

TENNESSEE'S STATE BOARD OF EDUCATION: ROLE, SELECTION, AND THE CASE FOR APPOINTED MEMBERS

EXECUTIVE SUMMARY

Historically, Tennessee has consistently had some form of a state board of education. The Tennessee General Assembly revamped the board in 1984. In that legislation, the legislature re-created the State Board of Education (SBE) to act as the governing and policy-making body for elementary and secondary schools in Tennessee. The SBE is appointed by the governor and confirmed by the General Assembly.¹ Each member serves a five-year term. Over the last decade, the SBE's focus has included a variety of topics such as educator evaluation and support, differentiated compensation structures, and rigorous academic standards for Tennessee students. The SBE works with a variety of different state agencies and partners, including the Tennessee Department of Education and practitioners.

There is no compelling research on the connection between state board governance structure and student achievement results. For example, when looking at 2013 NAEP results the top five states on each test represent a wide variety of state board structures. Tennessee follows the model of having a fully appointed SBE – 32 other states follow this model as well.²

In the absence of research indicating student performance improves when state boards are elected, the state should continue with the critical work of implementing its ambitious policy agenda under the current system of appointed members, rather than disrupt the state board governance model. We base this position on three supporting principles:

1. The current structure promotes diversity and representation of the State of Tennessee.
2. Research indicates no connection between State Board governance models and student achievement. Tennessee's appointed state board structure is aligned with the majority of states.
3. The SBE's current policies are at the foundation of recent and unprecedented results for Tennessee students. Continuing the current governance model avoids a shift of focus from the SBE's current work.

INTRODUCTION

The SBE's vision is that: "Tennessee will be known as a place that leads the nation in the development of a skilled workforce educated and trained by world-class teachers, leaders and schools comprising the strongest and most responsive public education system in the Southeast and in the United States."³ In order to accomplish this vision, the SBE, under its authority granted by the legislature, develops policy and regulation on topics such as graduation requirements, educator licensure, accountability, and school funding. The SBE meets at least four times a year to discuss and approve changes in policy and consults with experts, practitioners, and Tennessee Department of Education (TDOE) staff throughout the process. The SBE also seeks input from the public.

STATE BOARD BASICS

Composition

Under Tennessee law (T.C.A. 49-1-301), the governor appoints a member from each congressional district to the SBE for five-year terms. If a member moves or leaves their term for any reason, the governor fills their vacancy for the remainder of the term through the same process. The General Assembly has an important role in the selection process and is statutorily responsible for confirming appointments.⁴ In most appointments, both parties in the General Assembly have approved members with large margins.⁵ By appointing members to the SBE, the governor can select highly qualified citizens who may not necessarily be interested in running for office but still want to serve on behalf of Tennessee students.

In addition to the nine members representing congressional districts, the executive director of the Tennessee Higher Education Commission (THEC) is a non-voting member of the board. A high school student (junior or senior) also serves a one-year term as a voting member. The student serves as an ex-officio, representing the position of students instead of a district. In all, the board has eleven members, ten of which have voting powers.⁶

In addition to representation from congressional districts, the membership of the SBE must meet a number of other requirements including age, race, gender, occupation, and party affiliation. Three must represent the majority party⁷, three must represent the minority party⁸, one must be of minority race, and one person should be approximately 60 years or older.⁹ In 1994, the law changed so that the number of women on the State Board reflected the population. In 2004, the law changed to include at least one member who is currently employed as a kindergarten through grade 12 public school teacher at the time of appointment. In 2007, the SBE terms were reduced from nine years to five years. The appointments are staggered and span gubernatorial terms. Members may be reappointed for additional five-year terms.

The graphic below shows how State Board appointments span administrations¹⁰:

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Governor	Governor Phil Bredesen						Governor Bill Haslam			Next Elected Governor			
1st District				Mr. B. Fielding Rolston, Chairman, 2008-2013									
2nd District							Mr. Mike Edwards, 2011-2016						
3rd District									Ms. Allison Chancey, 2013-2018				
4th District							Mr. Lonnie Roberts, 2011-2016						
5th District							Ms. Carolyn Pearre, 2011-2016						
6th District	Dr. Jean Anne Rogers, 2005-2014												
7th District								Mrs. Janet Ayers, 2012-2017					
8th District	Dr. Melvin Wright, Sr., 2005-2014												
9th District				Ms. Teresa Sloyan, 2008- 2013									

The Board's Work

Here are some examples of what the SBE does throughout the year:¹¹

- Study the programs of instruction in public schools, kindergarten through grade 12 (K-12).
- Set policies around the structure of schools, including charter school regulation.
- Evaluate student progress and achievement through data on TCAP, NAEP, and the ACT.
- Supervise program standards that colleges/universities adhere to for preparing teachers and school leaders.
- Oversee policies for the evaluation of teachers and school leaders.

TIMELINE OF THE SBE IN TENNESSEE

- ▶ Spring 1984 – The General Assembly votes to create the SBE.
- ▶ April 1984 – The first State Board is created with staggered terms of nine, six, and three years.
- ▶ Spring 1994 – The General Assembly votes to change the law so the SBE reflects the general population in gender.
- ▶ January 1, 1995 – Every other member appointed to the SBE will be female until the population is reflected.
- ▶ Spring 2004 – The General Assembly changes the law so that at least one SBE member is a teacher.
- ▶ Spring 2007 – The General Assembly limits the SBE members to five-year term from a nine-year term.¹²

EXAMPLES OF RECENT WORK

Tennessee's SBE develops policy and regulation on a wide variety of education topics. Examples of the SBE's recent work are described below.

Teacher Evaluation and Support

One of Tennessee's statewide education strategies is to expand students' access to effective teachers and leaders. One way this work is being carried out is through Tennessee's educator evaluation system. Tennessee SBE policy states, "The primary purpose of annual teacher and principal evaluations is to identify and support instruction that will lead to high levels of student achievement."¹³ One way that Tennessee has done that is by adopting TEAM TN (Tennessee Educator Accelerator Model) as one choice for the educator evaluation, which consists of frequent observations coupled with timely feedback, the use of student data, and opportunities for professional development that are aligned with the feedback provided to teachers. TEAM TN's goal is, "to support educators doing their best work to help every student learn and grow."¹⁴ According to a 2013 survey, most teachers reported that feedback they received from the observation process helped them improve as teachers.¹⁵

The SBE's involvement in teacher evaluation includes both the initial approval of the policy and continuous refinements to the policy. One example of the SBE's involvement in teacher evaluation and support were the changes to the evaluation system. Both the Tennessee Department of Education and the State Collaborative on Reforming Education (SCORE) worked to solicit feedback, information, and data on the first year of implementation of the teacher evaluation system. These agencies produced two reports that were presented to the SBE in the summer of 2012. The SBE subsequently made revisions to the state's Teacher and Principal Evaluation Policy based upon these recommendations during their July¹⁶ and August¹⁷ 2012 meetings.

Differentiated Teacher Pay

Another issue that the SBE has addressed is Tennessee's policy regarding differentiated teacher pay. In 2007, state law was adopted by the General Assembly that required school districts to adopt and implement differentiated pay plans both for hard to staff subjects and to retain highly effective teachers.¹⁸ With the exception of the first year of implementation in 2007, the law has not been enforced.

During the April¹⁹ and June²⁰ 2013 SBE meetings the topic of differentiated pay was discussed. The State Board heard from TDOE officials and reviewed the 2013-2014 State Minimum Salary Schedule.

In June 2013, the SBE passed a revised set of guidelines based on the law, which requires districts to create and implement differentiated pay plans. The intent of the differentiated pay plans is to give local control to districts in regard to salary schedule, and to create another way for districts to attract and retain teachers based on a flexible set of potential criteria. Starting in the 2014-15 school year the TDOE will require local districts to be in compliance with law. Revised SBE guidelines and the increased flexibility provided by the new salary schedule will assist districts in meeting this requirement.²¹

Setting Rigorous Academic Standards for Tennessee Students

The SBE is statutorily charged with the responsibility of choosing “a curriculum framework for each subject area, grades K-12. These frameworks shall contain the broad goals and objectives which identify the minimum content required at each grade level and for each course. The approved frameworks shall be the basis for planning instructional programs in each local system.”²² In July 2010, the SBE voted unanimously to adopt the Common Core State Standards in Math and English Language Arts.²³

In addition to Tennessee’s Common Core State Standards, the State Board is actively engaged in supporting high quality, rigorous standards in social studies and science.

Recently, the SBE has engaged with practitioners to revise the state’s social studies standards. For example, during its April 2013 the State Board heard from Dr. Jared Myracle, the high school supervisor of Gibson Special School District and a Tennessee Common Core Coach, who spoke about the Social Studies Standards.²⁴ The board also heard from Tammy Shelton of the Tennessee Department of Education who explained the process of the Social Studies Standards Revision.²⁵

In July 2013, the SBE approved new social studies standards.²⁶ In January of 2014, the State Board updated course names and made other changes to reflect the new social studies standards.²⁷

THE SBE AND THE TENNESSEE DEPARTMENT OF EDUCATION

The SBE is a separate entity from the Tennessee Department of Education. The commissioner of education does not have any administrative or supervisory authority over the board or the board’s staff. The SBE coordinates with the department to implement the law and policies passed by the General Assembly. While the TDOE has authority over some issues, the local school systems and school boards have the ability to manage the schools within their community, which means most questions and concerns can be addressed locally.²⁸ In addition to the SBE members, the SBE staff includes an executive director, deputy executive director, and general counsel.²⁹

How the SBE Works With Others

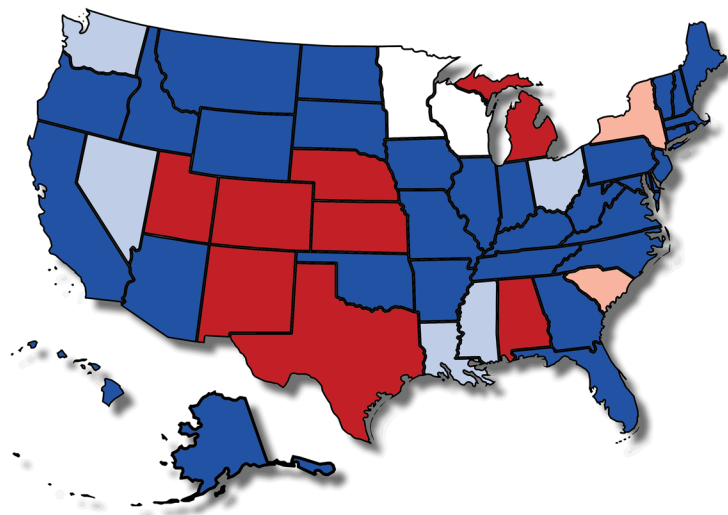
This chart below shows how the SBE engaged other stakeholders to make a decision around student disabilities.

April 19, 2013 SBE Meeting³⁰	The SBE hears the first reading of a prospective rule change to the definition of an Individualized Education Plan (IEP), which would alter the age of providing transition services to students with special needs from age 14 to 16. The TDOE recommended this change during the first reading.
May 17, 2013³¹	There is a public notice of a rulemaking hearing to change the definition of an IEP.
July 17, 2013³²	At the public hearing, people from the following organizations spoke both for and against the change: <ul style="list-style-type: none">• Disability Law and Advocacy Center• Support and Training for Exceptional Parents• Vanderbilt Kennedy Center• Parents• Metropolitan Nashville Public Defender’s Office• Vanderbilt University: Department of Special Education• Tennessee Voices for Children• ARC of Tennessee• Disability Coalition on Education• TASSE• Autism Society of Middle Tennessee

STATE BOARD MEMBER SELECTION³⁴

The map below depicts the national landscape of appointed and elected State Boards of Education in the 50 states.

National Landscape



- 33 states have a fully appointed State Board of Education.
- 5 additional states have at least one appointed State Board of Education member
- 8 states (and Washington DC) elect the State Board of Education.
- 2 states have the legislature elect the State Board of Education.
- 2 states do not have State Boards of Education.

FOUR TRADITIONAL MODELS³⁵

The National Association State Boards of Education (NASBE) cites four traditional models for state boards of education. Each model is briefly described below.

- **Governor-appointed state board, state board-appointed chief state school officer.** The twelve states that follow this model are: Alaska, Arkansas, Connecticut, Florida, Illinois, Kentucky, Maryland, Massachusetts, Missouri, Rhode Island, Vermont, and West Virginia.
- **Elected state board, state board-appointed chief state school officer.** Eight states follow this model: Alabama, Colorado, Hawaii, Kansas, Michigan, Nebraska, Nevada, and Utah.
- **Governor-appointed state board, elected chief state school officer.** Eleven states follow this model: Arizona, California, Georgia, Indiana, Montana, North Carolina, North Dakota, Oklahoma, Oregon, and Wyoming.
- **Governor-appointed state board and chief state school officer.** The nine states that follow this model are Delaware, Iowa, Maine, New Hampshire, New Jersey, Pennsylvania, South Dakota, Virginia, and Tennessee.

Other models include a mix of appointed and elected state board members (Louisiana, Ohio, and Washington) and legislatively appointed state boards (New York and South Carolina).

RECOMMENDATIONS

At current, there is no compelling research on the connection between state board governance and student achievement results. For example, when looking at 2013 NAEP results the top five states on each test represent a wide variety of state board structures. In the absence of research indicating student performance improves when state boards are elected, the state should continue with the critical work of implementing its ambitious education reform agenda under the current system of appointed members who are then confirmed by the General Assembly, rather than disrupt the state board governance model. We base this position on three supporting principles:

- **The current structure promotes diversity and representation of the State of Tennessee.** The SBE represents each congressional district along with other characteristics such as age, gender, and occupation. There is additional accountability for SBE members since the governor appoints the members, the General Assembly confirms the members, and that members serve five-year terms. This structure allows the governor, General Assembly, and State Board members to work in unity towards the goal of improving student achievement for Tennessee students. Further, state board terms are staggered resulting in appointments that span gubernatorial administrations.
- **The majority of states have appointed state boards.** Tennessee is aligned with the majority of states. 33 states have a fully appointed SBE. Without any compelling data to indicate that electing state boards may be tied to significant benefits for student achievement, Tennessee should continue its current governance model.
- **The SBE's current plan is delivering results for Tennessee students.** Under the state's current model, Tennessee has shown strong early results in raising student achievement. Tennessee's 2013 NAEP results demonstrate Tennessee as having the greatest growth of any state in a test cycle since the test began measuring all states a decade ago³⁶.

The state should maintain its system of appointing state board members who reflect the population of the state with the best interests of students in mind. Current student results indicate that there is a good case for keeping the SBE requirements as is.

The State Collaborative on Reforming Education (SCORE) collaboratively supports Tennessee's work to prepare students for college and the workforce. We are an independent, non-profit, and non-partisan advocacy and research institution, founded by former U.S. Senate Majority Leader Bill Frist.

ENDNOTES

- ¹ T.C.A. 49-6-301. Title 49 Education Chapter 1 State Administration Part 3 State Board of Education. Accessed on January 2, 2014. <http://law.justia.com/codes/tennessee/2010/title-49/>
- ² The National School Board of Education Governance Chart. Accessed on January 2, 2014. <http://www.nasbe.org/wp-content/uploads/State-Education-Governance-2013-State-by-State-Matrix.pdf>
- ³ Tennessee State Board of Education Master Plan. Accessed on February 6 2014. http://www.tn.gov/sbe/2013_documents/2012-2020_Master_Plan_Finished_Version.pdf
- ⁴ Title 49 Education Chapter 1 State Administration Part 3 State Board of Education. Accessed on January 2, 2014. <http://law.justia.com/codes/tennessee/2010/title-49/>
- ⁵ 107th Tennessee General Assembly. HJR 0654: Confirmation of Carolyn Pearre of Nashville. The Senate had 32 Ayes and 0 Noes while the House had 93 Ayes, 3 Noes, and 1 member present and not voting. All members of the Education committee voted Aye. Note: Recent appointments follow a similar voting pattern. <http://www.capitol.tn.gov/Bills/107/Bill/HJR0564.pdf>
- ⁶ T.C.A. 49-6-301. Title 49 Education Chapter 1 State Administration Part 3 State Board of Education. Accessed on January 2, 2014. <http://law.justia.com/codes/tennessee/2010/title-49/>
- ⁷ Note: According to TCA 2-1-104, “majority party” means the political party whose members hold the largest number of seats in the combined houses of the General Assembly.
- ⁸ Note: According to TCA 2-1-104, “minority party” means the political party whose members hold the second largest number of seats in the combined houses of the General Assembly.
- ⁹ T.C.A. 49-6-301. Title 49 Education Chapter 1 State Administration Part 3 State Board of Education. Accessed on January 2, 2014. <http://law.justia.com/codes/tennessee/2010/title-49/>
- ¹⁰ Note: This graphic reflects the composition of the board on March 7, 2014.
- ¹¹ Tennessee State Board of Education Master Plan. Accessed on January 2, 2014. http://www.tn.gov/sbe/2013_documents/2012-2020_Master_Plan_Finished_Version.pdf
- ¹² 105th Tennessee General Assembly. Senate Bill 1301. Accessed on January 30, 2014. <http://www.capitol.tn.gov/Bills/105/Bill/SB1301.pdf>
- ¹³ Tennessee State Board of Education: Teacher and Evaluation Policy. Accessed on February 11, 2014. http://www.tn.gov/sbe/Policies/5.201_Teacher_and_Principal_Evaluation_Policy_11-5-13.pdf
- ¹⁴ Tennessee Educator Acceleration Model: A Tennessee Department of Education Website. Accessed on February 11 2014. <http://team-tn.org>
- ¹⁵ 2013 ‘First to the Top’ survey findings on teacher evaluations released by Tennessee Consortium. Accessed on January 30, 2014. <http://news.vanderbilt.edu/2013/10/first-to-the-top/>
- ¹⁶ State Board of Education Agenda, July 27, 2012. Accessed on February 15, 2014. <http://www.tn.gov/sbe/2012July.shtml>.
- ¹⁷ State Board of Education Conference Call Agenda, August 27, 2012. Accessed on February 15, 2014. http://www.tn.gov/sbe/2012_August_27_Conference_Call.shtml.
- ¹⁸ T.C.A. 49-6-306(h). Accessed on February 15, 2014. <http://law.justia.com/codes/tennessee/2010/title-49/>.
- ¹⁹ Minutes: State Board of Education: April 19, 2013. Accessed on February 15, 2014. http://www.tn.gov/sbe/2013_documents/July2013_Board_Meeting/April_2013_Minutes.pdf
- ²⁰ Minutes: State Board of Education: June 21, 2013. Accessed on February 15, 2014. http://www.tn.gov/sbe/2013_documents/July2013_Board_Meeting/June_2013_Minutes.pdf
- ²¹ Tennessee Department of Education District Support on Differentiated Pay. Accessed on February 15, 2014. https://www.tn.gov/education/ds/diff_pay.shtml.
- ²² Tennessee State Board of Education, Curriculum Frameworks 3.200. Accessed on February 11, 2014. <http://www.tn.gov/sbe/Policies/3.200%20Curriculum%20Frameworks.pdf>
- ²³ Common Core Facts and History. Accessed on February 11, 2014. http://www.tncore.org/sites/www/Uploads/Common_Core_Facts_History.pdf
- ²⁴ Minutes: State Board of Education: April 19, 2013. Accessed on February 14, 2014. http://www.tn.gov/sbe/2013_documents/July2013_Board_Meeting/April_2013_Minutes.pdf
- ²⁵ Minutes: State Board of Education: April 19, 2013. Accessed on February 14, 2014. http://www.tn.gov/sbe/2013_documents/July2013_Board_Meeting/April_2013_Minutes.pdf
- ²⁶ Minutes: State Board of Education: July 2013. Accessed on February 14, 2014. http://www.tn.gov/sbe/2013_documents/October2013_Board_Meeting/I_B_July_2013_Minutes.pdf
- ²⁷ Tennessee State Board of Education. January 31, 2014 Meeting Agenda. First Reading Item: II. B. High School Social Studies Courses. Accessed on February 11, 2014. http://www.tn.gov/sbe/2014_documents/January_Board_Meeting/II_B_High_School_Social_Studies_Courses.pdf
- ²⁸ T.C.A. 49-1-201. Title 49 Education Chapter 1 State Administration Part 3 State Board of Education. Accessed on January 2, 2014. <http://law.justia.com/codes/tennessee/2010/title-49/>
- ²⁹ Tennessee State Board Staff Directory. Accessed, February 11, 2014. http://www.tn.gov/sbe/contact_info.shtml
- ³⁰ Tennessee State Board of Education. April 19, 2013. First Reading. Accessed on February 21, 2014. http://www.tn.gov/sbe/2013_documents/April2013_Board_Meeting/III_H_Special_Ed_Programs_and_Service_Cover_Sheet_and_Rule.pdf
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- ³² Minutes: State Board of Education. July 26, 2013. Proposed Rule(s) Filing Form. July 17, 2013. http://www.tn.gov/sbe/2013_documents/rules/0520-01-09-12_Defition_of_IEP_Rule_Filing_Form_SIGNED.pdf
- ³³ Minutes: State Board of Education: July 26, 2013. Accessed on February 21, 2014. http://www.tn.gov/sbe/2013_documents/October2013_Board_Meeting/I_B_July_2013_Minutes.pdf
- ³⁴ The National School Board of Education Governance Chart. Accessed on January 2, 2014. <http://www.nasbe.org/wp-content/uploads/State-Education-Governance-2013-State-by-State-Matrix.pdf>
- ³⁵ The National School Board of Education Governance Chart. Accessed on January 2, 2014. <http://www.nasbe.org/wp-content/uploads/State-Education-Governance-2013-State-by-State-Matrix.pdf>
- ³⁶ Tennessee Students: The Fastest Improving in the Nation. Accessed on February 11, 2014. <http://news.tn.gov/node/11644>