

HOUSE BILL 1280

By Spivey

AN ACT to amend Tennessee Code Annotated, Title 4 and
Title 49, relative to K-12 education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-29-238(a), is amended by adding the following language as a new, appropriately designated subdivision:

() Tennessee standards commission, created by Section 2 of this act;

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 1, is amended by adding Sections 3 through 12 as a new, appropriately designated part.

SECTION 3. There is created the Tennessee standards commission.

SECTION 4.

(a) The commission shall be composed of nine (9) members who shall be appointed as follows:

(1) The speaker of the senate shall appoint three (3) members;

(2) The speaker of the house of representatives shall appoint three (3)

members; and

(3) The governor shall appoint three (3) members.

(b) Each appointing authority shall appoint one (1) member from each grand division. Each appointing authority shall consider, but not be limited to, the appointment of persons from the following groups:

(1) Parents of students currently enrolled in public schools;

(2) Public school teachers;

(3) Curriculum experts in the subject area for which standards are to be

adopted;

- (4) School leaders, including principals and directors of schools;
- (5) Members of the business community; and
- (6) Members of the postsecondary education community who are qualified to assure the alignment of standards to career and college readiness.

(c)

(1) The following shall not be eligible to serve on the commission:

- (A) A person serving on the state board of education;
- (B) A person employed by the department of education or the state board of education, including but not limited to, contractors; or
- (C) Anyone serving as a member of the general assembly.

(2) In making the appointments to the standards commission, the appointing authorities shall give due consideration to the need for geographic, age, racial, gender, and ethnic diversity on the commission.

(d)

(1) The terms of the members, except for the initial members of the standards commission, shall be six (6) years.

(2) Each appointing authority shall appoint one (1) initial member to a term of three (3) years; one (1) to a term of five (5) years; and one (1) to a term of six (6) years.

(e)

(1) Following the expiration of members' initial terms as prescribed in subdivision (d)(2), all six-year terms shall begin on July 1 and terminate on June 30, six (6) years thereafter.

(2) All members shall serve until the expiration of the term to which they were appointed and until their successors are appointed and qualified.

(3) A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

(4) Successors shall be appointed from the same grand divisions of the state in which the members they are replacing reside.

(5) Members shall be eligible for reappointment to the commission following the expiration of their terms, but shall serve no more than two (2) consecutive six-year terms.

(f)

(1) Except as otherwise provided in this subsection, each member, prior to beginning a term of office, shall be confirmed by joint resolution of the general assembly upon the recommendation of the education committees of the senate and the house of representatives.

(2) If the general assembly is not in session at the time a member is appointed to fill a vacancy resulting from the expiration of a term, the member of the commission whose term has expired shall serve until a new appointee is confirmed as provided in subdivision (f)(1).

(3) If the general assembly is not in session at the time a member is appointed to fill a vacancy not resulting from the expiration of a term, the new appointee shall serve for the term appointed unless such appointment is not confirmed within sixty (60) calendar days after the general assembly next convenes in regular session following such appointment.

(4) If the general assembly is not in session when initial appointments are made, all initial appointments shall serve the terms prescribed pursuant to subdivision (d)(2), unless such appointments are not confirmed within sixty (60) calendar days after the general assembly next convenes in regular session following such appointments. If any person is not confirmed within sixty (60)

calendar days after the general assembly next convenes in regular session, then the appointing authority shall appoint another person.

(g)

(1) The executive director of the state board of education shall call the first meeting of the standards commission to occur no later than September 1, 2015.

(2) At that meeting the commission shall elect a chair and such other officers as it deems necessary. At the first regular meeting of the commission occurring on or after July 1 of each year, a chair and other officers shall be elected to one-year terms.

SECTION 5.

(a) The standards commission shall:

(1) Recommend to the state board of education for adoption all standards to be used in the public schools. In recommending standards, the standards commission shall ensure that the standards are designed to:

- (A) Increase students' level of academic achievement;
- (B) Meet and reflect Tennessee educational priorities and values;
- (C) Be age-level and developmentally appropriate;
- (D) Be understandable to parents and teachers;
- (E) Be among the highest standards in the nation; and
- (F) Ensure students are college and career ready upon

graduation from high school; and

(2) Consider when recommending standards to the state board for adoption:

(A) The number of high-stakes assessments that would have to be administered in the public schools under the proposed standards. The standards commission shall strive to ensure that the number of assessments is minimized; and

(B) Adaptations to existing professional development programs for teachers to incorporate the recommended standards.

(b) Prior to adoption of standards by the state board, the commission's proposed standards shall be posted for public review and comment on the state board's web site in compliance with § 49-1-309(b).

(c) Based on the recommendation of the commission, the state board shall adopt the proposed standards or shall return the standards to the commission for further revision; provided, however, that the state board shall not return the standards to the commission more than two (2) times.

(d) All standards adopted by the state board shall be reviewed and revised, if necessary, by the commission at least once every six (6) years to ensure that the standards continue to meet the requirements of subdivisions (a)(1)(A)-(F). The state board shall schedule reviews for the commission so that revision of standards in a subject area may be accomplished prior to the adoption of textbooks in that subject area.

SECTION 6. The standards commission may consult with content experts or assemble committees of content experts to assist it in developing and evaluating the rigor of academic standards. The commission shall also involve interested stakeholders, including parents of public school students, in this process and otherwise ensure that the process is transparent.

SECTION 7.

(a) The commission shall have two (2) regular meetings each school year to be held on the dates determined and announced by the commission. Notice of each

regular meeting of the commission shall be posted on the state board's web site within three (3) full business days of the setting of the meeting dates.

(b) The commission may have as many special meetings as it deems necessary; provided, that in no case shall any member or members of this commission receive traveling expenses for more than three (3) special meetings in one (1) school year.

(c) Public notice of the call for the special meetings shall be made by the chair of the commission at least ten (10) business days in advance of the date set for the special meeting and shall be posted within one (1) full business day of the call.

(d) All meetings shall be held in the office of the state board of education or at another place designated by the commission.

(e) Meetings of the commission shall be made available for viewing by the public over the Internet by streaming video accessible from the web site of the state board. Archived videos of the commission's meetings shall also be available to the public through the state board's web site.

(f) The standards commission shall be attached to the state board for administrative purposes only. The department of education, at the request of the state board, shall assist the state board in providing administrative services to fulfill the commission's mission. The commission, however, shall be independent of the state board and the department.

SECTION 8.

(a) Seven (7) members of the commission shall constitute a quorum for the purpose of meeting and conducting business.

(b) No action of the commission shall be valid unless authorized by the affirmative vote of a majority of the members of the commission.

SECTION 9. Members of the standards commission shall not be compensated for their services but may be reimbursed for travel expenses in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

SECTION 10.

(a) As soon as practicable after convening in the commission's initial meeting, the commission shall recommend to the state board changes and modifications to the English language arts and mathematics standards in use during the 2014-2015 school year to ensure that the standards meet the criteria in subdivisions (a)(1)(A)-(F) of Section 5.

(b) In making the recommendations to the state board for assessments in English language arts and mathematics, the commission shall strive to reduce the number of high-stakes assessments administered in the public schools.

(c) The commission shall consider the need for professional development and other effects the adoption of the proposed changes and modifications to the English language arts and mathematics under subsection (a) shall have on public school teachers.

(d) Based on the recommendation of the commission, the state board shall adopt new English language arts and mathematics standards to be implemented during the 2016-2017 school year or return the recommendation to the commission for further consideration.

SECTION 11. The commission shall examine and make recommendations to the state board concerning any new advanced placement (AP) courses offered by the College Board or changes to existing AP course frameworks made by the College Board.

SECTION 12. The commission is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 13. The state board of education or the department of education shall cancel any memorandum of understanding concerning the Common Core State Standards entered into with the National Governor's Association and the Council of Chief State School Officers. Any standards adopted by the state board upon the recommendation of the commission shall be separate and distinct from the Common Core State Standards.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.