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for the week ending April 17, 2009

TEA Fighting Hard to Protect Public Schools, Employee Rights Legislative Pace Intensifies – Hoping for Late May Adjournment

The General Assembly is moving at a near “breakneck” speed as subcommittees are trying to get to their “final calendar” for the session. Most TEA bills go through the K-12 Subcommittee which is trying to complete its work within the next two to three weeks. The session is currently scheduled to have fully completed its work around the end of May. Several critical education issues are still very much “alive” and could be voted on very soon. These include:

- ◆ **Tenure (HB 1171/SB 1186)** -- would extend the probationary period required to achieve tenure and tie granting of tenure to TVAAS (value-added testing).
- ◆ **Class Size (HB 967/SB 1708)** – would authorize LEAs to use systemwide averages to meet pupil-teacher ratios until July 2011.
- ◆ **Charter Schools (HB 2146/SB 2133)** would greatly expand the number of students eligible to attend charter schools. It would also expand the “chartering authority” to the State Board of Education and would remove caps on the number of schools.
- ◆ **Scope of Bargaining Limitation (HB 1531/SB 2002)** would remove from negotiations “bonuses and other compensation tied to performance standards,”
- ◆ **Bargaining Unit (HB 1506/SB 246)** – would remove principals from the bargaining unit.
- ◆ **School Calendar (HB 1170/SB 1173)** would require the school year – except for year-round schools – to start no earlier than September 1.
- ◆ **Vouchers (HB 599/SB 751)** – would provide “parental choice scholarships” to attend private schools.
- ◆ **Association rights (HB 785/SB 411)** – would limit an association’s access to the school districts e-mail system or website.

While this is not a complete listing of all “bad” bills which are pending, it clearly illustrates why TEA members must stay engaged in making legislative contacts between now and the end of the session. TEA members are urged to stay informed on legislative developments. The best way is to sign up for TEA’s GREAT Team by sending a request – giving your HOME e-mail address – to GreatTeam@tea.nea.org. Members are also urged to frequently check the TEA website at www.teateachers.org. Again, since the first “hurdle” for all of these questionable bills is the K-12 subcommittee, that is the best place to stop them! Contacts should be made with the K-12 committee immediately. Below is contact information for the K-12 Subcommittee.

K-12 Subcommittee of House Education			
LP = Legislative Plaza WMB = War Memorial Building Address for all members is Nashville, TN 37243 All legislators may be reached by telephone at 1-800-449-8366. You must then enter the last five digits of their office phone number.			
Member (Party & District)	Office	Phone Area Code (615)	E-Mail Address (Please include your name, postal address, and phone number in your e-mail.)
Chairman Les Winningham (D-38)	36 LP	741-6852	rep.leslie.winningham@capitol.tn.gov
Vice Chairman Ron Lollar (R-99)	209 WMB	741-7084	rep.ron.lollar@capitol.tn.gov
Judy Barker (D-77)	24 LP	741-0718	rep.judy.barker@capitol.tn.gov
Tommie F. Brown (D-28)	36 LP	741-4374	rep.tommie.brown@capitol.tn.gov
Bill Dunn (R-16)	110 WMB	741-1721	rep.bill.dunn@capitol.tn.gov
Beth Harwell (R-56)	107 WMB	741-0709	rep.beth.harwell@capitol.tn.gov
David Hawk (R-5)	219 WMB	741-7482	rep.david.hawk@capitol.tn.gov
Joey Hensley (R-70)	106 WMB	741-7476	rep.joey.hensley@capitol.tn.gov
Ulysses , Jones Jr. (D-98)	35 LP	741-4575	rep.ulysses.jones@capitol.tn.gov
Mark L. Maddox (D-76)	17 LP	741-7847	rep.mark.maddox@capitol.tn.gov
Larry Turner (D-85)	208 WMB	741-6954	rep.larry.turner@capitol.tn.gov
Terri Lynn Weaver (R-40)	204 WMB	741-2192	rep.terri.lynn.weaver@capitol.tn.gov

Tenure Law Attack Scheduled for Senate Committee Expands Probationary Period – Ties Tenure to TVAAS

Legislation which would drastically change the teacher tenure law is scheduled for the Senate Education Committee on Tuesday, April 21. **SB 1186/HB 1171**, as introduced, extends from three years to four the probationary period teachers must serve before being eligible to achieve tenure. In addition, the bill would tie the granting of tenure to value-added test scores. The bill would apply to teachers hired after July 1, 2009. **There are numerous arguments against this bill:**

- ◆ Tenure is a due-process/fair dismissal law. It does not protect “bad” teachers and is not a guarantee of employment for life.
- ◆ A three-year probationary period is quite sufficient. A minimum of nine evaluations during this period is already required by law. Three years is ample time for administrators to assess if a teacher should be afforded tenure status.
- ◆ Using value-added scores as a “litmus test” for tenure is a flawed concept. Value-added scores apply to teachers in grades 3-8 with grade three establishing the baseline. Also teachers must teach three consecutive years in the same grade level for TVASS scores to be credible. By applying to only a segment of the teaching population, it is discriminatory on its face!

This legislation is promoted by Stand for Children, an organization which generally advocates for early childhood education issues. **TEA has worked with Stand for Children on pre-K advocacy, but has expressed to the organization’s leaders that it is totally unacceptable for them to try to weaken basic teacher tenure rights!** TEA members are urged to contact Senate Education Committee members and ask that they vote “**NO**” on **SB 1186**. Below is contact information for the Senate Education Committee.

Senate Education Committee

LP = Legislative Plaza WMB = War Memorial Building
 Address for all members is Nashville, TN 37243
 All legislators may be reached by telephone at 1-800-449-8366.
 You must then enter the last five digits of their office phone number.

Member (Party & District)	Office	Phone Area Code (615)	E-Mail Address (Please include your name, postal address, and phone number in your e-mail.)
Chairman Dolores Gresham (R-26)	308 WMB	741-2368	sen.dolores.gresham@capitol.tn.gov
Vice Chairman Reginald Tate (D-33)	320 WMB	741-2509	sen.reginald.tate@capitol.tn.gov
Secretary Andy Berke (D-10)	310 WMB	741-6682	sen.andy.berke@capitol.tn.gov
Charlotte Burks (D-15)	304 WMB	741-3978	sen.charlotte.burks@capitol.tn.gov
Rusty Crowe (R-3)	8 LP	741-2468	sen.rusty.crowe@capitol.tn.gov
Joe M. Haynes (D-20)	G19 WMB	741-6679	sen.joe.haynes@capitol.tn.gov
Bill Ketron (R-13)	13 LP	741-6853	sen.bill.ketron@capitol.tn.gov
Jim Tracy (R-16)	2 LP	741-1066	sen.jim.tracy@capitol.tn.gov
Jamie Woodson (R-6)	6 LP	741-1648	sen.jamie.woodson@capitol.tn.gov

Charter School Debate to Intensify in House Subcommittee **TEA Opposes Expansion Until Schools' Effectiveness Proven**

On Wednesday, April 11 charter school proposals are to be debated in the K-12 Subcommittee. One major proposal – pushed by charter school advocates – is **HB 2146** which would significantly change the eligibility criteria for students to attend charter schools. TEA's 2009-2010 Legislative Program contains the following item: *"The Tennessee Education Association strongly opposes any expansion of the charter school law until the effectiveness of these schools is independently validated."*

An amendment proposed to HB 2146 on April 15 makes some changes in the original bill but the amended version is still unacceptable to TEA. Among other things, the amended version would do the following:

- ◆ Expands eligibility to "students who are eligible for free or reduced lunches and who are enrolled in LEAs who have an average daily membership (ADM) of twelve thousand (12,000) students or more."
- ◆ Changes the length of the "charter" from the current five years to ten years.
- ◆ Exempts "conversion" schools from the current "cap" on the number of schools which can be created.
- ◆ Requires that 100% of state and local funds received by the LEAs, "including current funds allocated for capital outlay purposes" go to the charter school.
- ◆ Prohibits the LEA from charging the charter school for administrative or any other costs.

This bill fundamentally changes the focus of the 2002 charter school law passed by the Tennessee General Assembly. By expanding student eligibility to any "free or reduced lunch" student (in LEAs over 12,000 ADM), the bill would basically allow for "open enrollment" in some school districts when the "free and

reduced lunch" student population might range from 70-80% of the students! TEA will strongly oppose **HB 2146** for the following reasons:

- ◆ The "jury is still out" on the effectiveness of charter schools. In fact, several states are now "reining in" charter schools rather than expanding them.
- ◆ Charter schools were originally created to focus on children who needed special attention – not to "cherry pick" students and "compete" with regular schools.
- ◆ Charter schools can represent a serious drain of financial resources from regular public schools.

Since a vote is likely on April 22, TEA members are urged to contact K-12 committee members and ask that they vote "**NO**" on **HB 2146**. Contact information for the K-12 committee is carried in this report.

Political Academy to be Held at Paris Landing June 8-11 **Interested Members Should Contact Your Local President**

TEA's annual "political academy" will be held June 8-11, 2009 at Paris Landing State Park. The four-day session is an opportunity for a limited number of TEA members to receive intensive training to prepare for grassroots involvement in legislation/lobbying activities and for involvement in the campaigns of TEA-recommended candidates. The academy is limited to approximately 40 participants. Lodging and meals (not transportation) are provided by TEA. TEA members who wish to attend the 2009 academy should indicate interest to your local association president who can nominate prospective participants. Local presidents will receive details regarding the academy very soon.