



2020

EXCELLENCE

EQUITY

CHOICE

TRANSPARENCY

TENNESSEE POLICY
REPORT CARD



TennesseeCAN

The Tennessee Campaign for Achievement Now has been active in Tennessee since 2011. We are a nonprofit education organization that advocates to ensure every Tennessee student has access to a high-quality education through great teachers and great schools. We work to advance policies and programs that prioritize positive impacts for students statewide — especially those with the greatest needs.

2020 TENNESSEE POLICY REPORT CARD

Glossary	01	Category Overviews	12
Introduction	03	Excellence Policies	22
Executive Summary	05	Equity Policies	48
Tennessee Education at a Glance	07	Choice Policies	59
How to Read the Report	09	Transparency Policies	71
State Policy Categories	10	References	81

GLOSSARY

IHE

Institution of Higher Education

ESSA

Every Student Succeeds Act

USDOE

United States Department of Education

ASD

Achievement School District

TDOE or Department

Tennessee Department of Education

SBE

Tennessee State Board of Education

TCAP

Tennessee Comprehensive Assessment Program

LEA or District

Local Education Agency

BEP

Basic Education Program

TN

Tennessee

Commissioner

Commissioner of Education,
Tennessee Department of Education

State Legislature

Tennessee General Assembly

House

Tennessee House of Representatives

Senate

Tennessee Senate

Priority Schools List

Priority Schools are the lowest-performing five percent of schools in Tennessee in terms of academic performance, including growth and achievement.



INTRODUCTION



A stylized, handwritten signature in black ink, consisting of a large 'V' and 'E' followed by a horizontal line and a flourish.

VICTOR EVANS

Executive Director

By keeping students at the center of all innovation, Tennessee became one of the fastest-improving states in student achievement in recent years. We did that by holding true to the foundational legislation and policies that embraced high standards, an aligned annual assessment, and strong accountability systems — all working together to lift up outcomes for Tennessee’s students.

But the COVID-19 pandemic threw our state and the entire nation a curveball. So while we must remain in steadfast support of the policies and programs that have worked so well for us in the past, we must also explore new ideas and new innovations to address

the learning loss and education crisis we are seeing here in Tennessee and across the nation.

At TennesseeCAN, we work every day to ensure that every student receives a high-quality education. And when the pandemic hit, we released a detailed and emergency action plan that focused on two recommendations: Fund Everything and Measure Everything.

As we embarked on the first full year of schooling during the global COVID-19 pandemic, it was time to bring this emergency mindset to education funding by doing everything in our power to not let the

2020-2021 school year lead to irreversible learning losses for a whole generation of students. That's why we advocated so aggressively in support of funding for emergency broadband access and digital devices for students who needed them the most to advance remote learning.

Similarly, with the global pandemic disrupting so many aspects of our education system, we knew it would be easy to overlook the implications if we failed to measure student progress. Losing our measurement tools would mean giving up on any understanding of what is working and not working in our response to this crisis. Instead, we called for and applauded Governor Bill Lee's push to protect Tennessee's annual TCAP assessment to gain the insight we need to direct policies and funding to best serve growing equity gaps and student needs.

In addition to the need of funding for supplies, 2020 has made us realize the current structure of the resource-based funding formula — created in 1992 — is flawed. Tennessee students are not receiving the resources they need in order to succeed. Staying true to our mission, now is the time for a call to action - we must ensure that our funding structure is weighted based on the needs of all students across the state.

Now, we are doing even more to help the state look forward. TennesseeCAN's 2020 Policy Report Card lays out the crucial policies our state must protect or enact to ensure we do better for all students. These policies are grouped into four main areas of focus:

Excellence. Equity. Choice. Transparency.

This report that follows will examine specific policies in each focus area, highlighting where Tennessee is doing well — along with the areas where we must continue to improve.

Our goal is to provide specific policy recommendations that will help state policymakers tackle the widening achievement and equity gaps and the unique education challenges facing our state and our students as we emerge from COVID-19.

Our Tennessee Pledge

We will help **every** student realize his or her potential and provide them **opportunities for success** in life.



EXECUTIVE SUMMARY

While the 2019-2020 academic year started like most others, it ended abruptly due to the global COVID-19 pandemic, with schools across the U.S. closing their doors for their final two to three months of the academic year. Even for the first half of the 2020-2021 academic year, many schools were educating students remotely or allowing in-person teaching only a few days a week. The effects of remote learning and disrupted in-person learning remain to be seen, which is why now — more than ever — Tennessee must commit to the effective reforms that allow the state to be known as one of the fastest improving states in education. It is critical to know where students are academically so schools and teachers can meet the needs of their students, so that parents can make

informed decisions about the education of their students, and so that policymakers will know how to best support schools and students throughout all subgroups and grade levels. Now is also the time to ensure an educational system that is more agile and personalized. Policymakers and lawmakers should avoid any returns to normal, where students and educators return to the same type of schooling that they experienced prior to the pandemic. The pre-COVID educational system left too many students behind, therefore, a new system will need more agility and flexibility in meeting student needs and an urgency to recover from learning loss. The work is a solemn responsibility to the next generation.



The urgency of the work that lies ahead will not only be informed by the need for transformational schools, but it will also be informed by the non-academic lingering issues from COVID. Such challenging needs must be met by a comprehensive policy strategy that policymakers will need to methodically formulate for Tennessee’s students, educators, and schools, and some policies should not be adopted until others are put in place.

This report, as in previous years, will serve as a barometer on state policy efforts that have contributed to an environment of academic success. We analyze 26 education policies that we believe are the most critical levers for Tennessee to achieve strong educational progress. Each policy is categorized and organized according to TennesseeCAN’s policy “Guiding Stars” – Excellence, Equity, Choice, and Transparency. Pages 12 thru 20 provide an overview of all 26 policies, each of which is detailed in more depth later in the report. It is our hope that policymakers will use this report to double down on state policies that have led to impressive education gains, while examining areas in which the state can innovate to raise the bar for all children. These policy recommendations serve as a guide to model practices developed by state-based entities in conjunction with state and national research. However, policy is only as good as its implementation. Our state must continue to implement policies with fidelity to ensure our most vulnerable student populations are receiving the highest quality of education and afforded every opportunity to succeed.

TENNESSEE EDUCATION AT A GLANCE*

1,014,502

Students (2019-20)

61,583

Teachers

147

School Districts

1,878

Schools
(Including Charter Schools)

\$9,932

Average Per-Pupil
Expenditure

114

Public Charter Schools
(2019-2020)

TENNESSEE COMMISSIONER OF EDUCATION

Dr. Penny Schwinn

TENNESSEE STATE BOARD MEMBERS

District 1: Mr. Nick Darnell

District 2: Mr. Mike Edwards

District 3: Ms. Robert Eby, Vice Chair

District 4: Mr. Gordon Ferguson

District 5: Ms. Elissa Kim

District 6: Mrs. Lillian Hartgrove, Chair

District 7: Mr. Nate Morrow

District 8: Mr. Larry Jensen

District 9: Mr. Darrell Cobbins

Student Representative: Garren Hamby

TENNESSEE STATE LEGISLATURE

The General Assembly has 33 Senators and 99 Representatives

TCAP

Tennessee Comprehensive
Assessment Program (Grade 3-8
TNReady Scores and HS EOC Exams):

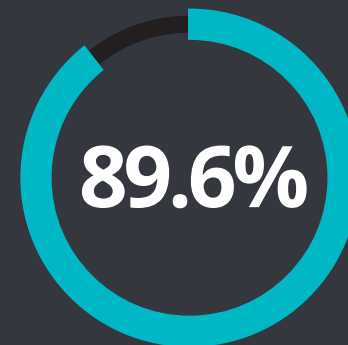
Math: **

ELA: **

SS: **

19.9

Average ACT Score



Statewide Graduation Rate

* All are data from the 2019-2020 academic year, unless otherwise noted.

** Due to the COVID-19 pandemic, end-of-year assessments were not administered statewide in the 2019-20 school year.



This report organizes each policy into one of four buckets:

- Excellence Policies
- Equity Policies
- Choice Policies
- Transparency Policies

Each policy in each bucket is given a score of zero through four based on how close Tennessee’s policy/law is to research-based best practice, with 0 indicating insufficient or no progress toward best practice, and 4 indicating state-enacted law that encompasses research-based national best practices. In order to attain a higher category, such as moving from a 1 to a 2, the state must codify in law or regulation all the elements of the higher category. Thus, if the state enacts partial elements of a higher category, it would still be rated in the lower category. With each policy, the “Where We Are” section highlights the current reality of Tennessee’s policies, and the “A New Reality” section found in a few categories will highlight what best practice could look like in Tennessee should that policy become reality.

HOW TO READ THIS REPORT: POLICY RUBRICS, STATE ANALYSIS, AND A NEW REALITY



STATE POLICY CATEGORIES

EXCELLENCE POLICIES

Guaranteeing excellence in Tennessee's schools requires setting high standards for students, educators, and schools, and having robust accountability to ensure excellent results. To reach this destination, we will continue to support reforms and reinforce existing policies that provide every student with access to a high-quality education. We must also build upon the significant reforms in our current education system, maintaining our decade of progress as one of the fastest-improving states in the nation for education. Excellence also means we reward highly-effective teachers and principals. Tennessee stands out as a national leader in its teacher and principal evaluation practices and our state uses a robust evaluation framework to reward educators based on performance, while simultaneously holding persistently underperforming educators accountable. See pages 22-46.

CHOICE POLICIES

Every student is unique with unique needs, experiences, and learning styles. Ensuring every Tennessee student has access to a high-quality education is our top priority, and that requires providing students and their families with equitable access to a diverse range of educational options. Whether it's a traditional public school, a public charter school, or a private school, every Tennessee family should have the ability to choose the educational option that best meets their children's unique needs. To reach this destination, we will continue to call for policies that provide true choice and access for all students and families, especially those who need them most. We will ensure there are effective, fair enrollment systems and safeguards in place so families can make the best choices for their children. We will make sure that all of Tennessee's families are able to navigate the school choice system. See pages 59-70.

EQUITY POLICIES

Not all students enter school on equal footing. Strong education policies must help students and teachers overcome opportunity gaps and ensure that every school has the resources it needs to empower all students. Our policies must provide a high-quality education to every student, regardless of their socioeconomic background, where they live, or any other life circumstance. To reach this destination, we must ensure that all students - including students of color, students from low socioeconomic backgrounds, English learners, students with disabilities, and students in rural, as well as urban districts - are not left behind. We will pursue equitable access to high quality schools and educators, sufficient and equitable funding and school resources, highly effective classrooms, and safe and secure school learning environments for every Tennessee student. See pages 48-58.

TRANSPARENCY POLICIES

Elected officials, superintendents, school leaders, and families need to be able to evaluate how well resources are targeted to create high-quality educational experiences for every child. Accountability to ensure excellence begins with transparently reporting academic and financial data on student, educator, school, and district performance. Moreover, performance data help ensure that our improvements to education policy are making real progress towards our goals on student outcomes. To reach this destination, we must protect the accountability system and provide for greater transparency of information on student, teacher, school, and district performance, as well as taxpayer investments in public education. Academic and financial transparency ensures only the strongest education policies are created and maintained. We must also ensure that any information available is presented in an easy-to-understand way. See pages 71-80.



EXCELLENCE POLICIES

4

TEACHER EVALUATIONS

Our state requires annual comprehensive teacher evaluations that are based on classroom observations and data on student achievement and growth. Tennessee could further strengthen its evaluation framework by requiring all districts incorporate student surveys as an additional measure. No score change from prior year. See pages 23-24.

2

DIFFERENTIATED PAY

State law requires that educator evaluations play a role in employment decisions, including compensation. Tennessee should ensure that effective teachers are compensated for the positive impact they have on student learning and that districts and schools have the flexibility to create competitive compensation systems reflective of their needs. No score change from prior year. See pages 27-28.

4

PRINCIPAL EVALUATIONS

Tennessee principals are evaluated annually based on achievement data and a five-tier rating of effectiveness. Fifty percent of the evaluations are based on school-level, value-added growth. Performance is measured around four areas, including instructional leadership for continuous improvement, culture for teaching and learning, professional learning and growth, and resource management. No score change from prior year. See pages 25-26.

3

TENURE

Our state requires teachers to undergo a probationary period of five years in order to obtain tenure. The teacher must achieve an overall level of effectiveness of “above expectations” or “significantly above expectations” in the last two years of the probationary period in order to obtain tenure. Tenure is revocable if a teacher is rated in the lowest two tiers of performance for two years in a row. Tennessee should require at least three prior years, instead of two, of strong performance before making a tenure determination. No score change from prior year. See pages 29-30.

EXCELLENCE POLICIES

3

LAST IN FIRST OUT (LIFO)

Our state requires that districts consider teacher performance when determining layoffs during a reduction in force. However, seniority is not prohibited from being the primary factor. Tennessee should require that performance serve as the primary basis for dismissal decisions during a reduction in force and explicitly prohibit districts from using seniority as a factor except in the case of a tiebreaker. No score change from prior year. See pages 31-32.

2

TEACHER DISMISSALS

State law requires evaluations be a factor used when dismissing ineffective teachers. However, Tennessee policy does not establish a clear threshold for when ineffectiveness leads to dismissal. Tennessee should ensure that districts and school leaders have the authority to build and maintain an effective instructional team by removing persistently ineffective teachers from the classroom. No score change from prior year. See page 35-36.

4

MUTUAL CONSENT / FORCED PLACEMENT

Our state has eliminated forced placement policies and requires reassigned teachers and principals to mutually agree on school placement. Tennessee must continue to ensure that schools have the authority to build and maintain an effective instructional team without forced placement. No score change from prior year. See pages 33-34.

2

PRINCIPAL DISMISSALS

Tennessee should ensure that district leaders have the authority to build and maintain an effective leadership team by removing underperforming principals from schools. Principals with multiple consecutive years of ratings below expectations should be dismissed from their leadership placement. However, state law does not specify a frequency threshold for when ineffectiveness leads to dismissal for principals. No score change from prior year. See page 37-38.

1

TEACHER PREPARATION PROGRAM ADMISSIONS

Tennessee requires educator preparation programs to have an admission standard of a 2.75 average GPA or higher. Our state should increase the standard for entry to ensure preparation programs are drawing from the top half of the postsecondary student population, and continue to incentivize entry by diverse candidates from historically underserved backgrounds. No score change from prior year. See pages 39-40.

4

TEACHER PREPARATION PROGRAM ACCOUNTABILITY

Tennessee provides robust data about the performance of teacher preparation programs, including graduate placement and performance outcomes. The state is also phasing-in requirements that all existing and new programs adhere to national best practices around student teaching and mentorship. No score change from prior year. See page 41-42.

4

PRINCIPAL PREPARATION PROGRAM ACCOUNTABILITY

Tennessee principals are evaluated annually based on achievement data and a five-tier rating of effectiveness. Fifty percent of the evaluations are based on school-level value-added growth. Performance is measured around four areas, including instructional leadership for continuous improvement, culture for teaching and learning, professional learning and growth, and resource management. No score change from prior year. See pages 43-44.

3

CAREER & TECHNICAL EDUCATION

Tennessee's current CTE programs are generally strong and strive to ensure students have access to high-demand and high-wage careers. However, there needs to be vertical alignment of credits and credentials from high school to postsecondary education, a stronger connection between industries in the state and CTE programs, increased transparency with public reporting, and updated and complete data sources to allow for better regulation of CTE programs in the state. No score change from prior year. See pages 45-46.



OVERVIEW OF POLICIES

EQUITY POLICIES

4

SCHOOL IMPROVEMENT STRATEGIES

State turnaround efforts, such as the ASD, assume governance over some of the lowest-performing schools in the state. The ASD also has access to the district-owned facilities of the schools placed in the ASD. Innovation Zones (i-Zones) are also set up to address the lowest-performing schools through district-led interventions with greater flexibility around staffing and extended learning time. The state should continue to support new and innovative turnaround strategies in addition to the ASD and iZones. No score change from prior year. See pages 49-50.

2**FAIR FUNDING FORMULA**

Tennessee should more efficiently fund public education, using existing resources to ensure that targeted funding reaches the students it is intended to serve based on need. The current formula is resource-based, rather than student-based, and is limited in its ability to target funding to individual student or school needs. No score change from prior year. See pages 51-52.

0**STUDENT PLACEMENT / CLASSROOM ASSIGNMENT**

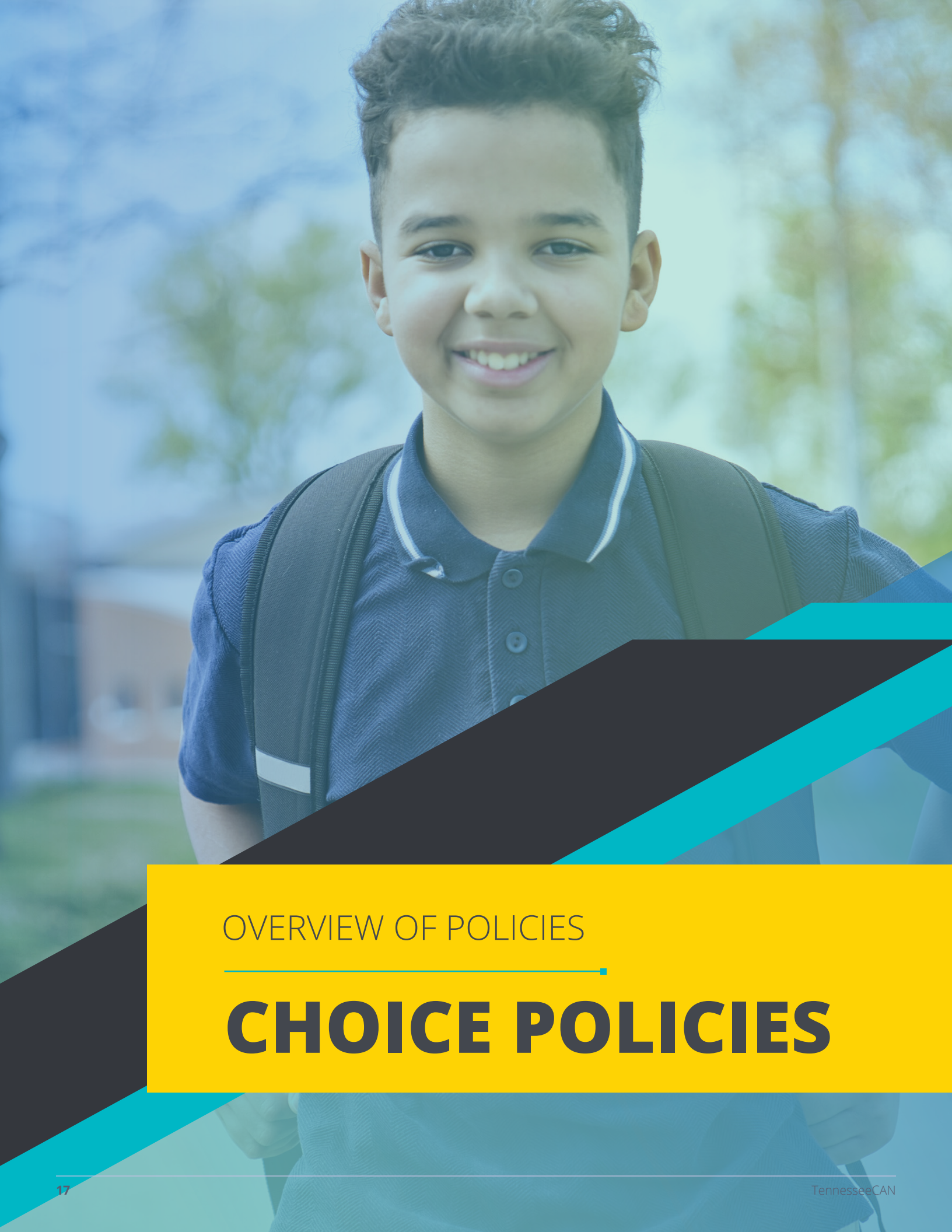
Tennessee prohibits information regarding a teacher's impact on student educational progress from being released to the public. Because of this provision, parents have no knowledge of when their child is placed in an underperforming classroom. Tennessee must strive to provide every student with access to an effective teacher and leader and ensure that no student is assigned to underperforming classrooms for multiple consecutive years. No score change from prior year. See pages 53-54.

3**EQUITABLE PUBLIC CHARTER SCHOOL FUNDING**

Tennessee's funding formula provides equal per-pupil funding for district and public charter school students. In the future, Tennessee must continue to protect equal per-pupil allocation by ensuring that public charter schools are fully funded for the students they serve, including operational and capital outlay costs. No score change from prior year. See pages 55-56.

3**PUBLIC CHARTER SCHOOL FACILITIES ACCESS & FUNDING**

Currently, school districts must make underutilized and vacant properties available to public charter schools. Public charter schools in Tennessee also have access to a state charter school facilities grant fund, as well as access to tax-exempt financing and credit enhancement from the U.S. Department of Education. Moving forward, Tennessee should grant public charter schools a right of first refusal at or below market value to underutilized or vacant facilities. No score change from prior year due to increased investments through the Governor's Emergency Education Relief Fund. See pages 57-58.



OVERVIEW OF POLICIES

CHOICE POLICIES

2

OPEN ENROLLMENT

Tennessee has a mandatory intradistrict transfer policy for students attending low-performing schools, as well as a voluntary intradistrict and interdistrict transfer policy. However, transportation is not provided under either enrollment policy. Tennessee should strengthen its open enrollment policies by expanding its mandatory intradistrict transfer program to all students while providing transportation for these programs, and include unified enrollment systems for large urban districts. No score change from prior year. See pages 61-62.

4

PUBLIC CHARTER SCHOOL AUTHORIZING PRACTICES

Our state has 10-year charter terms, multiple authorizers, and does not have charter authorization caps. The state also has an independent statewide appellate authorizer in the Tennessee Public Charter School Commission. No score change from prior year. See pages 63-64.

3

PUBLIC CHARTER SCHOOL ACCOUNTABILITY

Charter schools are required to submit an annual report to the authorizer and Commissioner, and authorizers are required to adopt a performance framework. Charter schools can be closed automatically due to chronic underperformance. The state has established the SBE as the entity to oversee all charter school authorizers. No score change from prior year. See pages 65-66.

2

PRIVATE SCHOOL CHOICE ACCESSIBILITY

Private school choice initiatives can supplement existing school systems where immediate access to quality alternative school options is needed. Tennessee has established an Education Savings Account program in its two largest school districts that targets participation for low-income students. Due to legal challenges, this program has been stalled for the time being. There is also an Individualized Education Account choice program for students with disabilities. No score change from prior year. See pages 67-68.

3

PRIVATE SCHOOL CHOICE ACCOUNTABILITY

Ensuring strong accountability in private school choice programs gives confidence to the public that taxpayer money is being well spent. It also holds providers responsible for producing academic gains with students. The state's new Education Savings Account Program has strong, outcomes-based accountability metrics for participating schools. No score change from prior year. See pages 69-70.



OVERVIEW OF POLICIES

TRANSPARENCY POLICIES

4

ASSESSMENTS & STANDARDS

Tennessee has instituted a formal in-state review process to ensure academic needs are met in the adoption of rigorous standards. The state requires annual administration of assessments that are reported publicly and aligned with college and career readiness standards. No score change from prior year. See pages 73-74.

3

SCHOOL ACCOUNTABILITY FRAMEWORKS

TDOE issues school- and district-level report cards with information on student performance in multiple areas. Although state law requires that all schools earn a single summative rating based on school performance, this was to begin in the 2019-20 school year. Unfortunately, this law was waived due to the global pandemic. Tennessee should ensure that the newly enacted A-F summative rating system is implemented and remains fully aligned with the school accountability framework required under ESSA. No score change from prior year. See pages 75-76.

2

FISCAL TRANSPARENCY

Every school district is required to submit a certified copy of its budget, prior year expenditures, and a financial audit to the Commissioner of Education. In response to federal requirements, Tennessee established a fiscal transparency model to report school-level expenditures statewide. The state should promote greater fiscal transparency by analyzing how well school districts use their resources to improve student achievement and develop a standard rating system to measure fiscal responsibility and performance among peers. Score increases one point from last year due to the school-level per-pupil reporting. See pages 77-78.

0

CLASS SIZE MANDATES / LOCAL FLEXIBILITY

Tennessee state law arbitrarily restricts individual class size totals and school averages. Our state should eliminate class size restrictions above the 3rd grade and permit local districts to determine class size guidance. Eliminating statewide class size mandates empowers local school leaders to determine class size and grants them greater flexibility to staff their schools according to student need. No score change from prior year. See pages 79-80.





EXCELLENCE POLICIES

TEACHER EVALUATIONS

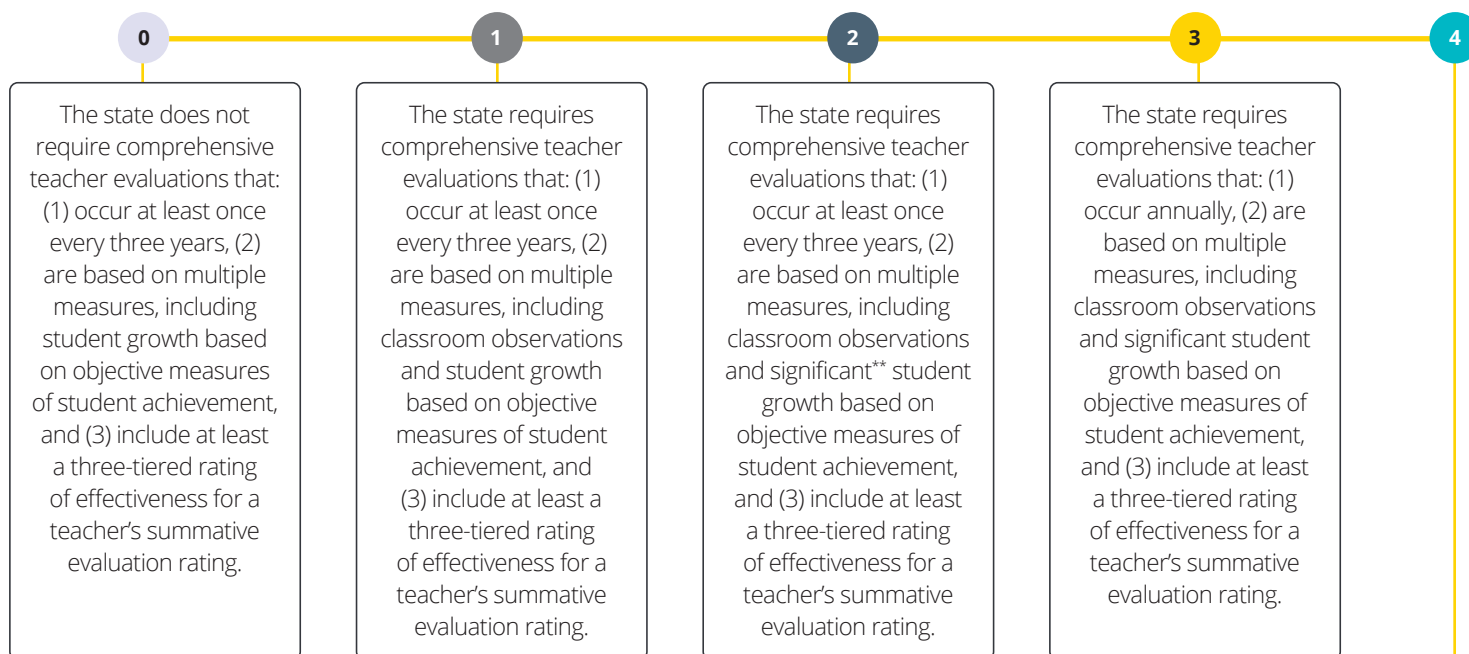
WHY THIS MATTERS

On average, students with the highest-performing teachers gain five to six more months of learning than students in classrooms with a low-performing teacher.¹ At a time when public budgets are fragile, district leaders should feel confident that investing in the best teachers will be the most effective way to affect student achievement.² Robust teacher evaluations that occur annually, differentiate teacher quality in a meaningful way, rely on multiple measures (including teacher contribution to growth in student achievement), and provide opportunities for feedback linked to professional development, will inform educator practice and effectiveness. Of course, teaching in a remote setting requires a much different set of skills than teaching in-person. In a remote setting, the student may have more support at home, or alternatively, less support and structure. Teachers learned from their educator preparation programs how to teach in-person, therefore educators leading remote learning classrooms are just as eager to receive high-quality and informative feedback that will support and improve their practice.

WHERE WE ARE

The Tennessee First to the Top Act of 2010 established annual teacher evaluations that include a five-tiered rating of effectiveness* consisting of a 50-percent qualitative component which includes classroom observations and personal conferences, and a 50-percent quantitative student achievement component (of which 35 percent is based on a student growth estimate and 15 percent is based on teacher selected achievement measures). Evaluations are used as a tool to provide feedback for teachers and improve instruction, and in Tennessee, educators have faith that these evaluations are fair and contribute to their practice. In a 2020 educator survey conducted by the TDOE, 82% of educators agreed or strongly agreed that the evaluation process is fair. Additionally, 77% of educators believe that the evaluation process has improved their teaching (the highest percentage ever reported, which has more than doubled since 2012).

POLICY RUBRIC: TEACHER EVALUATIONS



4

The state requires comprehensive teacher evaluations that: (1) occur annually, (2) are based on multiple measures, including classroom observations and student growth worth between 33-50 percent of the overall evaluation based on objective measures of student achievement, and (3) include at least a four-tiered rating of effectiveness for a teacher's summative evaluation rating with opportunities for feedback.

A NEW REALITY

In a press release from October 6, 2020, Gov. Lee announced that he would work with the General Assembly in 2021 to “bring forward a solution for this school year that alleviates any burdens associated with educator evaluations and school accountability metrics.” Since there was no administration of the 2019-2020 end-of-year statewide assessment, school districts, schools, and educators did not receive growth scores for the 2019-20 school year, and the TDOE did not calculate level of effectiveness scores for 2019-20.³ Observations are expected to be conducted in the 2020-21 academic year. For 2020-21, all accountability components, including evaluation and student growth portfolios, should remain intact.

T. C. A. § 49-1-302(d); Public Chapter 42; Tenn. Comp. R. & Regs. 0520-01-01; Teacher and Principal Evaluation 5.201

** This rating is a 5 point scale with a 1 signifying “significantly below expectations”, a 2 signifying “below expectations”, a 3 signifying “at expectations”, a 4 signifying “above expectations”, and a 5 signifying “significantly above expectations”.*

*** Significant is not specifically defined within federal guidelines, and in fact is no longer a federal requirement under ESSA. Research has identified basing 33-50 percent of a teacher's evaluation on student growth maximizes correlation with state test gains, correlation with higher-order tests, and the reliability of the overall evaluation system. However, any individual component in isolation will not ensure a robust evaluation framework. Instead, a comprehensive framework will include multiple measures and effective implementation.*

PRINCIPAL EVALUATIONS



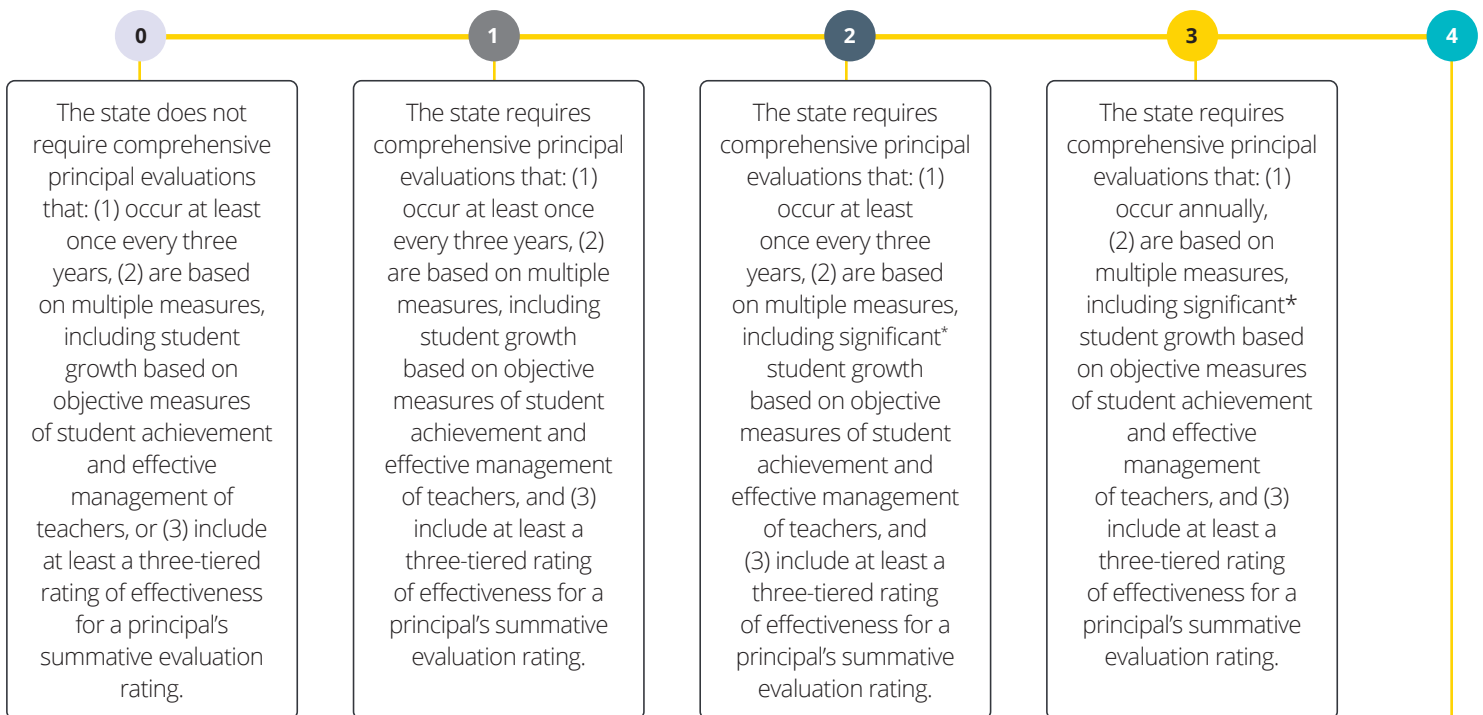
WHY THIS MATTERS

As teachers may have the strongest impact on student achievement within the classroom, principals serve as the instructional leaders for those teachers within the school and therefore are key players in ensuring their teachers are supported and effective. In fact, principals have the second highest in-school impact on student achievement after teachers.⁴ Principals are responsible for ensuring that the teachers they place in classrooms are highly-effective and are given meaningful opportunities for development. The efficacy of principals empowers teachers and is also tied to increased retention of highly-effective teachers.⁵ Robust principal evaluations meaningfully differentiate principal quality, are based on multiple measures including school-wide student growth and effective management of teachers, and provide opportunities for feedback linked to professional development.

WHERE WE ARE

In Tennessee, principals are evaluated annually. The evaluation includes a five-tier rating of effectiveness, a 50-percent qualitative component that includes self-reflection and a teacher perception survey, and a 50-percent quantitative component (of which 35 percent is based on a student growth estimate and 15 percent is based on teacher selected achievement measures). The qualitative component also includes measures related to effective management of teachers (including the administrator's implementation of the teacher evaluation process at 15 percent), the education program offered to students, and the overall school facility. Specifically, performance is measured around four areas: instructional leadership for continuous improvement, culture for teaching and learning, professional learning, and growth and resource management.

POLICY RUBRIC: PRINCIPAL EVALUATIONS



4

The state requires comprehensive principal evaluations that: (1) occur annually, (2) are based on multiple measures, including student growth worth between 33-50 percent of the overall evaluation based on objective measures of student achievement, and effective management of teachers, and (3) includes at least a four-tiered rating of effectiveness for a principal's summative evaluation rating with opportunities for feedback.

A NEW REALITY

As observations are expected to be conducted in the 2020-21 academic year, the pacing for 2020-21 will be informed by 2018-19 data. For 2020-21, all accountability components, including evaluation and student growth portfolios, remain intact. In a press release from October 6, 2020, Gov. Lee announced that he would work with the General Assembly in 2021 to “bring forward a solution for this school year that alleviates any burdens associated with educator evaluations and school accountability metrics.” The details on educator evaluations for 2020-21 remain to be seen.

T. C. A. § 49-1-302(d)(2)(A); § 49-2-303; Teacher and Principal Evaluation Policy 5.201; Tennessee Department of Education, TEAM Administrator Evaluation Rubric (2017-18).

** Significant is not specifically defined within federal guidelines, and in fact is no longer a federal requirement under ESSA. Research has identified basing 33-50 percent of a teacher's evaluation on student growth maximizes correlation with state test gains, correlation with higher-order tests, and the reliability of the overall evaluation system.⁵ However, any individual component in isolation will not ensure a robust evaluation framework. Instead, a comprehensive framework will include multiple measures and effective implementation.*

DIFFERENTIATED PAY

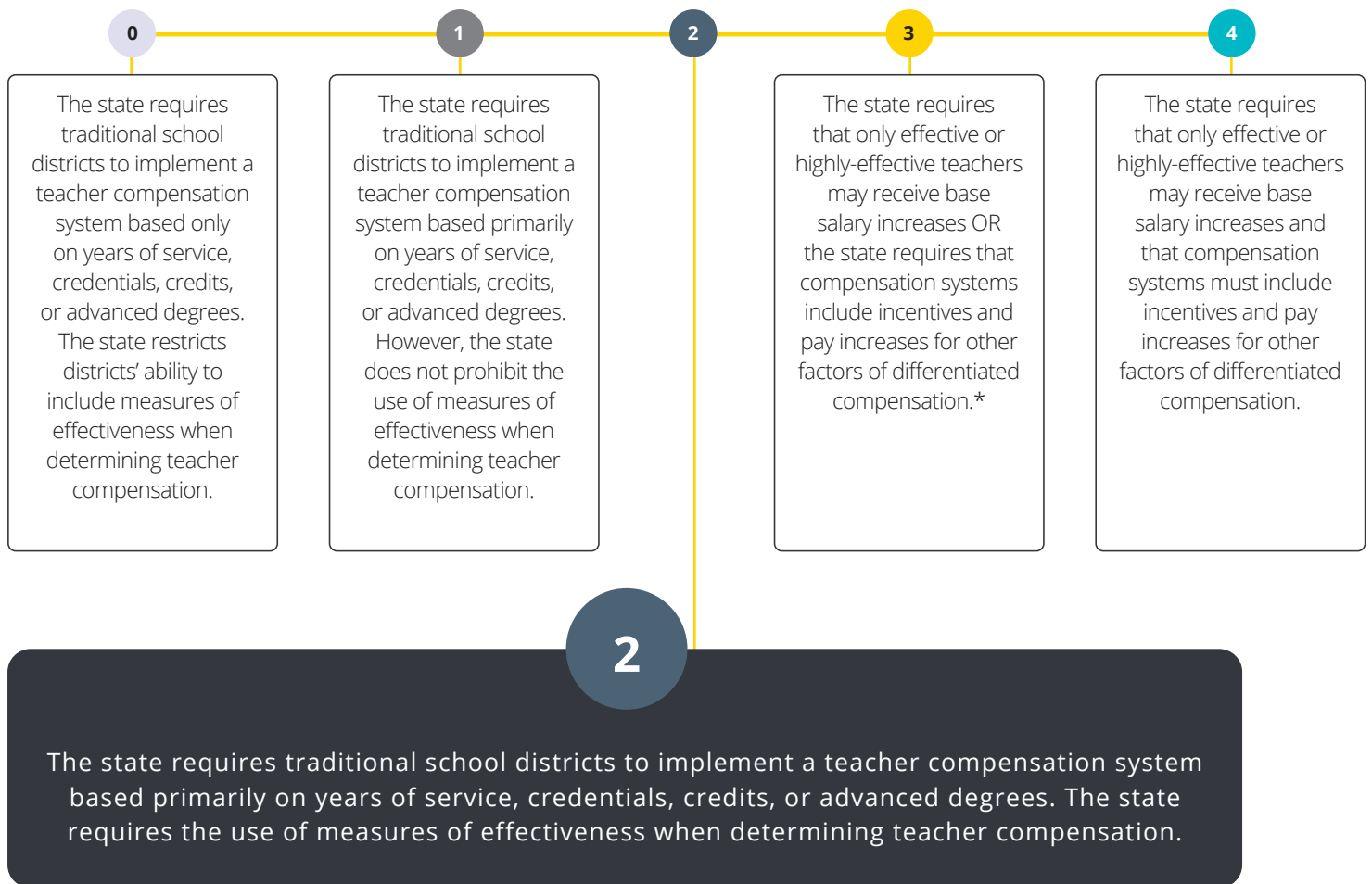
WHY THIS MATTERS

Teacher shortages are not unique to the state of Tennessee. Principals across the nation are facing significant shortages of quality teacher candidates, especially teachers who are comfortable educating students remotely and/or in-person during a global pandemic.⁶ Tennessee should ensure that districts and schools have the flexibility to create competitive compensation systems, rewarding effective teachers for the positive impact they have on student learning.

WHERE WE ARE

State law requires districts to create and implement differentiated pay plans with the goal of aiding the staffing of hard-to-staff subject areas and schools and assisting in the hiring and retention of highly qualified teachers. While evaluations must be a factor in compensation decisions, Tennessee should prioritize effective teaching by requiring districts to develop or adopt compensation systems that make measures of effectiveness the primary criteria used to determine all pay increases. Considering that teachers are working even harder to adjust to remote learning and supporting students through a global pandemic, differentiated pay based on effect data will best encourage competitive teacher recruitment and mitigate high teacher turnover and shortages.

POLICY RUBRIC: DIFFERENTIATED PAY



A NEW REALITY

In 2012, the American Institutes for Research published a report entitled *Toward the Structural Transformation of Schools: Innovations in Staffing*, in which they suggested schools and districts move toward a more “unbundled approach” to education.⁷ Rather prophetically, the paper suggested, “The transformation of schools means that education will become ‘unbundled’—no longer wrapped in a neat brick-and-mortar school package, with teachers with similarly inadequate training struggling to differentiate their instruction in a homogenized one-teacher-per-classroom delivery model... In short, schools will assume a new identity.” If Tennessee had a high-quality differentiated pay policy in 2020 (see Rank 4 description on rubric above), schools would have had much more flexibility to design a staffing plan that best met the needs of their students in such a capricious time. An “unbundled” staffing approach would have allowed schools to reward educators who may be asked to fill in the gaps for their colleagues, first knowing which educators were the most effective and with which subjects, then assigning students to those teachers whether remotely or in-person.

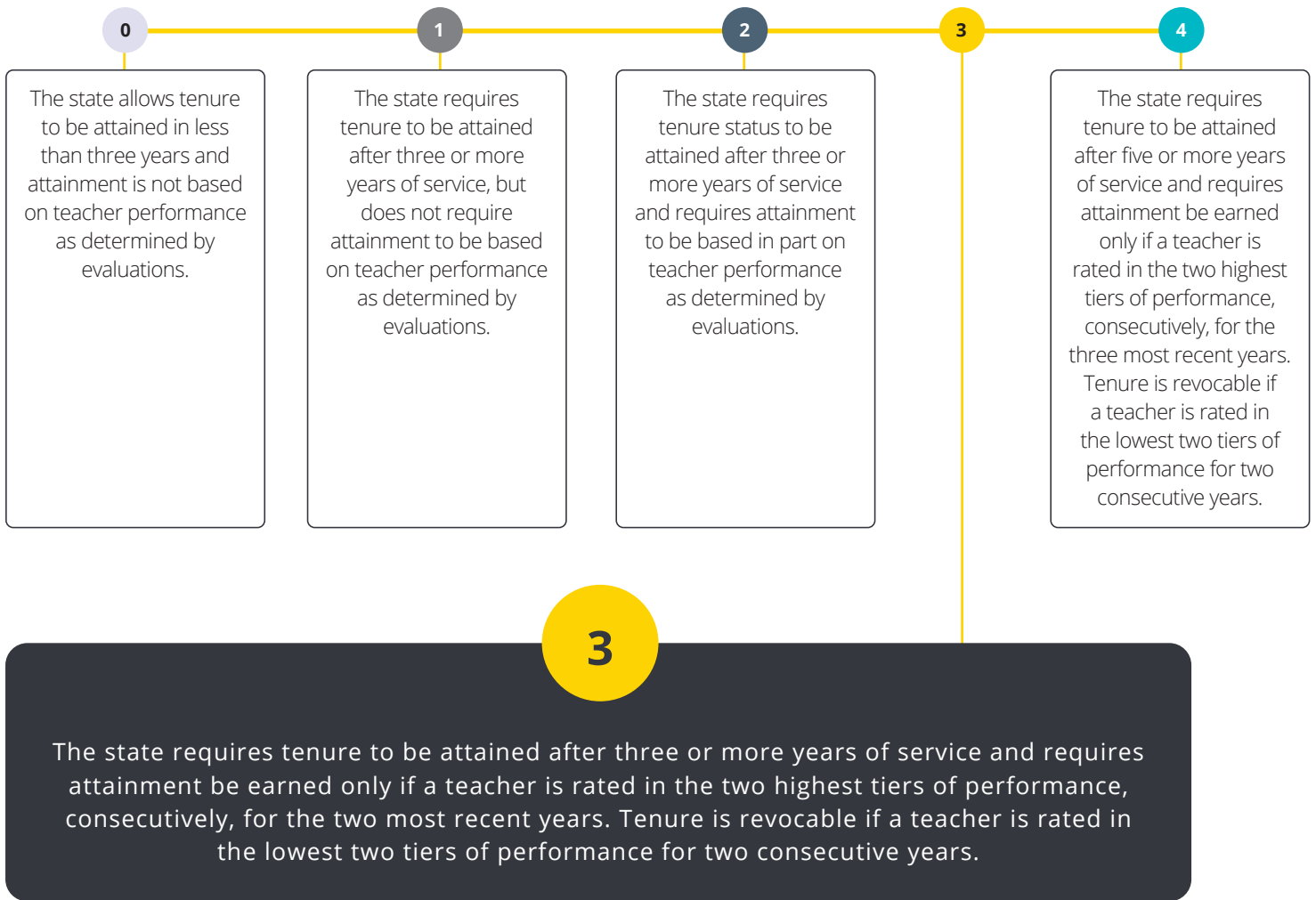
T. C. A. § 49-1-302(a)(18); § 49-1-302(d)(2)(A); § 49-3-306(a)(1); § 49-3-306(h); Public Chapter 153; Tenn. Comp. R. & Regs. 0520-01-02-.02; Strategic Compensation Policy 5.600

* Other factors of differentiated compensation, beyond teacher performance, include incentives and pay increases for teaching in high-need schools, hard-to-staff geographic areas and subjects.

TENURE



POLICY RUBRIC: TENURE



WHY THIS MATTERS

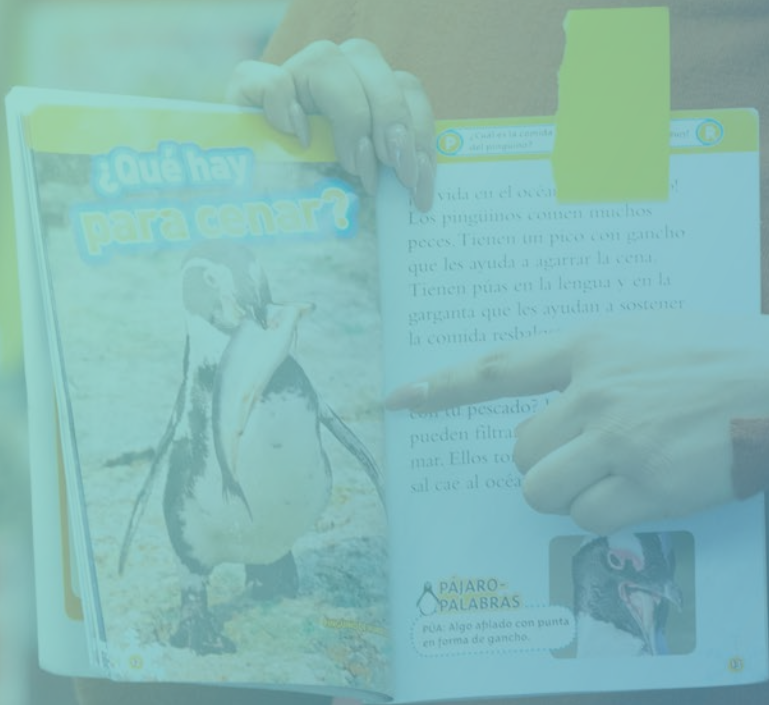
In a global pandemic, job stability may be valued more than ever. Tenure can provide a greater sense of stability for educators looking to make teaching their profession. With tenure, teachers are provided stronger due process in instances of misconduct or poor performance, and objectivity in times of layoff. However, in exchange for additional protections, like increased job stability, teachers must demonstrate strong and consistent performance.

WHERE WE ARE

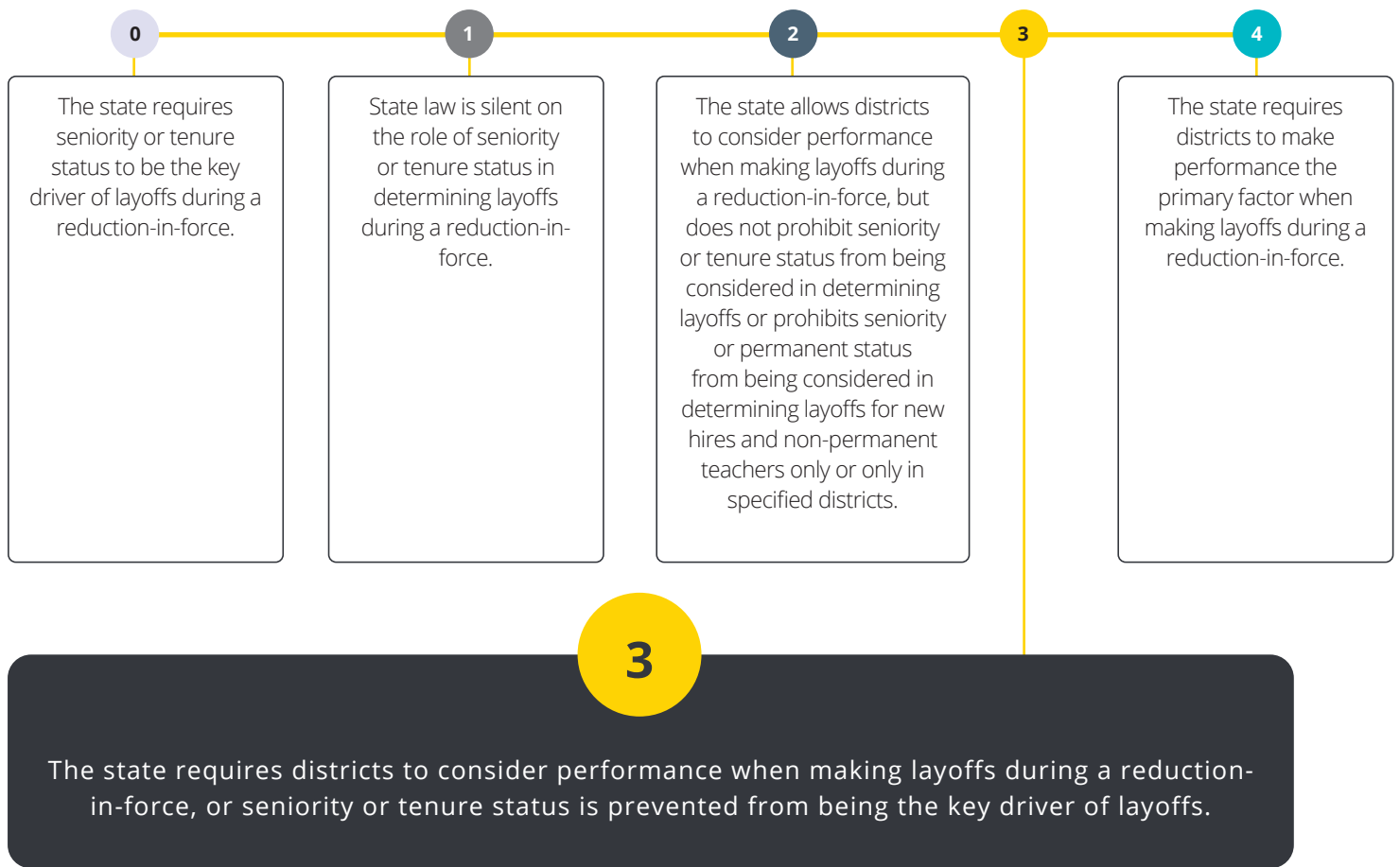
In order to receive tenure status, teachers in Tennessee are given a period of five years to achieve an overall level of effectiveness of “above expectations”, or “significantly above expectations” in the last two years of the five-year period. At the conclusion of the five-year period, a teacher must be recommended for tenure status by the director of schools or be non-renewed. Tenure is revocable if a teacher is rated in the lowest two tiers of performance for two consecutive years. To improve this law and truly balance the needs of the professionals with the needs of the students, Tennessee should require at least three prior years of strong performance, instead of two, before making a tenure determination.⁸

T. C. A. § 49-5-503; § 49-5-504(e); § 49-5-511(a) (2); Tennessee Department of Education, New Tenure Law FAQ (2014)

LAST IN FIRST OUT (LIFO)



POLICY RUBRIC: LAST IN FIRST OUT (LIFO)



WHY THIS MATTERS

State revenues - which are the largest source of revenue for schools - are expected to fall due to the global pandemic and resulting economic shutdowns. Additionally, school districts receive dollars based on the number of students in their district, and according to an early estimate from the TDOE, statewide enrollment for the first months of the 2020-2021 academic year is estimated to have dropped 3.5% compared to 2019-2020. With so many question marks surrounding revenue projections, schools may be reconsidering staffing needs. Research indicates that when districts conduct seniority-based layoffs, they end up firing some of their most effective educators.⁹ When districts must have a reduction-in-force (RIF), layoffs should be based on teacher performance and prohibit seniority or permanent status from driving personnel decisions. Following these structures ensures that higher performing teachers are not exited from the system before lower performing teachers, thereby ensuring students have access to the greatest number of high-performing teachers available.

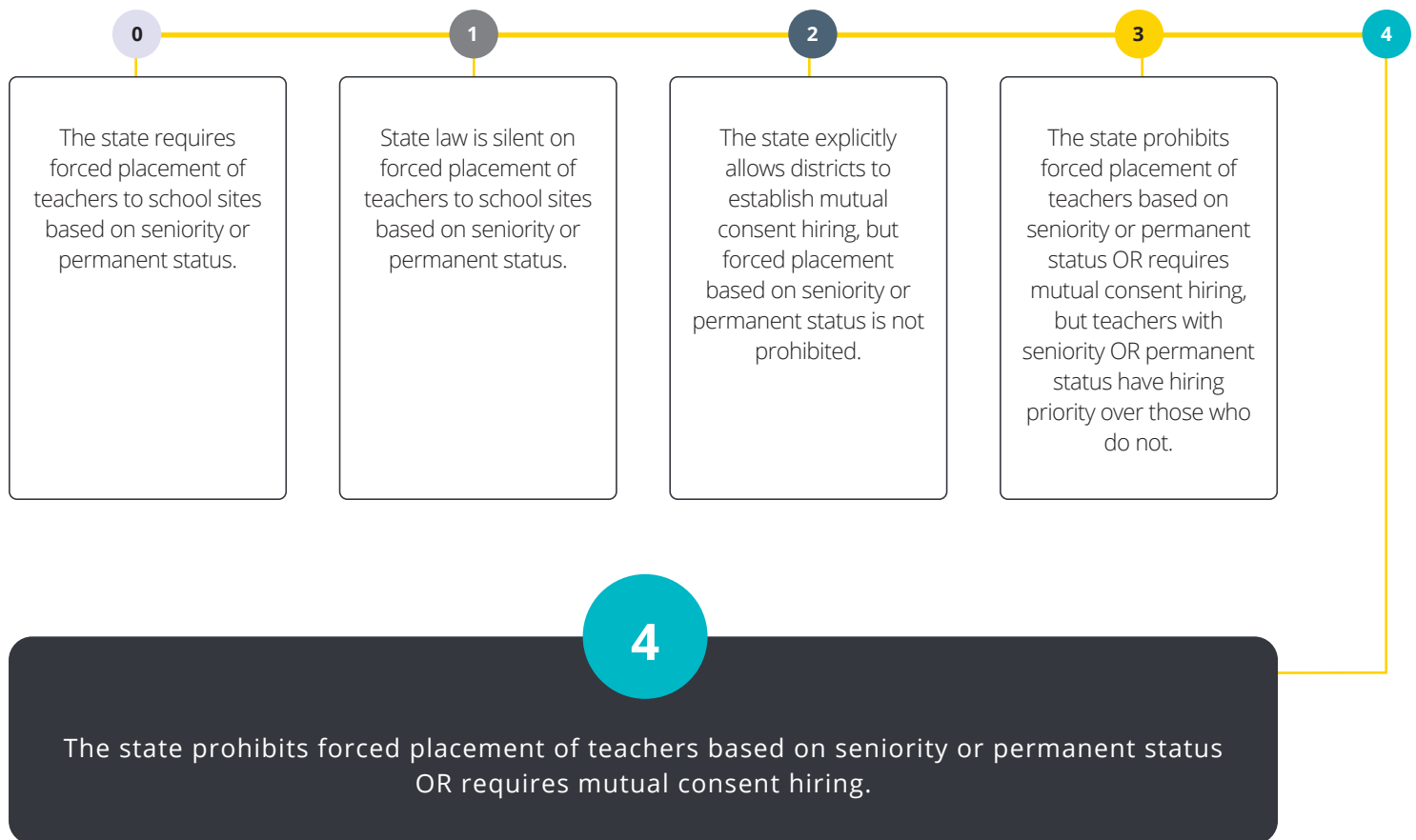
WHERE WE ARE

Tennessee requires districts to consider performance as one factor when determining layoffs during a RIF. Seniority is not required as a criterion for these decisions, but it is not prohibited from being the primary factor either. To ensure effective teachers are retained, Tennessee should require that performance be the primary basis for dismissal decisions during an RIF and explicitly prohibit districts from using seniority as a factor except in the case of a tiebreaker for similarly rated teachers.

T. C. A. § 49-5-511(b); § 49-1-302(d)(2)(A)

MUTUAL CONSENT / FORCED PLACEMENT

POLICY RUBRIC: MUTUAL CONSENT / FORCED PLACEMENT



WHY THIS MATTERS

If principals are asked to hire the best and brightest teachers for their students, they should be given the flexibility to do so under a policy of mutual consent. They will be unable to do so under a forced placement policy. Forced placement requires principals to hire certain teachers assigned by the district to a school without regard for principal or teacher input, or school fit and merit. When teachers are required to teach at a school for which they are not suitably fit, there can be a negative impact on school culture.¹⁰ For example, in Shelby County Schools, mutual consent hires were more likely to rank in the highest teacher effectiveness category and less likely to rank in the lowest category.¹¹ It is critical that principals feel empowered to hire staff based on merit and fit. Similarly, teachers should also have a say in their place of employment. Tennessee must continue to ensure that schools have the authority to build and maintain effective instructional teams without forced placement of teachers.

T. C. A. § 49-5-511(b)

WHERE WE ARE

In 2013, Tennessee eliminated forced placement and now requires teachers and principals to mutually agree on a reassigned teacher's school placement. Tennessee requires consideration of teachers on a reemployment list based on effectiveness for rehiring. Only teachers with the top three performance evaluation ratings are placed on the preferred reemployment list. Teachers remain on a surplus candidate list until they have rejected four offers for employment.

TEACHER DISMISSALS

WHY THIS MATTERS

A teacher is the most important in-school factor that affects student achievement. On average, students with a high-performing teacher will gain five to six more months of learning compared to their peers with a low-performing teacher. Sometimes, persistently underperforming teachers may need to be dismissed based on their inability to improve academic outcomes. In Tennessee, prior to tenure reform, only 0.2 percent of tenured teachers were dismissed or did not have their contracts renewed due to poor performance.¹² Tennessee should ensure that district and school leaders have the authority to build and maintain an effective instructional team by removing persistently ineffective teachers from the classroom.

POLICY RUBRIC: TEACHER DISMISSALS



WHERE WE ARE

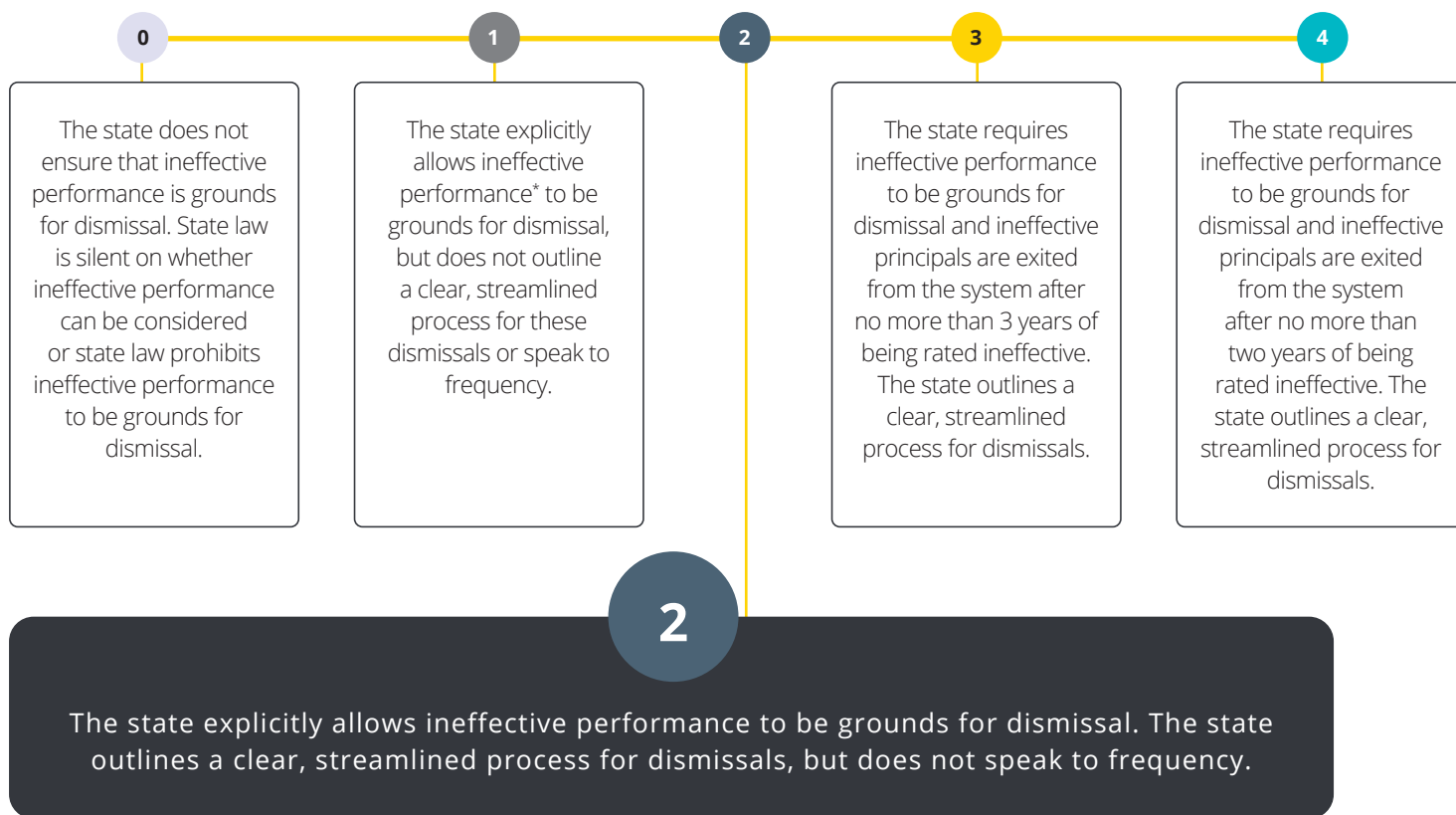
Tennessee law requires teacher evaluations to be one factor when making determinations for dismissing ineffective teachers. The state law also empowers district leaders to dismiss ineffective teachers. The dismissals process is specifically outlined in state law, including timelines and procedures. If a teacher has not yet received tenure, at the conclusion of the probationary period a teacher eligible for tenure must either be recommended by the director of schools for tenure or be nonrenewed. For a tenured teacher, after two years of being rated “below expectations” or “significantly below expectations” tenure status can be revoked. However, Tennessee teacher dismissal policy does not establish a clear frequency threshold for when ineffectiveness leads to dismissal. To strengthen its focus on retaining effective teachers, our state should ensure that teachers with multiple consecutive years of ratings below expectations are dismissed from their teaching placement.

T. C. A. § 49-5-511; § 49-5-512; § 49-5-513; § 49-1-302; § 49-2-203(a)(6); § 49-2-301(b) (1)(EE); § 49-2-301(b)(1)(GG); Tenn. Comp. R. & Regs. 0520-02-03-.09

** Ineffective means those teachers who perform in the lowest tier of performance, or teachers who perform in the two lowest tiers (for states with five rating categories, such as Tennessee) of performance but demonstrate no measurable growth. Automatic exit from the system after no more than three years emphasizes the importance of maintaining a high-performing workforce. When district and school leaders genuinely work with educators to improve their practice, but performance does not improve over a period of time, leaders should exit ineffective educators from schools. This policy component should not be pursued until a state has put robust evaluation and professional development structures in place. For model components on teacher evaluations see the “Teacher Evaluations” section on page 23-24.*

PRINCIPAL DISMISSALS

POLICY RUBRIC: PRINCIPAL DISMISSALS



WHY THIS MATTERS

Principals are key in not only recruiting and retaining the best teachers, but in creating a positive school culture, and they must be agile — now more than ever — in ensuring their school is a place of academic excellence no matter what is happening outside the school walls. Principals play multidimensional roles in keeping schools operational and safe, and in fostering productive work cultures where teachers and staff can best serve students as they pursue their academic goals.¹³ Sometimes, persistently underperforming principals need to be dismissed from a school based on performance in order to ensure a productive school culture and successful operations. Tennessee should ensure that district leaders have the authority to build and maintain an effective leadership team by removing underperforming principals from schools.

WHERE WE ARE

The process for dismissing principals in Tennessee is similar to the process for dismissing teachers. State law requires evaluations to be one factor when making determinations for dismissing ineffective principals. State law also empowers district leaders to dismiss ineffective principals. However, Tennessee policy does not establish a frequency threshold for when ineffectiveness leads to dismissal. To strengthen its focus on retaining effective school leaders, our state should ensure that principals with multiple consecutive years of ratings below expectations are dismissed from their leadership placement.

T. C. A. § 49-5-511; § 49-5-512; § 49-5-513; § 49-1-302; § 49-2-203(a)(6); § 49-2-301(b) (1)(EE); § 49-2-301(b)(1)(GG); Tenn. Comp. R. & Regs. 0520-02-03-.09

* *Ineffective means those principals who perform in the lowest tier of performance, or principals who perform in the two lowest tiers (for states with five rating categories, such as Tennessee) of performance but demonstrates no measurable growth. Automatic exit from the system after no more than three years emphasizes the importance of maintaining a high performing workforce. When district leaders genuinely work with school leaders to improve their practice, but performance does not improve over a period of time, leaders should exit ineffective principals from schools. This policy component should not be pursued until a state has put robust evaluation and professional development structures in place. For model components on principal evaluations, including links to professional development opportunities, see the "Principal Evaluations" section on page 25-26.*

TEACHER PREPARATION PROGRAM ADMISSIONS

WHY THIS MATTERS

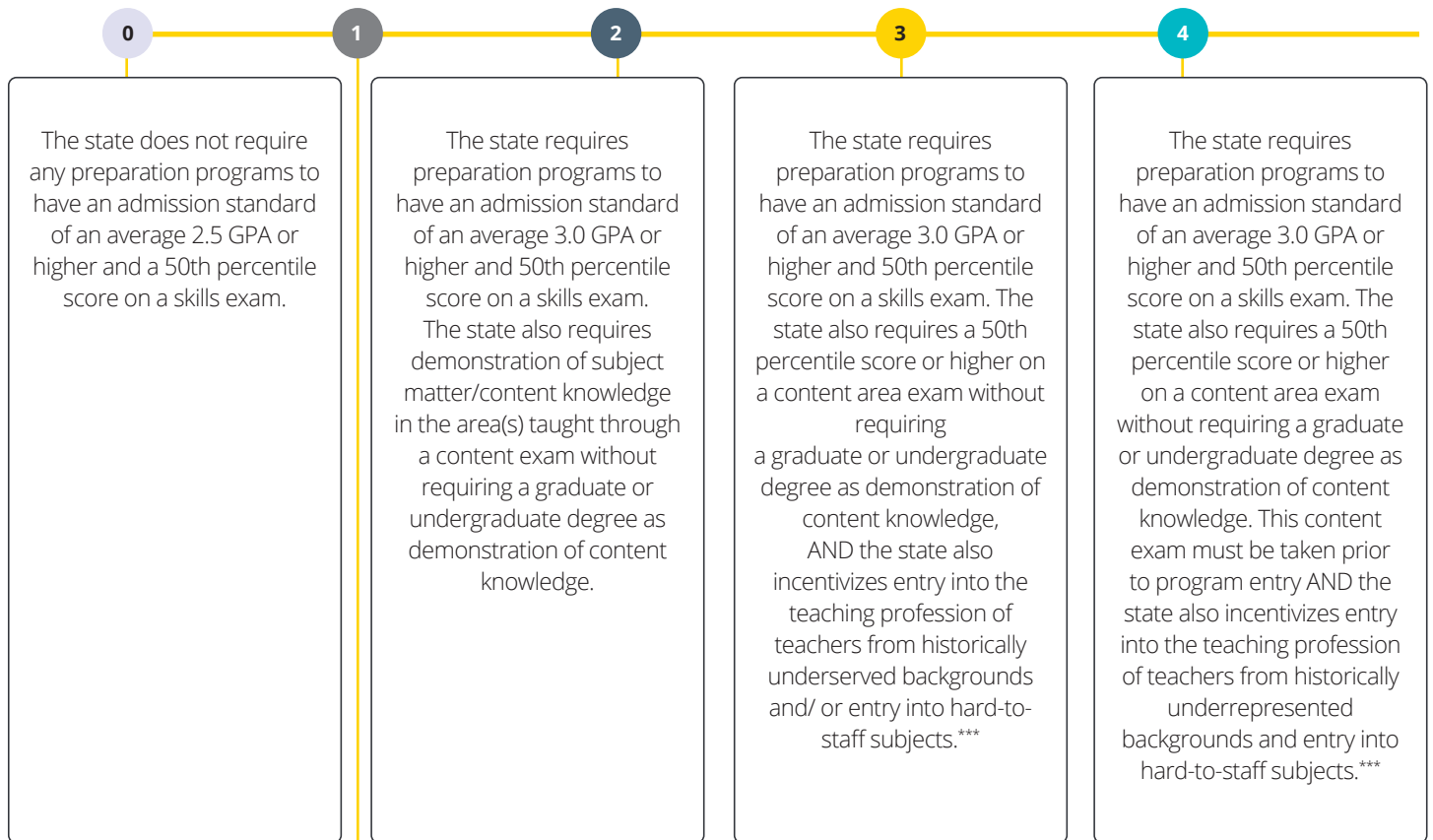
On average across the nation, students in teacher preparation programs hold lower college-entrance exam scores than their peers in their university cohorts.¹⁴ Not only do teacher preparation programs control their curriculum and program experience, they also have control of the admissions and selection criteria that will dictate the teacher candidate pool. Strong admissions criteria help ensure that programs are drawing from the top half of the college-going population.¹⁵ While reviewing teacher preparation program accountability, attention must be paid to the standards for candidate entry as well as the diversity of the teacher pipeline.

WHERE WE ARE

Since 2014, Tennessee has required that all existing and new teacher preparation programs adhere to national best practices of high-quality teacher preparation program requirements, including selective admissions criteria. While this was an improvement from prior years, the bar is still not high enough.

In addition to strengthening standards for entry, the state must support increasing diversity in the teaching workforce, specifically through investing in preparation programs that prepare a high number of candidates of color. Academically, educators of color have a greater effect on students of similar backgrounds, and this effect shows in both academic achievement and reduced suspension and expulsion rates.¹⁶ In Tennessee, 31% of schools have no teachers of color, and 23% of students are in schools with no teachers of color.¹⁷ The good news is that Tennessee is one of seven states recognized for its efforts in increasing student access to diverse educators by collecting teacher diversity data, using progress measures for recruitment and diversity, and targets resources to districts and schools to support their efforts in recruiting more diverse educators through the Tennessee Innovation in Preparation Grants, the Tennessee Minority in Teaching Fellowships, and allocation of federal Title II, Part A monies for improving workforce diversity.¹⁸

POLICY RUBRIC: TEACHER PREPARATION PROGRAM ADMISSIONS



1

The state requires preparation programs to have an admission standard of an average* 2.5 GPA or higher and a 50th percentile score on a skills exam.**

T. C. A. 49-5-5601; Tennessee State Board of Education; Tennessee Professional Assessments Policy 5.105; Tennessee Educator Preparation Policy 5.504

* The selective admissions average is based on the cohort average, allowing variation among individual applications. This permits schools to incorporate additional factors for admissions.

** A skills exam should be nationally norm-referenced, and could include the SAT, ACT, or GRE.

*** The state of Tennessee defines historically underserved subgroups to include: economically disadvantaged students, English language learners, special education students and Black, Hispanic, and Native American students.

TEACHER PREPARATION PROGRAM ACCOUNTABILITY

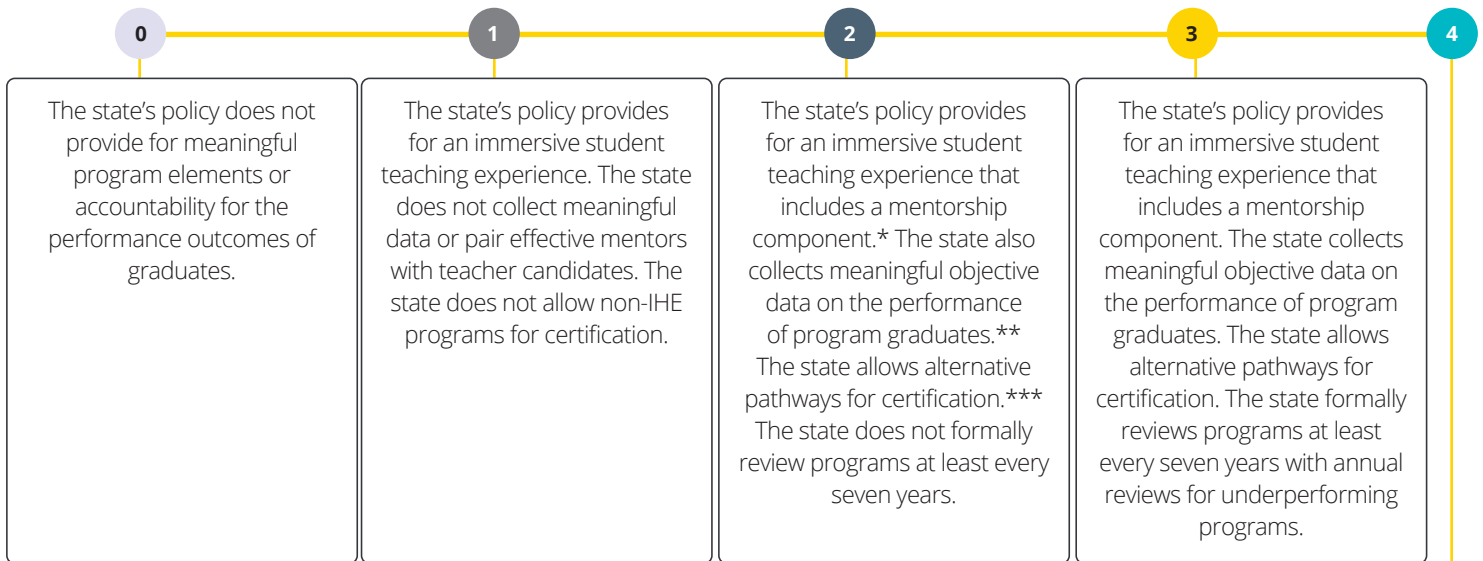
WHY THIS MATTERS

Even the best educator preparation program may not fully prepare a graduate for that first day in the classroom. To ensure the state's best teachers will not only be prepared for that first day in front of their students but will also flourish in their first years of teaching, states must ensure its teacher preparation programs are strong and measured for their effectiveness.¹⁹ States have the power to create standards for teacher preparation programs and ensure high-quality opportunities for student teaching/clinical practice. Including a clinical practice component, as well as supporting district and teacher preparation program collaborations, allows teacher candidates to gain valuable and quality mentorship and supervision.

WHERE WE ARE

Since 2014, Tennessee has produced report cards regarding the performance of educator prep programs throughout the state, collecting data related to program performance based on graduate outcomes. In 2016, the SBE released a newly designed Teacher Preparation Report Card that allows users to easily view data about preparation programs' performance and graduate effectiveness in the classroom. Additionally, the TDOE's Annual Report for Educator Preparation Programs includes a Performance Report with data to inform any decisions regarding interim reviews between program review cycles. Tennessee also permits alternative teacher certification pathways, including programs not affiliated with an IHE. One promising policy to watch is that since January 1, 2019, applicants for an initial license have been required to submit qualifying scores on an edTPA performance-based, subject-specific assessment. The success rate on this assessment could be another data point used in evaluating teacher preparation programs.

POLICY RUBRIC: TEACHER PREPARATION PROGRAM ACCOUNTABILITY



4

The state's policy provides for an immersive student teaching experience that includes a mentorship component. The state collects meaningful objective data on the performance of program graduates. The state allows alternative pathways for certification. The state formally reviews programs at least every five to seven years with annual reviews for underperforming programs. The state provides annual public reports on existing programs, and institutes sanctions for underperforming programs.****

T. C. A. § 49-5-5601; § 49-5-5631; § 49-5-108; Public Chapter 573; Tenn. Comp. R. & Regs. 0520-02-041; Tennessee State Board of Education, Tennessee Educator Preparation Policy 5.504

** Mentors should be volunteers who have been evaluated and rated in the two highest tiers of performance. States should consider incentivizing participation to ensure there are enough quality mentors for the number of teacher candidates.*

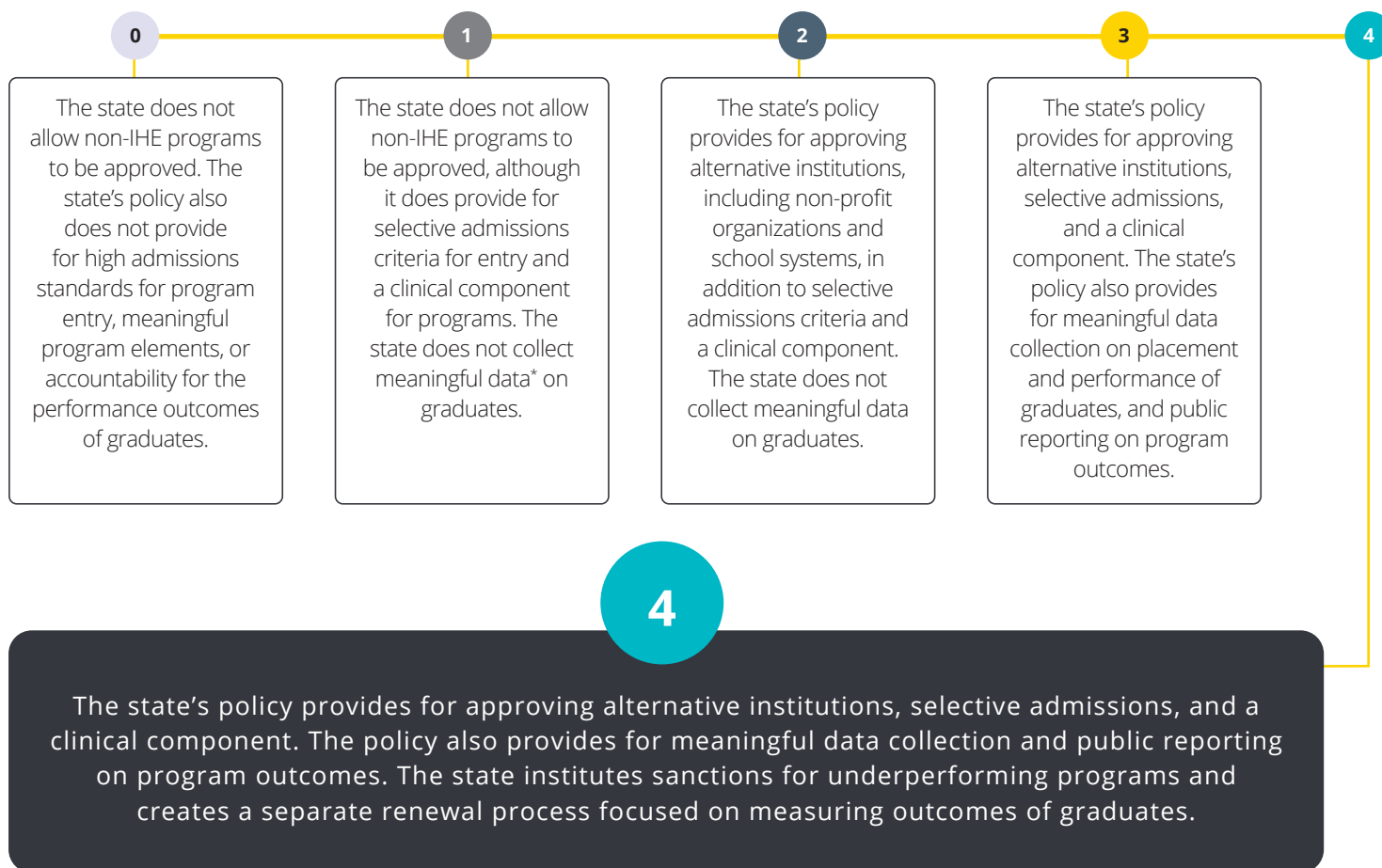
*** States should collect data related to the performance of program graduates, including satisfaction surveys. In order to attain a "three" or "four," states must facilitate data sharing between programs and state agencies. Meaningful data are necessary for accurate assessment of program performance so states may sanction programs when data sharing exists, but programs are still not getting better.*

**** Alternative pathways to certification allow non-traditional candidates (such as those transferring mid-career) to enter the teaching profession. Alternative certification programs should still be held to the same high standards for accreditation and renewal.*

***** Sanctions for underperforming programs should specifically target the deficiency of an individual program and can include enrollment quotas or decommissioning programs. † Notably, the SBE annually evaluates performance of programs focused on placement and retention rates, entrance examinations, and other teacher effectiveness data. Importantly, state law empowers the SBE to request data to conduct the evaluation. T. C. A. § 49-5-108*

PRINCIPAL PREPARATION PROGRAM ACCOUNTABILITY

POLICY RUBRIC: PRINCIPAL PREPARATION PROGRAM ACCOUNTABILITY



WHY THIS MATTERS

With all of the roles expected of and demands placed on school principals, principal preparation programs must allow for similar elements of accountability as teacher preparation programs. States, by setting principal standards and overseeing principal preparation, can ensure schools have principals who advance teaching and learning.²⁰ Thus, attention must be given to the types of programs available, how the state reviews and oversees programs, and the quality of data states have available to better understand program performance.

WHERE WE ARE

Tennessee requires principal preparation programs to have selective admissions criteria, including a minimum of three years of successful K-12 education working experience. All programs must align to the Tennessee Instructional Leadership Standards, which are guided by best practices for instructional leadership, and must also provide a clinical component that includes mentorship and performance evaluations. Additionally, providers beyond IHEs may be accredited and approved by the state. Recent changes to state rule have further improved principal preparation program accountability, now requiring meaningful data collection and reporting on a variety of program graduate placement and performance metrics. Additionally, improvements to the state's review and approval process now require demonstrable program performance based on graduate outcomes and allow the state to sanction underperforming program providers.

Tenn. Comp. R. & Regs. 0520-02-04I; Tennessee State Board of Education; Learning Centered Leadership Policy 5.101

** Meaningful data collection should be similar to what we expect from teacher preparation programs. States need to ensure principal preparation programs are transparent and share data with other programs. Data sharing will better facilitate identifying best practices, such as the ideal length of the clinical component or threshold for selective admissions criteria or program sanctions.*

CAREER AND TECHNICAL EDUCATION

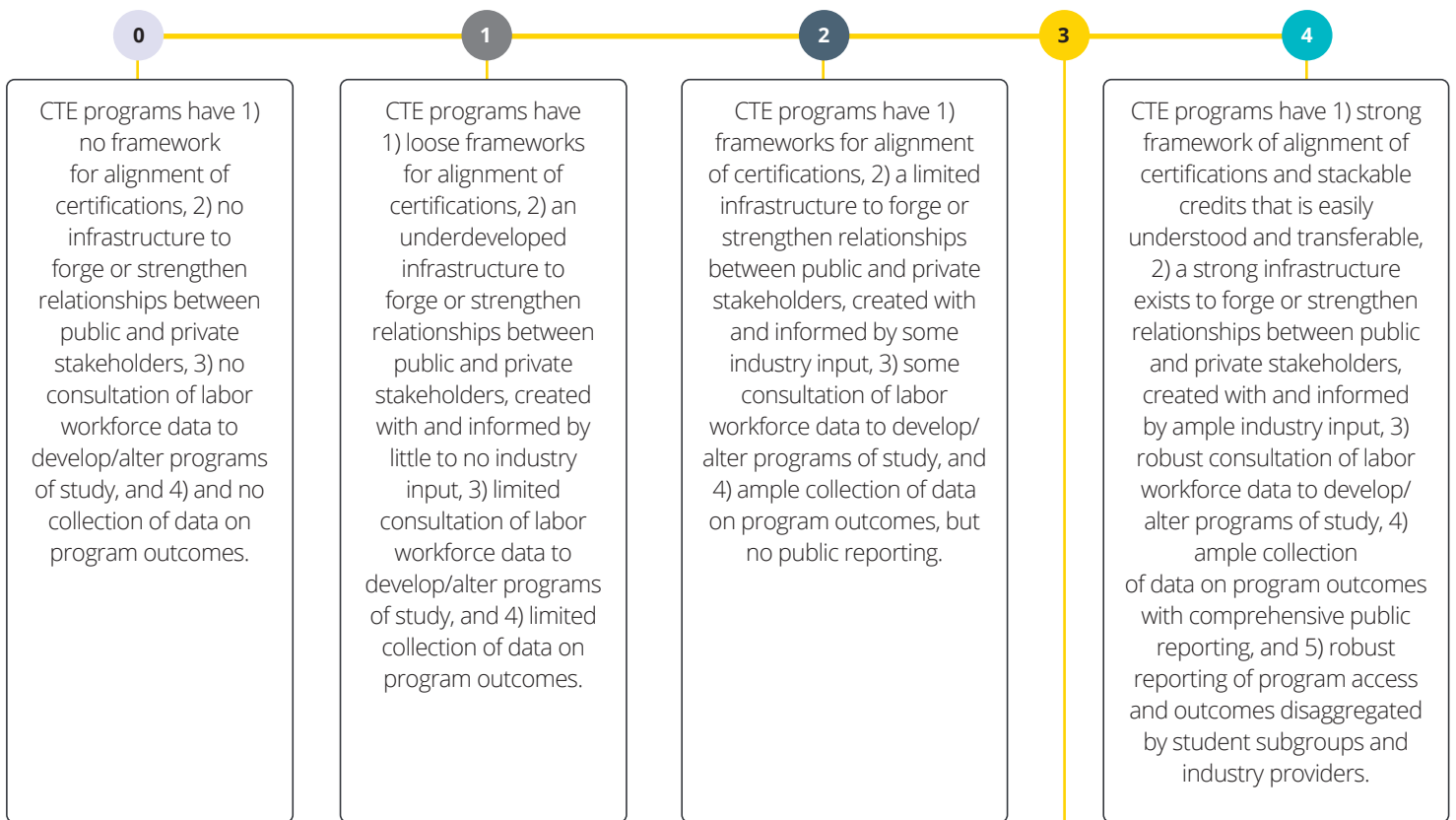
WHY THIS MATTERS

Career and Technical Education (CTE) is a critical link that helps ensure opportunities for all students to access high-quality education, training, and career options after high school. However, delivering high-quality CTE programs is a challenge many states face, and Tennessee can do more to build more high-quality CTE programs, while also ensuring relevance, rigor, quality, and equitable access for all students.

WHERE WE ARE

Tennessee's focus on closing the skills gap within the state is led by the Drive to 55 initiative and the recent passing of the Governor's Investment in Vocational Education (GIVE) Act in 2019. Tennessee's current CTE programs are generally strong and strive to ensure students have access to high-demand and high-wage careers. The state annually reviews CTE offerings to ensure rigor and alignment to industry demands and postsecondary institution expectations. TDOE also collects data on who is enrolled in and completing high-quality career pathways while also offering professional development for teachers to master new course standards. Tennessee can further improve CTE policies and programs by requiring data reporting on the demographics of current CTE program participants and their outcomes. The state must ensure strong equity throughout its CTE programs by disaggregating program access and outcomes by student subgroups and by specific industries, then increasing transparency with the public reporting of these metrics.

POLICY RUBRIC: CAREER AND TECHNICAL EDUCATION



3

CTE programs have 1) a strong framework for alignment of certifications with stackable completion credits that is easily understood and transferable, 2) a strong infrastructure exists to forge or strengthen relationships between public and private stakeholders, created with and informed by ample industry input, 3) robust consultation of labor workforce data to develop/alter programs of study, and 4) ample collection of data on program outcomes with some public reporting.

Additionally, Tennessee is making strides in aligning credits and credentials from high school to postsecondary education, creating a stronger connection between industries in the state and CTE programs. In November of 2020, TDOE released the Tennessee Promoted Industry Credential List, outlining 157 approved industry credentials for students to earn while they are still in high school. The Tennessee Promoted Industry Credential List is used to identify industry credentials that are recognized, valued, and preferred by state industries. Much of this work was the result of the Perkins V Tennessee state plan that provides an estimated \$100 million to implement CTE throughout the state.



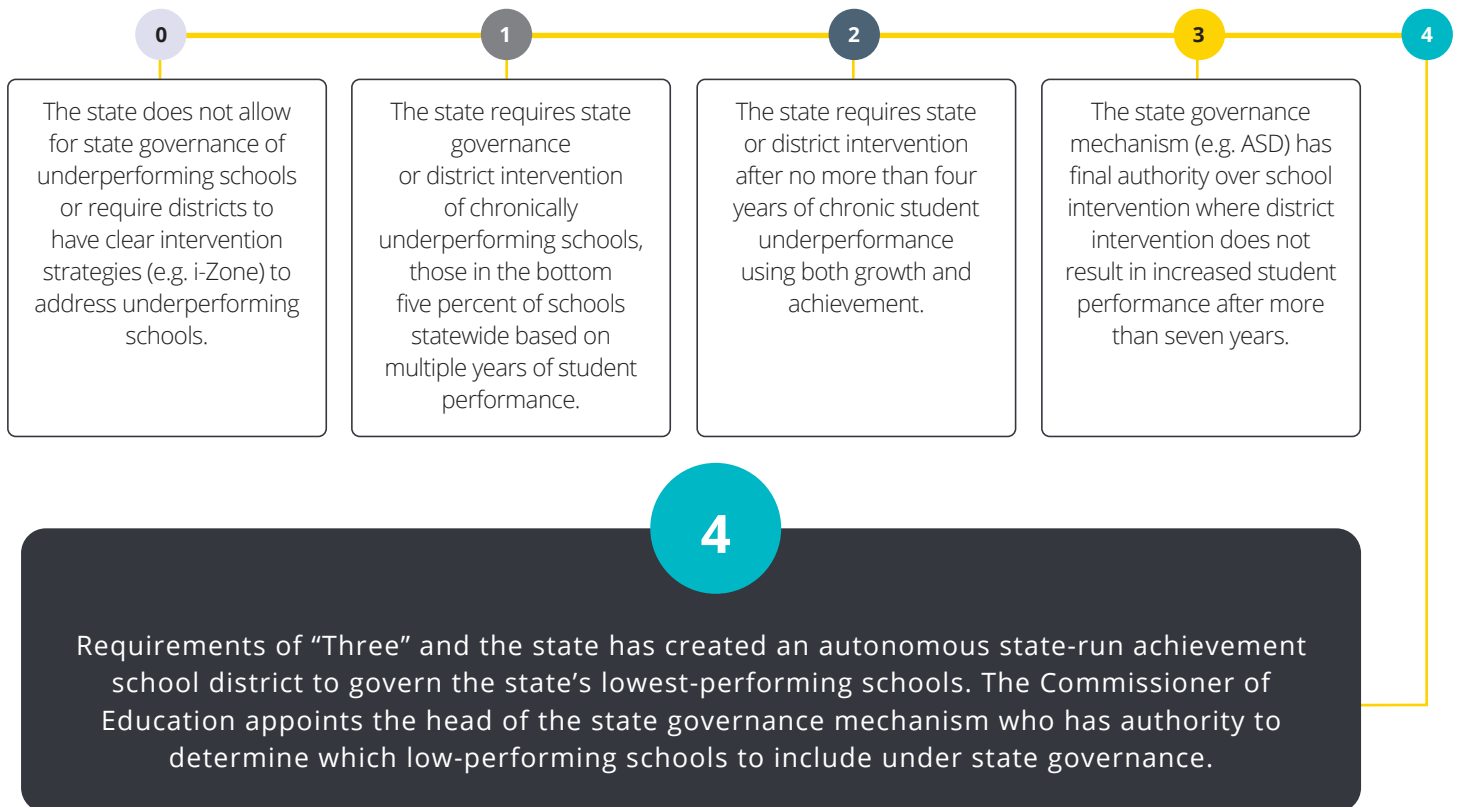
EQUITY POLICIES

SCHOOL IMPROVEMENT STRATEGIES

WHY THIS MATTERS

A school that has been underperforming for decades translates into generations of community members not having had access to an excellent public school. In Tennessee, the Achievement School District (ASD) was established in 2010 as a school improvement strategy for those communities. The ASD is managed by the state, for the state's lowest-performing schools, or those ranking in the bottom five percent, based on student achievement. In 2012, Shelby County Schools and other LEAs initiated Innovation Zones (or i-Zones) to complement the work of state turnaround interventions. These mechanisms permit the state and districts to promptly intervene in chronically underperforming schools across our state. In concert with other choice options, these systems work together to serve as important turnaround efforts.

POLICY RUBRIC: SCHOOL IMPROVEMENT STRATEGIES



WHERE WE ARE

Since 2012, Tennessee has targeted support to its lowest performing 5 percent of schools by awarding competitive grants to implement turnaround plans. As a result, more than 20 of the identified schools have moved out of the bottom 5 percent since 2012. The most rigorous state intervention is the ASD, an organizational unit of the TDOE, assuming governance over the lowest-performing schools whose district has been unsuccessful in turning around its schools. The ASD is funded through the BEP and has access to the district-owned facilities of converted schools. Through the state’s ESSA plan, the ASD is designated as the state’s “most rigorous” turnaround intervention for chronically underperforming schools. The plan also details a clear process and timeline for schools to enter and exit state turnaround. An LEA i-Zone is a district-level turnaround model approved by the Commissioner focused on the lowest performing schools, providing financial, programmatic, and staffing flexibilities to address critical needs.

The COVID-19 pandemic has upended much of how these interventions work. For example, the state will not calculate the list of priority schools from the 2019-20 school year, a list that would normally guide which schools would be eligible for these supports.²¹ Additionally, in December 2020, the TDOE developed a draft plan that would guide a full transition of all existing ASD schools back to their LEAs by 2024.

T.C.A. § 49-1-602; § 49-1-613; § 49-1-614

FAIR FUNDING FORMULA

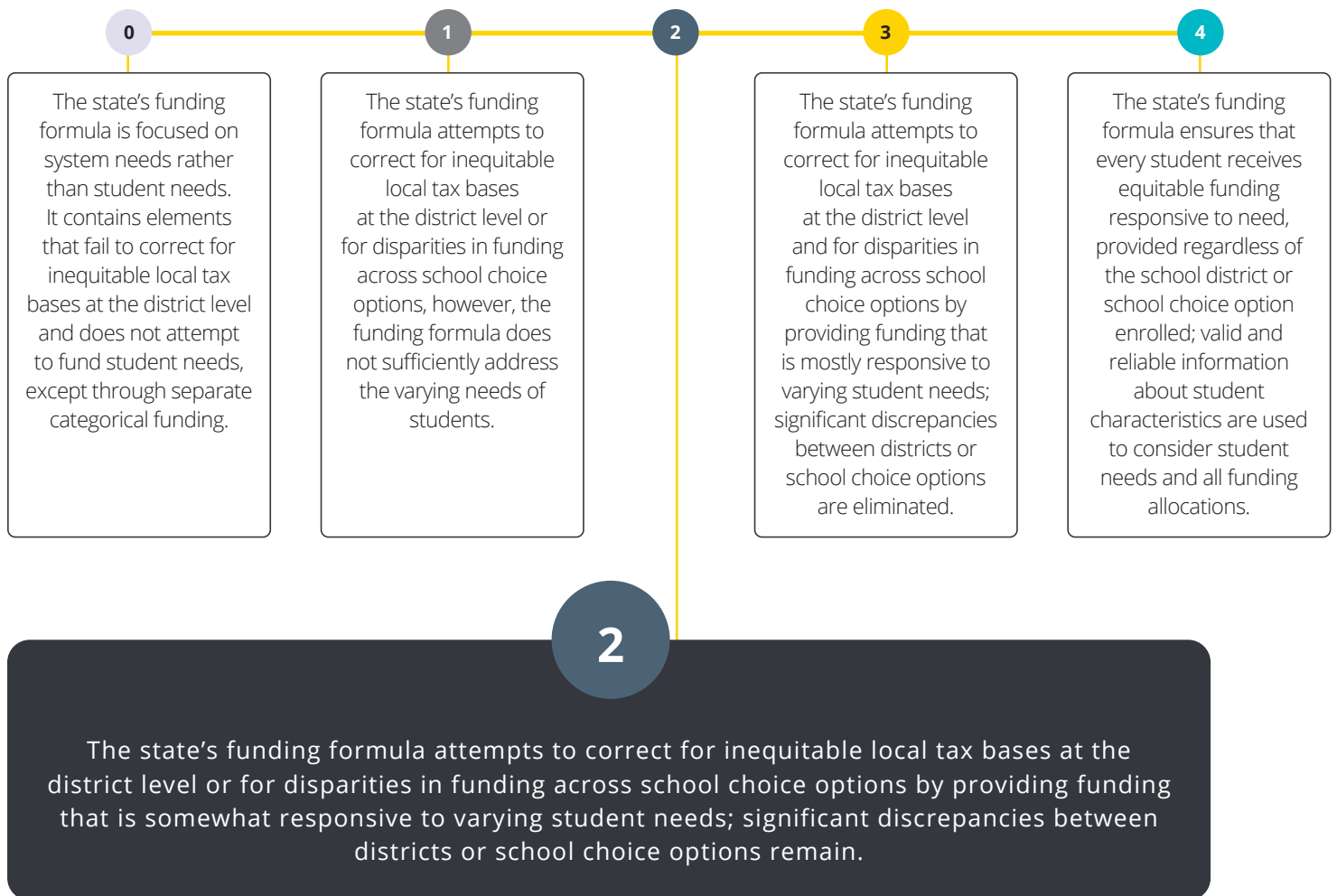
WHY THIS MATTERS

Today — more than ever — policymakers have a plethora of data to guide their decisionmaking in ensuring every student has the resources necessary to excel in school. Students come to school with unique challenges, unique strengths, and unique experiences, therefore school resources should be agile and equitable enough for schools to meet the unique needs of their students. Most states fund education with resource-based models, beginning with student enrollment numbers then prescribing resources to schools informed by the cost of those resources. States — using state revenue — will withhold funds depending on how much local communities can contribute to the total cost of educating students. These local communities fund schools from property taxes, which means revenue disparities contribute to the wide variation in per-pupil expenditures across districts.²²

WHERE WE ARE

Tennessee's BEP is a resource-based formula that determines the cost of educating students in each district based on the cost of the resources, such as staff salary schedules and instructional materials. In other words, funding decisions rely on the state's assumption of how schools should be staffed rather than the individual needs of students. Tennessee should modernize and streamline its school funding formula, one that focuses on funding students and schools informed by student-specific data. The current formula does not fully or sufficiently target funding to take into account individual student or school needs, therefore Tennessee should consider a weighted funding model that not only guarantees that a basic per-pupil funding directly to students but additional resources based on student needs. A weighted formula benefits schools and districts as well by giving them greater spending flexibility to meet the unique needs of their school and community.

POLICY RUBRIC: FAIR FUNDING FORMULA



A NEW REALITY

The 2020 TennesseeCAN statewide survey of school and district leaders showed broad support for reforming Tennessee's current funding formula, the BEP. Almost 68% of district leaders and 57% of school leaders want to see some sort of change to the BEP funding formula, with not one district leader reporting that the BEP should remain unchanged. If a weighted student funding formula had been in place before the pandemic, schools would have had greater flexibility to spend dollars on technology, teacher assistants and other personnel like school support personnel, and supplemental teacher pay. After the last economic downturn, California changed their funding formula to a weighted student formula so that districts could have greater spending flexibility to meet student needs. One early study found that the weighted formula drove spending to have a greater effect on student outcomes.²³

T. C. A. § 49-3-307; § 49-3-351; § 49-3-356

STUDENT PLACEMENT / CLASSROOM ASSIGNMENT

WHY THIS MATTERS

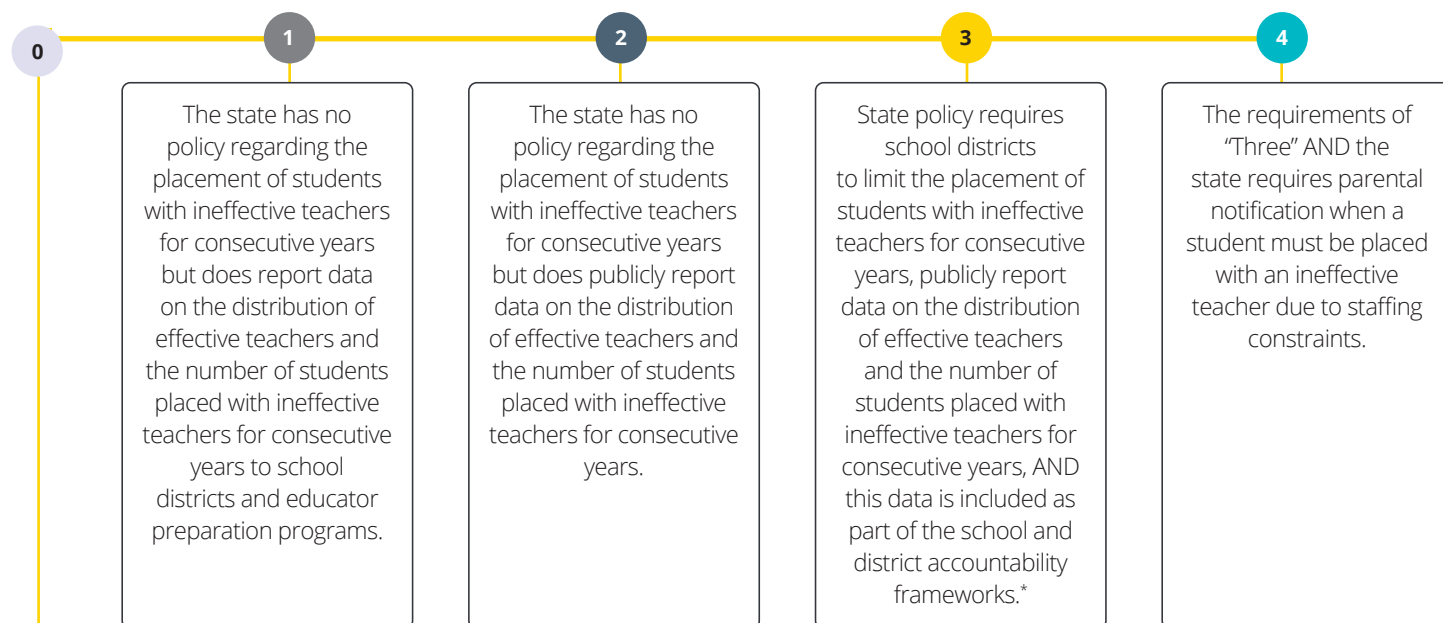
Under the tutelage of an ineffective teacher, a student stands to lose an average of 3.5 months of learning per year.²⁴ When a student has two consecutive years in classrooms with ineffective teachers, that student can lose seven or more months of learning during that time. A student who has three ineffective teachers in a row is unlikely to recover from that learning loss, remaining far behind his or her peers.²⁵ Therefore states and districts must adopt student-centered placement policies that will ensure students are placed in classrooms with effective teachers.

WHERE WE ARE

In Tennessee, individual teacher effectiveness data is not public record and cannot be included on students' educational progress reports. Because of this provision, parents cannot be notified when a student has been placed in an underperforming classroom. The state permits but does not require notice to parents of student assignment decisions. If a parent wishes to challenge the assignment and request a school transfer, their request will be subject to decisions made by the local board and judicial review. Equitable access to highly-effective teachers should be publicly reported at the district and school level and disaggregated by student subgroups. The state should use these metrics as part of the school and district accountability framework to ensure Tennessee's commitment to educational equity. Tennessee must also guarantee that no student is assigned to underperforming teachers for two consecutive years. However, where placement is necessary because of staffing constraints, our state should require parental notification when a student is placed with an ineffective teacher after the teacher has been rated "below expectations" or "significantly below expectations" for two or more consecutive years.

During the 2018 legislative session, TennesseeCAN worked with Senate Education Committee Chair Dolores Gresham to commission a report by the Office of Research and Educational Accountability (OREA) to examine the number of students in Tennessee who were instructed for two consecutive years by ineffective teachers, and the academic impact of two consecutive ineffective teachers for these students. The report found that Black, Hispanic, Native American,

POLICY RUBRIC: STUDENT PLACEMENT / CLASSROOM ASSIGNMENT



0

The state has no policy regarding the placement of students with ineffective teachers for consecutive years and does not report data on the distribution of effective teachers and the number of students placed with ineffective teachers for consecutive years.

low-performing, high-poverty, and special education student subgroups were more likely to have consecutive ineffective teachers than their peers. In English language arts, students in special education and students from high-poverty schools were over 50 percent more likely to have two low-performing teachers, while English learners were 80 percent more likely to have consecutive ineffective teachers. In math, students in special education, English learners, and students in high-poverty schools were over 50 percent more likely to be taught by two ineffective teachers. The problem is particularly acute in Davidson County, as the study revealed that Metro Nashville Public Schools had the highest number of students with two ineffective teachers.²⁶

A NEW REALITY

When the global pandemic forced our schools to close their doors, many parents wondered how schools would properly serve students outside of the homogenized one-teacher-per-classroom delivery model in a brick-and-mortar school building. One study estimated how much learning students may lose during school closures and found the answer varied significantly by access to remote learning, the quality of remote instruction, home support, and the degree of engagement. Engagement rates are also lagging behind in schools serving predominantly black and Hispanic students; nationally just 60 to 70 percent are logging in regularly.²⁷ The same students that were in underperforming schools with ineffective teachers before the pandemic, were likely to be even worse off after the pandemic. If Tennessee had a student placement / classroom assignment policy in 2020 (see Rank 4 description on rubric above), parents would have had the knowledge then power to request a transfer to another classroom or to access another learning opportunity virtually.

* Parental access to teacher effectiveness information upon request is not required for a state to reach a “three” or higher, where a state provides for parental notification or prohibits students from being placed with an ineffective teacher for multiple consecutive years.

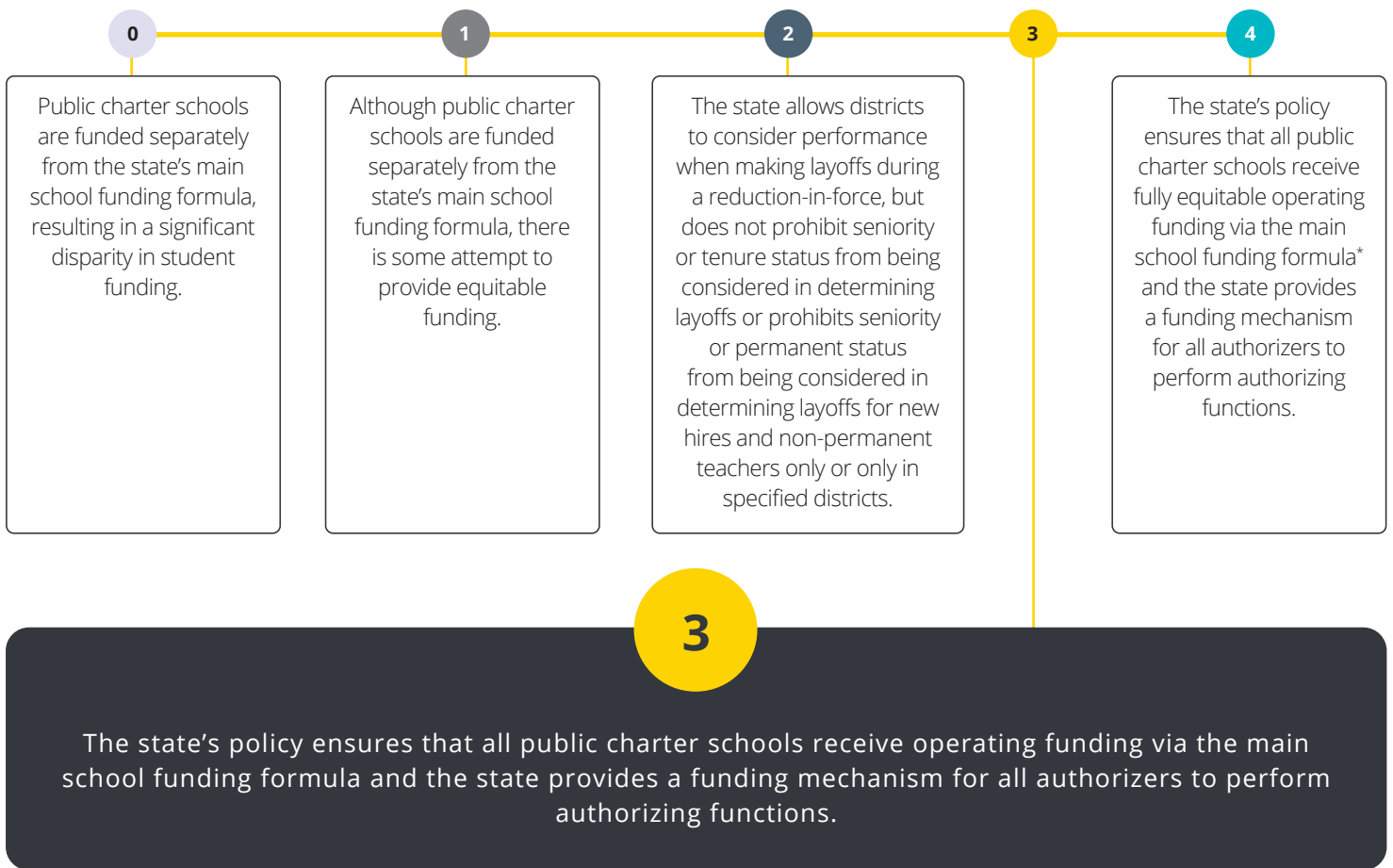


EQUITABLE PUBLIC CHARTER SCHOOL FUNDING

WHY THIS MATTERS

Charter schools are public schools educating Tennessee students just like other district-run schools. Unfortunately, due to the state education funding mechanism and outside revenue sources like capital outlay, funding disparities exist between charter schools and district-run schools. However, Tennessee is one of a few states that ensures an equal pass-through of state and local funds to charter schools through its funding formula (as compared to district-run schools). As the authorizers are the bodies responsible for oversight of charter schools, the state must continue to fund authorizers to perform oversight duties, while ensuring charter schools receive full operational funding, including all categorical funding, for their students.

POLICY RUBRIC: EQUITABLE PUBLIC CHARTER SCHOOL FUNDING



WHERE WE ARE

Tennessee's funding formula, the Basic Education Program (BEP), provides equal per-pupil state and local funding for all students enrolled in traditional district-run or public charter schools, yet charter schools cannot access local funding for facilities and capital projects. Additionally, charter schools are required to pay an annual authorizer fee to their authorizing LEA in order to cover the costs of oversight duties and ensuring school quality. For LEA authorizers, up to three percent of a charter school's operating budget or \$35,000 — whichever amount is less. The SBE and ASD may collect up to four percent.

Considering that Tennessee's public charter schools serve a higher percentage of low-income students and students of color compared to their traditional public school counterparts, it is critical that these schools — which are being asked to do more with less funding and are largely delivering on that commitment — are supported by the state.²⁸ In early November 2020, Governor Bill Lee and the TDOE announced that the state will be furthering equitable charter funding during the COVID-19 pandemic through the Governor's Emergency Education Relief (GEER) Fund. This GEER funding includes \$10 million in grants to charter schools across the state, with each school receiving a per-pupil allocation based on 2020 school enrollment and a focus on supporting charter schools that demonstrate sustained and significant academic growth.

TCA § 49-13-112; § 49-13-106(a)(2)(B); Public Chapter 767; Tenn. Comp. R. & Regs. 0520-14-01-.03

* Fully equitable funding requires all state and local revenue calculations to include any additional income that is generated for student services and per-pupil allocations, including facilities payments.

PUBLIC CHARTER SCHOOL FACILITIES ACCESS & FUNDING

WHY THIS MATTERS

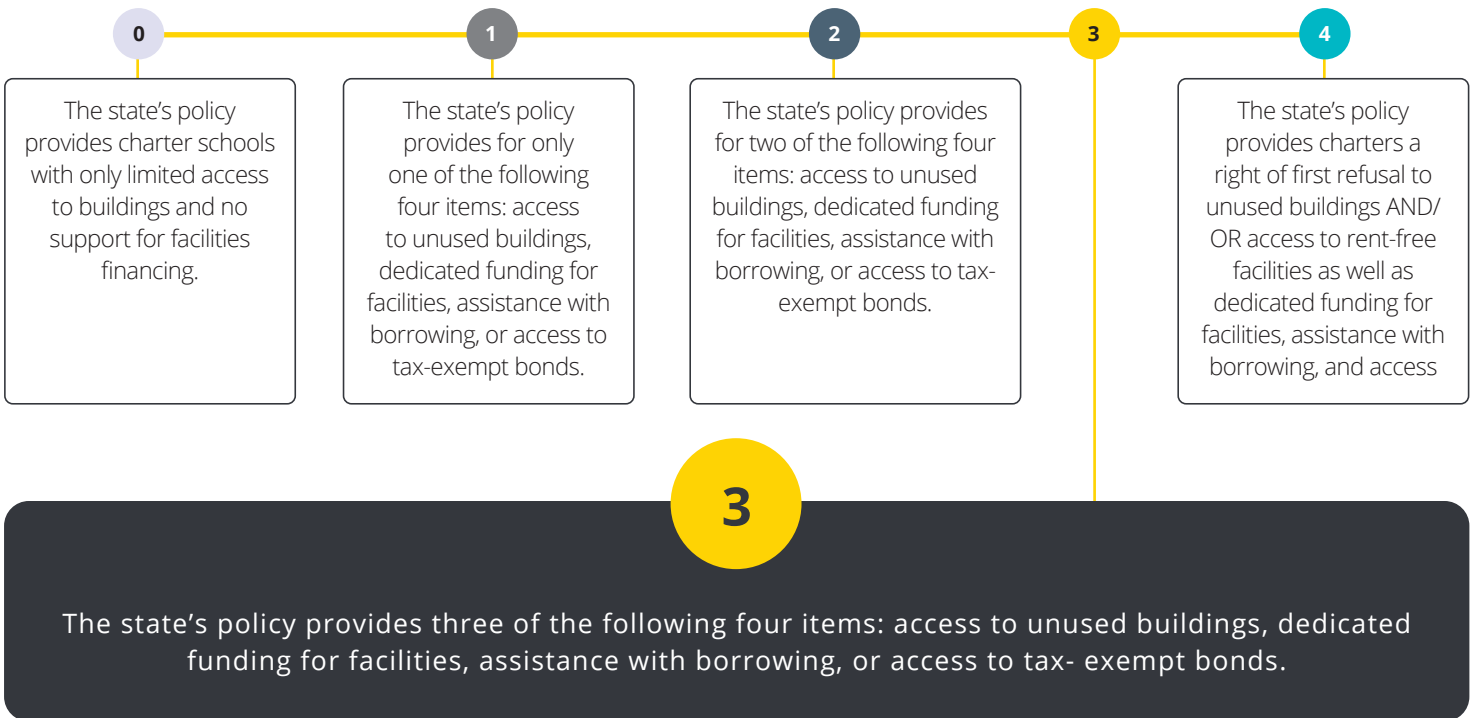
When it comes to creating safe, secure, and learning-conducive spaces to educate students, unlike district-run schools, public charter schools are often responsible for securing their own facilities. Due to unfavorable lending terms and a lack of dedicated space, public charter schools are often forced to settle for less-than-ideal classroom spaces for their students. Additionally, charter schools cannot access local funding for facilities and capital projects, such as former retail stores or office buildings.²⁹ Often without adequate access to state funds and local facility funds, a charter school must invest in their facility from operational budgets. While public charter schools are eligible for capital outlay allocations, in practice they do not receive any revenue generated through local district bonds. In order to ensure all students have access to appropriate facilities, states should grant public charter schools access to available non-LEA public buildings and provide multiple sources of facilities funding and financing.

WHERE WE ARE

If a traditional public school district in Tennessee needed to renovate or build a new facility, they may raise funds from local property taxes for these projects. Although state law in Tennessee does not explicitly restrict public charter schools from accessing these capital funds, in practice they do not receive them from local school districts, and districts do not include public charter schools in their facility maintenance schedules. Public charter schools in Tennessee may access facilities in the following ways:

- Securing an underutilized and vacant property from the LEA, as LEAs must make underutilized and vacant properties available for use by public charter schools. Additionally, portions of underutilized properties must also be made available, allowing for colocation of charter and traditional district schools within district-owned facilities.

POLICY RUBRIC: PUBLIC CHARTER SCHOOL FACILITIES ACCESS & FUNDING



- Accessing funding for a facility through a per-pupil facilities allowance calculated in the state funding formula.
- Obtain financing through federal tax-credit bond programs. This includes a credit enhancement program established jointly by the Tennessee Charter School Center and the Low Income Investment Fund.
- If the charter school has the support of their local taxing authority, accessing tax-exempt financing through the Tennessee Local Development Authority (TLDA).
- Applying to the Charter School Facilities Grant Program that was created in 2017 to help provide additional state dollars for charter school capital projects. In 2020, Governor Bill Lee proposed, and the General Assembly originally approved, increasing funding for the program to \$24 million — \$12 million recurring and \$12 million non-recurring, but unfortunately due to the COVID-19 pandemic, the final budget bill did not include any funds for the Charter School Facilities Grant Program.

The state should provide public charter schools access to rent-free facilities, leases of underutilized or vacant district property, and right of first refusal to rent or purchase underutilized or vacant district property at or below market value.

A NEW REALITY

In early November 2020, Governor Bill Lee and the TDOE announced that the state will be furthering equitable charter funding during the COVID-19 pandemic through the Governor's Emergency Education Relief (GEER) Fund. This GEER funding includes \$10 million in grants to charter schools across the state, with each school receiving a per-pupil allocation based on 2020 school enrollment and a focus on supporting charter schools that demonstrate sustained and significant academic growth. While this funding may be used for facilities funding, it is critical that future budgets include the Charter School Facilities Grant Program.

T. C. A. § 49-1-614(f); § 49-3-1210; § 49-13-124; § 49-13-135; § 49-13-136; Public Chapter 307 (2017).



CHOICE POLICIES



OPEN ENROLLMENT

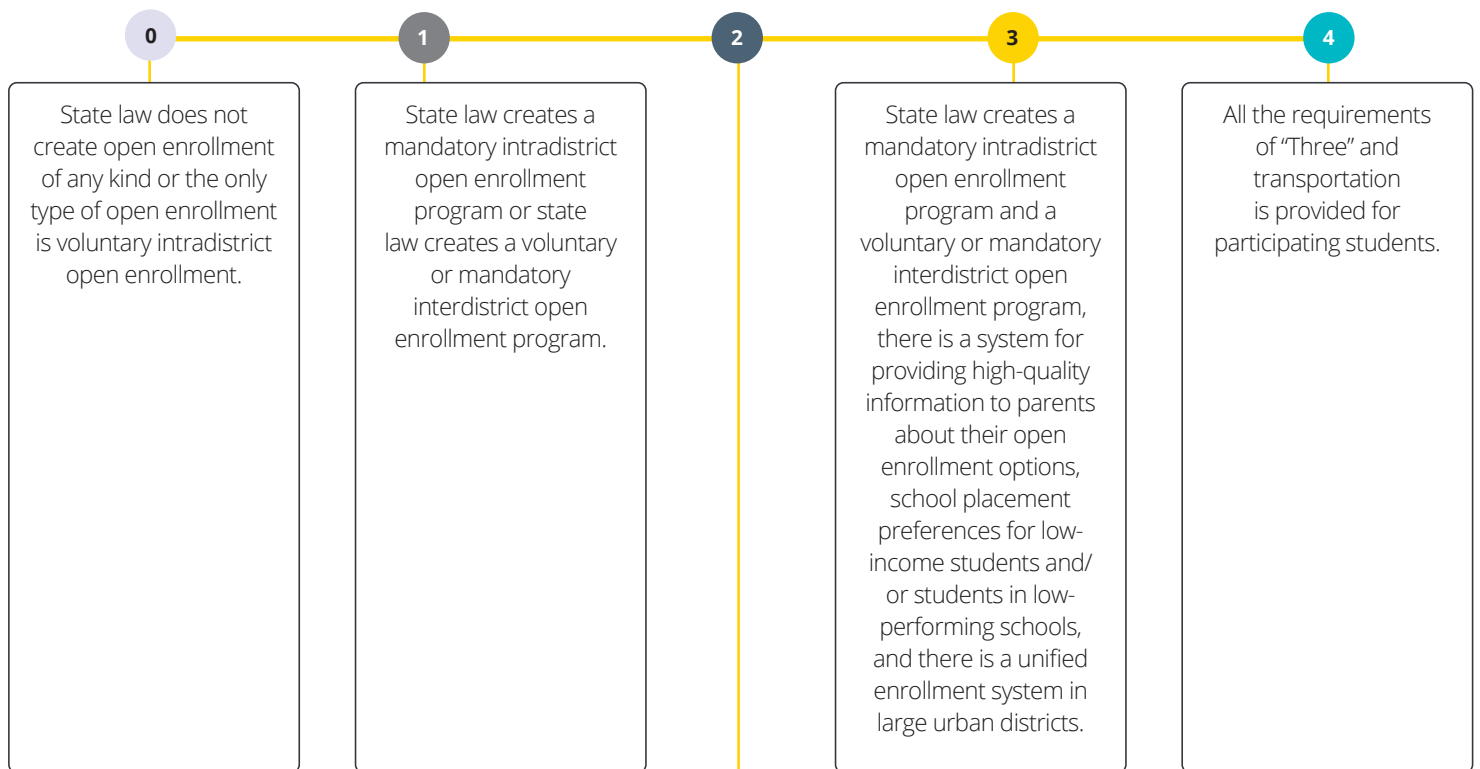
WHY THIS MATTERS

Where a family lives often determines where their children go to school, and this policy is often referred to as residential assignment. But what if that public school is underperforming, or is not meeting the needs of their students, especially in the time of a global pandemic? While public charter schools and scholarship programs give options to families seeking an alternative to their zoned district-run school, many families want to keep their child within the district but at a different school. Others wish to send their child to a traditional public school in a neighboring district. Some families have access to more education options because they have the social capital to navigate the various options offered and can work around the burdensome processes in various ways, like moving to a neighborhood with better schools or enrolling in a private school.³⁰ If states want to provide a suitable learning environment to every student, they must enact policies designed to increase all students' access to high-quality schools, including other district options.

WHERE WE ARE

Tennessee has enacted two open enrollment policies. The first one is a mandatory intradistrict policy which means that a student may transfer to another public school within their current district boundaries. This statute allows students attending low-performing schools, as determined by the Priority Schools List, to attend a different school within their school district. The second open enrollment policy is a voluntary interdistrict policy in which a student can transfer to a school outside of their assigned school district. These types of transfers require approval by local school boards. The intradistrict policy requires LEAs to provide annual open enrollment periods for transfer requests. Unfortunately, under both enrollment policies, transportation is not provided.

POLICY RUBRIC: OPEN ENROLLMENT



2

State law creates a mandatory intradistrict open enrollment program or state law creates voluntary or mandatory interdistrict open enrollment, there is a system for providing high-quality information to parents about their open enrollment options*, and there are school placement preferences for low-income students and/or students in low-performing schools participating in the open enrollment program.

In the 2020 legislative session, legislation was filed that would have streamlined the open enrollment process making it more parent-friendly. While the legislation ultimately did not progress through an interrupted and unusual session, Tennessee should strengthen its open enrollment policies by expanding its mandatory intradistrict transfer program to all students within the district, while still assigning priority to students from low-income households or in low-performing schools. Our state should also ensure transportation is provided for these programs to facilitate greater access for open enrollment programs — particularly in large urban districts with multiple public school options within the district. Finally, large urban districts should establish unified enrollment policies allowing families to select the public school of their choice through a unified enrollment and application system. For example, a group of parents and advocates in Shelby County are currently engaging Shelby County Schools to explore the feasibility of pursuing a unified enrollment system that would include all public school options (including public charter schools) for all Shelby County students and families.

T. C. A. § 49-1-602; §49-2-128; § 49-6-3104; § 49- 6-3105; Public Chapter 138

Note: The Tennessee School Boards Association model policy outlines a process to require approval of requests during an annual open enrollment period.

** The inclusion of an A-F school grading framework satisfies this requirement. Please see “School Accountability Frameworks” section on page 75-76.*

PUBLIC CHARTER SCHOOL AUTHORIZING PRACTICES

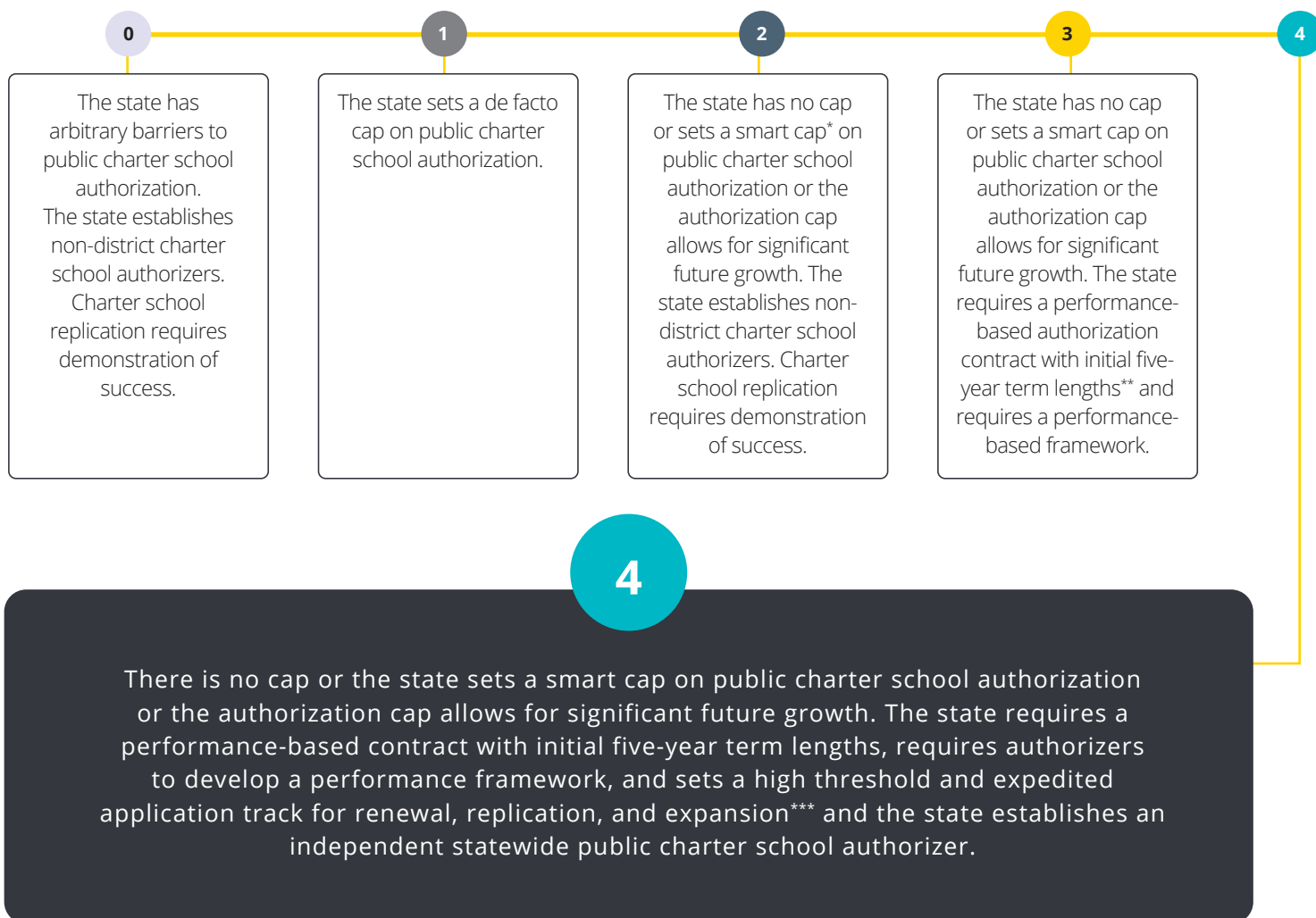
WHY THIS MATTERS

Charter schools that start strong often stay strong, and charter schools that are struggling from the start have a very difficult time improving to the highest levels.³¹ Public charter school authorizers are the public bodies responsible for filtering through charter applications for quality and rigor, then monitoring progress to goals once the schools are open. Authorizers that implement strong screening practices are more likely to approve schools with a greater chance of success, preserve school autonomy, and close schools that simply do not perform well.³² Even after approving a charter, a quality authorizer will develop a performance framework and continuously monitor schools in its portfolio to ensure accountability and autonomy for its schools.

WHERE WE ARE

Tennessee possesses strong charter school authorizer policies. Our state allows for three types of authorizers: LEAs, the ASD, and the Tennessee Public Charter School Commission, a newly-formed, independent statewide authorizer that can hear and approve appeals of charter school applicants that have been denied by an LEA. Previously, the SBE served as a limited appellate authorizer. The ASD also can authorize charter schools to operate priority schools.

POLICY RUBRIC: PUBLIC CHARTER SCHOOL AUTHORIZING PRACTICES



Upon approval, charters are granted a 10-year term length and subject to interim reviews every five years. The state also allows all authorizers to collect an authorizer fee, allowing the authorizer to receive a small portion of funds for charter oversight responsibilities. Finally, charter law requires LEAs to adopt a performance framework for all schools it oversees, including charter schools. TDOE has created a model performance framework that LEAs will be required to adopt if they do not already have a performance framework in place.³³ Charter authorizing policy could be further improved by allowing charter applicants to apply directly to the Public Charter School Commission without first having to apply with an LEA.

T. C. A. § 49-13-104; § 49-13-108; § 49-13-120; § 49-13-141; Public Chapter 219; Tennessee State Board of Education Policy 6.111, Quality Charter Authorizing Standards; Charter Interim Review Guidelines; Tennessee Model Charter School Performance Framework.

* The definition of “smart cap” is that if a state caps the number of public charter schools that can operate in the state, high-performing charter schools from in- and out-of-state do not count against the total number of public charter schools against the cap.

** A state may have either five-year term lengths or longer term lengths in conjunction with a meaningful interim review that is equivalent to a renewal application review. Longer charter terms provide benefits for securing facilities and financing opportunities, but authorizers should conduct a high-stakes review at least every five years.

*** An expedited application process should outline the necessary thresholds an existing charter operator must meet before approval. This policy should not be pursued until a state has put strong charter accountability in place. For model components on charter accountability, see the “Public Charter School Accountability” section on page 66.

PUBLIC CHARTER SCHOOL ACCOUNTABILITY

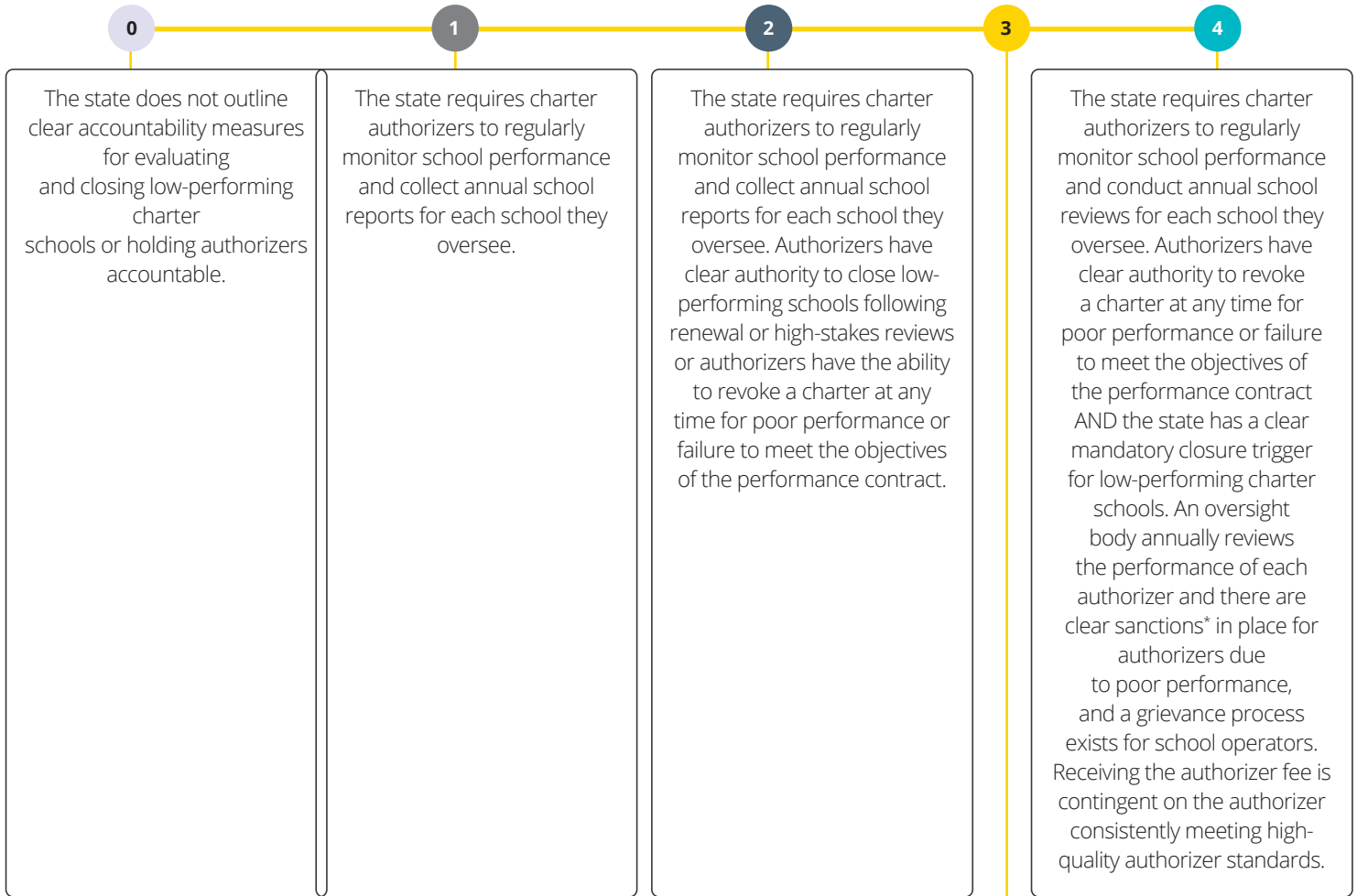
WHY THIS MATTERS

In exchange for providing greater flexibility around governance and operations, public charter schools must be held accountable for their performance. Clear, objective, and rigorous standards for revocation, combined with a transparent public process, help parents and community leaders see evidence of a school's extreme underperformance or wrongdoing, and highlight the necessity for urgent action to protect students. Establishing clear, strong mechanisms for closing low-performing schools and making authorizers answerable for their schools' performance can strengthen accountability for public charter schools.³⁴

WHERE WE ARE

Tennessee requires public charter schools included in the bottom five percent of all schools in our state (according to the Priority Schools List) to be closed immediately following the end of the school year in which the school was identified on the Priority Schools List two consecutive times. In 2019, the legislature altered the state's default closure law to allow the authorizer to determine whether the school should be automatically closed the first time it lands on the Priority Schools List. If a school lands on the list a second time, it will be closed automatically. Public charter schools may also be closed at the end of any year for poor academic, organizational, or fiscal performance. Recent updates to state law have established clear criteria for non-renewal or revocation and outlined a closure process. Authorizers are also now required to submit a more detailed annual report on all public charter schools overseen that includes individual school performance, according to the LEA's performance framework. Finally, the state has recently established the SBE as the entity that oversees all charter school authorizers in Tennessee and is tasked with ensuring high authorizer quality. The SBE is even authorized to withhold the authorizer fee from any authorizer that fails to meet

POLICY RUBRIC: PUBLIC CHARTER SCHOOL ACCOUNTABILITY



3

The state requires charter authorizers to regularly monitor school performance and conduct annual school reviews for each school they oversee. Authorizers have clear authority to close low-performing schools following renewal or high stakes reviews OR the state has a clear mandatory closure trigger for low-performing charter schools. The authorizer must submit annual performance reviews to an oversight body which annually reviews the performance of each authorizer.

quality authorizing standards. Tennessee could still do more to improve public charter school authorizer accountability by adding specific sanctions the SBE can take against non-compliant authorizers, as well as establishing a grievance process for school operators.

T. C. A. § 49-13-120; § 49-13-121; § 49-13-122; Public Chapter 219; Public Chapter 205; Tennessee State Board of Education Policy 6.111, Quality Charter Authorizing Standards

** Sanctions should relate to the specific privileges or functions of authorizers and only be instituted after there are multiple authorizers operating within a state. As one example, if the authorizer fee was made contingent on authorizers following state law and establishing high-quality authorizing and oversight standards, that could raise the state's rubric score. Tennessee's authorizing structure requires all applicants to apply to the local governing body as a first step, making sanctions for individual LEAs effectively restrict access to authorizing for applicants.*

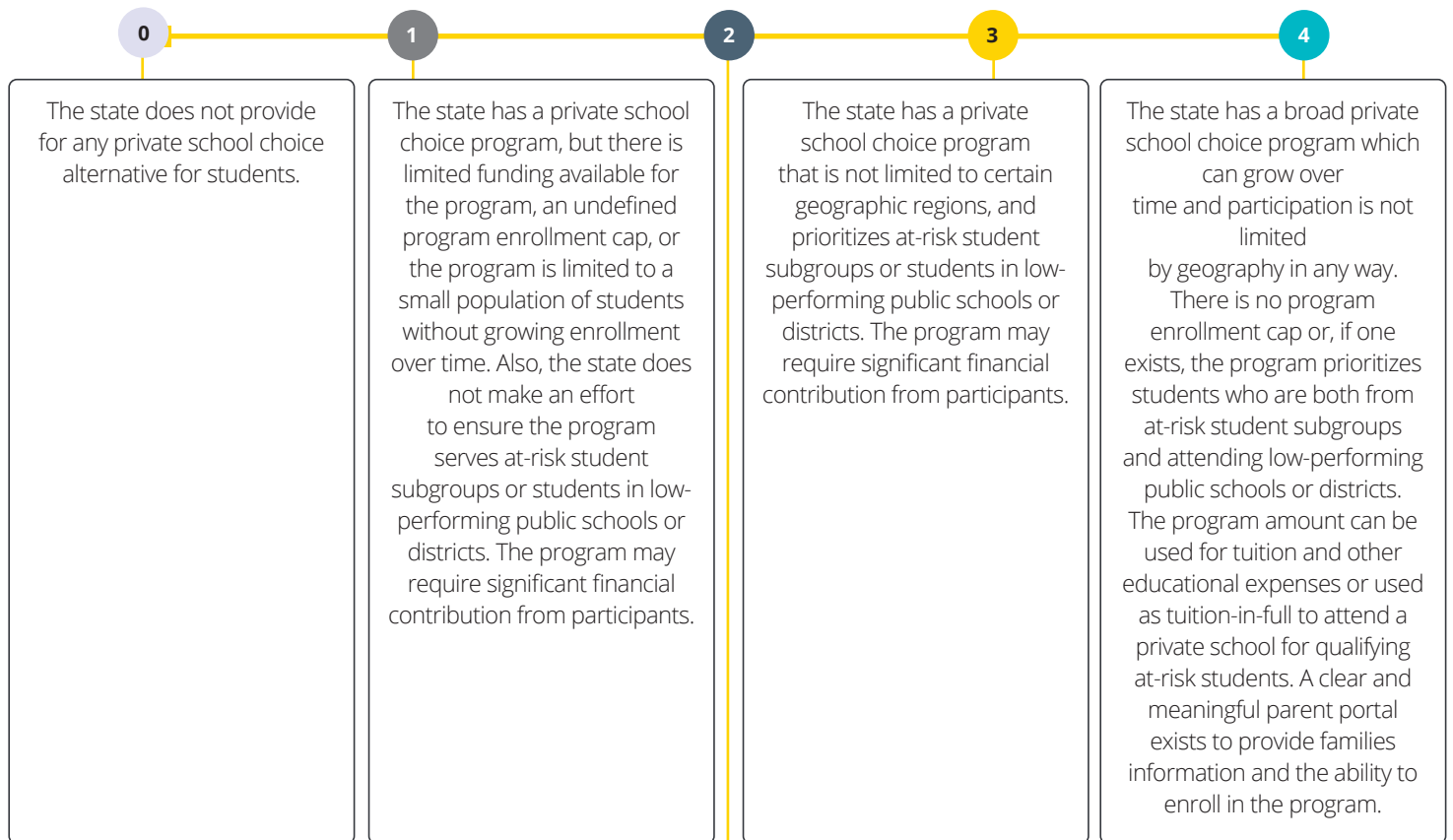
PRIVATE SCHOOL CHOICE ACCESSIBILITY



WHY THIS MATTERS

Private school choice, like education savings accounts (ESAs) or opportunity scholarships, can complement public school choice options and provide a lifeline to families desperate for a better option. These choice programs allow eligible students immediate access to high-quality private schools. For example, scholarship programs have already shown positive effects on student outcomes without inflicting negative fiscal impacts on the existing district.³⁵

POLICY RUBRIC: PRIVATE SCHOOL CHOICE ACCESSIBILITY



2

The state has a private school choice program which can grow over time, but the program is limited to certain geographic regions, or limited efforts exist to ensure the program(s) serve at-risk student subgroups or students in low-performing public schools. The program may require significant financial contribution from participants.

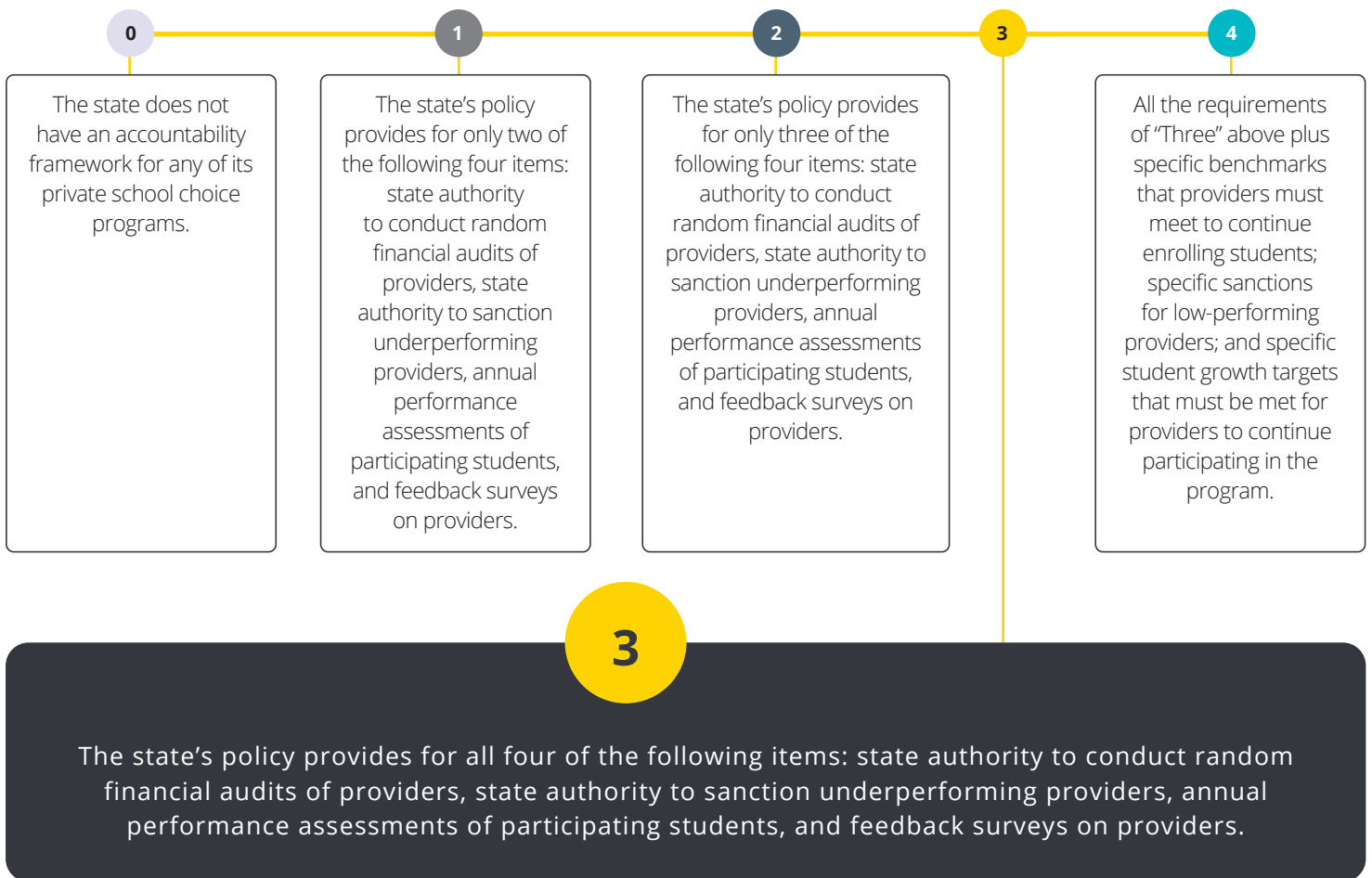
WHERE WE ARE

In 2019, Governor Bill Lee signed into law Tennessee's Education Savings Account Pilot Program, which would allow parents with children in public schools in Shelby County and Davidson County to use state funds to customize their child's education, directing funding to the schools, courses, programs and services of their choice. The program, capped at 5,000 participants, would target low-income students in those two school districts. Each ESA amount would equal the statewide average of state and local BEP funds. Under current law, enrollment may grow over time and increase to a maximum of 15,000 students over 5 years. The ESA program is set to be implemented no later than the 2021-22 school year, however a pending legal challenge to the ESA Pilot Program has forced the state to halt the application process until the legal challenge is resolved. In addition to the ESA program, the state also operates a private school choice program for students with certain disabilities called the Individualized Education Account Program (IEA).

T.C.A. §49-6-2601-2612; § 49-10-1402; § 49-10-1405; Public Chapter 506

PRIVATE SCHOOL CHOICE ACCOUNTABILITY

POLICY RUBRIC: PRIVATE SCHOOL CHOICE ACCOUNTABILITY



WHY THIS MATTERS

The highest levels of accountability should accompany any program where public dollars are used to fund programs or projects in the private sector. For the state to support families in a private school choice program, they are asking the public for a high level of trust in how these public funds are being used. To ensure fidelity of use for taxpayer money, it is critical to require increased accountability for both the providers and the state that operates that public-private partnership. As with all other policy areas, accountability should be pursued in concert with efforts to create or expand existing private school choice programs.

WHERE WE ARE

Tennessee's ESA law allows the state to suspend or terminate a provider for non-compliance with state law or low performance and includes TDOE oversight on provider performance, ensuring that only high-quality providers are allowed to participate in the program and serve students. Just as traditional public schools are held accountable for student academic progress, participating ESA students are required to take the TNReady assessment in Math and English, and the program requires public reporting on aggregate student growth and performance. Additionally, the state will collect feedback surveys from participating students and parents on providers. The accountability of the ESA program could be further improved with more specific sanctions for provider low-performance as well as specific sanctions that will take place when a provider is underperforming. The state should also establish specific student growth benchmarks for participating students that must be met for a provider to continue enrolling students and participating in the program.

T.C.A. § 49-6-2606-2608; § 49-10-1404; Public Chapter 205

TRANSPARENCY POLICIES



ASSESSMENTS & STANDARDS

WHY THIS MATTERS

Academic standards are benchmark measures that outline what students should know and be able to do at each grade level. The state reviews and sets these standards periodically, identifying what should be taught in each grade and subject so that students will be college and career ready after graduation. Student progress on these learning standards is measured through assessments, which inform families and educators of student progress and inform policymakers of which schools are meeting expectations.³⁶

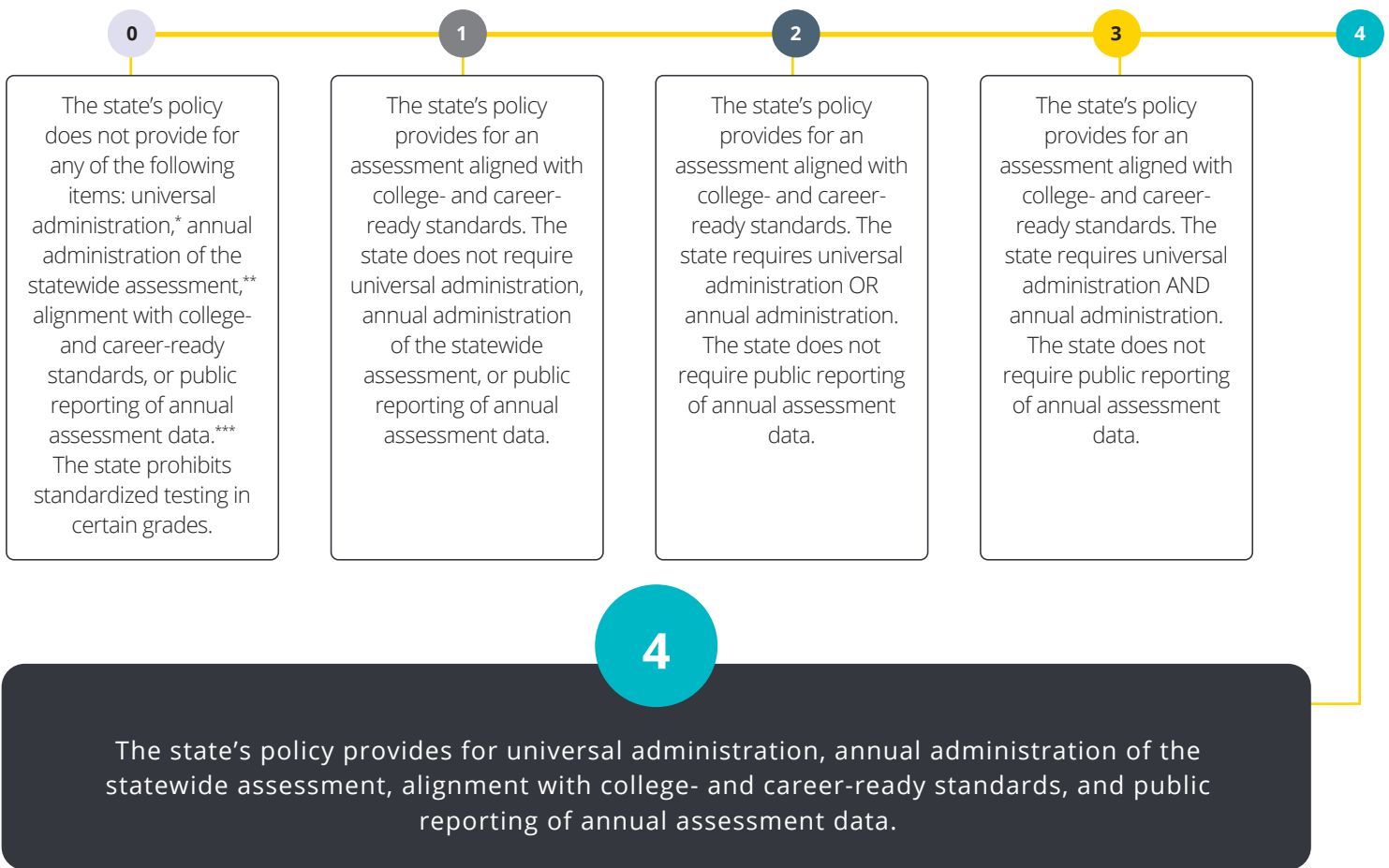
WHERE WE ARE

Strengthening and measuring progress toward rigorous academic standards are just two actions that have led to Tennessee's remarkable progress in student achievement. In a global pandemic, now more than ever our students need policymakers to hold fast to these reforms that have held their schools accountable to meeting their needs. While the logistics of educating students in a global pandemic may seem daunting, even more daunting is the fact that families will not be able to make informed decisions about the education of their children. Assessing learning gains/loss is the least we can do to serve students in a tumultuous time. By measuring academic gains/losses, parents and advocates will know whether or not students are getting critical opportunities and resources. This information will also allow decisionmakers to identify which schools need additional support and resources to meet the needs of their students. Additionally, measuring learning gains during this time will allow policymakers to identify the actions that schools took to achieve these learning gains in such a challenging time.

In an encouraging decision after the pandemic forced the cancelling of the 2019-20 statewide assessments, in the Fall of 2020, Governor Lee and Commissioner Schwinn announced their commitment to the administration of statewide assessments for Spring 2021. Regardless of how the state uses these assessment outcome data for accountability purposes, the data must be transparent and made public. We must have an opportunity to empower parents, schools, and students to unite around data collection (assessments) and transparency (data sharing) to support student learning in 2021 and beyond.

T. C. A. § 49-1-309; § 49-1-617; § 49-1-226; § 49-1-608; § 49-6-6001(b); § 49-6-6002; Public Chapter 817

POLICY RUBRIC: ASSESSMENTS & STANDARDS



A NEW REALITY

Assuming all 2021 end-of-year statewide assessments will be administered using pencil and paper, the following actions may best support districts, schools, and students through implementation.

- **Testing Location:** Several testing locations should be allowed in 2021, with priority placed on testing in the school building to the extent possible. Locations do not have to be in a classroom, therefore other in-school testing opportunities should be considered (i.e., gym, cafeteria, library, etc.). The TDOE has already given guidance³⁷ to districts for alternative testing locations for Fall 2020 End-of-Course assessments.
- **Testing Window:** The TDOE may consider lengthening the current testing window. Lengthening this window for at least one week before and after the current window would provide additional flexibility for scheduling and for offering in-person assessment opportunities for students learning remotely.
- **District Plans for Assessment and Data Transparency:** The Tennessee Department of Education should provide a clear assessment plan template for districts to submit to the Department that captures which assessment implementation options the district will use, and how the district will share information with parents on learning loss and opportunities to learn.

* Federal guidelines permit up to one-percent student exemption from the statewide-administered test. This exemption is reserved for those students who participate in alternative means of assessment, including portfolios. State policy may be silent on the matter or explicitly require all students in the state be assessed.

** Assessments should be annually administered across multiple grades. At minimum, states should be assessing students in grades three, eight, and 10. The minimum required for attaining a "two" is administration in grades three through eight, and administration in grades three through 11 to attain a "three" or "four."

*** The public reporting requirement must include reports to be disaggregated by demographic subgroup, and by school and district level, in addition to overall state scores.

SCHOOL ACCOUNTABILITY FRAMEWORKS*

WHY THIS MATTERS

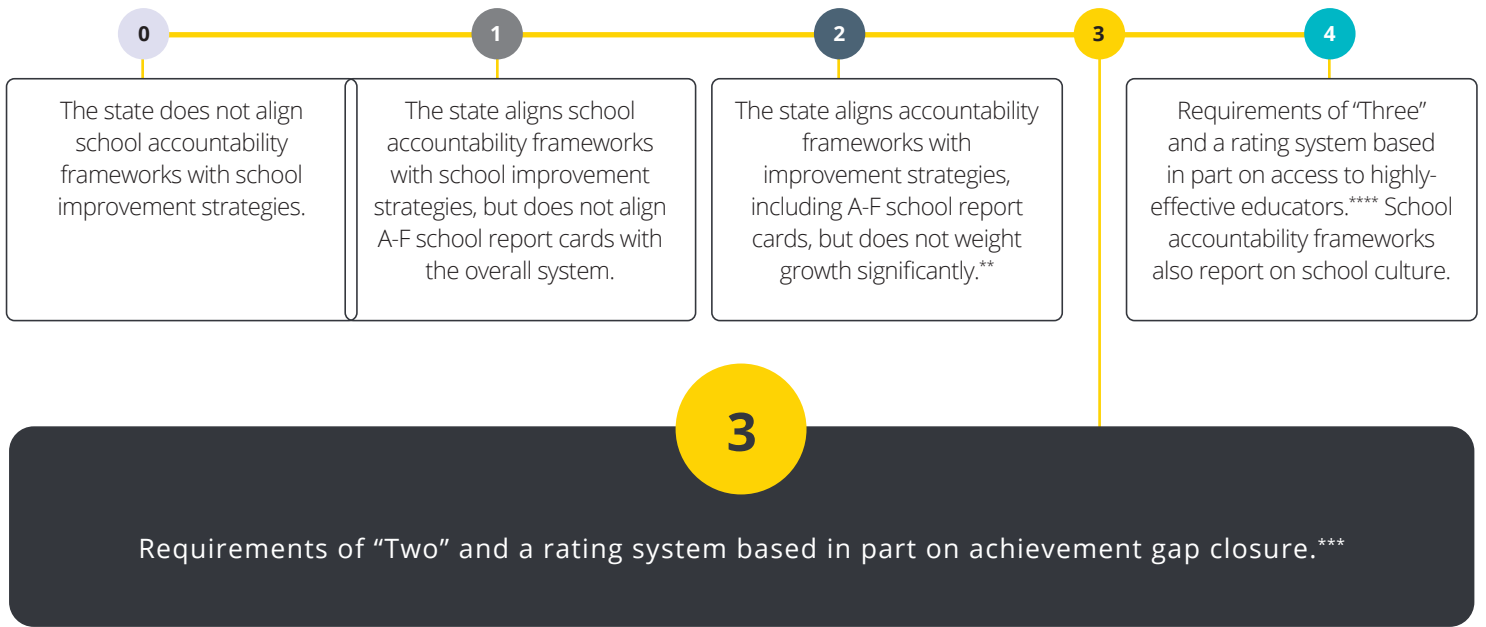
Communities deserve to know how their schools are serving their students. School accountability frameworks not only serve as a baseline for determining school performance and targeting resources and interventions, but they can also provide parents with valuable insight regarding where their children will be best served, or even what questions parents may need to be asking of their school leadership. Relatedly, any data that are provided to parents and communities must be accessible, useful, and easy-to-understand.

WHERE WE ARE

In 2016, the legislature enacted a law requiring the state to implement an A-F rating system for all schools beginning with the 2017-18 school year and each year thereafter. The rating system also requires the performance of student subgroups be taken into account when determining school performance and letter grades. This letter grading system will satisfy the ESSA requirement for having an identification system of school performance, and the framework is detailed extensively in Tennessee's ESSA plan.[†] Additionally, Tennessee releases annual school- and district-level report cards that include the following information:

- Academic achievement in math, English Language Arts, and social studies
- Academic growth in math, English Language Arts, social studies, and science
- Graduation rate, dropout rate, and postsecondary enrollment
- Average ACT scores and CTE concentrators
- Average per-pupil spending
- Staff data that include teacher counts, administrator counts, and other staff counts
- Absenteeism data that includes chronically out of school, in-school and out-of-school suspensions, and expulsions
- English Language Proficiency

POLICY RUBRIC: SCHOOL ACCOUNTABILITY FRAMEWORKS



A NEW REALITY

As a result of COVID-19 and subsequent school closures, both the USDOE and the Tennessee General Assembly waived the federal and state assessment and accountability requirements for the data from the 2019-20 school year. As a result, the 2020 report card will not include letter grades or rankings and will have limited information. In the Fall of 2020, Governor Lee and Commissioner Schwinn announced that statewide assessments will be administered in Spring 2021, and they are advocating for educators, schools, and students to be held harmless from any negative consequences from accountability measures. Regardless of how the state uses assessment outcome data, the data must be transparent and made public. Tennessee should put information about schools in the hands of parents, with or without the standard accountability plans in place. Every district should submit to the state several additional data points on learning loss and opportunity-to-learn, including:

- Extent of learning loss (real or projected) by grade level and subgroup
- Percentage of students in virtual learning without access to broadband
- Percentage of students in virtual learning without access to a computer
- Attendance in virtual classrooms
- Percentage of students receiving additional services and support

Again, these data points should be reported in addition to the metrics collected per state law.

T. C. A. § 49-1-211; § 49-1-228.

[†] Due to issues with online administration of TNReady in the last several years, the state did not use assessment data in issuing overall letter grades.

^{*} In our 2019 policy report card, we committed to lowering the policy rubric score from a 3 to a 2 if the A-F school letter grade system was not implemented for the 2019-20 school year. However, this commitment was made before the global pandemic forced an assessment waiver for the 2020 Spring assessment, therefore this policy rubric score will stay the same for the 2020 report card.

^{**} Significantly weighting growth means equal to or nearly equal to the weight for achievement.

^{***} The rubric score reflects the school accountability framework plan as outlined in Tennessee’s ESSA plan.

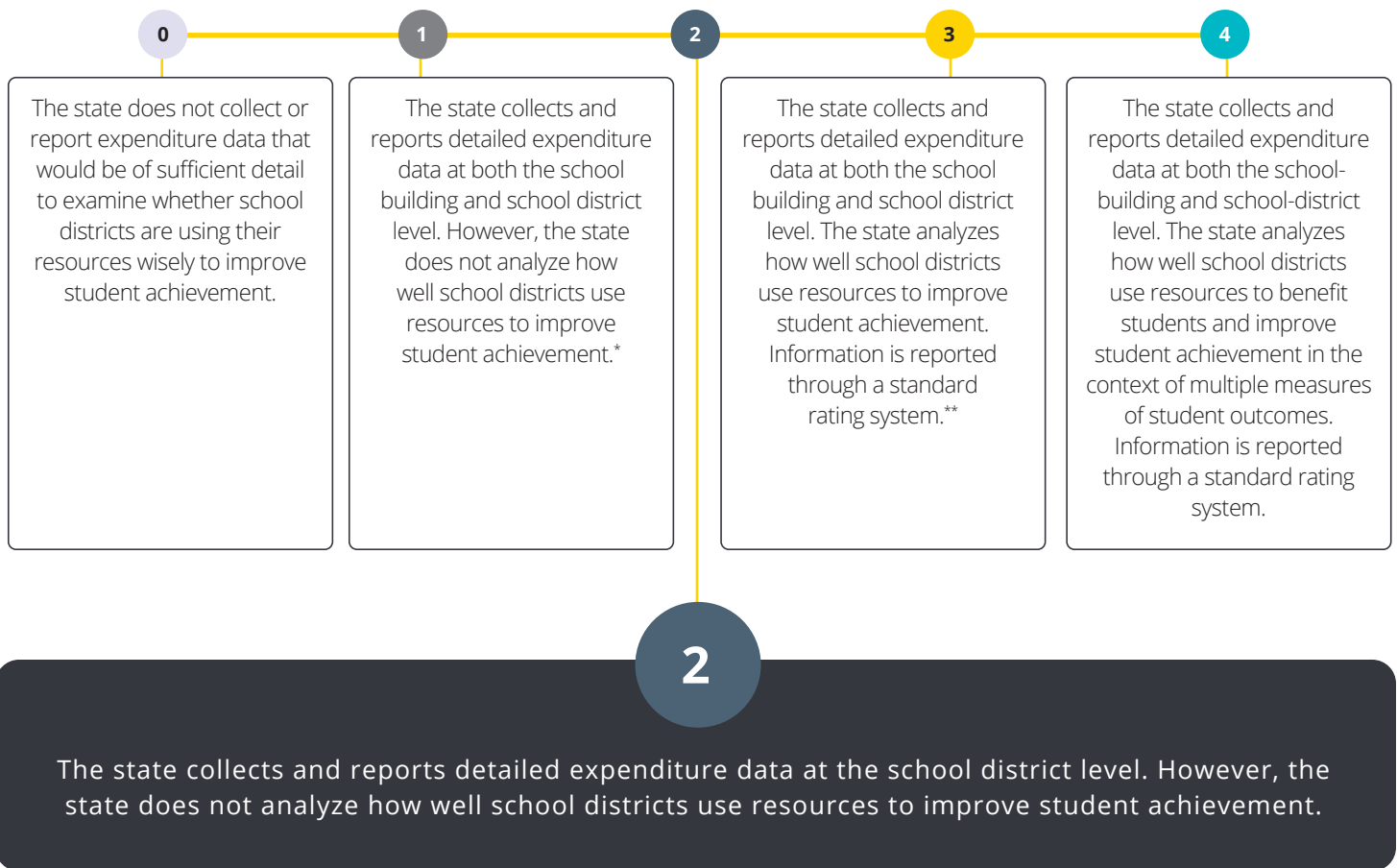
^{****} Effective teaching is defined as educators receiving an overall evaluation score of “at expectations” or higher.

FISCAL TRANSPARENCY

WHY THIS MATTERS

Per the Every Student Succeeds Act (ESSA), as of June 30, 2020, states are required to report for every public school and local educational agency the total per-pupil spending of federal, state and local money disaggregated by source of funds for the preceding fiscal year. The goal of this change in federal reporting was to prompt districts to reexamine spending practices across schools, paying more attention to issues of equity. While Tennessee is one of a handful of states that increased education funding throughout past economic downturns and continues to increase spending each year, there has not yet been much quality information regarding how schools are spending money so that student outcomes are prioritized and maximized.³⁸ In the summer of 2020, the state released per-pupil expenditure dollars per school for the first time, which is a positive development in comparing a high-level metric in school spending. Tennessee could promote greater fiscal transparency by analyzing how well school districts use their resources to improve student achievement, and provide transparent data about school-level expenditures at the individual school level.

POLICY RUBRIC: FISCAL TRANSPARENCY



WHERE WE ARE

Using a standardized system of financial accounting and reporting, school districts in Tennessee report to the state basic expenditures and submit annually a certified copy of its budget, prior year expenditures, and a financial audit to the TDOE. In the summer of 2020, the state released for the first time in history school-level spending, fulfilling the new ESSA federal reporting requirements. To further improve Tennessee’s fiscal transparency policy, our state should require TDOE to enable comparison of expenditure and student achievement data in a way that allows policymakers and the public to identify and share best practices to maximize student achievement, while spending taxpayer funds efficiently and effectively. This information would best inform the development of a student-weighted funding model. Additionally, Tennessee should develop a standard rating system to measure fiscal responsibility and performance among peers, and ensure districts are identifying what portion of their expenditures are being paid with state and/or local funds.

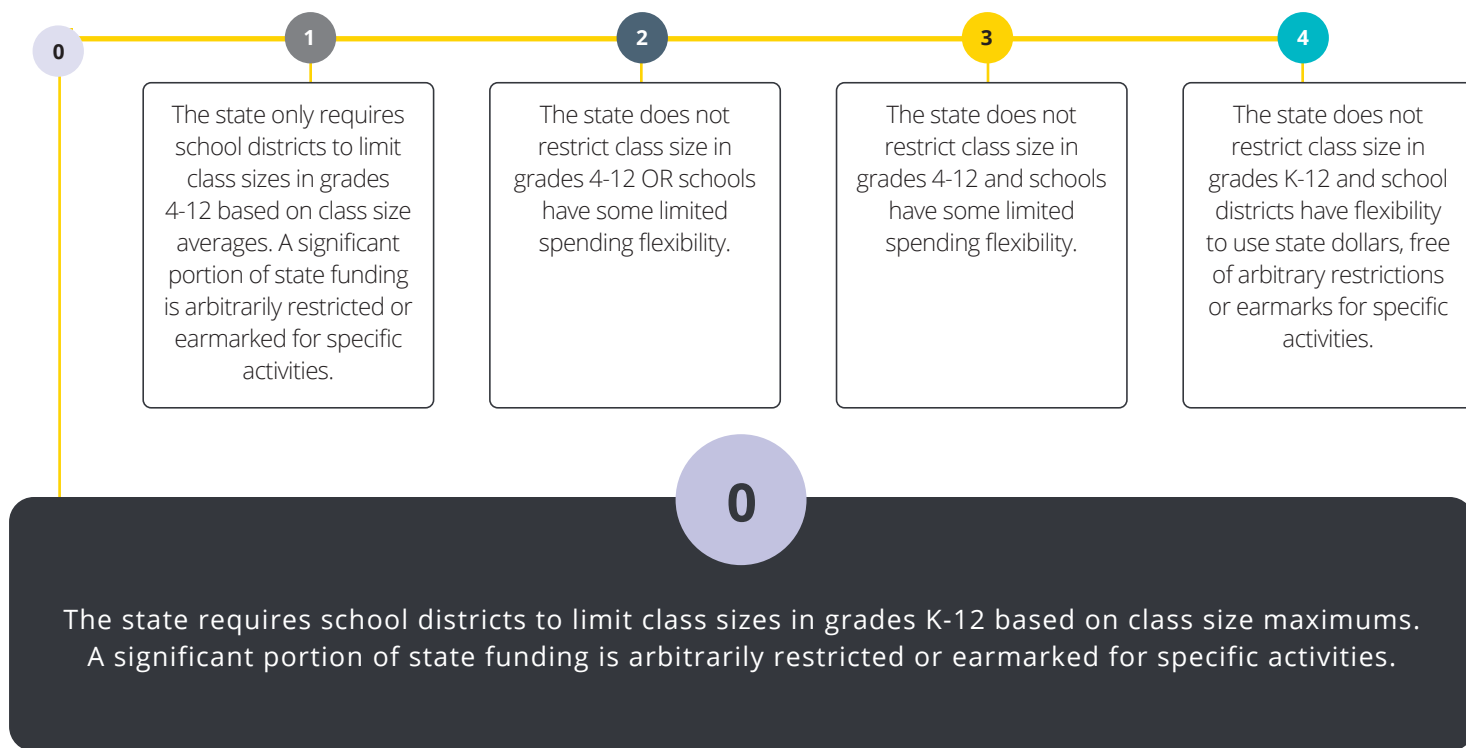
T. C. A. § 49-3-316; Public Chapter 153; Tenn. Comp. R. & Regs. 0520-01-02-.13

** Information is collected and reported publicly in order to hold schools and districts accountable for spending taxpayer money efficiently and to identify best practices across our state.*

*** Because the results of the state’s fiscal transparency model have not yet been unveiled, the rubric score remains the same as in previous years.*

CLASS SIZE MANDATES / LOCAL FLEXIBILITY

POLICY RUBRIC: CLASS SIZE MANDATES / LOCAL FLEXIBILITY



WHY THIS MATTERS

Class size mandates are important in ensuring that schools do not oversign the number of students to any one teacher of record. Hypothetically, for every 21 students, the district would hire one teacher. As with most policies, there are some nuances that require policymakers to examine whether class size mandates are delivering the most impactful use of education dollars for their associated costs. For example, what if there are 22 students in one grade? Will the school district need to hire another teacher? While the prescriptive answer is yes, schools should have the spending flexibility to hire one highly-effective teacher for those 22 students and use a differentiated pay plan to increase the salary for that teacher.³⁹ Another unfortunate reality is that class size mandates are often driven by a resource-based funding formula that determines the cost of educating students in each district based on the cost of the resources, such as staff salary schedules and instructional materials. In other words, if a district has X number of students enrolled, they are given funding to hire Y number of teachers. Local school leaders should have flexibility to staff their schools according to student needs.

WHERE WE ARE

Tennessee restricts individual class size totals and school averages for grades K-12. Tennessee's funding formula, the BEP, does not prescribe specific levels of expenditures for individual components. However, funds generated through the BEP by the instructional components must be spent on instruction, and funds generated by the classroom components must be spent on either instruction or other classroom areas. Our state should eliminate class size restrictions above the third grade and permit local districts to determine class size guidance to allow greater flexibility in academic programming and resource allocation.

A NEW REALITY

In a time when public revenue projections are expected to decrease, placing mandates on class sizes can have extremely burdensome budgetary effects on individual schools and districts. For example, in financially strained rural districts and schools with only one class per grade, one additional student could require a district to hire an additional employee to meet the class size mandate. The goal in lifting class size mandates is to provide flexibility so schools can be nimbler and more innovative in their educational practices.

T. C. A. § 49-1-104; § 49-3-351(c); § 49-3-354(b); Tenn. Comp. R. & Regs. 0520-01-03-.03

REFERENCES & SOURCES

- 1 The New Teacher Project. (2012). The Irreplaceables: Understanding the Real Retention Crisis in America's Urban Schools. Retrieved from http://tntp.org/assets/documents/TNTP_Irreplaceables_2012.pdf.
- 2 Hanushek, E., Kain, J., & Rivkin, S (1998). Teachers, Schools, and Academic Achievement, *National Bureau of Economic Research*. Retrieved from <http://www.nber.org/papers/w6691>.
- 3 https://www.tn.gov/content/dam/tn/education/health-&-safety/Teacher%20and%20Administrator%20Evaluation_COVID-19_Guidance_4.21.20.final.pdf
- 4 Leithwood, K., Louis, K., Anderson, S., & Wahlstrom, K. (2004). How Leadership Influences Student Learning, Learning from Leadership Project. Retrieved from <http://www.wallacefoundation.org/knowledge-center/school-leadership/key-research/Documents/How-Leadership-Influences-Student-Learning.pdf>.
- 5 The New Teacher Project. (2012). The Irreplaceables: Understanding the Real Retention Crisis in America's Urban Schools. Retrieved from http://tntp.org/assets/documents/TNTP_Irreplaceables_2012.pdf.
- 6 McKenna, Laura. (September 10, 2015). America's Teaching Force, by the Numbers. The Atlantic. Retrieved from <http://www.theatlantic.com/education/archive/2015/09/americas-teaching-force-by-the-numbers/404590/>; Toch T., & Jacobs, S. (October 6, 2020). The Pandemic and the Teacher Pay Problem. Retrieved from <https://www.future-ed.org/how-the-pandemic-could-affect-teacher-pensions/>.
- 7 Coggs, J., Lasagna, M., & Laine S. (July 2012). Toward the Structural Transformation of Schools: Innovations in Staffing. Retrieved from <https://www.air.org/sites/default/files/downloads/report/InnovationsInStaffing.pdf>
- 8 The New Teacher Project. (2014). Rebalancing Teacher Tenure. Retrieved from http://tntp.org/assets/documents/TNTP_RebalancingTenure_2014.pdf.
- 9 Boyd, D., Lankford, H., Loeb, S., & Wyckoff, J. (October, 2010). Teacher Layoffs: An Empirical Illustration of Seniority Versus Measures of Effectiveness. Education Week. Retrieved from https://www.edweek.org/media/layoffs10oct2010_appa.pdf.
- 10 Guin, Kacey. (2004). Chronic Teacher Turnover in Urban Elementary Schools. Education Evaluation and Policy Analysis. Retrieved from <http://epaa.asu.edu/ojs/article/view/197>.
- 11 The New Teacher Project. (March, 2015). Mutual Consent Hiring Benefits Principals, Teachers and Schools. Retrieved from <https://tntp.org/publications/view/mutual-benefits-new-york-citys-shift-to-mutual-consent-in-teacher-hiring>.
- 12 National Center for Education Statistics. (2011-2012). Schools and Staffing Survey, Table 8. Average number of public school teachers and average number of public school teachers who were dismissed in the previous year or did not have their contracts renewed based on poor performance, by tenure status of teachers and state: 2011-12. Retrieved from http://nces.ed.gov/surveys/sass/tables/sass1112_2013311_d1s_008.asp.
- 13 Manna, Paul. (2015). Developing Excellent School Principals to Advance Teaching and Learning: Considerations for State Policy. The Wallace Foundation. Retrieved from <https://www.wallacefoundation.org/knowledge-center/Documents/Developing-Excellent-School-Principals.pdf>.
- 14 Koedel, C., "Grade Inflation for Education Majors and Low Standards for Teachers: When Everyone Makes the Grade," (Washington D.C.: American Enterprise Institute for Public Policy Research, August 2011).
- 15 Greenberg, J., Walsh, K., & McKee, A. (February, 2015). 2014 Teacher Prep Review. National Council on Teacher Quality. Retrieved from http://www.nctq.org/dmsView/Teacher_Prep_Review_2014_Report.
- 16 Lindsay, C. & Hart, C. (2017). Exposure to Same-Race Teachers and Student Disciplinary Outcomes for Black Students in North Carolina. Education Evaluation and Policy Analysis. Retrieved from <http://journals.sagepub.com/doi/abs/10.3102/0162373717693109?journalCode=epaa>.
- 17 "Is Your State Prioritizing Teacher Diversity & Equity?." The Education Trust. (November, 2020): Tennessee Report Card. Retrieved from <https://edtrust.org/>.
- 18 Tennessee State Board of Education. (December, 2018). Tennessee 2018 Educator Preparation Report Card. Retrieved from <https://teacherprepreportcard.tn.gov/>.

- 19 National Council on Teacher Quality. Teacher Preparation Policies. Retrieved from <https://www.nctq.org/publications/2018-Teacher-Prep-Review>.
- 20 Manna, Paul. (2015). Developing Excellent School Principals to Advance Teaching and Learning: Considerations for State Policy. The Wallace Foundation. Retrieved from <https://www.wallacefoundation.org/knowledge-center/pages/developing-excellent-school-principals.aspx>.
- 21 TDOE. (March 2020) "FAQ for Assessment and Accountability: COVID-19 Guidance." Retrieved from <https://www.tn.gov/content/dam/tn/education/accountability/FAQforAssessmentandAccountabilityCOVID19Guidance.pdf>.
- 22 Baker, Bruce. (July, 2014). America's Most Financially Disadvantaged School Districts and How They Got that Way. Center for American Progress. Retrieved from <https://cdn.americanprogress.org/wpcontent/uploads/2014/07/BakerSchoolDistricts.pdf>.; Baker, Bruce, & Corcoran, Sean. (September, 2012). The Stealth Inequities of School Funding. Center for American Progress. Retrieved from <https://www.americanprogress.org/wpcontent/uploads/2012/09/StealthInequities.pdf>.
- 23 Derby, E., Roza, M. (December, 2017). California's Weighted Student Funding Formula: Does It Help Money Matter More?. Retrieved from https://edunomicslab.org/wp-content/uploads/2017/12/Paper-3_FINAL.pdf.
- 24 Hahnel, C. & Jackson, O. (January, 2012). Learning Denied: The Case for Equitable Access to Effective Teaching in California's Largest School District. The Education Trust-West. Retrieved from http://edtrust.org/wp-content/uploads/2013/10/ETW-Learning-Denied-Report_0.pdf.
- 25 Sanders, W. & Rivers, J. (November, 1996). Cumulative and Residual Effects of Teachers on Future Student Academic Achievement: Tennessee Value-Added Assessment System. Retrieved from <https://www.beteronderwijsnederland.nl/files/cumulative%20and%20residual%20effects%20of%20teachers.pdf>.
- 26 Podesta, K. Students in Tennessee instructed by consecutive ineffective teachers. Office of Research and Educational Accountability. (March, 2019). Retrieved from <https://www.comptroller.tn.gov/office-functions/research-and-education-accountability/publications/k-12-education/content/student-placement.html>
- 27 Dorn, E. , Hancock, B., Sarakatsannis, J, & Viruleg, E. (June, 2020). COVID-19 and student learning in the United States: The hurt could last a lifetime. Retrieved from <https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-student-learning-in-the-united-states-the-hurt-could-last-a-lifetime>.
- 28 Tennessee Charter School Center. 2020 Impact Report. Retrieved from <http://www.tnchartercenter.org/sites/554/uploaded/files/TNCharterSOS201415.pdf>
- 29 Rebarber, T. & Consoletti Zgainer, A. (2014). 2014 Survey of America's Charter Schools. Center for Education Reform. Retrieved from <https://www.edreform.com/wp-content/uploads/2014/02/2014CharterSchoolSurveyFINAL.pdf>.
- 30 Mikulecky, Marga. (June, 2013). Open Enrollment is on the Menu–But Can You Order It? Education Commission of the States. Retrieved from <http://www.ecs.org/clearinghouse/01/07/96/10796.pdf>.
- 31 Peltason, E. and Raymond, M. (January, 2013). "Charter School Growth and Replication." Center for Research on Education Outcomes. Retrieved from https://credo.stanford.edu/sites/g/files/sbiybj6481/f/cgar_growth_volume_i.pdf
- 32 National Association of Charter School Authorizers. (January, 2013). Index of Essential Practices 2012. Retrieved from http://www.qualitycharters.org/wp-content/uploads/2015/08/NACSA_2012-Index-of-Essential-Practices.pdf.
- 33 Tennessee Department of Education. (August, 2018). Model Charter School Performance Framework. Retrieved from https://www.tn.gov/content/dam/tn/education/nonpublic/chtr_sch/Charter_School_Model_Performance_Framework.pdf.
- 34 National Association of Charter School Authorizers. (2018). Principles and Standards for Quality Charter School Authorizing. 2018. Retrieved from <https://www.qualitycharters.org/for-authorizers/principles-and-standards/>
- 35 Forster, Greg. (May, 2016). A Win-Win Solution: The Empirical Evidence on School Choice, 4th ed. Friedman Foundation for Educational Choice. Retrieved from <http://www.edchoice.org/wp-content/uploads/2016/05/A-Win-Win-Solution-The-Empirical-Evidence-on-School-Choice.pdf>.
- 36 Porter-Magee, Kathleen. (September 8, 2014). The Importance of Testing and the Power of Hard Facts. Thomas B. Fordham Institute. Retrieved from <http://edexcellence.net/articles/the-importance-of-testing-and-the-power-of-hard-facts>.
- 37 <https://www.tn.gov/content/dam/tn/education/testing/2020%20Fall%20testing%20COVID%20guidance.pdf>
- 38 See trends in education spending in the Tennessee Department of Education Annual Statistical Reports. (2019). Retrieved from <https://www.tn.gov/education/data/department-reports.html>.
- 39 Chingos, Matthew. (2013). Class size and Student Outcomes: Research and Policy Implications. Journal of Policy Analysis and Management, 32(2): 411-438. Retrieved from http://www.mattingos.com/Chingos_JPAM_prepub.pdf.

Photos by Allison Shelley for American Education: Images of Teachers and Students in Action.
<https://deeperlearning4all.org/images/>

This report and other resources are available
for download at www.tn-can.org.

P.O. Box 190492
Nashville, TN 37219

tn-can.org
facebook.com/TNCAN
twitter.com/tennesseecan

© TennesseeCAN
All Rights Reserved.

