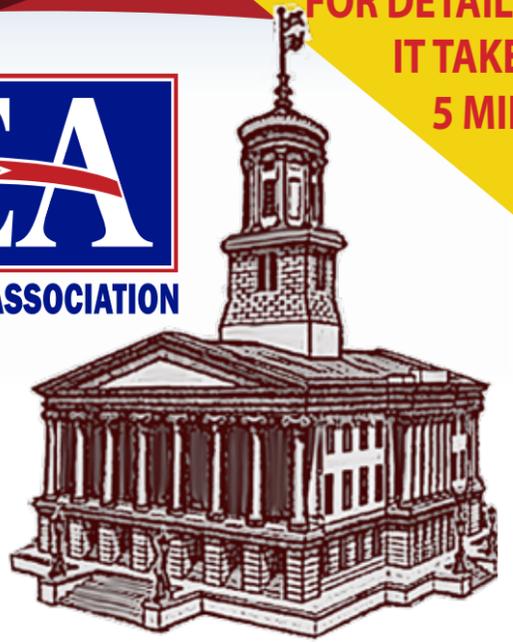


TENNESSEE EDUCATION ASSOCIATION PUBLIC SCHOOL ADVOCATE

TEA LEGISLATIVE REPORT | OCTOBER 7, 2016 | VOL. 2, ISSUE 8

PROTECT YOUR TEA
MEMBERSHIP WITH
EZPAY. SEE PAGE 3
FOR DETAILS.
IT TAKES
5 MIN.



With the testing data chain broken, no more excuses to delay rethinking use of TVAAS

TEA has been a strong critic of TVAAS use in evaluating teachers, determining pay raises or bonuses, and in licensure decisions. We agree with national experts and classroom teachers alike: it is wrong to use broad statistical estimates like TVAAS for high-stakes decisions affecting our careers.

One of the talking points the State

Department of Education has used to defend TVAAS is that the statistical model is built around a three-year compilation of test scores. Their claim to legislators and teachers has been that even though there may be low validity in any given year, long-term data makes it more sound.

Their claims were wrong, but even so, three years of data in the model was a good sound bite.

Now that there is no possibility of three year models, this last talking point has evaporated.

With the failure of TNReady last school year it is now impossible to have a three year model. There will be a hole in the data and therefore a hole in any model. This current school year would be year one in creating a new baseline for all teachers.

"TEA has always said TVAAS was invalid, now we have a chance to have a conversation about an evaluation system that moves forward without TVAAS," said TEA President Barbara Gray.

BREAK IN THE TVAAS CHAIN
go to page 8

In landmark case, TEA reaffirms key tenure rights

TEA's legal team took Shelby County Schools to federal court on behalf of members who were "excessed" and denied their tenure rights. Shelby County Schools invented the term "excessing," where a principal or director could lay-off teachers regardless of tenure status. On August 3, 2016, the federal judge agreed with TEA that tenure must be respected and that the law must be followed when staffing positions within the district, and now those members are entitled to reinstatement and full back pay.

It is a great victory for every member of the United Education Association of Shelby County and educators statewide, reinforcing the importance of tenure rights and association membership. This win shows what happens when we stand united.

The lawsuit over the rights of "excessed" tenured teachers in Shelby County was filed by TEA's legal team prior to MSCEA's disaffiliation from TEA.

TEA WINS EXCESSING LAWSUIT
go to page 6

TEA badly beats privatization groups in August elections

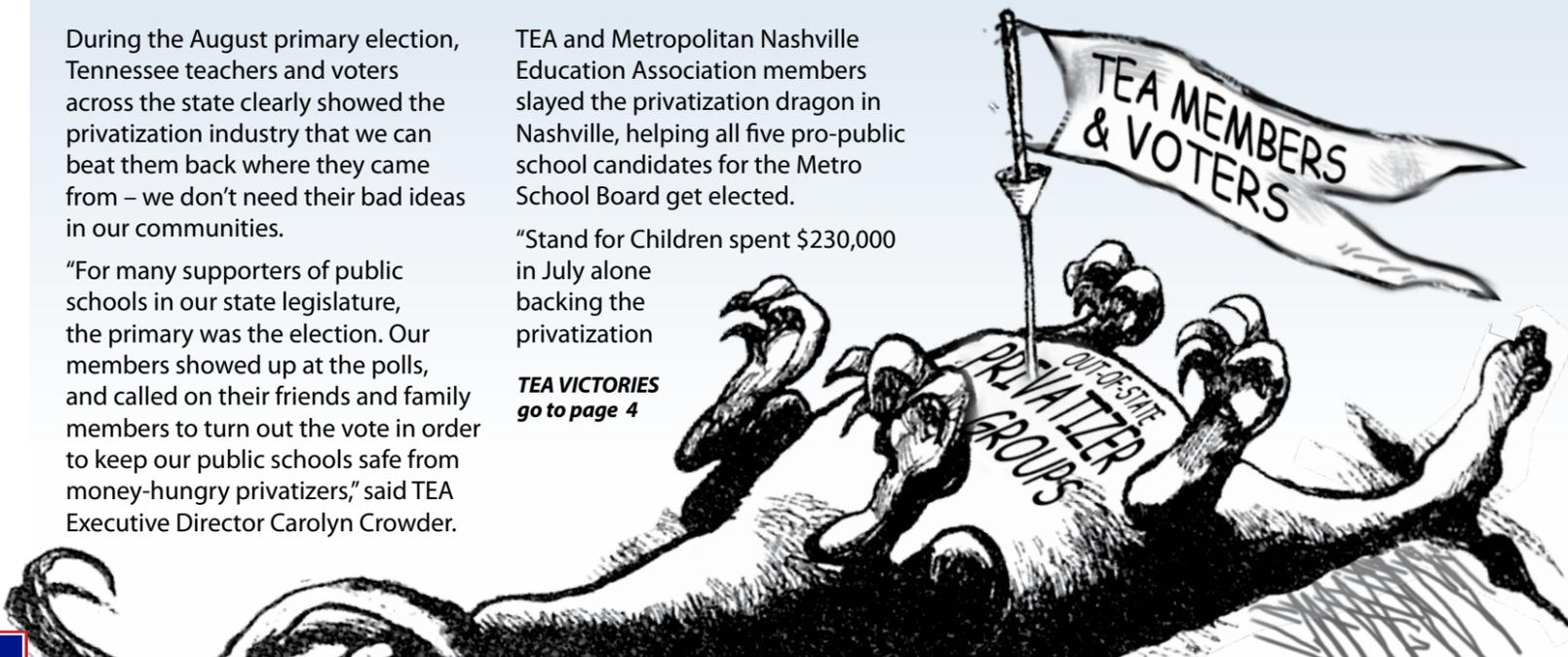
During the August primary election, Tennessee teachers and voters across the state clearly showed the privatization industry that we can beat them back where they came from – we don't need their bad ideas in our communities.

"For many supporters of public schools in our state legislature, the primary was the election. Our members showed up at the polls, and called on their friends and family members to turn out the vote in order to keep our public schools safe from money-hungry privatizers," said TEA Executive Director Carolyn Crowder.

TEA and Metropolitan Nashville Education Association members slayed the privatization dragon in Nashville, helping all five pro-public school candidates for the Metro School Board get elected.

"Stand for Children spent \$230,000 in July alone backing the privatization

TEA VICTORIES
go to page 4



THE STRONGEST VOICE FOR SCHOOLS AND EDUCATORS

ESSA paves way to scale back testing, fix evaluations

By TEA President Barbara Gray



At a time when you are pulled in so many directions and have so many demands on your time, I am here asking you to pay attention to one more thing – the state implementation of the Every Student Succeeds Act. I know you already want to jump to the next article, but hear me out. ESSA is this huge

thing that is hard to wrap your arms around, but it is a tremendous opportunity to improve public education in Tennessee.

ESSA gives us the opportunity to put an end to current state policies that are hurting our students and our profession, including:

- Excessive standardized testing,
- Unfair teacher evaluation and ineffective preparation,
- School takeovers, and
- Test-based accountability.

I have your attention now, right? What a tremendous impact this could have if the state will implement ESSA the way Sen. Lamar Alexander intended. So how do we get there? Following the four points above, TEA has identified areas we can advocate for together to push the state in the right direction.

The first step to putting an end to excessive

testing is to figure out what can be cut. TEA is advocating for audits of state and district assessments to determine the purpose and cost of all tests given to Tennessee students. The results of these audits can help the state and local district identify ways to reduce the total number of test and testing time for students.

To implement a fair and equitable evaluation system for all educators, TEA is advocating for more educator input and feedback. It is time to make constructive changes that more accurately identify teachers who need extra support. TEA is also advocating improving teacher prep programs in the state to set educators up for success in the classroom.

While school takeovers may not have affected

With Every Student Succeeds Act, we can put an end to current state policies that are hurting our students and our profession, including excessive testing, unfair evaluations, and school takeovers.

your district yet, the way the state has been handling takeovers should still concern you. TEA is advocating for educators to be involved in strategic school improvement plans and allowing district-driven plans for turning a school around before state interference.

Last, the block upon which the other issues

have been built – test-based accountability. Tennessee jumped all-in with high-stakes decisions tied to test scores. It is time to walk back those measures, and instead focus on non-academic factors beyond test scores. Schools should be evaluated on an opportunity index that looks at the overall picture to determine its true performance. Students would also greatly benefit from an equity audit to identify inequities in state and local resources. We want to see all children in Tennessee receiving a quality public education.

I know this is a lot to take in, but none of these things will be accomplished without your help. Together, we can move the state in the right direction to implement ESSA in a way that will have a significant positive impact on all students.



TEA President Barbara Gray (left) and Student TEA members work on a school makeover project at Napier Elementary School in Nashville Sept. 23. The project kicked off the annual Fall STEA conference, which was held at TEA.

Privatization flu is coming back; we are the shot

By TEA Executive Director Carolyn Crowder



You can't turn on the TV or the radio without hearing an ad telling you to get your flu shot. Even though it is still sunny and warm, and you haven't heard one story of someone having the flu yet, here are these ads urging you to go get your shot.

If you are like me, you do go get the flu shot. Who has time for the flu? I

want the best defense in place before the flu gets anywhere near me.

The privatization threat facing our schools is a lot like the flu – and strong, vocal opposition from educators back home is the flu shot.

Most of you teach outside of the big urban districts in our state, and I understand how easy it is to dismiss privatization attacks as something that will never reach your district. Unfortunately,

we can no longer afford to think that way. The privatization threat is real and it has serious implications for the entire state.

Think about how once one member of your family catches the flu, despite your best cleaning and quarantine efforts someone else in the family will get it too. Privatization schemes like private school vouchers and charter schools work the same way. Once it infects one district, it will spread to other districts – and it won't stop with the urban districts.

In recent months we have seen charter schools try to open in Johnson City and Claiborne Co. - two districts with no priority schools and well outside of the traditional charter market. We will see the same thing happen with private school vouchers

We expect the privatization flu to be stronger than ever in the legislature. Let's defend our public education family.

if we allow them into our state in any way.

TEA has defeated private school voucher proposals for four straight legislative sessions. Educators, parents and supporters of public schools fought back in a way that has not been done in any other state. We are the only ones who have been able to hold back voucher advocates for so many years.

Our opponents employed a new strategy last year – in a last ditch effort to get their voucher bill passed, it was amended to only include Shelby County Schools. You see, because these voucher people are motivated by profit and self-interest, they expected you all to go quietly into the night once the bill would no longer impact your local schools. They had never faced an opponent quite like our band of public school advocates who said to their legislators, "If you do this to our students and colleagues in Shelby County, we will not send YOU back to Nashville next session."

We expect the privatization flu to be stronger than ever when the legislature convenes in January. We have to be ready to defend our public education family, because once the flu is in the house it will spread.

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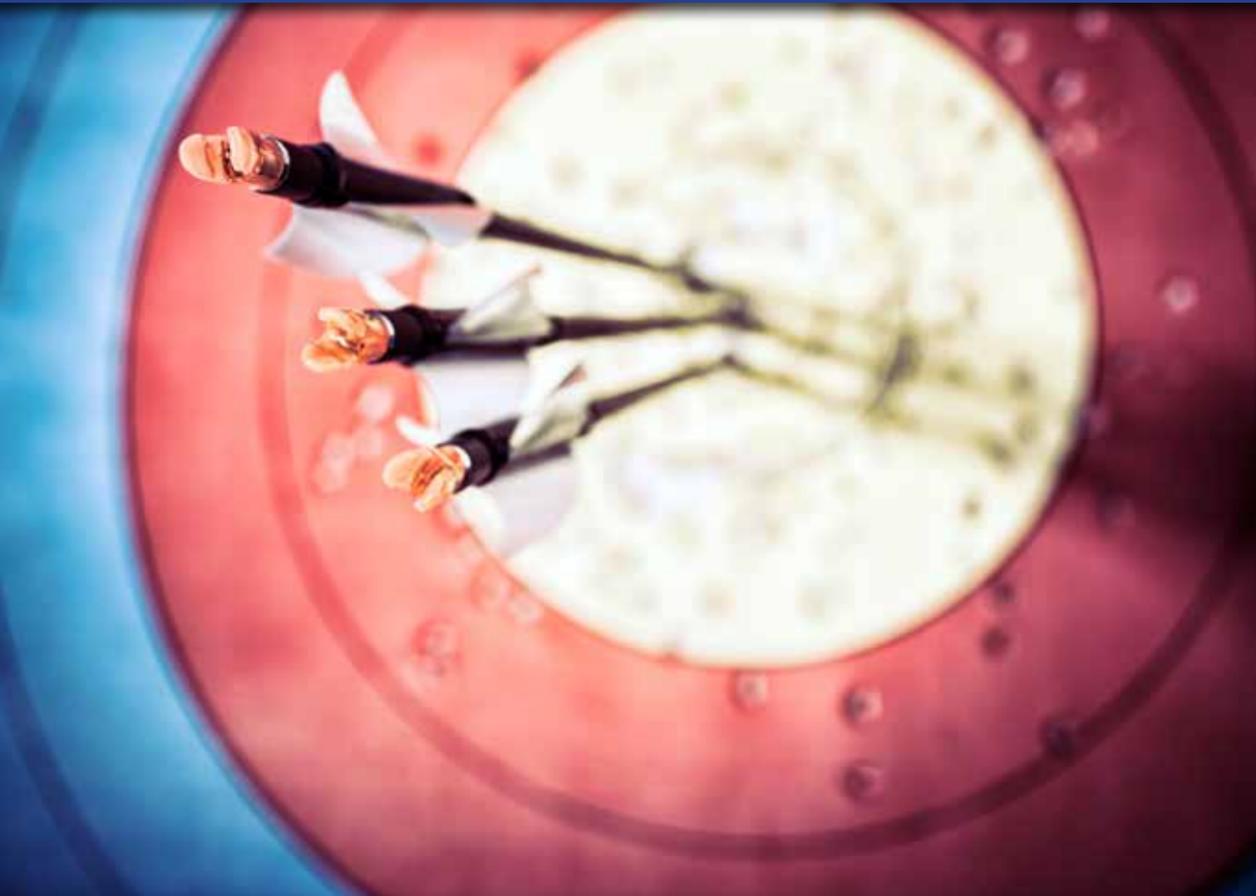
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Privatizers are targeting your membership.



**TEA is the
LARGEST
and
STRONGEST
advocate for
public education.**

Out-of-state interest groups want to weaken TEA and silence your voice by eliminating payroll dues deduction. It is time to take control of your membership and remove the threat. Make the switch to EZ Pay today!

Protecting your membership is easy with EZ Pay through your credit card or checking account. It is fast, easy, and ensures your membership in TEA - the only organization protecting our schools!

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TEA badly beats privatization

TEA VICTORIES from page 1

candidates and pushing negative campaigns against our supporters," said Crowder. "None of that money worked because Nashville voters recognized they are on the front line of the privatization battle."

Rep. Gary Hicks (R-Rogersville) fought with voucher proponents, the American Federation for Children, which poured tens of thousands of dollars against him in negative ads during the summer.

None of those ads worked. TEA members stepped in to work the phones and educate local communities about the dangers of vouchers, which are a threat everywhere – not just in big urban school districts.

"Vouchers were the issue in Rep. Hicks' campaign, and the message from local voters was loud and clear – we don't want them in our schools," Crowder said.

Stand for Children and the American Federation for Children went after two of TEA's Democratic friends in Memphis and Shelby County, spending more than \$100,000 against Rep. Johnnie Turner and Rep. Antonio Parkinson.

Aided with help from enthusiastic members in their districts, Turner and Parkinson crushed their opposition, and later expressed their full support for members of the United Education Association of Shelby County and TEA (you can view their video on the TEA YouTube channel).

"The fact is TEA is the only political entity on the pro-public education side in Tennessee elections," said Jim Wrye, head of TEA Government Relations and chief political strategist. "We should be proud of what we have accomplished. We may get outspent four-to-one or even seven-to-one on races by these shadow privatization groups, but we still come out on top on almost every race. We have something that the out-of-state special interests do not have, and that is members that vote and get involved in every corner of this state."

Wrye notes that while the TEA Fund for Children and Public Education--the association's political action committee--is outspent, there are other resources that allow TEA to be more strategic and effective in winning races.

"We have the best voter data in the state, and we use polling to target and invest in campaigns," Wrye said. "Also, for the first time we created a lot of our own mail and radio spots to combat the special interest campaigns, and we did most of that in-house. The TEA communications staff did a great job. It's nice to put these shadow groups and their candidates on the run. Now we off to the general election!"

SHADOW SPECIAL INTERESTS BACKING CYNTHIA JACKSON WANT TO ROB OUR LOCAL SCHOOLS.

THE TENNESSEAN
National voucher groups spend big in legislative races

Cynthia Jackson knows that by taking their money she will be beholden to these national groups. She will listen to them rather than us when our schools are attacked and

TEA-FCPE
800 2nd Ave
Nashville TN, 37203

GARY HICKS FOUGHT THE SHADOW GROUPS AND PROTECTED OUR CHILDREN AND SCHOOLS.

That's why these groups attack Gary

Rep. Gary Hicks successfully fought and won against big city special interests trying to take our tax dollars to fund all kinds of city private schools and corrupt charter corporations. He fought for the largest improvement in state funding for our local schools without a tax increase. Now that is a double dose of conservative common sense.

So where you see these big city groups attack Gary, remember his courage and leadership stopping their scheme to drain our tax dollars and send to places we don't approve.

Vote for courage, leadership and a double dose of conservative common sense we need in Nashville. Vote Gary Hicks!

GOP PRIMARY EARLY VOTING THRU JULY 30
ELECTION DAY AUGUST 4

Above is an example of TEA created mail sent to voters. In the GOP primary for House District 9, TEA supported educator Gary Hicks. He was attacked by privatization special interests groups, backing his opponent with more than \$100,000 in spending. TEA spent

\$18,000 in mail and radio, to counter the attacks and make the race about vouchers, after polling showed voters in the East Tennessee district opposed the idea. With a strong ground effort by members and a great campaign by Hicks, he won handily in his primary.

A civil rights fighter. Dedicated to the children of Memphis. Defending our public schools.

That's Johnnie Turner!

EARLY VOTING JULY 15-30
PRIMARY DAY AUGUST 4

Privatization groups didn't just attack in Republican districts. These groups spent more than \$200,000 trying to unseat pro-public education Democrats in Memphis. TEA worked to defend staunch advocates like Rep. Johnnie Turner (left).

PRIVATIZATION GROUPS POLITICAL SPENDING

\$1,957,600

TEA FCPE POLITICAL SPENDING

\$324,442

SCORE: TEA 14 - PRIVATIZERS 1



groups in August elections



You know Amy Frogge. We need to re-elect her!

As a dedicated public school parent on the school board Amy:

- Listens to parents and the community
- Reduced standardized testing for our youngest students
- Ensured time for daily recess
- Supported the hiring of Dr. Joseph to unify the community
- Advocated for Nashville's fair share of state funding

It is clear our schools are moving in the right direction, with student achievement up and expanded opportunities for all. To keep progress going, vote to re-elect Amy to the Metro Nashville School Board.

Early voting through July 30. Election Day Aug. 4.

PAID FOR BY THE MNEA ADVOCACY FUND. NOT AUTHORIZED BY ANY CANDIDATE OR CANDIDATE COMMITTEE.

The main election where privatization groups and TEA squared off was in House District 9, where TEA-backed candidate Gary Hicks won convincingly (see campaign mail on facing page). This race sent shockwaves throughout the Tennessee political establishment.

Privatization groups spent heavily to defeat black Democrats in Memphis to prove citizens want vouchers and charters. With TEA's help, Representatives Parkinson and Turner (above) whipped their challengers. UEA also protected a school board member.

GOP House allies Curtis Halford and Jimmy Eldridge were successfully defended by TEA when attacked. JMCEA also won several key school board races in Jackson, strengthening the pro-educator majority.

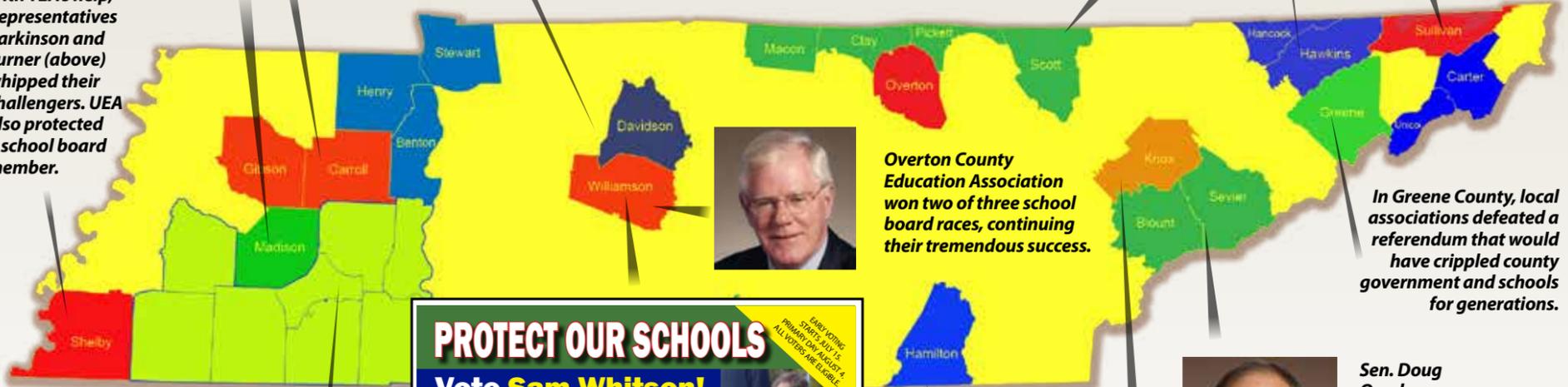
MNEA had success protecting incumbents like Amy Frogge (MNEA mail above) and winning an open seat, shifting the board from pro-charter to anti-privatization. The win was even more impressive when it was discovered shadow groups spent more than \$300,000. The outcome made national news.



TEA friend Rep. Kelley Keisling beat back a tea party challenger.



Anti-voucher candidate John Crawford (above) beat a privatization-backed challenger in House District 1 with close TEA support.



The one loss for TEA was the effort to unseat Sen. Dolores Gresham. She lost six of her eight rural counties, but was able to squeak out a win in her home county of Fayette.

PROTECT OUR SCHOOLS

Vote Sam Whitson!

Let's stand for public schools by voting for Sam Whitson in the Republican primary!

August 4, early voting begins July 15!

Early voting starts July 15. All voters are eligible.

TIME TO VOTE IN THE GOP PRIMARY

Hamilton County Education Association won two of the three school board races they were involved with, strengthening their position on the panel.

Knox County Education Association used the voter file, candidate recruitment, election knowledge and a lot of work to create amazing success with school board elections in their district. Voters chose all five of the KCEA-endorsed candidates. One local pundit said the school board now looks like a teachers' union meeting.



Sen. Doug Overbey was attacked by special interests and with TEA help won his GOP primary.

3 BIG STRIKES ON DOLORES GRESHAM

- ✗ She fought to revoke our teaching licenses based on TVAAS scores.
- ✗ She pushed vouchers, charters and other privatization schemes.
- ✗ She tried to eliminate our students' constitutional right to an education.

TIME TO CALL HER OUT!

Every voter can participate. Early voting starts July 15. GOP primary August 4.

SHE CAN BE DEFEATED IN THE GOP PRIMARY

WCEA helped defeat disgraced representative and vocal voucher advocate Jeremy Durham and backed Sam Whitson (above), a staunch voucher opponent. The association also helped defeat a radical Tea Party challenger to House Budget Chair Charles Sargent (above).



TEA FUND
for Children and Public Education

THE SCHOOL DEFENSE FUND OF TENNESSEE

"I don't like politics and don't want to participate." That is the feeling of many educators, especially in these turbulent times. The enemies of public education, shadow groups coining the phrase "government schools," are counting on teacher apathy and indifference to push vouchers and charters. They are active, well funded, and trying to elect legislators willing to do their business. To defend schools, we need to be ready to fight. That is the importance of The TEA Fund for Children and Public Education, the political action committee of our association. It is the only organized funding for pro-public school legislative candidates in Tennessee. We are it. Your contributions to the Fund are critical to our tremendous electoral success. Let's keep the fund strong and go on to win!

Secretive voucher lobbyist took anti-TEA lawmakers on beach trip

The Tennessean on September 26, broke a story about an undisclosed trip paid for by a leading secretive voucher lobbyist for legislators who are anti-TEA. The trip to a luxury Alabama beach condo was hosted by voucher advocate Mark Gill. Reps. Andy Holt, Mike Carter, Billy Spivey and recently ousted lawmaker Jeremy Durham stayed at Gill's condo and left one morning for a half-day deep sea fishing trip paid for by Gill. Rep. Jimmy Matlock also made the trip but went to the beach instead of fishing because he gets seasick, reported the Tennessean. Spivey was a prime sponsor of the payroll deduction bill. The others were advocates for vouchers and signed on to bill attacking TEA.



Voucher lobbyist Mark Gill

TEA is barred by state ethics laws on lobbying (and common sense on using dues money) from providing junkets like this trip. Gill does not report his lobbying activities and lavish spending on behalf of the Federation for Children because he claims not to be paid. Speaker Beth Harwell promises to close this loophole next legislation session.

Students First changes name, keeps tune

One of the state's leading pro-voucher groups is getting a new name. StudentsFirst is changing its name to TennesseeCAN as part of the 50-state Campaign for Achievement Now network.

Don't be fooled by the name change, the organization will remain a leading opponent of public education and will be funded by a group of out-of-state privatizers. In fact, their own press release says, "TennesseeCAN will function as a new organization whose legislative agenda, policy priorities, staff and underlying mission remains unchanged."

For the last four years, that mission has been to spend millions of dollars to pass school vouchers. Year in and year out, TEA has been the leader in opposing risky voucher schemes. Your calls, emails, and personal contact with legislators made the difference.

In 2017, we know that TEA members will again make the difference and defend public schools from privatizers no matter what name they claim.

Rocketship down: another charter on ropes

Andre Agassi's national charter school network Rocketship already has two schools in Nashville. In 2015, the local affiliate applied to open additional schools in the city. That application was denied, in part due to Rocketship's poor performance in terms of academic achievement. Rocketship appealed to the State Board of Education and was denied again.

Despite the clear message that Rocketship needed a stronger track record in Nashville before pursuing additional schools, the charter network again applied to open new schools in Nashville in 2016. Again, they were denied by the MNPS Board on an 8-1 vote. They appealed, citing the results of their own, internally-administered tests. The appeal was denied.

Now, it is up to the State Board of Education to again decide the fate of Rocketship. One part of their appeal says they should automatically be allowed to open a new school because MNPS was one day late in scheduling the appeal hearing. Otherwise, they cite the results of tests other schools in the district and state don't take.

The official hearing took place in September, and members of the MNPS School Board and new Director of Schools Shawn Joseph appealed to the State Board to deny Rocketship's expansion.

A final decision on Rocketship's fate will be made this month.

BEP review committee urges focus on teacher pay

The BEP Review Committee, the state body tasked with annually reviewing school funding in Tennessee and making recommendations for improvement, decided in late July to send a letter to the governor and other key state leaders outlining priorities for future education funding.

Here's what the committee's minutes say about this letter:

EDUCATION NEWS IN BRIEF go to page 7

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Wayne Co. **District 13 — Mary Campbell, Susan Dalton**, Metro Nashville, 531 Fairground Court, Nashville, TN 37211; (615)347-6578 (Campbell), (615)476-3161 (Dalton), fax: (855)299-4968 (Campbell), (855)299-5837 (Dalton); Assns: Dept. of Higher Ed., Metropolitan Nashville, TN School For The Blind, MTSU, Murfreesboro City, NSCC, Rutherford, TSU. **District 14 — Maria Uffelman**, P.O. Box 99, Cumberland City, TN 37050; phone: (931)827-3333, fax: (855)299-4925; Assns: Austin Peay State University, Clarksville-Montgomery Co., Henry Co., Houston Co., Paris, Stewart Co., Weakley Co., UT-Martin. **District 15 — Cheryl Richardson**, P.O. Box 354, Goodlettsville, TN 37070; phone: (615)630-2601, fax: (888)519-4879; Assns: Benton Co., Central, Cheatham Co., Clarksburg, Decatur Co., Dickson Co., Hickman Co., Humphreys Co., Huntingdon, Lewis Co., McKenzie, Perry Co., West Carroll. **District 16 — Lorrie Butler**, P.O. Box 387, Henderson, TN 38340; (731)989-4860, fax: (855)299-4591; Assns: Chester Co., Jackson-Madison Co., Jackson State Community College, Hardin

Co., Henderson Co., Lexington, McNairy Co., West Tennessee School for the Deaf. **District 17 — Terri Jones**, P.O. Box 2140, Cordova, TN 38088; (901)258-3902, fax: (844)270-8083; Assns: Bradford, Crockett Co., Dyer Co., Dyersburg, Dyersburg State Community College, Gibson Co., Hardeman Co., Haywood Co., Humboldt, Lake Co., Lauderdale Co., Milan, Obion Co., Tipton Co., Trenton, Union City. **District 18 — Zandra Foster**, 3897 Homewood Cove, Memphis, TN 38128; (901)377-9472, fax: (855)320-8737; Assns: Bartlett, Collierville, Fayette Co., Germantown-Arlington-Lakeland, Millington, Southwest State Community College, University of Memphis. **District 19 — Karla Carpenter, UniServ Field Manager; UniServ Director: Tom Marchand**, 6520 Stage Road, Bartlett, TN 38134; phone/fax (901)379-6939; United Education Association of Shelby County, www.unitedshelby.org.

www.teateachers.org
www.nea.org

Win in Shelby County lawsuit proves power of teachers united across state

TEA WINS EXCESSING LAWSUIT from page 1

The principle claims in the case were on behalf of five "excessed" tenured teachers. TEA's legal team decided to also name the now-disaffiliated MSCEA as a party to prevent the district from settling individually with the educators without obtaining a judicial declaration about the lawfulness or unlawfulness of "excessing."

"This victory achieved by TEA's legal team for all Tennessee educators proves the power of standing united," said TEA Executive Director Carolyn Crowder. "At a time when tenure rights are often under attack, this ruling reinforces the right to due process."

While the practice of excessing began in Shelby it was quickly spreading to other districts in the state, sometimes under a different name. Some districts viewed this as their opportunity to fire tenured teachers without cause.

"The TEA members who have come before us fought hard to win tenure rights for Tennessee educators," Crowder said. "We certainly were not going to let districts violate the rights of our members with a fight."

TEA just made excessing illegal! That's what being UNITED means for you.

TEA took Shelby County Schools to federal court to stop excessing and tenure rights denial. WE WON! That means every member of UEA-TEA-NEA won! Make sure to sign a member form to keep your rights and benefits.

If you pay dues by payroll deduction, you must sign a new form in August to keep your membership. Call (901) 379-6939, or email info@tea.org

UEA-TEA-NEA is not affiliated with MSCEA. They left the TEA-NEA family.



Teachers statewide are now protected from facing similar practices in their home districts, thanks to the hard work of TEA's legal team.

You can trust TEA's legal team with more than 60 combined years of experience in Tennessee education law, to defend your rights and protect you when you need it most. Our team has won virtually all of the important cases dealing with teachers' rights statewide, works effectively with school district attorneys and officials for the good of teachers, understands legal strategy and issues of statewide significance, and is in the trenches fighting for you when a fight is needed.



TEA General Counsel Richard Colbert led the legal fight to protect tenure rights for all Tennessee teachers.

Bedford Co. legal victory proves MOU enforceable Ruling establishes PECCA as powerful tool for teachers

When collective bargaining was replaced with collaborative conferencing in 2011, many thought it was the end of enforceable rights for Tennessee teachers. A TEA legal victory has proven otherwise.

A recent ruling in a TEA lawsuit filed in Bedford County proves that MOUs signed through collaborative conferencing can have the same legal significance as collectively bargained contracts.

The Bedford County Board of Education was bound by the MOU negotiated by the Bedford County Education Association to pay a certain level of its teachers' health insurance premiums. When the board failed to live up to its legal obligations, TEA's legal team went to work.

As a result of the victory, Bedford County teachers will be reimbursed for a year and a half worth of premiums that the board owed under the MOU and didn't pay.

"This outcome proves two things,"

said TEA General Counsel Richard Colbert. "There is value to having an MOU, and there is value to having a strong local association to negotiate that MOU and to go to bat for

The PECCA law allows locals to conference on salary, benefits and working conditions. A signed MOU can have the same legal significance as a contract.

teachers when it is not followed by the district."

Our local association negotiated the MOU that provided the contractual right that this settlement vindicates. BCEA fought to protect the rights of their teachers. Without the local association, no single teacher could have negotiated the contractual commitment in the MOU, and no single teacher could have afforded

legal assistance to recover what that teacher lost when the Board breached the MOU.

"This is a tremendous victory for teachers statewide and gives us all new confidence in the collaborative conferencing process," said TEA President Barbara Gray. "This ruling means ALL local associations need to get an MOU in place immediately to protect the rights of their members."

The PECCA law allows locals to conference on topics like salary, benefits and working conditions. Less than half of the school districts in the state have an MOU in place right now.

"Now is the time to organize the teachers in your district and start the collaborative conferencing process," Gray said. "TEA field staff are ready to help locals initiate PECCA and guide you through the process."

Visit www.teateachers.org/staff to find your UniServ coordinator.

TEA fights for money to offset health insurance premium hikes

Participants in the state group insurance program, which covers over 100,000 educators and their families, will see an average premium increase of just over 6 percent next year. The increase is not spread evenly across all plans, and is focused mostly on the cheaper, high deductible plans. The premium hike is higher than it's been in years, the state plan has averaged less than a 2.5 percent increase over the last decade, but is accompanied by millions in additional funds coming from the state. The actual impact to teacher paychecks will depend on the decisions made by local boards of education regarding whether or not to absorb the premium increase.

Some systems have elected to do just that, and employee share of premiums is decreasing next year, while others have elected to pass through the increase to employees. It's important to note that even though premiums are increasing, there is extra money available to districts. TEA has pushed in the last two years to finally fund the eleventh and twelfth months of teacher insurance through the BEP, which provides more than \$60 million. There is also an additional \$24 million that the state has made available in light of the premium increases. Finally, dozens of systems were purchasing gap or supplemental insurance through private vendors, which is disallowed for 2017, meaning the accompanying savings can also be used to offset the extra cost.

The reasons for the increase are also important. The state plan has an excellent track record, and this year's increase stands out as an aberration. According to the state's analysis, the premium increases are due to a more than 500 percent increase in enrollment in the Limited PPO, a low cost, high deductible option. This plan was paired with gap insurance, which acted to pick up the higher out-of-pocket costs. This meant an employee got a similar benefit to higher cost plans, while the district and the employee paid much less.

The problem is that the state plan is self-funded, meaning the money collected from the insurance premiums is used to pay the cost of the claims filed by employees. A massive increase in enrollment in the Limited PPO essentially shifted an enormous cost onto the state plan, which created a large run on reserves that were going to be used to prevent claims increases next year.

"It's really unfortunate that some school systems thought they were getting a free lunch, and now teachers across the state are suffering as a result," said TEA Executive Director Carolyn Crowder. "The math is fairly simple, when the state self-funds, if there's less money coming in and the same or more going out, you're going to have a problem."

Another consequence of the massive increase in enrollment in the limited plan was that it lowered the amount of money every school system receives for insurance through the BEP, regardless of whether or not they participate in the state plan. The BEP uses a weighted average to determine how much money school systems receive for insurance per employee, and when thousands of employees signed up for the cheapest option, it meant less money was sent from the state to every school system. The end result was that all schools in the state were paying for the decisions of a few.

Now that the gap insurance that had been sold to school systems has been disallowed by the state, it is expected that enrollment patterns will normalize once again. Employees with fixed health costs who tend to use their insurance will likely return to the plans with richer benefits, while those who are less likely to use their insurance may opt to stay in cheaper plans with more out-of-pocket costs. "This plan has been good to teachers over the years," Crowder said. "We expect that school systems will use the considerable extra state money they're receiving to absorb the premium increases."

TENNESSEE EDUCATION NEWS IN BRIEF

from page 6

"The committee resolved with no dissenting votes to send a letter to the Governor, the Commissioner of Finance and Administration and the Commissioner of Education outlining the five priorities of the committee for funding.

The five priorities, in order:

1. Sustained commitment to teacher compensation
2. English Language Learner funding (to bring ratios closer to the level called for in the BEP Enhancement Act of 2016)
3. Funding the number of guidance counselors at a level closer to national best practices
4. Funding Response to Instruction and Intervention positions
5. Sustained technology funding."

Let's hope this steers the Gov. Bill Haslam administration to close the wage gap sorely felt by Tennessee's educators. The good news is the state now has a \$925 million surplus, a portion of which could be used to help close that gap. Doing this would also meet another long-term goal of the BEP review committee: Providing districts with teacher compensation that more closely matches the actual cost of hiring a teacher. The projected cost of this, according to the 2014 BEP Review Committee report, is around \$500 million.



TALE OF TWO SYSTEMS: Teachers in Hancock Co. earn 56% less in total compensation than their colleagues in Kingsport due to pay inequity.

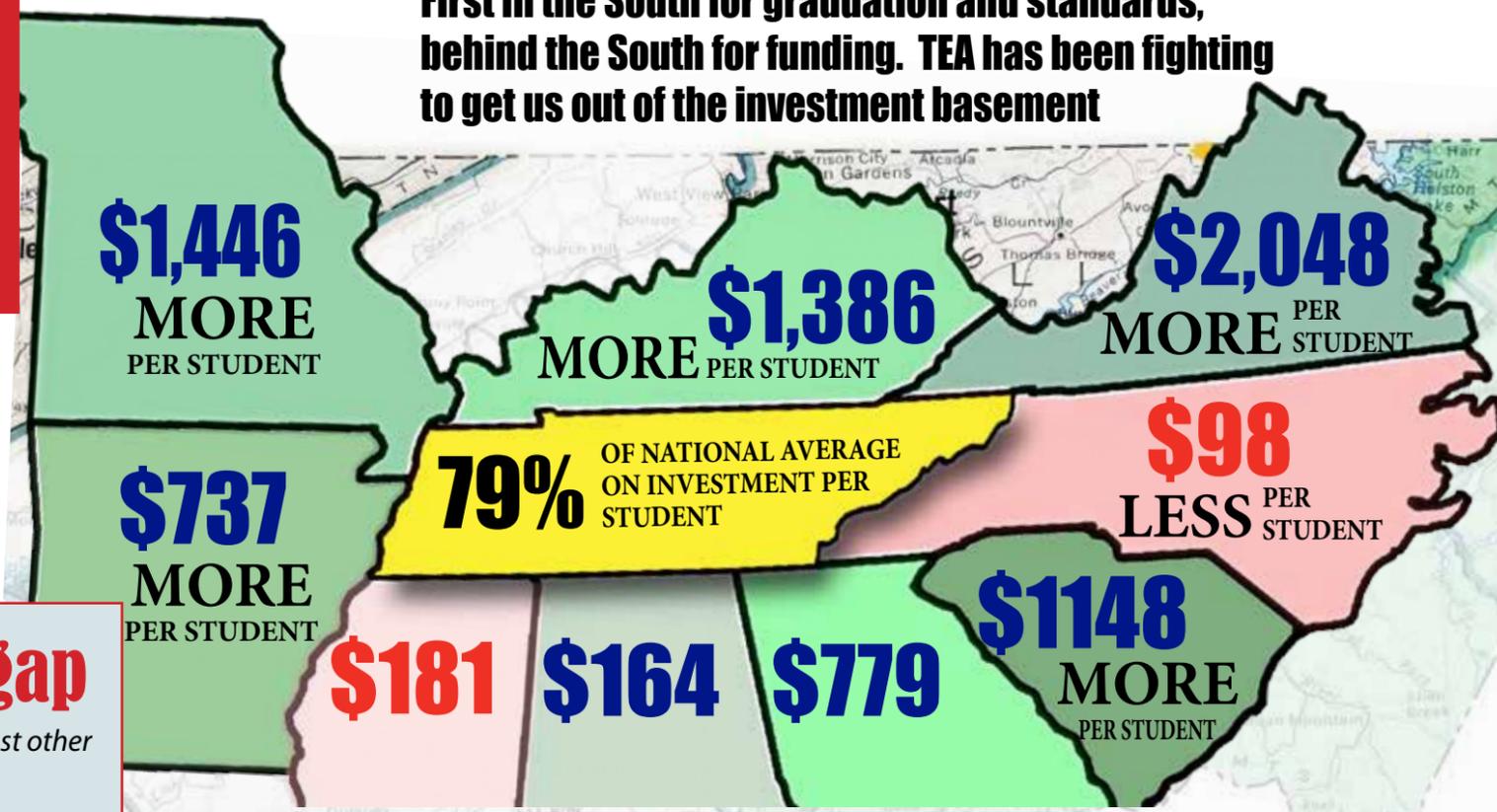
Tennessee ranks 8th in the nation for on-time graduation rates, and has the country's second highest academic standards for graduation. Tennessee schools achieve this remarkable outcome with very few resources. Our state ranks 46th for investment per child, and is far below most of its neighboring states in education funding.

Teacher pay gap

(Teacher pay as measured against other professions in Southern states)

Louisiana	80.5%
South Carolina	79.2%
Kentucky	78.8%
Mississippi	74.8%
Arkansas	74.8%
Florida	74.6%
West Virginia	74.6%
Alabama	71.8%
Tennessee	70.7%
Georgia	69.3%
Virginia	66.9%
North Carolina	65.4%

First in the South for graduation and standards, behind the South for funding. TEA has been fighting to get us out of the investment basement



TEA FIGHTS FOR PAY EQUITY from page 8

average teacher pay in 2015 was less than the 2013 weighted average – a decline not fully explained by normal attrition and replacement.

Additionally, the disparity between teachers in the state's best-paying systems and the lowest-paying systems remains at a steady 40 percent. This trend has been fairly constant throughout Governor Bill

Haslam's administration and approaches the level of inequity ruled unconstitutional in the most recent small schools lawsuit.

"While TEA appreciates recent investment in public education and teacher salaries, we believe more must be done to ensure that when the General Assembly appropriates funds for teacher raises, those funds wind up

in teachers' pockets," said TEA President Barbara Gray. "We will continue to work with the state legislature and the State Board of Education to adopt laws and policies that result in both increased funding for pay raises and fair raises received by teachers across the state, no matter what district teachers work in."

TVAAS

Absence of data spells end to TVAAS. Now what?

BREAK IN THE TVAAS CHAIN from page 1

As we move forward in this new world, it's important to remember some key facts:

First, it's impossible to make a valid comparison between the old TCAP and new TNReady tests when it comes to TVAAS.

According to a study published in the Journal of Educational Measurement, "[research] results suggest that conclusions about individual teachers' performance based on value-added models can be sensitive to the ways in which student achievement is measured."

In short, the findings of the study demonstrated that different types of tests (like TCAP vs. TNReady) yield different value-added results. Thus, making a valid comparison between the two is impossible.

Second, the American Statistical

Association says using value-added data, like TVAAS, is a poor predictor of individual teacher performance, explaining only between 2 percent and 14 percent of a teacher's impact on student learning. TVAAS doesn't provide accurate, relevant insight into teacher performance, even under the best circumstances.

Third, to have meaningful comparison, Tennessee would need at least three years of data using the new testing format, but we don't have any data from TNReady yet. There is no baseline, and no ability to make a comparison between year one and year two, because we don't have any year one data, in large part because of the TNReady test failure.

It's also important continuing to note the flaws of TVAAS. As we've pointed out in the past, teachers in different subjects and grades are treated differently when it comes to TVAAS results.

A study published in the Teachers' College Record last year focused on Tennessee and noted that middle school teachers tend to receive lower TVAAS scores than their high school counterparts and middle school ELA teachers were more likely to receive low TVAAS rankings than their peers who teach math. The Tennessee Department of Education's own report on educator effectiveness revealed the same finding – middle school teachers tend to get lower scores and ELA teachers are often scored lower than math teachers.

Even without a TNReady break in data, TVAAS offered little value in terms of individual educators. Now, there's no value at all.

"Because of the many failures and false promises of TVAAS, Tennessee's teachers believe now is the critical time to move forward without TVAAS," said TEA Executive Director Carolyn Crowder. "Our students can't afford another year of false promises and our educators don't deserve the stress associated with preparing students for tests that don't contribute -- and often detract -- from learning."

A judge in New York ruled recently that evaluating teachers based on value-added data was "arbitrary and capricious." Both Hawaii and Oklahoma have moved away from using value-added data in teacher evaluations. Policymakers around the country are beginning to realize what educators have been saying all along: Value-added data fails to capture the true impact of teachers.

It's critical that you remind your lawmakers that Tennessee must move beyond TVAAS. Educators don't mind accountability, but the measure used must be fair and transparent. TVAAS is neither.

"With this last talking point now effectively over, we have an opportunity to revisit our evaluation system and talk alternatives to TVAAS," said Crowder.

TEA will continue to raise the alarm about TVAAS and fight for educator evaluation policy that treats teachers as professionals.

National experts and groups have called for a moratorium on the use of value-added in high-stakes decision for teachers (left). Now, other states have been repealing their use of the flawed statistical estimates.

National experts say value-added invalid for decisions

American Educational Research Association released a statement cautioning states against the use of value-added measures, such as TVAAS, for high-stakes decisions regarding educators.

"There are potentially serious negative consequences in the context of evaluation that can result from the use of VAM based on incomplete or flawed data, as well as from the misinterpretation or misuse of the VAM results," said the respected research group.

Experts across the nation agree that value-added performance measures do not reflect the content or quality of teachers' instruction. Studies found that "state tests and these measures of evaluating teachers don't really seem to be associated with the things we think of as defining good teaching."

TEA FIGHTS TO CLOSE SALARY GAP

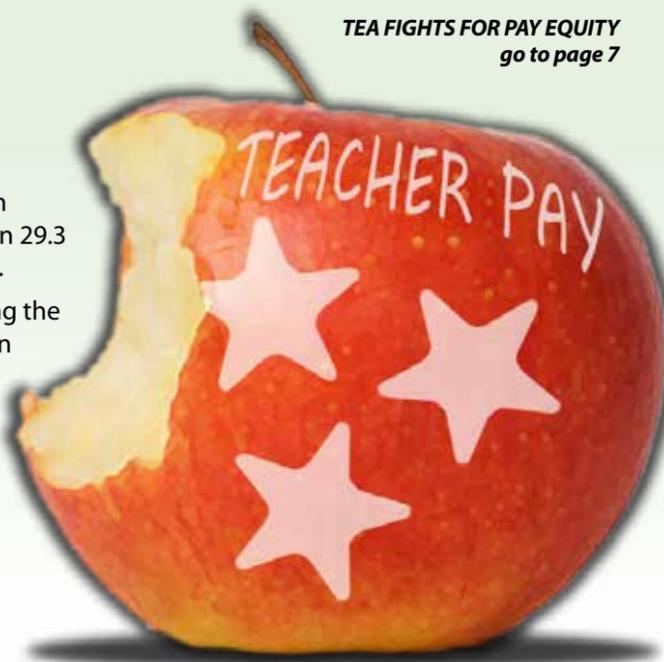
A new study by the Economic Policy Institute examines teacher pay relative to pay received by other, similarly-educated workers and reveals a growing gap.

Not surprisingly, teachers are on the losing end, earning roughly 23 percent less than their peers in other professions. Here in Tennessee, teachers earn 29.3 percent less than similarly-prepared professionals.

In fact, Tennessee's wage gap for teachers is among the worst in the Southeast. The average of 11 southern states is a 26.5 percent gap, leaving Tennessee nearly three points behind.

The weighted average teacher salary in Tennessee according to the BEP Review Committee is just under \$44,000 a year. To fully

TEA FIGHTS FOR PAY EQUITY go to page 7



close the gap, Tennessee teachers would need an average raise of about \$10,000 a year.

TEA succeeded in pushing the state legislature to pass 4 percent BEP salary increases in the past two legislative sessions, but those funds don't always make it into teachers' paychecks due to the pay plan instituted by former Education Commissioner Kevin Huffman and inaction by the State Board of Education.

Specifically, the Huffman pay plan eliminated the state minimum salary schedule and went to a four-step schedule. Additionally, the State Board of Education has only increased the mandated BEP salary by 2 percent and 3 percent respectively in last two budget cycles. The result: Weighted