (R-Nashville) seeks to address the problem. The proposal authorizes the BEP to provide funding allowing all first-time teachers in the state to receive \$500 for classroom instructional supplies.

“If passed, this could ease a tremendous burden for new teachers and make the transition to the classroom a little easier,” said Carrie Allison, Clarksville-Montgomery County teacher and TEA board member. “Your first year of teaching is stressful enough, this proposal shows legislators want to help

support our newest educators and set them up for success.”

Under current law, BEP provides for every K-12 teacher to spend \$200 for instructional supplies. Every teacher receives \$100 by October 31 to spend any time during that school year on instructional supplies, and the remaining \$100 is pooled with all other teachers in a school and spent as determined by a committee of teachers.

The new legislation, HB441/SB859, calls for additional funds in the BEP to pay \$500 for every first-year K-12 teacher, beginning in the 2017-2018 school year and annually thereafter subject to funding. The entire \$500 will be given to each first-year teacher by October 31 so that the teacher may spend it at any time during the school year on instructional supplies as determined by the teacher.

### Contact TEA

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www.teateachers.org  
www.nea.org

# Legislators looking for alternatives to avoid another TNReady debacle

**Testing**  
from page 1

“Tennessee educators have been fighting for years to end the punitive testing regime in our schools and focus on the assessments that work and make sense,” said TEA President Barbara Gray. “We welcome the proposed reduction in science and social studies testing. We believe it’s a step in the right direction, but more needs to be done to cut the total time spent on preparing for and administering state-mandated tests.”

In the wake of last year’s TNReady test debacle, Rep. Sheila Butt (R-Columbia) filed a bill authorizing LEAs to use the ACT, ACT Aspire or SAT suites of tests instead of the TCAP, TNReady, and end of course exams, to test math and English language arts in grades nine through 12.

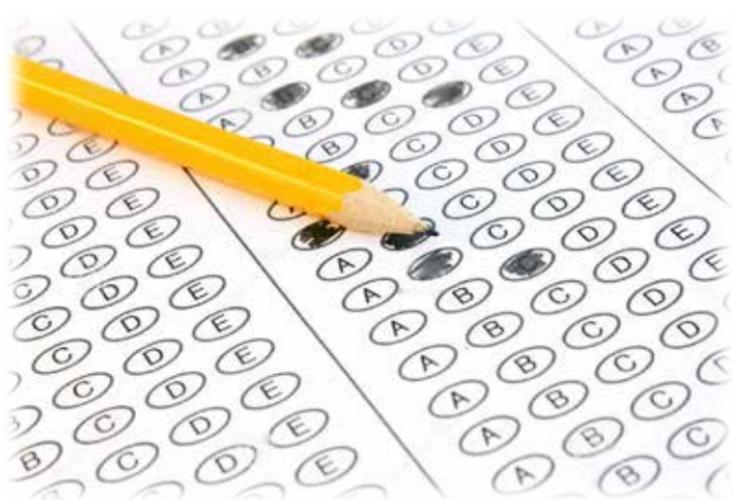
Calling for “greater flexibility” for local schools, Butt said the idea for HB 617 came

as a result of meeting with teachers and principals across the state who support the change.

According to the bill, school districts would be required to submit a notice to the Department of Education indicating the grade level and subject in which the approved testing alternative will be used, as well as notify the parents or guardians of all students in grades nine through 12 about the use of the approved testing alternative.

“There have been so many frustrations and complications caused by our new assessment system in Tennessee for the past few years, from the “roll out” to the availability of computers, to the fact that elementary school children need hours and hours “keyboarding,” to the fact that there are often not enough computers available, to the fact that accountability of teachers is a nightmare when the moving target keeps changing,” Butt said.

Butt added that the Maury County director of schools testified to the validity of making this change in the House Education committee last year and is committed to helping Butt and Sen. Janice Bowling (R-Tullahoma), the bill’s Senate sponsor, in making this option possible.



## Bill levels the playing field, gives LEAs ability to challenge the state when funding is threatened

Standing up to a playground bully isn’t easy. There’s a good chance the bully will just laugh or worse, punish you even more. So, what do you do? If you stand up, will you face more threats and intimidation? Fortunately, there’s often a third party who can mediate – an adult who can step in and make a decision and set things right.

But, what if the bully is the Tennessee Department of Education and the punishment they dish out is withholding needed state funds from a school system?

While districts and the DOE most often get along, sometimes there are disputes. One side shouldn’t have all the power and be allowed to bully the other without fear of a penalty.

That’s exactly what happened in Nashville just a few years ago when the school board there refused to approve a charter school state leaders liked. Then commissioner Kevin Huffman took \$3.4 million from Nashville and sent a message to other districts: This bully means business.

Fast forward to last year during the TNReady debacle. After months of starting and stopping and seeing students take part of one test and get ready for another one only to see the game constantly changing, teachers and school leaders were ready to fight back. Those closest to students knew the process wasn’t working and was bad for kids.

Finally, one director of schools decided he’d had enough. In addition to the canceled TNReady tests, Dr. Mike Looney of Williamson County put word out that there’d be no testing at all. That meant no End of Course tests, even though those tests weren’t part of the ongoing saga of TNReady failure. Looney was making a stand and sending a

message: If the Department of Education wouldn’t get testing right, there simply wouldn’t be any testing.

The department was very unhappy with the Looney decision. They made it clear the commissioner had the ability to withhold state funds from the system, with the Nashville experience looming. Looney backed down rather than face the possibility of his district losing needed funds.

When Tennessee school districts challenge the State Department of Education, the DOE has all the power. Barring using legal resources to go to court, districts have little recourse. That’s why state Rep. John Forgety has introduced a bill that would allow a neutral third party to step in when an LEA and the department have similar conflicts.

HB524 allows school districts to request an administrative hearing when facing a financial penalty from the commissioner of education, avoiding the expensive and lengthy process of a court fight and allowing both sides to present their evidence in front of an impartial decision maker. Had this law been in place last year, Williamson County could have canceled tests as Dr. Looney intended, then appealed any fine to a hearing officer.

HB524 levels the playing field and streamlines the process for resolving disagreements. The commissioner of education is one of the only state officials with unlimited power to levy financial penalties without review.

TEA supports this common sense legislation that gives those closest to students the power to challenge state fines that go against local

## TEA Bill Tracker

*Some of the ones to watch*

### TEA bills:

This year, as we negotiate with legislators and the administration on key issues such as teacher pay, community schools, insurance improvements, and evaluation reforms, among others, TEA did not file wholly drafted legislation as we have in the past. We asked friendly lawmakers to file a number of *caption bills*, placeholders that will be wholly rewritten with amendments when ready.

### The Good:

**HB263 (Butt)/SB204 (Bowling)**- As introduced, the proposal states that the number of hours spent taking state-mandated tests cannot exceed the grade level of a student, up to a maximum of eight hours per school year.

**HB174 (Reedy)/ SB14 (Green)** - Nicknamed “The Teacher Bill of Rights,” this bill would create a list of rights and protections for educators, including the right to not be evaluated based on students not taught nor by someone who isn’t experienced in the same content area.

**HB67 (Smith)/SB250 (Tracy)** - This legislation would allow for the use of Alternative Growth (Portfolio) models for use by teachers in untested subjects. This bill is already on the calendar for the House Education Instruction & Programs subcommittee for Wednesday, Feb. 8.

**HB795 (Terry)/SB774 (Beavers)** - As introduced, this bill would require the state department to annually prove the validity of teacher evaluations, including the use of TVAAS.

**HB501 (Pitts)/SB481 (Green)** - As introduced, adds funding for three Response to Instruction and Intervention positions within each public school to the BEP calculation.

### The Bad:

**HB460 (Kane)/SB395 (Gresham)** - As introduced, the bill creates education savings accounts with no eligibility requirements, eventually opening vouchers to all students statewide.

**HB1109 (DeBerry)/SB987 (Kelsey)** - This proposal would expand the special education voucher program that has just last month begun issuing the first vouchers.

**HB126 (Brooks, H)/SB161 (Kelsey)** - This voucher bill differs in that it focuses solely on a Shelby County voucher pilot program.

**HB336 (Dunn)/SB380 (Gresham)** - This is almost an exact copy of the statewide voucher bill TEA has defeated for the past four years.

**HB310 (Brooks, H.)/SB1197 (Norris)** - This bill provides a facilities fund dedicated to privately held charter operators, and gives right of first refusal to any vacant or underutilized building to purchase or lease at fair or below market value.

**HB42 (Butt)/SB577 (Gresham)** - This caption bill, known last year as the “Bicycle Helmet Bill,” was used to target TEA members’ ability to pay dues via payroll deduction. We expect this bill to be heavily amended to attack educators again this year.

**HB357 (Dunn)/SB4 (Gresham)** - This bill prohibits the state from adopting standards or instruction for social and emotional learning.

**HB1136 (Casada)/SB762 (Stevens)** - Would allow an ASD charter school petition to be run by the State Board of Education, rather return to its system.

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GOING FAST! MAKE YOUR SPRING  
BREAK RESERVATION NOW!**

*Come to*  
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Stand up for education!  
Mileage reimbursed by TEA!**



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Join educators from across the state in participating in TEA's Civication on the Tuesday of your Spring Break. TEA will pay mileage, and if you live more than 50 miles from Nashville, we'll take care of your hotel room. Contact TEA today!



**TENNESSEE EDUCATION ASSOCIATION**

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