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**Haslam's Tenure Bill
Signed Into Law**

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Teacher Evaluation
*New system rolls out July 1,
unanswered questions remain*

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Now More Than Ever, Let's Stand Together

When a new school year starts in August 2011, many factors affecting our profession will have been dramatically changed. To start, we will all be evaluated with a new model that incorporates student growth and achievement with more frequent observations. Also, teachers who have not received tenure before July 2011 will be working under a new law that allows them to be employed year after year with no protection against arbitrary dismissals. And, as this issue goes to press, there is a very real possibility that negotiated agreements between teachers and school boards may be a thing of the past.



For many of us, then, the question may arise, "What will happen to our local association and TEA? What does the future of our organization look like without collective bargaining and traditional tenure?"

To address that question, I offer some others. Will you perhaps need guidance and information to navigate the new evaluation system? Will data and research about your school system budget provide valuable tools when you consider local salary and benefits? Do you want education professionals to closely monitor and try to influence new policy and laws? Will school boards and directors sometimes make decisions that negatively impact your professional life? Most important, can you manage all of the issues listed here while remaining focused on creating a successful experience for your students?

TEA represents our collective work toward answering those needs. Teachers must have a voice whenever education laws and policies are being developed. Yet it's impossible for each of us to speak individually every time decisions are made. That's why it's important that we join forces and work collectively for what we know our schools need. That's why we elect our fellow professionals to represent us in governing our organization. And that's why we pool our resources and employ people with a diverse set of skills to work on our behalf. Together, we have a powerful voice.

I know that in our classrooms across the state small miracles happen every day, thanks to thousands of committed educators. I know we are willing to be held accountable for our work and that we value our children's future as much as anyone. I also know that none of us can do it alone. We work together to make our schools the best they can be, and we must work together to protect and promote public education in Tennessee.

TEA and your local association have a long history of advocating for public schools and public school educators. It is only when we stand together that our advocacy has real strength. Every measure taken by the Tennessee General Assembly this year has been an attempt to diminish our collective voice. Yet, in our classrooms, nothing has changed. Students' needs haven't changed, teachers' dedication hasn't changed, the need for school resources hasn't changed. TEA will continue to support and advocate for public schools and the teaching profession and ensure that those needs are met.

Now, more than ever, we must remain united.

107th General Assembly Makes Collective Action a Necessity

Two bills before the 107th General Assembly will do more to change the professional lives of teachers than any others in the past 60 years. The tenure bill, which has already been passed and signed into law, is the first. The legislation currently being debated, which aims to change the Education Professional Negotiations Act, is the second. Both will require a return to the teacher collective action of the days before the EPNA.



These pieces of legislation have one key factor in common. Both make it possible for a school system's administration and/or board of education to change the conditions of employment for teachers at any time.

The tenure bill now makes it risky for individual teachers to make their voices heard in the development of policies and practices that undergird effective teaching and learning in public schools. It also makes it less likely that dedicated teachers will risk freely teaching the skills of thinking, reasoning and persuasion so necessary for students to deal with the great public questions of the day.

Teachers who have not achieved tenure as of July 1, 2011, must wait five years before they will be eligible to be recommended for tenure. To achieve tenure at that time, they must score in the top two levels on the new evaluation system for the final two consecutive years. Teachers who fail to achieve the top two levels cannot be recommended for tenure, but the school system can continue to employ them until they do.

If, at any point after acquiring tenure, a teacher's evaluation rating falls into the two lowest levels for two consecutive years, the teacher will be returned to probationary status. The teacher must score in the top two levels on his or her evaluation for two consecutive years to be eligible for consideration for tenure status again.

Should a teacher never achieve one of the top two levels on the evaluation system for two consecutive years, that teacher may continue on probationary status for his or her entire career. This means he or she will be an at-will employee and will be subject to dismissal for any reason or no reason at all.

Any version of the legislation affecting negotiations, if passed and signed into law, will either eliminate negotiations outright or limit negotiations to salary and benefits. Negotiation of transfers and reassignments, incentive and/or performance pay, layoff and recall, teaching load, supplemental pay for extra duties and school calendars will be prohibited. If the least restrictive version is passed into law, payroll dues deduction will go from being a mandatory subject of negotiations to a permissive subject.

Together, these laws will effectively make teachers subject to dictatorial administrative practices of the worst school systems in Tennessee's past. The primary due process vehicles for teachers will be the courts and the Equal Employment Opportunity Commission (EEOC). The primary vehicle for influencing policies and practices will be organizing members and communities.

It is the moral responsibility of every professional teacher to incite the highest achievement in every boy and girl by applying the best that is known about teaching and learning. No teacher can satisfy this responsibility without taking risks in the classroom every day.

Ensuring the freedom to teach and a living wage without fear of dismissal without good cause can be achieved only through vigilance and collective action. TEA brings the moral responsibility and collective voices of the teaching profession to bear on influencing the policy and legal issues facing the profession every day. We must be engaged in this struggle.

You count.

Robertson County Education Association Wins Top Membership Award

Leaders say membership record a result of hard work, consensus-building



Dream team—TEA District 16 UniServ Coordinator Alice Spicer, Robertson Co. EA Membership Chair Sandra Salazar, President Lisa Anderson with daughter Kinley, and 1st Vice President Jane Ligon. RCEA Treasurer Richard Roberts is not pictured.

hard work in inviting and retaining members through our Membership Awards Program. The three categories of awards include locals with most new members, most members who are education support professionals (ESPs), as well as the highest percentage of membership.

These three awards are given in five different divisions based upon the size of the local association's membership. Robertson Co. EA leaders received the news of the award with enthusiasm and credited their outstanding members with achieving this honor. "Our relationship with our central office and the school board is also crucial to our success," said RCEA President Lisa Anderson, who teaches at White House Heritage Elementary School. "Our board is very supportive of us." Anderson and colleagues also pointed out the importance of hosting regular association events, such as the popular new teacher breakfast, which draws many new members with food and fellowship.

This year, four associations are honored for more than five consecutive years of membership growth:

- **Eight Consecutive Years of Growth — Robertson Co. EA**
- **Eight Consecutive Years of Growth — Rutherford EA**
- **Six Consecutive Years of Growth — Hamilton Co. EA**
- **Six Consecutive Years of Growth — Newport EA**

TEA will present all of the membership awards on Friday, May 20, at the TEA Representative Assembly, which will be held at the Nashville Convention Center. The assembly will convene at 5:00 p.m. on Friday and conclude on Saturday, May 21, when the delegates complete their work.

TEA's Membership Growth Awards are calculated through January 15th of each year.

The following locals were at or above last year's membership totals as of January 15, 2011.

- | | |
|-----------------|-------------|
| Alcoa | Lebanon |
| Anderson | Lexington |
| Bradford | Loudon |
| Bradley | Loudon |
| Bristol | Manchester |
| Campbell | Marion |
| Carter | McMinn |
| Central | Meigs |
| Claiborne | Monroe |
| Clay | Moore |
| Coffee | Newport |
| Decatur | Oneida |
| Elizabethton | Overton |
| Etowah | Perry |
| Fayette | Polk |
| Fayetteville | Rhea-Dayton |
| Fentress | Robertson |
| Greene | Rogersville |
| Hamblen | Rutherford |
| Hamilton | Sevier |
| Hancock | Sullivan |
| Henderson | Sumner |
| Henry | Sweetwater |
| Hickman | Tipton |
| Humboldt | Trenton |
| Jackson-Madison | TSD |
| Jefferson | Union City |
| Knox | Van Buren |
| Lake | Wilson |

Look for 2011
 TEA Representative Assembly
 actions on
www.teateachers.org,
 in the TEA Compass,
 President's mail
 and in your local newsletter.



True value proposition—Grainger Co. Education Association President Kim White recently visited each school in the county and spoke about membership opportunities. GCEA ended the week's recruitment efforts by providing a biscuit breakfast to all teachers at the local high school.

Following the December 2010 vote by the Memphis City School Board to surrender its charter, teachers in both Memphis and Shelby County school systems have been inundated with rumors and fears over the possible consolidation of the two entities. As the past several months have shown, many questions about the consolidation

Memphis, Shelby Co. Schools Consolidation Prompts Legal Tussle

process remain unresolved, prompting TEA to support and file the motion to intervene in the federal court lawsuit over the transfer of the Memphis City Schools to Shelby County.

"The conflict between the existing private act allowing for the abolition of MCS after a referendum and the Norris-Todd bill creating a three-year transition to county control has placed in doubt the adequacy of a teacher or employee voice without the involvement of the Memphis Education Association," said TEA General Counsel Bryan McCarty.

The complaint, filed in February of this year by the Shelby County Board of Education, takes issue with the December 20, 2010, resolution to surrender the public school charter of the Memphis City Board of Education. The move "contained neither a reasonable future date upon which the Memphis City school System would cease operations nor any provisions or plans for the orderly transfer of real and personal property owned by the Memphis City School system to the Shelby County School system, its legally obligated successor to the operation of the public schools within the city of Memphis," according to the filing.

The Memphis City Board of Education has been operating its public schools for more than a century after receiving its charter from the State of Tennessee in 1869. Following the allegedly "hurried and legally defective abandonment" of the charter, the complaint attempts to avoid harming public school students in Memphis and Shelby County schools.

Memphis Education Association Executive Director Ken Foster said the association is currently in limbo, not knowing who has the authority to make decisions. "Is it the Memphis City Schools Board of Education, is it the bill passed by Mark Norris and signed by the Governor—we just don't know."

Heather Fisher, president of Shelby

County Education Association, shared Foster's sentiment. "Teachers have not been consulted about this merger, neither in Memphis nor in Shelby County," she said. "Shelby County teachers have been concerned all along about the process of consolidation and how it will ultimately impact our school system. Our biggest concern is that ultimately we'll be absorbed

by the city school system."

Memphis and Shelby County teachers have seen efforts to consolidate city and county schools in the past. This time, however, the prospect of consolidation is more real than ever, prompting teachers to worry about the lack of planning and the many unresolved philosophical and political differences between city and county leaders. It doesn't help matters that MEA currently has a collective bargaining agreement with the school board, while Shelby Co. does not bargain its contract. Another obstacle is seen in the sizes of the two school systems. Memphis is more than twice the size of Shelby County, yet the current plan is for Shelby County to take over Memphis schools.

Also complicating the issue are the suburban areas in Shelby County which are discussing plans to start their own municipal school systems. With so many interests at stake, it's hard not to feel overwhelmed, said several teachers interviewed for this article.

While the parties sort out their differences in court, teachers feel that the timing of the merger proposition could not have been worse.

"Here we are, dealing with Race to the Top and the new evaluation process, and then local politics enter the fray," said Fisher. "It's not fair to the teachers, it's not fair to the administrators, it's not fair to the students. It's just not right."

Meantime, TEA's McCarty points out that the involvement of the Memphis Education Association in the merger process gives school employees an opportunity to vocalize and fight for the protection of rights and privileges under Tennessee law. "The court has acknowledged MEA's substantial legal interest in safeguarding employees from any impairment, interruption or diminution of their employment interests by granting the motion to intervene," said McCarty. "We will continue our efforts to protect employees involved in the merger."

Congratulations to 2011 TEA Award Winners



Distinguished Classroom Teachers
Constance Thomas Brown
Clarksville-Montgomery Co. EA

Melanie DeAnne Buchanan
Cheatham Co. EA

Dr. Nancy H. Holland
Metro Nashville EA

Beth Widner Jackson
Athens EA

Louise Stauffer
McMinn Co. EA

Meron Wang
Shelby Co. EA

Distinguished Administrators
Becky Wright Coleman
Hamilton Co. EA

William D. Moody
Metro Nashville EA

Distinguished Education Support Professional
Cynthan Darnell
Robertson Co. EA

Distinguished Higher Education Faculty
Dr. Carrie L. Whaley
Union University

E. Harper Johnson
Human Relations - Layperson
Karen Perrin

Dedicated parent, radio host fundraiser and volunteer, nominated by Shelby Co. EA

E. Harper Johnson
Human Relations - Educator
Susan E. Floyd
Metro Nashville EA

Susan B. Anthony Award
Status of Women in Education
Jeanine Evans
Shelby Co. EA

2010 TEA School Bell Award Recipients

Outstanding Coverage by an Individual Reporter

BLAKE FARMER
Nashville Public Radio WPLN-FM, nominated by Metro Nashville EA

VICKI YATES
News Channel 5 WTVF-TV, nominated by Metro Nashville EA

Friend of Education Award-Individual
Jeff Madeksho
Volunteer with Farmington Elementary School students in Shelby Co.

Friend of Education Award-Organization
Kids Connection
Provider of before- and after-school services in Athens

NEA Foundation (NFIE) Award for Teaching Excellence TEA Nominee
Kathleen Benedict
Anderson Co. EA

Minority Affairs Conference Brings Former NEA President to Chattanooga

Reg Weaver delivers fiery keynote



On Friday, March 25, more than 140 educators gathered in Chattanooga for the Johnella Martin TEA Statewide Minority Affairs Conference whose theme was "Preparing for Excellence... Change is Here!"

The event began with a banquet featuring keynote speaker and former NEA president, Reg Weaver (pictured left). Currently the vice president of Education International, Weaver welcomed members and shared sentiments of encouragement during the challenges brought on by the legislative attacks on the teaching profession. He pointed out that TEA would supersede the attacks on public education. Weaver focused on students and on the need for educators to continue their fight because "students don't care how much you know, until they know how much you care." This sentiment was echoed by TEA Executive Director Al Mance who said, "We owe it to the generations to come to provide a quality public education."

Saturday was filled with workshops designed to provide participants with useful classroom skills. Session and breakout topics included creating changes through social justice; "I Always Feel Like Somebody's Watching Me"; teaching and learning using Internet resources; "Are You Ready to Run?"; preventing and dealing with identity theft; "Out-of-Body Cyber Experience"; and an overview of Tennessee's Electronic Learning Center.



The new annual evaluation system for teachers and principals mandated by the Tennessee First to the Top Act is set to be launched July 1, 2011. The Teacher Evaluation Advisory Committee (TEAC) held its final meeting April 6, and the State Board of Education (SBE) adopted policy for the new system based on TEAC's recommendations April 15. Despite these developments, many questions remain about exactly how the new system will work and state-level efforts continue to flesh out the details.

Find answers here to many of your questions about the new evaluation system, and review the questions that are yet to be answered.

under development and review, school-wide value-added (TVAAS) data will be used for the 35 percent component.

For teachers in special instructional situations (e.g., instructors teaching in multiple schools and teachers in schools with no TVAAS data), work is underway to determine how the 35 percent will be calculated in the first year. The state expects to release guidance this summer.

What measures can be used for the 15 percent student achievement component?

Educators will select from a matrix of options for the 15 percent component based on other measures of student achievement. Current options approved by the SBE include:

- * State assessments (discipline-specific/TCAP)
- * School-wide value-added composite or

of educators (for example, fine arts teachers, pre-K through 3 teachers, etc.).

The policy also states, "The agreed-upon measure should be a measure aligned as closely as possible to the educator's primary responsibility."

Who can use TVAAS data for 50 percent of evaluations?

The Tennessee First to the Top Act states, "Student growth data may, at the choice of the individual being evaluated, comprise 50 percent of their evaluation" provided it "reflects attainment of a specific achievement level."

As recommended by the TEAC, the policy provides that principals and teachers "in the top three quintiles for student growth may elect to use their growth scores for 50 percent of their evaluation in lieu of selecting another achievement measure for the 15 percent."

model for two reasons: research and resources.

Selection of the TAP rubric was based on positive field test results, a research base that links the instrument to increases in student achievement, and the capacity of TAP to provide expert trainers for high-quality training and certification of observers and evaluators statewide.

TAP's resources include a training portal containing a host of scored lesson videos and instructional strategies linked to the evaluation rubric, which will be a helpful resource for both observers and teachers. This training portal will be available to all districts at no charge during the first year of implementation. (The training portal will continue to be available after the first year, with a fee charged to districts.)

Will all districts use the same evaluation system?

half of all observations unannounced—for a minimum of 60 minutes total. Apprentice teachers (teachers in their first three years) will be observed at least six times annually, three times each semester with at least half unannounced, for a minimum of 90 minutes.

Under the state model, at least two of the observations will be lesson length and the other two observations will be shorter observations.

When can you expect feedback from your observations?

The policy requires teachers to receive feedback from observation visits within one week of each observation. To facilitate this, TDOE will provide user-friendly, manageable forms to document observations and personal conferences. Some districts are also exploring technology solutions to facilitate the required recordkeeping and feedback.

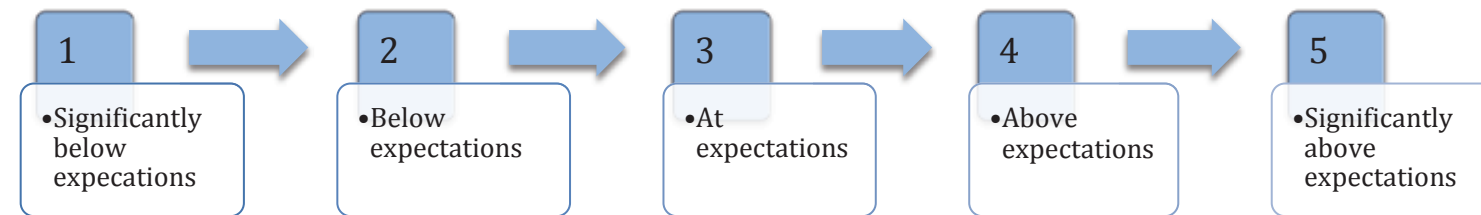
beginning of the 2011-2012 school year to introduce teachers to the new evaluation system and rubric and start building shared understanding of the rubric and process to be used. The observation team trained during the summer will lead these sessions. In addition, principals are encouraged to plan a minimum of three-to-four additional short follow-up sessions with staff during the year, perhaps in regularly scheduled faculty meetings.

Teachers may use the TAP training portal to view videotaped lessons together and practice scoring them in an effort to gain in-depth understanding of the rubric and how lessons might be improved. Individual teachers will also use the TAP training portal as a resource following observations and post-conferences.

How will your evaluation scores be used?

Evaluating Tennessee's Teachers

Understanding the New Evaluation System



At the end of each year, teachers will receive one of these five ratings. Beginning July 1, 2011, teachers must rate in the top two categories for two consecutive years in order to be eligible for tenure.

Who will be affected by the new annual evaluation system?

All certified educators—all teachers, counselors, library media specialists, principals and assistant principals—will be evaluated under the new annual evaluation system beginning with the 2011-2012 school year. Central office staff members are not required to be evaluated under this system.

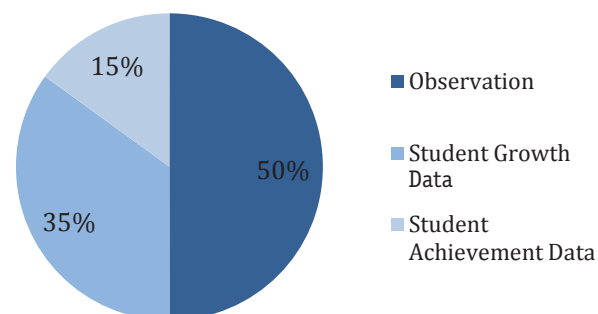
What are the components of the new evaluation system?

All teacher and principal evaluations will be comprised of three components: 50 percent observation data, 35 percent student growth score and 15 percent of other student achievement data selected from a list of state-board approved options. Therefore, both qualitative data (based on observations) and quantitative data (based on measures of student achievement and growth) will be considered together to generate a final evaluation ranking.

How will the 35 percent growth component be determined?

Individual TVAAS teacher-effect data will be used for the 35 percent component for educators who teach grades and subjects for which there is a state assessment.

For educators in non-tested areas, the Tennessee Department of Education (TDOE)—in consultation with educators in those fields and evaluation experts—is working to provide subject-specific growth measures for non-TCAP subjects and grade levels. Some non-tested areas are expected to have measures available for the coming school year, and others for the 2012-13 school year. According to state board policy, while comparable growth measures are



Three components will comprise the new annual evaluation.

individual TVAAS for teachers in top three quintiles

- * ACT or SAT suite of assessments
- * National/state "off the shelf" assessments based on criteria developed by the TDOE
- * Advanced Placement (AP)/International Baccalaureate (IB)/National Industry Certification (NIC) assessments
- * Graduation rate/career-technical education (CTE) concentrator graduation rate
- * Postsecondary matriculation/persistence/ placement as defined by TDOE and Tennessee Higher Education Commission (THEC)
- * Completion/success in advanced coursework, including honors, AP, IB, NIC, dual credit and dual enrollment
- * Ninth grade promotion and retention rate

Not all of these options are appropriate for all educators. For example, graduation rate or scores on ACT and SAT tests would not be appropriate student achievement measures for pre-kindergarten or early elementary teachers. The policy identifies which options are considered appropriate for each group

This is a choice the individual being evaluated gets to make and, presumably, would be made on the basis of how positive the TVAAS data compared to other achievement data is likely to be.

Who decides what data will be used for the 15 percent?

The person being evaluated is expected to "select, in collaboration with the evaluator," what measure will be used for the 15 percent component. However, "if the two parties do not agree on a measure, the evaluator will" make the final determination. The only exception is if the person being evaluated has TVAAS data in the top three quintiles, in which case the person evaluated may make the choice to use that data for the entire 50 percent of his/her evaluation, not just the mandatory 35 percent.

For the 50 percent observation component, how will you be observed?

All educators except administrators will be observed by principals, assistant principals or other instructional leaders who have been trained in the observation protocol. If your district chooses to use the state evaluation model, observers will use the TAP rubric, which covers four areas: Planning, Environment, Professionalism and Instruction. The TAP rubric can be found on the First to the Top website, www.tn.gov/firsttothetop/programs-committee.html.

The standard TAP rubric is being modified for counselors, library media specialists and alternative school teachers to more appropriately reflect those assignments. That work has not been completed at press time.

Why was the TAP rubric selected for the state model?

The state selected the TAP rubric for the evaluation

While all districts must use an evaluation system that includes the student growth and student achievement components described above, districts may use alternative observation systems approved by the state board. Currently, Memphis City, Hamilton County and the Association of Independent and Municipal Schools have all expressed interest in using different observation systems and have conducted their own field tests. Districts will communicate with their staff if they choose to use a different observation structure. The overall evaluation ratings system resulting from use of an approved alternative observation model must align with the state model.

Districts choosing to apply for a waiver to use an alternate observation model must assume all related costs and will be required to provide for training observers and ensuring inter-rater reliability.

How many observations should you expect each year?

All teachers on professional licenses will be observed at least four times annually—with two observations occurring each semester and at least

How will observers be trained?

This summer, TDOE will provide training for an observation team from every Tennessee school implementing the state model. Observers will be trained directly by expert trainers in four-day interactive training sessions across the state. The training sessions begin May 31 and continue through the first week of August, with each training session limited to 50 participants. At the end of the four-day training session, observers will be required to pass an online certification test. Additional refresher trainings and support will also be provided throughout the year.

How will your overall evaluation rating be calculated?

The three components (35 percent growth, 15 percent student achievement and 50 percent observation) will be combined into a single rating on a 5-category scale. Each teacher will receive a final score: significantly below expectations (1), below expectations (2), at expectations (3), above expectations (4), or significantly above expectations (5).

The state is expected to release guidance to districts this summer explaining how to combine the three components into a final rating.

When will teachers in your district learn about the evaluation rubric and process to be used?

TDOE has advised schools to plan for at least a half day at the

The primary function of the new evaluation system is to help improve instruction by developing instructional skills, increasing collaboration and communication, determining needed assistance and differentiating professional development.

The First to the Top Act requires evaluations to be used as a factor in personnel decisions, including professional development, tenure attainment, promotion, compensation and dismissal. Except for future tenure decisions, guidance has not been provided by the state regarding exactly how evaluations will affect other personnel decisions.

How does the new evaluation system intersect with the new tenure law?

Under the new tenure law, teachers become eligible for tenure if they have taught for at least five years in the same district and have attained a rating in the top two evaluation categories in each of the previous two years. Teachers who are not rated in the top two evaluation categories may continue to teach on an annual contract even though they are not eligible for tenure until they receive one of the highest two evaluation ratings for two consecutive years. Once tenure is gained, a teacher will return to probationary status if she/he receives a rating in the lowest two evaluation categories for two consecutive years. (Teachers who currently have tenure—or who are granted tenure by July 1, 2011—will not be subject to these provisions.)

How will the evaluation of principals and assistant principals differ from teacher evaluations?

The same evaluation components—35 percent student growth, 15 percent other student achievement and 50 percent qualitative measures (observation, etc.)—apply to building-level



All teacher and principal evaluations will be comprised of three components: 50 percent observation data, 35 percent student growth score and 15 percent of other student achievement data selected from a list of state-board approved options.

administrators as to teachers. Principals and assistant principals who spend 50 percent or more of their time on administrative duties will be evaluated using a rubric based on the Tennessee Instructional Leadership Standards (TILS), modified to also address the quality of the principal's teacher evaluations. The policy also provides that the qualitative appraisals "should include school climate and/or teaching and learning conditions surveys."

Principals can expect to have at least two onsite observations annually, to be conducted by the director of schools or his/her designee.

What can teachers and principals do if their evaluations are not properly completed?

For the first time in Tennessee, teachers and principals will have the right to file a grievance regarding their evaluations for one of the following reasons:

1. The data used in the quantitative portion of the evaluation (either student growth or other measure of student achievement) is not accurate.

2. The evaluation procedures adopted by the SBE were not followed.

The policy outlines a three-step grievance procedure: an appeal to the evaluator is the first step; an appeal to the director of schools or designee is step two; an appeal to the school board is the third and final step in the process.

In each case, the person appealing one's evaluation must submit the appeal in writing within 15 days of the summative evaluation meeting. In steps one and two, the person receiving the appeal must investigate and issue a decision in writing within another 15 days. In Step Three, the school board has 30 days in which to conduct a hearing and another 30 days in which to render a decision.

The grievant may have an attorney or other representative present during Steps Two and Three of the grievance process.

How does the state plan to ensure the evaluation system is implemented fairly?

1. For districts using the state model, only observers (principals, assistant principals and other instructional leaders) who have been trained and who have passed a certification test on the observation rubric may conduct observations for purposes of the evaluation. Districts approved to use other models must also provide for training of observers and a process to ensure inter-rater reliability.

2. TDOE plans to provide guidance to districts this summer to ensure consistent scoring and calculations of the final evaluation rating.

3. The state promises to analyze the evaluation system's implementation and results each year to determine if training and guidance need to be

adjusted to continuously improve the evaluation system. The state has pledged to use survey data, focus groups and data from the evaluations themselves to fine tune the system each year.

What has TEA's involvement been during the development of this evaluation system?

TEA has been advocating for Tennessee's teachers throughout the development process. TEA members served on TEAC and on various educator development teams charged with identifying alternate growth measures for teachers without TVAAS data.

The TEA President, Instruction and Professional Development staff and other staff attended every meeting of TEAC and the state board, and served on various state-level planning teams (e.g., alternate growth measures, educator field test, communications) over the past year.

TEA proposed evaluation standards to guide TEAC's work and shared ideas gathered from TEA members at regional meetings, through email and other means over the past year. Between meetings of TEAC, TEA staff and leaders met with the governor's office, TDOE staff and the consultant working with TEAC to discuss and clarify issues. Despite these efforts to influence the decisions, TEA's position did not prevail in every case.

What can members count on from TEA as the new evaluation system is implemented?

TEA's advocacy related to the new evaluation system will continue over the next several years as the system is implemented. Specifically, TEA is committed to:

- * Informing members and staff of developments related to the new evaluation system
- * Monitoring the implementation efforts of the state model as well as other approved models
- * Identifying and reporting any problems with implementation to the TDOE
- * Developing training and recommendations for members relative to the new evaluation system
- * Assisting members with any grievances related to the new evaluation system

Where can I learn more about the new evaluation system?

Teacher and principal evaluation resources can be found online by clicking on the *Teaching in Tennessee* link at www.teateachers.org or at www.tn.gov/firsttothetop/programs-committee.html. The evaluation policy adopted by the SBE, the TAP observation rubric and other resources are available there.

Carol K. Schmoock is TEA assistant executive director for program services.

Questions Still to be Answered

Many questions raised by TEA and our members over the past 15 months about the workings of the new evaluation system remain unanswered (or only partially answered), which could negatively impact teacher performance and student achievement in Tennessee. We expect many of these questions to be answered during the next couple of months as the state makes decisions and develops additional guidelines prior to July 1, 2011.

Questions related to student achievement data

How will TVAAS scores for teachers who were on extended leave (maternity, medical, etc.) during the year be addressed in those teachers' evaluations?

What will be used for the 35 percent growth data in schools that have no school-wide data (i.e. pre-K-2 configurations)?

What growth data will be used for itinerant teachers who serve multiple schools?

What growth data will be used for special education teachers and inclusion teachers who impact general education students?

Will school/district-wide data include data from teachers who are not fully professionally licensed (apprentice teachers, alternative licensure)?

How will school-wide data incorporate data from alternate growth measures?

How will working with pre-service teachers impact the growth data of the professional teachers-of-record?

How does the use of non-certified substitutes (in one classroom for an extended period) impact school-wide or district-wide growth data?

How does the homebound student's scores impact the teacher-of-record's growth data?

If graduation rate is used, will it be school-wide for all teachers or include only those who were on a given teacher's caseload?

If ACT is used, will it be the composite score or individual subject scores?

How long must a teacher be on a faculty before their students' data is included in school-wide data?

If a teacher or principal changes job site or assignment during the school year, how is their 35 percent growth data calculated? How is their 15 percent other achievement data determined?

What data is used for teachers with split grade assignments (e.g., 4th and 5th grade)?

Can writing assessment scores be disaggregated from TCAP and used for the 15 percent?

How will school/district-wide TVAAS scores be calculated? Is this different from "TVAAS composite"? If so, how will each be calculated?

If a teacher has more than one TVAAS score, how will those scores be compiled?

What level of performance on the various options for the 15 percent component will be required to qualify as "at expectations," "above expectations," etc.?

Questions related to observation and overall process

Will there be a different rubric for apprentice and alternative-licensed teachers? (Will the scoring standard be the same as for professional teachers?)

What observation rubric will be used for teachers with non-classroom assignments (e.g., graduation coaches, counselors, reading specialists, technology specialists, instructional coaches)?

With so much dependent on student performance data, how will an equitable distribution of students be ensured? What allowances or adjustments will be made for differences in class size, number of students below grade level and other possible disparities?

How often will principals and other observers be required to receive training on the evaluation process?

How frequently will teachers be given orientation on the evaluation process, and who will do this?

How will school districts be monitored regarding appropriate implementation of the evaluation process/rules?

When (in the school year) will the teacher and principal make the decision about what data to use for the teacher's 15 percent?

When will teachers claim their students for TVAAS? How will they deal with students who have not been present for instruction for the minimum number of days?

Why are the four domains of the observation rubric not given equal weight in the state model? How was this decision made to assign the different weights?

When the three evaluation components are combined for a final rating, if the resulting number is not a whole number, precisely what score qualifies a teacher to be in the top two ratings or the bottom two ratings to determine tenure/probationary status?



TEA Calendar of Events

May 2011	
May 20-21	TEA Representative Assembly, Nashville Convention Center
May 30	Memorial Day
June 2011	
June 1	Deadline for submitting nominations for Don Sahli-Kathy Woodall Graduate Scholarship
June 20-22	TEA Political Academy, Paris Landing State Park
June 9-11	TEA Summer Leadership Academy, Franklin
June 27-29	NEA Student Conference, Chicago, IL
June 30-July 5	NEA Annual Meeting, Chicago, IL
July 2011	
July 4	Independence Day
July/August	Local AR Membership Training (as scheduled by UniServ Staff)
September 2011	
September 5	Labor Day
September 9-11	TEA Board Retreat
September 17	TUEAC
September 23-24	STEA Leadership Conference

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Spring Symposium Mixes Comedy, Job Training and Inspiration



TEA's 15th Annual Spring Symposium brought 250 educators together to focus on Embracing Challenging Times. The conference was held April 1-2 at the Park Vista hotel in Gatlinburg, Tennessee.

Friday evening's opening session was enjoyed by all as keynote speaker Eddie Williams (pictured bottom left) filled the room with laughter and lighthearted comedy. In referring to the teaching profession, he said, "It's a dog-eat-dog world out there and you're wearing milk bone underwear." Williams took a humorous approach to encouraging work-life management skills through interactive exercises, video clips and discussion. He urged teachers to look out for one another and to work together to make each day the best possible.

Saturday was designed to provide educators with useful information and strategies to help them improve both personally and professionally. Sessions included tips on dealing with work-related stress, using service learning, multitasking, dealing with bullying, school safety techniques and much more.

The day ended with sentiments from NEA President Dennis Van Roekel, who congratulated attendees for choosing to be part of the education profession. "I acknowledge your professional skills," he said. "You can look at a child and know whether they need a hug or to be pushed to get them through the day."



Bonnie Bentley of Humphreys Co. EA discusses education policy and association work with TEA Executive Director Al Mance during 15th Annual Spring Symposium.

Southern Poverty Law Center Seeks Award Nominees by June 1

The Southern Poverty Law Center's Teaching Tolerance program is seeking nominations for a new award that will honor teachers who excel at teaching students from diverse racial, ethnic, and cultural backgrounds.

The Teaching Tolerance Award for Excellence in Culturally Responsive Teaching has been created to recognize outstanding teachers and promote their practices in the nation's schools.

Five winners will be selected to receive \$1,000 at an awards ceremony in Washington, DC, in late 2011. They also will be videotaped in their classrooms to allow educators across the nation to learn from their expertise.

The award was created because teaching practices that are particularly effective for students from diverse backgrounds can be difficult to visualize and implement. By videotaping the most effective teaching practices in use today and making them part of professional development resources, educators will have access to some of the best teaching practices in an easy-to-learn format. This award is supported by a grant from The Richard W. Riley College of Education and Leadership at Walden University.

An expert panel of researchers and National Board Certified teachers will select the winners. Teachers are invited to apply for the award at www.tolerance.org/award. The deadline for applications is June 1. All teachers are eligible for the award and need not make use of teaching resources developed by the SPLC.

Opinion/Commentary

Collective Bargaining an American Birthright

By Jim Frost

The United States of America would not exist today if it were not for collective bargaining.

In the Declaration of Independence, Thomas Jefferson eloquently articulated a philosophical justification for why the American colonies were declaring their independence from Great Britain. But not many know that he borrowed heavily from writings of the English philosopher John Locke, who had formulated what has become the theoretical foundation of our American democracy.

Locke wrote that before the existence of civil government, man lived in a state of nature possessing certain natural rights such as life, liberty and property. But the imperfection of human nature led to inevitable conflicts, so, in order to preserve their natural rights, men entered into a social contract to form a civil government. Inherent in that contract is each individual's agreement to certain limits on his own rights so that all members of society can be secure in knowing their rights are preserved. This is mankind's first collective bargain: You protect my rights, and I will protect yours.

Out of this collective bargain comes the primary function of a civil government: to protect man's natural rights. When any government fails to do so, it is then "the people's right to alter or abolish" that government, in order to create a new government that will offer those safeguards. This is Locke's right of revolution, which Jefferson asserted in the Declaration of Independence in 1776.

Eleven years before the Declaration, the colonists had for the first time spoken with one voice, collectively, to protest illegal British taxation through the Stamp Act; their cry of "no taxation without representation" sprang from a collective bargain in which the colonists had agreed that the power to tax properly belonged to a legislature comprised of their elected representatives — an idea as fundamental to democracy as the right to vote.

With each subsequent illegal tax, usurpation of power and arbitrary disregard of colonials' rights as Englishmen, the British faced an increasingly confrontational America. The road to revolution was strewn with collective colonial defiance in the form of the First Continental Congress, the Sons of Liberty and the Second Continental Congress. The colonists followed a familiar pattern. First, organize not as random individuals but as a collective union of men with common values. Then articulate the collective beliefs and convictions through verbal and written protests. And finally, translate those protests into action leading ultimately to revolution and emancipation.

The colonists bargained with Parliament over who would ultimately rule America and to what extent power could be legitimately exercised. An increasingly obstinate Parliament, unwilling to compromise, forced the American

colonists into the Revolutionary War.

Americans won that war. Therefore, the right of collective bargaining is an American birthright just as much as voting, free speech or freedom of religion. It is democracy at its best. Competing groups (political parties) bargain and compromise with each other for control of the government within the limits of a written constitution. It is a fundamental right that all Americans enjoy.

Now the Tennessee General Assembly wants to usurp that right by passing legislation that would prohibit or restrict collective bargaining by teachers with local school districts. When did I, or any other teacher in this state, abdicate his sovereignty? I do not need permission to collectively bargain — not from legislators or from any board of education — any more than the colonists needed permission from King George III. That right was guaranteed to all Americans at Yorktown, courtesy of George Washington and the Continental Army.

I will remind the conservatives in the General Assembly, particularly the tea party wing, that in a democracy power does not translate into permission. We do abide by majority rule, but only after respecting minority rights. State Sen. Brian Kelsey of Germantown claims that teachers are "forced to engage in collective bargaining." That is like saying American citizens are forced to vote. No, senator, it is our option to exercise collective bargaining if we so choose. No

one holds a gun to our heads. Kelsey goes on to pontificate that collective bargaining "creates an adversarial relationship between teachers and school boards. It builds walls and hostility between school boards and teachers instead of a cooperative, collaborative relationship." How naïve and presumptuous you are, senator. Did you sleep during history class? From absolute monarchs to dictators to corporate CEOs, those who hold power have always postulated omnipotence. Name one time in history when the powerful amicably relinquished or shared their power. On the contrary, time and again, it was those bereft of power who sought a cooperative and collaborative relationship only to be rebuffed, forcing them into an antagonistic relationship.

Some in the Republican Party believe teachers should be allowed to bargain only as individuals. What a noble idea! When Henry VIII broke with the Catholic Church to establish the Anglican Church, all Englishmen were required by law to affirm Henry as the Supreme Head of the church. Most complied, but guided by conscience, the most esteemed man in England at that time, Sir Thomas More, refused. Instead, he individually bargained with Parliament and the King — only to be rewarded with his head on a pike.

Jim Frost is a member of Shelby Co. EA and teaches American history at Arlington High School. This article first appeared as commentary in *The Memphis Commercial Appeal*.

"I do not need permission to collectively bargain — not from legislators or from any board of education — any more than the colonists needed permission from King George III."

Don Sahli-Kathy Woodall Scholarship Winners Announced

Every year, TEA's Don Sahli-Kathy Woodall Scholarship Fund awards up to eight scholarships annually. Seven scholarships are awarded to high school, undergraduate or graduate students preparing to become teachers at a Tennessee college or university. One graduate scholarship is awarded to a teacher pursuing an advanced degree who plans to return to teaching in Tennessee for at least one more year.

The Don Sahli-Kathy Woodall Scholarship Fund is sustained by tax-deductible contributions from individuals and organizations, TEA members and friends, and by the interest earned on those contributions. Contributions to the scholarship fund should be made by check payable to the Sahli-Woodall Scholarship Fund and mailed to TEA.

We'll accept contributions to the fund at the TEA Representative Assembly, May 20-21, 2011.

Sons & Daughters Scholarship (\$1,000)

Patty Cupples

West Carroll Junior/Senior High School
Daughter of Terry Cupples, West Carroll Co. EA

FTA Scholarship (\$1,000)

Rachel Praytor

Obion County Central High School

Minority Scholarship (\$1,000)

Hieu Trung Pham

Smyrna High School

STEA Scholarships

President (\$1,000): **Caryce Gilmore**
UT Martin

\$1,000 Winner: **Marilauren Anderson**
UT Martin

\$500 Winner: **Amanda Countiss**
King College

\$500 Winner: **Rachel Clabo**
Tusculum College

As the 107th General Assembly lumbers through its final weeks, it is safe to say that its focus was not on Tennessee's economic development, job creation or attracting new industries to the state, but on using public school employees as scapegoats for societal ills and Wall Street shenanigans.

One after another, bills came rolling out of our legislature's education committees that had little to do with real school reform and everything to do with denigrating,

avoid honest conversations.

If turning back the clock on real school reform was this legislature's general theme, Governor Bill Haslam's tenure bill will be the litmus test of its efforts. Signed into law on April 12th, the bill made it much harder for teachers to gain and retain due process rights if they are faced with dismissal or disciplinary action. Some teachers are already saying that being evaluated based on other teachers' performance is worse than comparing apples to oranges.

Teacher Tenure Bill Will Test Virtue of Reforms



offensive remarks on "school mediocrity," inflammatory and unfounded anti-union rhetoric that often sent accomplished and experienced educators into tears right in front of their elected representatives. Some

of our public servants, such as Rep. Debra Maggart, Sen. Jim Summerville, Rep. Glen Casada and Sen. Dolores Gresham, spoke in long sentences professing their appreciation for teachers and the need for fairness and school reform, but did exactly the opposite—offending teachers, misleading them and sometimes literally running away from them to

"There can be no joy in pretend reforms that trivialize hard-working teachers."

Fundamental understanding of teacher tenure as due process that was hard-won by teachers after decades of arbitrary abuse by local school authorities was missing from the one-sided discourse in this year's legislature. The majority of politicians responsible for the tenure bill's passage never cared to hear constructive teacher testimony in their rush to make teachers at-will employees. Instead of keeping the promise made to teachers during last year's Race to the Top hearings, the governor presented a bill that is expected to strengthen the flow of talented, energetic teachers out of the teaching profession or to neighboring states with better job security.

One silver lining in the bill is afforded in large part to the grey-haired veterans of the teaching profession whose days in Tennessee schools are becoming shorter and less inspired with every thud of the legislative gavel. Teachers who gain tenure prior to July 1, 2011, will be spared the agony of relying on student test scores and other acts of

God in order to gain and retain the designation of a tenured teacher. The rest of the edict can hardly be billed as teacher-friendly. While making it harder and riskier for teachers to speak their mind regarding school affairs and education policy matters, the bill

extends the waiting period from three to five years for tenure candidates. Even then, the teacher will have to be recommended for tenure—a decision that may or may not ever come from a school principal.

The new tenure bill "also makes it less likely that dedicated teachers will risk freely teaching the skills of thinking, reasoning and persuasion so necessary for students to deal with the great public questions of the day," said TEA Executive Director Al Mance, suggesting that collective action by teachers may be needed if the new tenure procedure is found too cumbersome and unwieldy to operate.

"There can be no joy in pretend reforms that potentially trivialize substantial numbers of solid, hard-working teachers by denying them fair treatment, due process and meaningful job security in a very public profession related to the advancement of the public good," said TEA General Counsel Bryan McCarty. "A five-year probationary period should satisfy the most obsessive of administrators. This reform package will not improve morale, dedication or performance. It will simply remind teachers that persons outside the profession are not equipped to make just, nondiscriminatory and relevant decisions when regulating a workforce."



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