

From: [Jennifer Coleman](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA public comment
Date: Sunday, July 31, 2022 8:12:46 PM
Attachments: [TISA Public Comments.pdf](#)

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Commissioner Schwinn

Please see my attached comments related to the TISA funding formula rule.

Jennifer Coleman

Jennifer L. Coleman
1230 India Rd
Paris, TN 38242
7-31-2022



Commissioner Penny Schwinn
Department of Education
500 James Robertson Parkway
Nashville, TN 37243
Dear Commissioner Schwinn

I am the parent of an elementary age child with multiple developmental and intellectual disabilities including Down syndrome. My son, Tyler, attends public school in rural Henry County. I am writing to offer public comment that focuses specifically on students with disabilities for the proposed rules related to the Tennessee Investment in Student Achievement (TISA) statute. The comments below focus on three areas of the proposed rules: Individual Education Plan monitoring; Unique Learning Needs; and Student-Generated Bonuses.

There should be a specific rule that monitoring will focus on accountability for both adequate service provision and learning in the Least Restrictive Environment (LRE). I am so excited about the intent of TISA to provide individualized supports that my Tyler needs to succeed but I also fear that he may experience unintentional segregation from his disability being incentivized because the school would earn more funding from him. As long as there is constant monitoring and that the funds are actually being used for the services he needs to promote LRE. Schools must be held accountable for special education funding so implementing IEP monitoring is critical. Even without this type of funding formula, IEP monitoring needs to be a priority to make sure it is being followed. There should be a rule to specify that the IEP monitoring be shared publicly. This information should include who is monitoring the IEP, annual results, and corrective action plans.

The use of Unique Learning Need (ULN) requires experience to determine the accuracy of those categories. There should be a rule that the ULN amounts will be examined and adjusted routinely since they are the most significant source of funding for special education services with this formula and this is a new model. The rule says ULN's are based on either the number of hours of special education services received or specific categories of services a child receives. I want to make sure needed services are not left out because they may not fit in a category. The use of the word "each" in reference to the bonuses eligible for multiple categories should be clarified. Does that mean the student is eligible for bonuses from multiple ULN categories and stacked?

It is great to create student-generated bonuses. I want teachers to keep on investing in Tyler's learning and growth. The alternate assessment should reward year to year growth according to their IEP goals

and not relative to grade standards of their typical developing peers. The Department should also add the occupational diploma to the graduation rate bonuses so Tyler will be supported to work toward that option when the time comes.

I appreciate the opportunity to provide my input.

Sincerely,

Jennifer L. Coleman

From: [Alison Forte](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Nashville hearing on Thursday, July 28, 2022
Date: Sunday, July 31, 2022 2:24:50 PM

I taught grades 7-12 in Metro Nashville Public Schools for 34 years, retired from the classroom in May 2012, and then served as the director of a reading tutoring program through Homework Hotline for three more years. I was named Middle School Teacher of the Year in MNPS in 2005, served as a PAL (new teacher mentor) at eight different high-risk, low-income schools, helped write local district and state curriculum standards, served on textbook selection and principal selection committees, and so on. I've seen and done it all.

This TISA process should be about the kids. It should be about protecting our public schools. The kids are what matter. Instead, I see the landscape shifting toward the benefit of adults and their manufactured concerns/beliefs--mostly adults who have no idea what our schools have been like and still wish to achieve because they've never spent any time in a public school other than to attend an athletic event or a parent-teacher conference. Out of their ignorance comes an arrogant attitude that I find hard to stomach.

Pull the rug out from under us with TISA and we won't quit trying to love our kids and educate them with respect, affection, commitment.

Tell that to Bill Lee and the Republican-dominated legislature and Larry Arnn and the rest of the fearmongers.

Thanks,
Alison Cook Forte
Vanderbilt Class of 1977 (cum laude)
Cumberland University, Master's +30

From: [martha.perez](#)
To: [TISA Rules](#)
Subject: [EXTERNAL]
Date: Saturday, July 30, 2022 12:36:13 PM

Que necesito para que mis hijos entren al programa
Enviado desde mi iPhone

From: [Anna Bateman](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Public Comment on TISA Rulemaking
Date: Saturday, July 30, 2022 9:23:55 AM

Hello,

TISA is proposing to fund EL students based on their **grade** rather than their WIDA level.

In my opinion, TISA should allocate funding based on the student's **WIDA level**, in an effort to provide **beginning** EL students with the best resources when they need it most, regardless of grade level:

My suggestion: Tier 3 Funding: WIDA Levels 1 & 2
 Tier 2 Funding: WIDA Levels 3 & 4
 Tier 1 Funding: WIDA Levels Waived, T-1, and T-2 with an ILP
(This is the same as the proposed funding for Tier 1)

Sincerely,

Anna Bateman

From: [LeNaye Pearson](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Public Comment on TISA Rulemaking
Date: Saturday, July 30, 2022 8:38:57 AM

TISA is proposing to fund EL students based on the **grade** of the student rather than the WIDA level.

My opinion: TISA should fund based on the student's **EL level**:

My suggestion: Tier 3 EL level: Level 1, and Level 2
Tier 2 El level: Level 3 and Level 4
Tier 1 Waived, T-1, and T-2 with an ILP (This is the same as
the proposed funding for Tier 1)

Thank you,

LeNaye Pearson

From: [Heather Ledbetter](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comments
Date: Friday, July 29, 2022 8:49:39 AM

Good morning,

I am very concerned that TISA language does not specifically include a Coordinated School Health (CSH) Coordinator for every public school district. Without a qualified coordinator, the CSH funds and the work it accomplishes will be lost in the shuffle. Because of a designated CSH Coordinator focusing all one's attention on the Whole Child components, over 1 million dollars has been raised in grants and in-kind donations to provide walking tracks, physical education and physical activity equipment, nursing equipment and supplies, school counselor curriculum, and training for school nurses, counselors, PE and Health teachers. This list is only a small glimpse of what the CSH Coordinator has provided to the district over the years. If CSH funds and job responsibilities are not specifically directed and required by TISA legislation, who will be left to do this vitally, important work?

Please amend TISA funding to require a designated LEA CSH Director with current qualifications. CSH works diligently to remove barriers to learning, improve student and staff health, and strengthen community partnerships that will lead to student success.

Heather Ledbetter
Maryville, TN

From: [Shanan Smith](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Concern about language for Coordinated School Health funds
Date: Friday, July 29, 2022 9:37:50 AM

I am concerned that TISA language does not specifically include a Coordinated School Health (CSH) Coordinator for every school district. Without a qualified Coordinator, the CSH funds and the work it accomplishes will be lost in the shuffle. Because of a designated CSH Coordinator focusing all their attention on the Whole Child components, over 1 million dollars has been raised in grants and in-kind donations to provide walking tracks, physical education and physical activity equipment, nursing equipment and supplies, school counselor curriculum, training for school nurses, counselors, PE and Health teachers. This list is only a small glimpse of what the CSH Coordinator has provided to the district. If CSH funds and job responsibilities are not specifically directed and required by TISA legislation, who will be left to do this important work? Who will be addressing the barriers to learning for our students? Who will be concerned with the mental health needs of our students and staff? Who will be there to do vision and hearing screenings that are required?

Please include language to require a qualified Coordinator for Coordinated School Health. Teachers aides are not full time, and are pulled in so many different directions during the school day that these tasks would never be completed. Our students would suffer academically, physically, and emotionally in our schools without a qualified Coordinator for Coordinated School Health. Our teachers would suffer because the students' scores on assessments would decline. A student who cannot see or hear, cannot learn and be proficient in testing.

Thank you for your time and consideration!

--

Shanan Smith, Coordinator
Coordinated School Health
Sullivan County Department of Education
Phone 423-354-1006 Fax 423-354-1004
shanan.smith@sullivank12.net

From: [Aidan Hoyal](#)
To: [TISA Rules](#)
Cc: Sen.Jeff.Yarbro@capitol.tn.gov; rep.john.ray.clemmons@capitol.tn.gov
Subject: [EXTERNAL] Concerns from a TN parent
Date: Friday, July 29, 2022 10:39:18 AM

Dear Sir or Madame,

My parents, my spouse and I, and now our son have all attended Metro Nashville Public Schools. I am a proud MNPS parent, and I follow TN education issues closely. NOAH has submitted the following detailed public comments (below) to the TDOE related to its TISA rulemaking process. **I am also sharing my deep concerns about these proposed rules. As an MNPS parent of a now high school student, and frequent volunteer and donor to our schools' PTOs over the years, I know first hand how important investing in our schools is. We all want to see student improvement, but our schools are grossly under-resourced as it is. This new funding formula will only make it harder to meet ALL our students' needs. I have highlighted below the areas I am most concerned about, and I agree 100% with NOAH's well-researched and thoughtful assessment and recommendations.**

Thank you.

Aidan Hoyal, MNPS parent Nashville, TN

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of

literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, **but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded.** For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that **if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.**

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.
- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the "Cost Differential Factor (CDF)" included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County's high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH's Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the "shall" language to ensure annual appropriations are made.
- The rulemaking version using "may" will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

From: [Steve Starnes](#)
 To: [TISA Rules](#)
 Cc: [Nick Darnell: dalelynch@fosstn.com](mailto:dalelynch@fosstn.com)
 Subject: [EXTERNAL] Feedback on Proposed TISA Rules
 Date: Thursday, July 28, 2022 3:07:51 PM
 Attachments: [image002.png](#)

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Good evening,

In reviewing the proposed rules for TISA, there are some concerns in regard to data calculations and reporting periods. Below are the proposed rules for calculating local contributions, data calculations – special consideration, and the data appeals process.

(c) For the purpose of calculating Local Contributions:

1. Fiscal Capacity indices as calculated by TACIR and CBER

(3) To ensure proper reporting of data needed to calculate TISA, LEAs shall submit all required data on a regular and ongoing basis as described in the TISA guide. The TISA guide shall be updated annually to ensure LEAs have an updated data submission calendar.

(4) LEAs shall certify their local-level data in each of the nine (9) school year reporting periods. LEAs shall acknowledge their period data submission on or before the 15th of each reporting period month. LEA School Directors shall certify their period data submission by the last business day of each month. The Department shall provide a snapshot of an LEA's reporting period data following the period submission to allow for data review and revision ahead of the period certification deadline on the last business day of each month. The Department shall issue preliminary TISA allocations in April, May, and June and issue final allocations in July of each year.

(5) Data Calculations – Special Considerations

(a) ADM for each component of the TISA formula shall be calculated using all nine (9) reporting periods, weighted equally.

(b) ADM data shall include reporting data for early graduates, inclusive of all student attributes.

(6) Data Appeals Process

(a) The Department shall ensure all LEAs can appeal and correct substantive reporting discrepancies by reporting period through a formal process to be detailed in the TISA guide.

(b) The Department shall ensure all LEAs have the opportunity to appeal final TISA allocations due to an alleged error in the calculation process within fifteen (15) business days from the issuance of final allocations.

In regard to the acknowledgement and certifying of attendance funding data, the table below illustrates our interpretation of current proposed deadlines in relation to our funding periods and proposed changes to the deadlines. The beginning of the year is quite fluid as we are finalizing and scrubbing our data due to schedule changes, tracking down no shows, new enrollees, scheduling IEP meetings for new enrollees, requesting records for out of state students, etc. Additionally, systems who employ block scheduling need additional time in January to do all the previously listed tasks as it is like starting a new school year. Additionally, as we move into this new process, it may be determined that we need additional personnel to accurately report the data which will drive our funding for the upcoming year. There are not funds in the current year budget (Draft TISA Rules were released after our budget was approved) to hire additional personnel which could potentially impact next year's funding.

Reporting Periods for 2022-2023						
	Start Date	End Date	Current TISA LEA Acknowledgement	Current TISA LEA Directors certify	Proposed LEA Acknowledgement	Proposed TISA LEA Directors certify
Period 1	8/3/2022	8/31/2022	9/15/2022	9/30/2022	10/1/2022	10/15/2022
Period 2	9/1/2022	9/30/2022	10/15/2022	10/31/2022	11/1/2022	11/15/2022

Period 3	10/3/2022	11/4/2022	11/15/2022	11/30/2022	12/1/2022	12/15/2022
Period 4	11/7/2022	12/8/2022	12/15/2022	12/31/2022	1/15/2023	2/1/2023
Period 5	12/9/2022	1/25/2023	2/15/2023	2/29/2023	3/15/2023	4/1/2023
Period 6	1/26/2023	2/27/2023	3/15/2023	3/31/2023	4/15/2023	5/1/2023
Period 7	2/28/2023	4/3/2023	4/15/2023	4/30/2023	5/15/2023	6/1/2023
Period 8	4/4/2023	5/3/2023	5/15/2023	5/31/2023	6/15/2023	6/20/2023
Period 9	5/4/2023	5/24/2023	6/15/2023	6/30/2023	6/30/2023	6/30/2023

This proposed schedule would still allow for the information to be accurate and certified before the July final allocation is generated.

Allowing additional time to make sure the data is accurate will lessen the need for appeals which would benefit LEAs and the TDOE. Also, concerning appeals, instead of appealing each month, we think the appeals windows should be quarterly instead of monthly. Also, we should not have to upload "proof" other than restaging extracts with corrected information and requesting that the information be "re-querried." There doesn't need to be a bunch of additional bureaucracy or red tape for an appeal.

Another concern I have with the current rules is that ADM needs to be better defined. Currently we have a definition for ADM in the EIS Business Rules, but will that same definition be used for the all the weighted categories (Economically Disadvantaged, Concentrated Poverty, Small District, Sparse District, Unique Learning Needs, Dyslexia and English Learners)? If not, then the definitions need to be spelled out in the rules.

Lastly, we are concerned about the "locking in" of information before the final certification at the end of June. Changes happen and are made throughout the year when we receive relevant or updated information and LEAs should not be penalized with lost funding because the data is "locked in." Final "lock in" can be made by the end of June and still give ample time for the July final allocation to be generated.

Thank you for the opportunity to provide feedback on the TISA Draft Rules.

Steve Starnes
 Director of Schools
 Greeneville City Schools
 129 W. Depot St.
 Greeneville, TN 37743
 423-787-8014



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From: [Hegwood, Molly](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Feedback on TISA
Date: Friday, July 29, 2022 4:15:39 PM

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Hello,

Thank you for allowing stakeholders to provide feedback and ask clarifying questions.

- In the draft, it states that students identified as English Learners shall qualify for one (1) ULN Weighted Allocation aligned to the ILP, and services provided as detailed below. TISA states that Transitional 1 and 2 students are included and must have an ILP. ***Feedback-According to State Board Rule 0520-01-19, transitional students do not have an ILP. The TISA draft does not match the ILP requirements in State Board Rule ESL 0520-01-19.*** (page 11)
- In the first draft of the TISA Unique Learning Needs Crosswalk, limited formal schooling and minimal literacy in the student's first language were listed as part of the tiers. This category should remain a consideration.
- If weighted funding is contingent on student meeting the ULN criteria and having a finalized ILP, how will this be measured? Currently districts have different ILP platforms and there is not a statewide platform for ILPs.
- What are the transitional students supports? Will a different ILP format need to be developed for transitional students? ILPs for transitional students would need to look different than those for active EL students.

Sincerely,

Molly Hegwood
Executive Director, Office of English Learners
MNPS Office of English Learners
615 Fessey Park Road
Nashville, TN 37204
Office: 629-224-9041
[MNPS Office of English Learners Handbook](#)
[Visit the EL Office Sharepoint Page](#)

From: [Mary Moyich Wright](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please Support NOAH's TISA Recommendations
Date: Thursday, July 28, 2022 5:09:37 PM

Dear Sir or Madame,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. As an MNPS parent of 2 students who has volunteered inside the schools for years, I know how important investing in our schools can be. We all want to see student improvement, but schools cannot do that without proper and equitable funding.

This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
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- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
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to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

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The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
-

The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.

- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH’s Talking Points:

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- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Thank you,

Mary Wright

From: [Jolene](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Public comment
Date: Thursday, July 28, 2022 3:25:09 PM

I am a parent of two children with disabilities in Williamson County. One child is receiving intensive special education services and is entering 4th grade this year. The other is now entering 7th grade at a private Montessori school after having spent grades K-4th at our local public school. I respectfully submit the below comments on the proposed TISA funding regulations.

1. Transparency and accountability are critical, especially related to the use of funds to provide appropriate special education services in the LRE. I am concerned that funding based on the intensity of services will unintentionally incentivize over-supervision and segregation. I respectfully recommend thorough, systematic, randomized IEP audit processes that include documented input from parents and students. These processes should be specified in rule, and aggregated results should be easily accessible to the public. The process for corrective action should be outlined in detail, and those action plans should also be easily accessible to the public.

2. ULNs should be stackable. A student with an IEP should be able to receive funding through multiple ULN categories: for example, based on service hours AND types of services. That may be the intent, but it isn't clear in the current draft regulations.

3. Outcomes bonuses should reward progress tied to IEP goals rather than set TCAP/alternate assessment levels. Often, students whose learning is least effectively captured on standardized testing are those who require the most intensive supports from their educational teams. My son, who is autistic, does not require special education supports. His TCAP scores in third grade were in the highest category across the board. My daughter, who has Down syndrome, struggled to fully participate in TCAP testing in third grade last year. However, her team has worked exceptionally hard to support her steady progress on her IEP goals. In the classroom, she can demonstrate reading at grade level and, with accommodations, can participate in grade level math. That will not be reflected in her testing scores, and her team will not be rewarded for the fantastic work they have done to support her learning progress. Rewarding based on set testing levels may also create a financial incentive for districts to push students with disabilities to the alternate assessment rather than risk lower scores on the standardized TCAP.

4. The occupational diploma should be counted in the graduation rate.

5. Additional transition outcomes should be added to the post-graduation outcomes metrics, including the addition of Indicator 13.

Thank you for considering these comments. I am overall very encouraged by the improvements TISA will represent to the formula used to fund our public schools in Tennessee. I strongly support the improved funding equity the new formula strives to achieve. I am deeply appreciative of the tremendous effort that has gone into getting this right for our students.

With respect,

Jolene Sharp

From: [Rebecca Hauck](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA Bill
Date: Thursday, July 28, 2022 7:32:48 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good evening,

I've been fairly critical of Hamilton County's treatment of my low income, special needs son's public education. By law, public schools are required to follow an Individual Education Plan for students like my son. Yet, teachers are underpaid and overburdened, they are given no extra training or time to devote to my son's legal educational rights. Schools have not been given any incentive to pay any attention at all to my son.

Therefore, I'm highly pleased with this new bill, which is a great start for helping to transform public education into something that supports all students' rights to a public education.

However, I feel that since mainstreaming special needs students results in students being expected to perform the same as those not needing extra support, even without the support guaranteed by law, the funding for special needs students should be allocated to those school systems that follow federal and state education laws regarding students with IEPs.

Furthermore, I'd like to commend the Tennessee state government for acting on the library book situation that God loving folks like myself feel violate the spirit of the laws designed to allow parents to raise their children with the values and morals that we cherish.

I am not interfering in the parenting of those that I disagree with. They are welcome to buy their children books about gay bunnies with their own dollars as I have to buy my own children the books that highlight the Christian values that I feel are essential to raising my children.

Authority figures paid by public monies have no right, nor business, undermining my parenting by confusing my children with popular falsehoods that conflict with my Christian values. Or by exposing young children to material regarding the sexual habits of anyone so that they may be indoctrinated by authority figures I've taught my children to respect before they're old enough to understand the material, let alone how to research the truth or falsehoods of such moving targets in mortality and values.

Again, I fully appreciate the efforts of the Tennessee government in supporting my child's right to a fair and decent education while at the same time respecting my rights as a parent to instill solid values in impressionable children.

Thank you for your time and attention,

Rebecca Hauck,
A citizen of Tennessee and a responsible parent

Get [Outlook for Android](#)

From: [Buffy](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA
Date: Thursday, July 28, 2022 10:17:17 PM

Fund the public schools adequately! Bills (like TISA) that funnel money to charter schools who don't believe that teachers are professionals should not be passed.

Teachers need to be paid a professional wage and given the support they need. Students deserve professional care and smaller class sizes.

Elizabeth Holton, retired K-12 MNPS teacher.

Sent from my iPhone

From: [Penny Schwinn](#)
To: [TISA Rules](#)
Subject: FW: [EXTERNAL] TISA HFF Comments.pdf
Date: Thursday, July 28, 2022 6:53:09 PM
Attachments: [image001.png](#)
[TISA HFF Comments.pdf](#)



Penny Schwinn, PhD | Commissioner
Andrew Johnson Tower, 9th floor
710 James Robertson Parkway, Nashville, TN 37243
p: (615) 741-5158
tn.gov/education
[#TNBestforAll](#)
[#Reading360](#)
[#TNALLCorps](#)

We will set all students on a path to success.

Resources for PUBLIC ENGAGEMENT AROUND SCHOOL FUNDING can be found here:

<https://www.tn.gov/education/tnedufunding.html>

Information on Tennessee's FEDERAL RELIEF FUNDING PLANS AND TN ALL CORPS can be found here:

<https://www.tn.gov/education/top-links/esser.html>

Information on Tennessee's READING 360 INITIATIVE can be found here:

<https://www.tn.gov/education/reading-360.html>

From: Teresa Sloyan <tsloyan@hydefoundation.org>
Date: Thursday, July 28, 2022 at 3:36 PM
To: Penny Schwinn <Penny.Schwinn@tn.gov>
Cc: Teresa Sloyan <tsloyan@hydefoundation.org>
Subject: [EXTERNAL] TISA HFF Comments.pdf

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Hi, Penny. I hope all is well with you and that you're getting some time to enjoy the summer. Just wanted to give you a heads up and share our comments with you on the TISA front. An official hard



HYDE FAMILY FOUNDATION

17 WEST PONTOTOC AVENUE, SUITE 200 MEMPHIS, TENNESSEE 38103
901.685.3400 FAX 901.682.7794

July 27, 2022

Dr. Penny Schwinn
Commissioner
Tennessee Department of Education
710 James Robertson Parkway
Nashville, TN 37243

Dear Commissioner Schwinn:

Please know we continue to be very excited and encouraged by the many opportunities the state's new TISA school funding formula will create for students and educators all across Tennessee, and especially here in Memphis and Shelby County.

We are grateful to you, Governor Lee, and the legislature both for your leadership in enacting the new formula, and in conducting an open and public comment process in finalizing the rules and regulations needed for its successful implementation.

Accordingly, we wanted to share three priority areas for suggested changes in the proposed TISA Rule (0520-12-05) for your consideration:

- 1) Outcome Bonuses - while we fully support new incentives to reward school districts with additional dollars when students achieve specified outcomes and goals, we would encourage the Department to also recognize clearly and add in incentives to reward exceptional growth as well as proficiency in key measures.

For instance, in the fourth-grade literacy measure, many of our schools and students, especially those with high percentages of economically-disadvantaged and ELL students, may be among those furthest behind and in most need of immediate academic gains and improvement.

Rather than only rewarding outcomes based on moving from a strict non-proficiency to proficiency standard, we believe it will be in students, as well as the state's best interest, to also include an additional incentive for exceptional growth.

All districts, schools and students should be incentivized to excel as quickly as possible. We believe an added outcome incentive based on exceptional growth will help encourage many more to do so, and we would encourage the Department to adjust the rule.

- 2) College and Career Readiness - we strongly support the state adding in incentives to reward additional funding to districts for ensuring more high school graduates are college and career ready.

However, we continue to support the state's existing Ready Graduate measure as the single best high school measure because it is comprehensive of college, career, and military readiness, as well as being consistent with the state's accountability framework.

We believe the clarity and simplicity of the state's rigorous Ready Graduate measure will be most beneficial in continuing to incentivize and reward districts in preparing all of their graduates for success in college, career, and life.

- 3) Direct Funding for Charter Schools - we are grateful for the state's continued commitment in offering and supporting additional public school options for students and families through a robust system of public charter schools.

We also commend the Department for ensuring that all charter school funding through TISA will be available to all enrolled charter school students and be subject to the same distribution timeline as other base and weighted funding.

However, we believe the proposed rule does not go far enough in clearly outlining the verification process that will be used to ensure that the dollar amount received by the charter school through their local school district will match exactly the dollar amount generated by all components of the formula earned by the charter school's students.

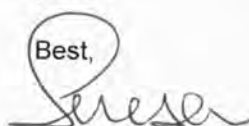
Our preference would be for all dollars to flow directly to the charter schools, but if they must flow through the LEA, then we believe there needs to be a fair and transparent verification process included in the rule to ensure prompt and complete funding for the state's public charter schools.

- 4) Additional Consideration - We appreciate the extraordinary focus and priority on economically disadvantaged students as it pertains to the base formula weights in TISA. However, we recommend that the Department consider reassessing the direct certification definition and eligibility parameters for "economically disadvantaged". We suggest a review and analysis of other states' definitions and specifically the impact on education funding at the state and local levels, as well as modeling how different eligibility policy options would affect the TISA distribution and local impact.

Again, special thanks to you and Department staff for your thorough and thoughtful development of the proposed rules and regulations for TISA - as well as for your open invitation to comment and offer suggested improvements to what has been proposed.

We appreciate your consideration of our comments and recommendations as you work through the rulemaking process.

Please let us know if you have any questions or if I may be of any assistance. We look forward to our continued partnership and offer our full support as you work to ensure the successful implementation of TISA. It will most definitely be a game changer for the children of Tennessee. Again, many thanks for all you do.

Best,


Teresa Sloyan
President

cc: Barbara Hyde, Chair

From: [Kristopher Carter](#)
To: [TISA Rules](#)
Subject: [EXTERNAL]
Date: Thursday, July 28, 2022 12:45:06 PM

On regards to TISA, I dont think we have gone far enough to give parents better choices for educating our children. Private school vouchers are a good start, but we should also look into vouchers or tax credits for parents who homeschool as well.

From: [STEVE RUDDER](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] District feedback for TISA Rules
Date: Thursday, July 28, 2022 12:50:34 PM

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- Data collection, calculations, and appeals
 - The time between the end of each period and the certification is a concern. The timeframes are potentially much shorter than what they have been in the past which may prove challenging for districts to reconcile their internal data with what has been reported to the TDOE.
 - Assuming that the ADM calculation is based solely on student enrollment for different student groups and classifications, new reports are needed from the TDOE for each student group so that data transmitted to EIS can be validated before the end of each period. Similar reporting also needs to be developed internally.
 - The data received from ACT is flawed due to incorrect coding by test takers and, as a result, some scores will likely be missed. Each year we have to appeal around 100 students' scores due to this issue. The appeals process typically occurs in October which will be too late to make the corrections under the TISA rules even if the data is pulled at the end of the school year. Also, in some cases, the current appeals guidelines do not allow for students who improve their ACT scores. The current appeals process will need to be adjusted to allow for the inclusion of these situations.
 - Ready graduate appeals will become more important. Some system(s) may need put into place to collect data that isn't currently systematically collected by the state department or available at the district level such as ASVAB scores
 - The plan references predicted student scores on the TCAP assessment. To this point, we are provided with probabilities of success rather than predicted scores but we would need access to those predictions under TISA. Also, it is unclear what is meant by the standard error in the rules document.
- ULN
 - Reporting to the district from EdPlan (PCG) has been slow in the past and we typically do not have option data loaded into Aspen until mid-September which is beyond the first 20-day period.
 - Our current "early warning system" is based on grades, attendance, and discipline. It is probably not granular enough to provide evidence that a student has a reading deficit.

Thank You!

Sent from [Mail](#) for Windows

From: [Millie Sweeney](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please Support NOAH's TISA Recommendations
Date: Thursday, July 28, 2022 2:19:52 PM

Dear Sir or Madam,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules.

I am the parent of 2 MNPS students, one of whom has graduated. I have both personally volunteered inside the schools as well as professionally collaborated with schools for years as an advocate for children and families. I know from both perspectives how important investing in our schools can be. We all want to see student improvement, but schools cannot do that without proper and equitable funding.

The summary below is intended to provide information about my concerns and offer suggestions to make TISA work for children, youth, families and school systems. The impact of TISA is too important to not incorporate the expertise, experience, and priorities of students and their families.

Thank you,

Millie Sweeney, parent

Millie Sweeney, M.S.

615.594.9263

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.

- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.
- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the "Cost Differential Factor (CDF)" included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County's high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH's Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the "shall" language to ensure annual appropriations are made.
- The rulemaking version using "may" will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

From: [Lyons, Michael](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Proposed Rules Public Comment
Date: Thursday, July 28, 2022 11:54:07 AM
Attachments: [TISA Proposed Rules Public Comment.docx](#)

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July 28, 2022

Re: Proposed Rules on TISA Public School Funding Formula

Dear Commissioner Schwinn,

Thank you for the opportunity to comment on the proposed rules on the TISA Public School Funding Formula. We applaud yours and Governor Lee's efforts, along with the TN General Assembly's support, to increase funding for schools and for the children who need additional resources and services to succeed. I submit these comments on behalf of UHS, which operates nine mental and behavioral health facilities across TN, and in support of the 650 children annually that we educate in our facility's schools. As you know, our school facilities are licensed by the TN DOE as Category 1 Special Schools to serve the children in our care. Our students come from across the state, and include private pay, TennCare and DCS in-custody placements. Per TN state law, our facilities receive a daily per diem from the child's local school district for the state and local share of the education funding while the student is in treatment. This applies when a child is admitted either as a private pay or TennCare patient. Somewhat similarly, when a child who is in state custody at DCS and is placed in our facility, we are paid a comprehensive per diem rate for all caretaking services, which includes a portion for education services while at the facility. These differences in our education funding streams may require some focused analysis to make sure additional funding allocations make their way to the facilities which are providing the educational services to the children, and that the rates we are given reflect the increased funding for those children who need additional services such as special education therapies.

We would also be supportive of an additional review of the impact of the new law and of this rulemaking on the funding for the Department of Children's Services special school district. It is vitally important to the provider community that DCS is fully funded at an appropriate rate commensurate with the complex needs their children have, and who in the end, may be placed at one of our facility schools.

It is critical that the agency ensure that there is adequate and equitable funding provided for students with mental illnesses and complex educational needs; and who are under the care and supervision of the Department of Children Services; and/or have been admitted by a physician to behavioral health facility due to meeting medical necessity for that level of healthcare. Many times, this population of students and students receiving their education in a TN DOE Category I school can be overlooked on a project of this magnitude. However, with the rising rates of student mental health issues and those exacerbated by the pandemic, TN DOE must ensure that the programs

servicing these children have the appropriate level of education funding in the new formula. These programs serve as the safety net for the state's mental health continuum of care and their education funding must be allocated in an equitable and comparable manner.

Please take this into consideration when finalizing the proposed rules.

Sincerely,
Michael Lyons
VP, Special Education, UHS Behavioral Health Division

Michael R. Lyons | Vice President, Specialty Education | michael.lyons@uhsinc.com | Office (321) 752-5777
Universal Health Services, Inc. | UHS of Delaware, Inc. | 7777 North Wickham Road #509, Melbourne, FL 32940

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July 28, 2022

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Please take this into consideration when finalizing the proposed rules.

Sincerely,

Michael Lyons

VP, Special Education, UHS Behavioral Health Division

From: [Linda Frazier](#)
To: [TISA Rules](#)
Cc: [Danny Weeks](#)
Subject: [EXTERNAL] Proposed Rules
Date: Thursday, July 28, 2022 10:18:24 AM

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I am concerned about the base funding calculation. Will there be an automatic cost of living increase to the base funding? I understand the base is calculated similar to the BEP formula but would like to know how the base was calculated.

What affect will the new calculation have on local funding?

There are no educators guaranteed on the Progress Review Board. Educators have the knowledge of students and individual issues that play into the education process every day. There are educators on the TISA Review Committee but not the Progress Review Board.

While we welcome accountability, there should be a greater understanding of what really takes place in the classroom on a daily basis. Students come today with a lot of underlying issues that no one knows until they get to know the student. While this is not an excuse by any means, there are reasons why some scores may not be where they really need to be. Data is good but it should be always kept in context.

With some of the calculations being based on prior year activity, will there be clear documentation of the calculations and appeal processes?

Linda J. Frazier
Director of Finance
Dickson County Schools
817 N. Charlotte Street
Dickson, TN 37055
615-446-7571 Ext 12000
fax 615-441-1375
cell 615-574-0331

Trust in the Lord Prov. 3:5



Tennessee School Boards Association

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From: [Masters, Emily B](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Re: TISA Public Rulemaking Hearing Speaker Sign Up Form
Date: Thursday, July 28, 2022 1:19:56 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

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I just wanted to apologize for signing up to speak this morning and then not being able to make it. I had an unexpected (and urgent) situation arise. Thank you for the opportunity anyway.

Best,
Emily Masters

Emily Booth Masters

Metro Nashville Board of Education

Representative for District 3

emilyfornashville.com



From: TISA Rules <TISA.Rules@tn.gov>
Sent: Thursday, July 28, 2022 7:06 AM
To: TISA Rules <TISA.Rules@tn.gov>
Subject: TISA Public Rulemaking Hearing Speaker Sign Up Form

You don't often get email from tisa.rules@tn.gov. [Learn why this is important](#)

WARNING: This email originated outside of Metro Nashville Public Schools. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning,

Thank you for RSVPing to attend the TISA Public Rulemaking Hearing today. The purpose of the hearing today is for Tennesseans to verbally provide their comment on the [proposed rules](#) to implement the Tennessee Investment in Student Achievement (TISA) Act. The department will not be responding to or answering any questions from attendees during the hearing. All verbal and written comment will be responded to in writing by the department after the conclusion of the open public comment period, which ends on August 2nd.

If you will provide a comment verbally either in-person or virtually, please complete [this form](#). By completing this form, you will be added to the queue to speak during the speaking portion of the hearing. Attendees that sign-up to provide a public comment will each be given three minutes to provide their comment verbally in-person or virtually, time permitting. We will hear comments from attendees, both virtual and in-person, in the order of sign-ups.

TISA Public Rulemaking Hearing Details:

Location: Ellington Agricultural Center, Ed Jones Auditorium

Address: 416 Hogan Road, Nashville, TN 37220

Date: Thursday, July 28 from 9 a.m. CT – 12 noon CT

Parking: A map is below. All parking is free and spots are available around the Ed Jones Auditorium and also overflow parking is available at the Agricultural Museum.

Virtual Options: Access the Microsoft Teams Livestream [here](#). Attendees can also dial in via by calling: [+1 615-270-9704](tel:+16152709704); conf id: 442 791 926#.



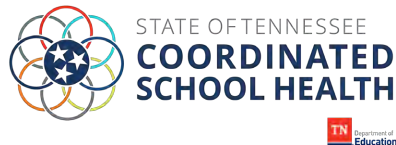
- (1) Moss Administration Bldg -- Commissioner/Administrative Offices
- (2) Breezeway -- Budget Offices
- (3) Porter/Kord/Ivy Laboratory Complex -- Regulatory Services
- (4) Jennings Building -- USDA, APHIS
- (5) Holeman Building -- Marketing, Nonpoint/Water Quality, TASS
- (6) Commodity Distribution
- (7) Ed Jones Auditorium -- Special Events
- (8) E.A.C. Maintenance Office -- General Services
- (9) Show Barn and Arena
- (10) Gazebo and Iris Garden
- (11) Tennessee Agricultural Museum
- (12) Bruer Building -- Forestry Division
- (13) Log Cabins
- (14) Lou Wallace Building -- Legal Services
- (15) U.T. Extension Office
- (16) T.W.R.A. Building
- (17) Archaeology Building.

From: [Jenna Stitzel](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA feedback
Date: Thursday, July 28, 2022 2:20:58 PM
Attachments: [Outlook-523lmqtv.png](#)
[Outlook-ciy3ukg4.png](#)

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I am concerned that TISA language does not specifically include a Coordinated School Health (CSH) Coordinator for every school district. Without a qualified coordinator, the CSH funds and the work it accomplishes will be lost in the shuffle. Because of a designated CSH Coordinator focusing all her attention on the Whole Child components, over 1 million dollars has been raised in grants and in-kind donations to provide walking tracks, physical education and physical activity equipment, nursing equipment and supplies, school counselor curriculum, training for school nurses, counselors, PE and Health teachers. This list is only a small glimpse of what the CSH Coordinator has provided to the district. If CSH funds and job responsibilities are not specifically directed and required by TISA legislation, who will be left to do this important work?

Jenna Stitzel, MS
Coordinated School Health Supervisor
Rutherford County Board of Education
2240 Southpark Blvd
Murfreesboro, TN 37128
office: 615-893-5812 x22173



From: [Bob Nardo](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA rules recommendations
Date: Thursday, July 28, 2022 10:43:28 AM

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Thanks for the opportunity to contribute suggestions to the proposed [rules](#) for the exciting TISA plan. I have a few technical suggestions as a charter school leader, though am not sure if these should live in TISA or charter specific rules.

1A. Additional local share for Commission charters: the law, Sec 69 a1B (pg 35-36) requires "local" boards of education to allocate to charters the average per pupil local funds above those required by TISA, but I did not see where state Charter Commission schools would receive those same additional local funds, which I can't imagine was the intent and is obviously very important (in MSCS, maintenance of effort amount is currently 487m versus TISA required of 239M = 248M additional local funds above TISA... which works out to a whopping 2k or so PPR over 108k ADM for a charter school in Memphis)

1B. Distribution of additional local: it would then be good to clarify whether Commission schools have to get these funds separately from the LEA (not ideal) or if it could be done by the state (the way that BEP has been done for ASD schools) -- namely that the state gives us the amount that is for charter schools in Memphis (including the additional local) and offsets it from what they give to MSCS in its state share.

2. Flow of funds: Will all funds including weighted and direct flow through like a BEP payment, or will we have to go through ePlan to file applications or reports for portions of it?

3. Authorizer fee: will charter authorizer fees just apply to the base, or also to the weight and/or direct? I would recommend base only, and if the latter, it should be capped at some amount. If a school has a much higher low-income or special ed population and generates more weighted funds, that does not necessarily correlate with <3% more in services being done by the authorizer. Looking at estimates for my school, that fee amount on weighted funds only would be like 30k more fee, which is almost another entire teaching position we would lose.

4. Transparency: ensuring that charters receive a similar type of statement annually (or with each true-up) that shows what numbers were used for each calculation and included in the payment, what fee amount, etc.

5. Student counts: Will you use ADM calculations similar as have been used for BEP (e.g. weighted periods 6,7 etc...) for weights and direct? e.g. a ULN for x portion of the year.

6. ULN amounts: our school runs one of the largest and highest performing special education programs in the district. While TISA's additional funding percentage for lower ULNs seems very appropriate based on experience, ULNs 8-9 should be considered for higher funding weight -- serving those needs generally costs at least double and often close to triple the current BEP amount; and some of the state comparison research shows that the equivalent of those ULNs receive funding closer to that 3x weight.

7. Implication for federal funds: something very important that was in the TISA bill but went beyond TISA itself was the language that authorizers must allocate federal funds (title I, IDEA) to charter schools; and that if it's going to be services in lieu of funding, then that has to be by mutual agreement with the charters (i.e. not unilateral by the district). This would be a big deal for folks outside the ASD (where we have always gotten these funds) and I hope that is enforced in the rules, too.

Thanks

Bob Nardo

Executive Director | Founding Head of **Libertas School of Memphis**

& Arete Memphis Public Montessori Residency

Mobile: (901) 654-7788

[Website](#) | [Facebook](#) | [Instagram](#)

*The mission of Libertas is to be a school for human flourishing: cultivating the minds, hands, and hearts of children in Memphis for lives of **wonder, work, and love.***

--

From: [Virginia Nash](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TOSS Public Comment on TISA Rules
Date: Thursday, July 28, 2022 11:47:20 AM
Attachments: [image001.png](#)
[TOSS PUBLIC COMMENT- TISA Rules.pdf](#)

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Tennessee Department of Education,

Please see the attached document re: TOSS Public Comment on TISA Rules.

Thank you,

Virginia Nash

Director of Communications & Public Affairs

Tennessee Organization of School Superintendents

401 Church Street, Suite 2710

Nashville, TN 37219

615-254-1955

www.tosstn.com





TISA Rules Feedback to the Tennessee Department of Education

July 28, 2022

Comments and feedback have been shared by Superintendents/Directors in each grand division and recorded by TDOE. Careful consideration and feedback should be given to all remarks. In addition to that feedback, listed below are separate issues regarding the TISA rules as presented.

TISA By Table of Contents:

1. Intro to TISA

It states in (1)

“... rules beginning with the 2023-2024 school year,” but the data points for funding purposes begin this school year (2022-2023).

2(a) on page 1 of the proposed rules reads, “The Base Funding Amount that each Student generates towards the Students funding allocation in a given year;” In order to make this more transparent, the word “given” might be replaced with the word “preceding” or “prior”.

2. Definitions

- Page 3, #14 – Dyslexia Individualized Learning Plan – The requirements for LEA’s which can be found on page 10 & 11 are new and to provide adequate services to students will require a tremendous amount of support for districts/teachers. (Refer to page 10-11).
- Page 4, #22 – Existing Educator – Under this definition, Tennessee Code is clear in defining a teacher. However, the additional phrase “provides direct services to students at school sites” needs to be further clarified or eliminated from the definition.

4. Weighted Allocations

- Page 9 – 1.(i)(II)(III) - “Deficits” needs to be clearly defined.

5. Direct Allocations

- Page 13, 2. I,II – A *local-regional approach* of In Demand & High Wage Occupations should be given consideration into funding verses a statewide approach. LEA's are already completely a CLNA-Comprehensive Local Needs Assessment (thus it must be of importance).

6. Outcome Bouses

- Page 17, (2) – “The Commissioner shall convene a group of individuals”- TOSS is a collective voice and requests to be included in the conversations, just as we would request with the new SBE TISA review committee established in law.
- Page 17 & 18 –
 - 3(c) – define “significantly exceeded expected growth” and “ELA and math,” is it both ELA and math or does each subject stand alone?
 - 3(d) – High School Post-Secondary Readiness – Is this a one-time outcome bonus? Clarification is needed.
- Consideration should be given to adding additional outcome bonuses for English Language Learner students moving out of concentrated services and scoring on track or mastery on state assessments.

7. Fast Growth Eligibility

- Page 19 – (1)(a)(4) – Needs clarification

8. Local Contribution and Fiscal Capacity

- Page 21 – (3) at the top of the page regarding TACIR and CBER it states “the formula will be approved by the State Board of Education annually.” What is the process and what does this mean for local funding bodies and LEA's?

10. Data Collection, Calculations, & Appeals

- Page 21, (1) – The amount of data to be collected this school year while the rules are still being developed and waiting approval is causing great concern among districts. The TISA Guide could provide flexibility for school districts in the reporting process.

copy of the attached letter is being sent via FedEx. Thank you for giving us the chance to share our thoughts. We truly appreciate your leadership on behalf of TN students and hope our paths cross soon. Best, Teresa

From: [Brian Keller](#)
To: [TISA Rules](#)
Cc: [Lauren J. Percy](#)
Subject: Tennessee Council on Developmental Disabilities
Date: Thursday, July 28, 2022 2:44:31 PM
Attachments: [TNCDD - Public Comment for TISA July 2022.pdf](#)
[image001.png](#)

To Whom it May Concern:

The Tennessee Council on Developmental Disabilities respectfully submits the attached comments to the proposed rules related to Tennessee Investment in student Achievement (TISA). We are grateful for the Department's continued partnership and look forward to working with the Department to further refine the rules as described in the comments.



Brian Keller, Esq.

General Counsel and Policy Director
Tennessee Council on Developmental Disabilities
Davy Crockett Tower, First Floor
500 James Robertson Pkwy, Nashville, TN 37243
(615)968-1575
Brian.keller@tn.gov
www.tn.gov/cdd
www.facebook.com/TNCouncilonDD



STATE OF TENNESSEE
COUNCIL on DEVELOPMENTAL DISABILITIES
DAVY CROCKETT TOWER, FIRST FLOOR
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-0228
PHONE 615-532-6615 FAX 615-532-6964

August 1, 2022

Commissioner Penny Schwinn
Department of Education
500 James Robertson Parkway
Nashville, TN 37243

Commissioner Schwinn,

On behalf of the Tennessee Council on Developmental Disabilities, we are writing to offer public comment that focuses specifically on students with disabilities for the proposed rules related to the Tennessee Investment in Student Achievement (TISA) statute. Councils on Developmental Disabilities exist in each state and territory to improve policies and practices that affect the lives of citizens with developmental disabilities. The comments below focus on three areas of the proposed rules: Individual Education Plan monitoring; Unique Learning Needs; and Student-Generated Bonuses. In each area, we offer specific recommendations based on our conversations with Tennesseans who experience disability, including parents of school aged children and special education teachers appointed by the Governor to our Council.

1. Individual Education Plan (IEP) monitoring provisions

We applaud the proposal to begin monitoring Individual Education Plans in § 0520-12-05-.04(5)(a) et seq. and offer the following recommendations to strengthen the rules in this area:

- **Specify in rule that monitoring will focus on accountability for both adequate service provision and learning in the Least Restrictive Environment (LRE).** We affirm the intent for funding under TISA to generate truly individualized supports for students with disabilities and in the LRE, rather than unintentionally incentivizing segregation. This came up as a major concern among the disability community during legislative session. Preserving a student's right to LRE, even as schools can earn more funding as student services increase, will require constant monitoring and adjusting. At the same time, monitoring IEPs must ensure that additional funding generated by students with disabilities is used for the services they need. Accountability for special education funding was the most common point of feedback we received when preparing for this public comment period. Designing IEP monitoring to focus on both providing robust, individualized services and maximizing learning in the LRE will be critical.

- **Specify in rule that IEP monitoring will include feedback from parents and students.** We routinely hear from parents that either they cannot get a school to add a service to their child's IEP or that their child is not receiving a service that is already in their IEP. The Department should include opportunities for parents to share these stories as part of the IEP monitoring process.
- **Specify in rule that the Department will publicly share the IEP monitoring plan and annual results, including information about corrective action plans.** A publicly available and rigorous monitoring process that includes consequences for noncompliance will help build trust and confidence among students with disabilities and their families. Public transparency with monitoring processes will also help ensure continuity over time as administrations change.

2. Unique Learning Need categories

We support the disability groups within TISA's Unique Learning Need (ULN) categories but know that experience is needed to determine the accuracy of those categories and associated funding. We offer the following recommendations to clarify the rules in this area:

- **Specify in rule that the Department will routinely examine and adjust ULN amounts and definitions to align with student needs.** The ULN categories are the most significant source of funding for special education services under the new TISA model. As written, ULNs are based on either the number of hours of special education services received or specific categories of services a child receives. We have listened to concerns about students who need to generate funding for their supports but do not fit into these categories – for example, through 504. Because TISA is a new, untested model, routine examination and adjustment will be critical to ensuring enough money is generated for the full scope of services students need to succeed. We recommend working in consultation with disability advocates to understand the impact of these ULN categories over time. To reinforce an earlier point, we recommend reviewing ULN bonuses against IEP monitoring data to ensure students are learning in the LRE.
- **Clarify the use of the word “each” in § 520-12-05-.04(e).** Our understanding is that “each” means a student can be eligible to receive bonuses from multiple ULN categories. If that understanding is correct, this should be stated clearly. If our understanding is not correct, the rules should be amended so students are eligible for multiple bonuses OR the alternative ULNs should be separated so that types of services and service hours are not mutually exclusive.

3. Student-generated bonuses

We applaud the creation of student-generated bonuses intended to reward high quality educational outcomes. We are concerned that the metrics used are not designed to assess outcomes, so we offer the following changes to the current rules:

- **Redesign alternative assessment bonuses to reward year-over-year growth in accordance with the student’s IEP goals.** Alternate assessments in lieu of TCAP testing are primarily designed to assess a student’s year over year growth, rather than to provide a one-time snapshot of a student’s academic progress relative to their peers. Providing bonuses for growth aligns the reward with the intent of the metric.
- **Add metrics that capture positive transition outcomes for students with disabilities, including the addition of measuring Indicator 13.** The second category of student-generated bonus applies to post-graduation outcomes for students. The current indicators are not designed to capture some of the most important factors in post-graduation success. We recommend shifting to focus on the transition tools and experiences students need during the critical transition period to adulthood – regardless of their post-secondary outcome captured in Indicator 14.
- **Add occupational diplomas to the graduation rate for the purpose of the post-graduation outcomes bonus.** While we recognize and applaud the benefits of the alternate academic diploma, we continue to believe that an occupational diploma represents the best path toward independence and employment for some students. Schools should have an equal incentive to support a student in every academic option.
- **Clarify the definition of “student with a disability” in sections discussing student-generated bonuses.** We recommend the Department work with disability advocates to clarify a definition. We are tentatively reading it to mean a student in any Unique Learning Need category, which we would support.

Thank you for considering these recommendations and for engaging us in the stakeholder process leading up to TISA’s implementation. We stand ready to continue consulting and assisting in the future.

Sincerely,



Tacia Puckett Pryor
Smithville, Tennessee
Council Chair



Ryan Durham
Lawrenceburg, Tennessee
Council Vice-Chair



Lauren Percy
Council Executive Director

From: [Beth Andrews](#)
To: [TISA Rules](#)
Subject: [EXTERNAL]
Date: Thursday, July 28, 2022 7:33:57 AM

Good morning. I wanted to comment in regards to the rules. I'm not sure if this is being addressed elsewhere or not. With my specific situation I homeschool my daughter who has multiple disabilities along with a compromised immune system. To my knowledge there is no funding available for such situations even though I have her registered through a legal homeschool organization that reports to the state as well. This is an area that really needs to be looked at, especially since it has grown so much since Covid began. Thank you.

Beth Andrews

From: [Veronica B. Dougherty](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Funding for MNPS
Date: Thursday, July 28, 2022 7:54:52 AM

Good morning.

MNPS educates 8% of students statewide; however, this formula only provides necessary funds at 2% level.

TISA is not fair funding.

Thank you.

Veronica B. Dougherty
2424 Abbott Martin Rd
Nashville 37215

From: [Melinda Birdwell](#)
To: [TISA Rules](#)
Cc: [Melanie Dickerson](#); [Lewis Walling](#)
Subject: [EXTERNAL] Fw: External E-mail -Re: DILP questions
Date: Wednesday, July 27, 2022 3:53:19 PM
Attachments: [Outlook-k4oe3sds.png](#)
[image001.png](#)
[Outlook-v5sysqri.png](#)

Please see the question below.

Thank you,
Melinda



Melinda Birdwell
RTI Coordinator
Robertson County Schools
800 M.S. Courts Blvd.
Springfield, TN 37172
Phone: 615-384-5588 Fax: 615-384-9749
Email: melinda.birdwell@rcstn.net

From: Lisa Coons <Lisa.Coons@tn.gov>
Sent: Wednesday, July 27, 2022 3:50 PM
To: Melinda Birdwell <melinda.birdwell@rcstn.net>; Jennifer Jordan <Jennifer.Jordan@tn.gov>
Cc: Melanie Schultz <Melanie.Schultz@tn.gov>
Subject: External E-mail -Re: DILP questions

WARNING: This message originated outside of Robertson County Schools!! DO NOT CLICK any links or attachments unless the sender is known and content is deemed safe.

Melinda,

These appear to be questions on the draft TISA rule that is undergoing public comment at this time. We have not finalized this real, but I encourage you to ask these questions and provide public comment at:

Comments should be e-mailed to Tisa.Rules@tn.gov or mailed to the following address:

*Tennessee Department of Education, Andrew Johnson Tower, 9th Floor
710 James Robertson Pkwy, Nashville, TN 37243
ATTN: TISA Rules*



Lisa Coons, Ed.D. | Chief Academic Officer
Office of Academics
Andrew Johnson Tower, 11th Floor
710 James Robertson Parkway, Nashville, TN 37243
615.571.6145
Lisa.Coons@tn.gov
tn.gov/education
#TNBestforAll

We will set all students on a path to success

We believe all children should have the opportunity to read successfully, check out our Reading 360 Plan: <https://www.tn.gov/education/reading-360.html> .

From: Melinda Birdwell <melinda.birdwell@rcstn.net>
Date: Wednesday, July 27, 2022 at 3:34 PM
To: Jennifer Jordan <Jennifer.Jordan@tn.gov>
Cc: Melanie Schultz <Melanie.Schultz@tn.gov>, Lisa Coons <Lisa.Coons@tn.gov>
Subject: [EXTERNAL] DILP questions

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good afternoon,

Can you help me with the following questions concerning DILP?

1. The DILP is a document that will be "created by the LEA" according to Chapter definition 14. With over 1000 students in our district that participate in programs that meet the characteristics of dyslexia, who will meet with the parents to set the academic goals, supports, and accommodations?
2. Who will be responsible for keeping these documents at the school level?
3. How will DILP be monitored by the state?
4. Who will be responsible for making sure all goals, supports, and accommodations are being met?
5. With Tier 3 serving 3-5% of our population and Tier 2 serving 10-15%, we will add many more students that will qualify for a DILP by testing on our USC under the 40%tile. Who will track the accommodations for these students?

Thank you so much,

Melinda



Melinda Birdwell
RTI Coordinator
Robertson County Schools
800 M.S. Couts Blvd.
Springfield, TN 37172
Phone: 615-384-5588 Fax: 615-384-9749
Email: melinda.birdwell@rcstn.net

From: [Sam Oerly](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] I oppose TISA
Date: Thursday, July 28, 2022 7:20:46 AM

Hello,

I am writing today to voice my opposition to TISA. The way to improve our public schools is simple. Pay teachers more. Diverting public funds to private hands is wrong and the level of disrespect shown to our teachers is shocking.

Thank you,

Sam Oerly

From: [Rittle-Johnson, Bethany](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] In support of NOAH's TISA recommendations
Date: Wednesday, July 27, 2022 6:48:40 PM

Dear Sir or Madame,

I am a parent of children in a MNPS school and an Educational Psychology professor at Vanderbilt. I am deeply alarmed that the state's current TISA formula would only provide 2% of state funding to MNPS despite it educating 8% of the state's students. The funding formula helps the wealthiest counties in the state. I live in the same county where I work and I send my children to public school because I believe deeply in the power of public education. I urge you to make the suggested revisions below to TISA.

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

DEvery child should read on grade level.

The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.

TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .

NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.

Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.

Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.

Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.

Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH’s position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

NOAH supports funding on true eligibility regardless of certification. We don’t want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.

The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.

Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.

We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH's Talking Points:

The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the “shall” language to ensure annual appropriations are made.

The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.

The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.

It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Bethany Rittle-Johnson
Gotto Chair in Child Development

Professor and Department Chair
Psychology and Human Development Department
Vanderbilt University

From: [Paige La Grone Babcock](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please support NOAH's TISA recommendations!
Date: Thursday, July 28, 2022 6:57:00 AM

Dear Sir or Madame,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules.

Both my husband and I are MNPS teachers, and our child is an MNPS student. We are all in, and care very much for our system's students. They deserve fair funding!

This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

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Every child should read on grade level.

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NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

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most distressed and neediest counties will be awarded a very small percentage of the allocation.

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NOAH’s Talking Points:

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The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.

Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.

We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

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The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.

The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.

It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Thank you,
Paige La Grone Babcock
2798 River Bend Dr
Nashville, TN 37214

Sent from my iPhone

From: [Katherine Stephenson](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please support NOAH's TISA recommendations
Date: Thursday, July 28, 2022 7:43:49 AM

-

Dear Sir or Madame,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. As an MNPS parent of 2 students who has volunteered inside the schools for years, I know how important investing in our schools can be. We all want to see student improvement, but schools cannot do that without proper and equitable funding.

This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

-

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-

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-

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-

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-

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specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their

estimating of the number of qualifying economically disadvantaged students.

- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH’s Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the “shall” language to ensure annual appropriations are made.
- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Thank you,

Katherine Stephenson

From: [Sarah Concepcion](#)
To: [TISA Rules](#)
Cc: [Lillian Hartgrove](#); [Sara Morrison](#); [Robert Eby](#)
Subject: [EXTERNAL] Public Comment on TISA Rulemaking
Date: Wednesday, July 27, 2022 2:13:43 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Dear Tennessee Department of Education and State Board of Education Members,

My name is Sarah Concepcion, and I am a current community advocate. I live in Chattanooga and work at The Urban League of Greater Chattanooga. I am emailing you to share my feedback on the Tennessee Investment in Student Achievement (TISA) proposed rules. Based on my experience, I deeply care about funding reform and resource equity in Tennessee K-12 public schools because it affects the quality of the education and supports that students whom we serve receive, namely Black and Brown students and students from low income backgrounds. Our organization cares deeply about equity in the education system. To us, this means creating a system in which race, ethnicity, disability, and any other characteristic that defines a person are no longer predictors of well-being, access to resources, or educational outcomes. Having a funding formula that addresses student needs with specificity and awareness of systemic barriers is essential. Our students are bright and ambitious. They are our future and deserve equitable access to and utilization of resources.

Here are specific areas of opportunity that I believe will improve the Department's proposed rules:

- **Unique Learning Needs: English Learners**
 - **Differentiate English learner funding based on WIDA Access levels because it matches national best practices, is aligned to our TN ESSA plan, and incentivizes student growth.**
 - **Increase funding for Long-term English Learners (LTELs) to ULN Level 5 because LTELs make up a [too high percentage of ELs at 13% overall, and 41% of ELs in grades 6-12 are LTELs](#). This dire situation [will continue to persist](#) if LTELs are not provided with comprehensive support.**
- **Unique Learning Needs: Students with Disabilities**

- Differentiate funding for students with disabilities based on the skills and abilities listed in their Individualized Education Plan (IEP) or 504.
- This allocation strategy better differentiates funding for students because one hour can cost vastly different amounts based on the type of service. For example, one hour of individual tutoring costs much more than group tutoring.
- [Most states that use a student-weighted funding formula like TISA differentiate based on specific disabilities rather than time. Additionally, Florida bases their funding on students' skills and abilities in their IEP.](#)

- **Outcomes Funding**

- Create consistent additional funding inclusion for students with additional needs (e.g., include English learners at the high school level).
- Implement a unified growth measure across goals and align them to existing growth measures in TN's ESSA Plan.
- Allocate equal percentages across each goal to ensure all goals are prioritized (e.g., 10% for all measures and double funding for students from low-income backgrounds, with disabilities, and English learners).
- Streamline subject areas across elementary and middle school.
- Create one unified goal each for elementary, middle, and high school (e.g., 3rd and 8th-grade math and reading growth and Ready Grad growth).

- **Data Transparency**

- The rules should be clarified to include that the State will:
 - Publicly report all existing and new data used to calculate TISA in a

new combined location, including school, district, state, and federal-level funding and expenditure data.

- **Publicly report data mentioned above in an annual, longitudinal, comparative, transparent, and interactive format, including on the State Report Card, to promote stakeholder transparency.**

For more information, see [The Education Trust in Tennessee's TISA Rulemaking Analysis](#).

Lastly, I want to stress the importance of having a majority of funds being allocated through the base and weights, as opposed to direct and outcomes funding. This will provide more flexibility and stability for districts.

From this past legislative session to the rulemaking process, thank you for taking multiple stakeholder perspectives into consideration. TISA rulemaking presents a critically important opportunity to ensure that students of color, from low-income backgrounds, in rural schools, and learning English are centered in the decision-making process. With that in mind, I hope that you will consider my above comments as you thoughtfully implement this law.

Thank you for working to establish rules that guarantee TISA will provide the best and most comprehensive funding support to meet the individual needs of **all** our Tennessee students.

Sincerely,
Sarah Concepcion

--

Sarah Concepcion (she/her/s)
Senior Advocacy and Research Analyst
Center for Equity and Inclusive Leadership
Urban League of Greater Chattanooga
C: 804-467-7725
E: sconcepcion@ulchatt.net

From: [Ron Heady](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Comments on TISA
Date: Wednesday, July 27, 2022 12:12:32 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

I have serious concerns about the implementation of the TISA process and offer these comments regarding one of the amendments that has been offered:

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

- The goal is a laudable one, but in fact—as an educator in public schools for over 40 years—a more passionate resolution is that **every child should read on grade level.**
- One of the primary reasons Tennessee has not achieved that worthy goal (or even approximated it) is that the state historically underfunds public schools; TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- We should provide the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Ronald Heady
620 Harpeth Trace Drive
Nashville 37221

Sent from [Mail](#) for Windows

From: [Richard Spry](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Equity and Justice in education funding
Date: Monday, July 25, 2022 7:40:23 PM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students. TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .

The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation. Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.

We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels

Richard and Kathryn Spry
2414 Spaulding Circle
Murfreesboro, TN 37128
615-491-5482

From: [Andrea Congleton](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Feedback on CSH Coordinator Request
Date: Wednesday, July 27, 2022 9:26:25 AM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

To whom it may concern:

I am concerned that TISA language does not specifically include a Coordinated School Health (CSH) Coordinator for every school district. Without a qualified coordinator, the CSH funds and the work it accomplishes will be lost in the shuffle. Because of a designated CSH Coordinator focusing all her attention on the Whole Child components, over 1 million dollars has been raised in grants and in-kind donations to provide walking tracks, physical education and physical activity equipment, nursing equipment and supplies, school counselor curriculum, training for school nurses, counselors, PE and Health teachers. This list is only a small glimpse of what the CSH Coordinator has provided to the district. If CSH funds and job responsibilities are not specifically directed and required by TISA legislation, who will be left to do this important work?

Thank you,

Andrea Congleton
Asst. Director of School Nutrition
Rutherford County Schools
2240 B. Southpark Blvd.
Murfreesboro, TN 37128
congletona@rcschools.net
615-893-5812 x22884

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mail:

1. U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
program.intake@usda.gov

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From: [lorraine stallworth](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] I support NOAH's position on the rules
Date: Monday, July 25, 2022 7:59:05 PM

Dear Sir or Madame,

My name is Lorraine Stallworth, zip code 37013

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for

individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.

Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.

- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH’s Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the “shall” language to ensure annual appropriations are made.
- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF

Please consider NOAH's position.

Thank you

From: [Susie Wilcox](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please support NOAH TISA's Recommendations
Date: Tuesday, July 26, 2022 11:22:13 AM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Dear Sir or Madame,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. This summary is intended to provide information about my concerns. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

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NOAH's Talking Points:

- DEvery child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
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NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of

concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

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- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
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NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don’t want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.
- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.
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- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Thank You,
Susie Wilcox

From: [Liza Ramage](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please support NOAH's TISA recommendations
Date: Monday, July 25, 2022 7:48:02 PM

Dear Sir or Madame,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. This summary is intended to provide information about my concerns. Thank you.

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NOAH's Talking Points:

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burden of certifying each student on an individual basis.

- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

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- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

From: [Tom Surface](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please support NOAH's TISA recommendations!
Date: Monday, July 25, 2022 7:52:23 PM

Dear Sir or Madame,
NOAH has submitted detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. I support NOAH's recommendations. A particular concern ...

RE: Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses
Bonuses for performance are appropriate. But, the criteria used to award the bonuses favors LEAs that

- a) already exhibit high achievement
- b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and
- c) are generally more adequately funded.

For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

Achievement should be looked at relative to all students, not just individual success.

Thank you
Tom Surface
Nashville TN

From: [Benita Kaimowitz](#)
To: [TISA Rules](#)
Cc: [benita kaimowitz](#)
Subject: [EXTERNAL] Please support NOAH's TISA recommendations
Date: Monday, July 25, 2022 7:53:05 PM

Dear Sir or Madame,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I support NOAH's concerns and recommendations and therefore I'm sharing NOAH's concerns and recommendations as my own. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.
- Certifying students whose families have not submitted the appropriate paperwork is time consuming and costly. No LEA should be denied essential funding due to the administrative

burden of certifying each student on an individual basis.

- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH’s Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the “shall” language to ensure annual appropriations are made.
- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Thank you
Benita Kaimowitz
Nashville, Tennessee 37205

From: [Sabina Mohyuddin](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Please Support NOAH's TISA Recommendations
Date: Monday, July 25, 2022 7:50:37 PM

Dear Sir or Madame,

NOAH has submitted the following detailed public comments to the TDOE related to its TISA rulemaking process. I am sharing my concerns and recommendations about the rules. This summary is intended to provide information about my concerns. I support NOAH's position. Thank you.

Amendment 1 of HB 2143/SB 2396 – Provision related to third grade reading level expectations

Provision: Within 3 years, requires 70% of LEAs' students to achieve 3rd grade reading level before reaching the 4th grade and 15% improvement on an annual basis during the 3 year window.

NOAH's Talking Points:

- Every child should read on grade level.
- The ability of LEAs to achieve either the 70% 3-year goal or the 15% improvement goal without the appropriate funding is challenging if not impossible, especially for LEAs that are in areas of concentrated poverty or that have a high percentage of economically disadvantaged students.
- TISA provides no funding for literacy improvement, and the recently passed Tennessee Literacy Success Act (TLSA) provides only minimal funding to achieve the goal .
- NOAH strongly recommends the governor invest in providing the resources required to achieve the goal of reading on grade level. Those resources include staff training, consultation, improved student-teacher ratios, etc.
- Tennessee currently has a budget surplus sufficient to allocate funding for achievement of literacy goals.

Section 0520-12-05-.06 of the rules of the TDOE for TISA - Outcome Bonuses

Provision: On an annual basis, the TDOE, with approval of the legislature, can allocate direct funding to those LEAs that achieve specified levels of performance on TCAP scores, ACT scores and/or ReadyGrad indicators. The awards are calculated based on the number of students achieving the specified levels multiplied by a dollar factor that is determined by the available pool of funds appropriated by the legislature. In addition to raw scores, bonuses can also be awarded for individual student score improvement from one year to the next.

NOAH's perspective is that bonuses for performance are appropriate, but the criteria used to award the bonuses favors LEAs that a) already exhibit high achievement, b) are not in areas of concentrated poverty or that have high percentages of economically disadvantaged students and c) are generally more adequately funded. For example, in 2020–21, 77% of Williamson County students achieved the composite benchmark of 21 on the ACT. In contrast, only 48% of Clay County (a distressed county) students achieved the benchmark. The outcome bonus calculation will award Williamson County, with almost 2,400 as its multiplier, a sizable portion of the allocation, while Clay County will receive a minimal bonus based on less than 40 as its multiplier.

NOAH's Talking Points:

- The wealthiest counties in the state will receive the most outcome bonus dollars while the most distressed and neediest counties will be awarded a very small percentage of the allocation.
- Score improvement (individually and schoolwide) should be based on progress toward specified benchmarks.
- Performance measurements should highlight where students have made progress toward benchmarks and where they have areas that need improvement.
- Achievement should be looked at relative to all students, not just individual success.

The definition of “economically disadvantaged”

Provision: One of the key weights in the TISA formula is the number of economically disadvantaged students in an LEA (adds 25% on the base). The definition in the statute is based on free and reduced lunch certification eligibility. NOAH's position is that if certification (not eligibility) is used by the TDOE in its rulemaking definition, the number of economically disadvantaged students will be dramatically undercounted for LEAs like Metro Nashville Public Schools. The disparity may be as large as 30 percentage points and deprive the neediest LEAs of critical funding.

NOAH's Talking Points:

- NOAH supports funding on true eligibility regardless of certification. We don't want to undercount families who choose not to enroll or are unable to enroll in government benefit programs.
- The rules implemented under TISA should include a clear process for LEAs to use in their estimating of the number of qualifying economically disadvantaged students.
- Certifying students whose families have not submitted the appropriate paperwork is time

consuming and costly. No LEA should be denied essential funding due to the administrative burden of certifying each student on an individual basis.

- We recommend using a broader definition that includes other determinants like TennCare enrollment or SAIPE (Small Area Income and Poverty Estimates) data which will more fairly represent true disadvantaged levels.

Application of the “Cost Differential Factor (CDF)” included in Amendment 2

Provision: LEAs that exceed the average statewide cost of living shall/may receive additional direct funding as allocated by the state legislature. Cost of living is based on a comparison of the average of non-government wages of a county vs. the non-government wages statewide. Given Davidson County’s high cost of living, Metro Nashville Schools will be a primary beneficiary of this funding.

NOAH’s Talking Points:

- The statute says the annual allocation shall be made while the early rulemaking language says the allocation may be made. The TDOE must reinstate the “shall” language to ensure annual appropriations are made.
- The rulemaking version using “may” will allow the legislature to avoid making any CDF funding available.
- The TDOE and the legislature should consider an index metric to determine CDF eligibility like the Consumer Price Index (CPI) or CBER to more accurately represent cost of living.
- It is understood that the TDOE cannot change the language in the rulemaking process, but we urge the TDOE and the legislature to amend the statute in the upcoming legislative session to reflect a fairer CDF.

Thank you,
Sabina

From: [Danny Weeks](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] Rules Input
Date: Tuesday, July 26, 2022 9:55:29 AM

1. CTE Programming (pages 13 - 15). How often are these calculations made? LEAs should have at least a four-year cycle for students to move through CTE programs which have been established, and where students have enrolled. Anything less than 4 year cycles would be detrimental to scheduling (and potentially staffing) programs.
2. Charter school funding (page 16) - I believe it is unnecessary to allocate special funding to students who are attending these schools. I do not understand why such schools would generate extra dollars over and above what a traditional public school would.
3. Outcome bonuses (page 16) - Will these funds be distributed to the district, school, or staff? I would prefer districts receive funds and then decide how to distribute them, consistent with the other aspects of TISA.
4. Data submission & appeals (page 23) - For first year, I trust there will be flexibility to ensure accuracy and adjustment to the new processes.
5. Salary for existing educators (page 27) - How are salaries adjusted for other staff (district level, supervisory, instructional coaches, etc.)?

Danny L. Weeks, Ed.D.
Dickson County Schools
615 446 7571
"Blessed Beyond Measure"

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From: [Kelvina Hunt](#)
To: [TISA Rules](#)
Cc: [Commissioner Schwinn](#)
Subject: [EXTERNAL] Student Achievement (TISA) Act - public comment
Date: Wednesday, July 27, 2022 12:03:35 AM

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Dear Commissioner & Department of Education,

As an advocate for children with high cognition and dyslexia, I am very concerned about the 40th percentile requirement imposed by the Rules of the Tennessee Department of Education, under the subheading “Weighted Allocations” (see 0520-12-05-.04 (4)(b) 1(i)(I) I-III). The Rules deny twice-exceptional students access to the interventions guaranteed to them by the 2016 TN Say Dyslexia legislation.

Most students with dyslexia or characteristics of dyslexia are of average to high intelligence, so the fact that the Rules make no provision for the identification of gifted students is **a grave oversight.**

Twice Exceptional

The Rules require a student to fall below the 40th percentile before they can be identified as having characteristics of dyslexia. This “cut score” method is inadequate for identifying characteristics of dyslexia in students with high cognition (i.e. gifted students, also known as twice-exceptional, or 2e students, with characteristics of dyslexia).

Please see the International Dyslexia Associations (IDA) “Gifted and Dyslexic: Identifying and Instructing the Twice Exceptional Student” fact sheet (available here; <https://dyslexiaida.org/gifted-and-dyslexic-identifying-and-instructing-the-twice-exceptional-student-fact-sheet/>), for an explanation of how to identify 2e students with dyslexia or characteristics of dyslexia.

The Rules should be amended to include a fourth point that addresses the identification of 2e students with words to the effect of:

IV. Is a student in any grade who exhibits twice exceptional characteristics including, but not limited to, one **or** more of the following;

- Superior oral vocabulary
- Advanced ideas and opinions
- High levels of creativity and problem-solving ability
- Extremely curious, imaginative, and questioning
- Discrepant verbal and performance skills
- Clear peaks and valleys in cognitive test profile
- Wide range of interests not related to school
- Specific talent or consuming interest area
- Sophisticated sense of humor

and who, **based on National Percentile by growth scores, teacher's observations, and parental input**, demonstrates deficits that are unexpected relative to cognitive abilities in that the student’s skills are lower than their overall ability and are not due to a lack of intelligence.

Whatever formula of words is ultimately decided upon, the formula should adequately provide for the identification of 2e students with characteristics of dyslexia, including those who read at or above the 40th percentile in kindergarten and beyond.

N.B. The formula of words used above is taken, almost verbatim, from IDA Fact Sheet referenced above, I do not claim them as my own.

If the proposed amendment is adopted consideration should also be given to **chapter definition 0520-12-05-.02 (7). Consideration should be given to the following example:**

Characteristics of Dyslexia” (ULN 2) means challenges with accurate and fluent word recognition, spelling, and decoding as a result of deficits in three or more of the following components: phonological awareness, phonemic awareness, sound-symbol recognition, alphabet knowledge, decoding, encoding, or rapid automatic naming, **as identified by the universal reading screening process, or Early Warning System, or student percentile by growth scores, teacher observations and where possible parental input.**

Rationale

Gifted students have dyslexia and characteristics of dyslexia.

Gifted students exhibit characteristics of dyslexia differently from how otherwise typical students exhibit characteristics of dyslexia. (see the IDA fact sheet referenced above).

Gifted students, like all other students with characteristics of dyslexia, are entitled to the protections and provisions granted by the 2016 Say Dyslexia legislation.

The Rules, in their current form, contain no provisions for identifying the characteristics of dyslexia in gifted students.

Gifted students, who are not promptly and correctly identified as having characteristics of dyslexia will be denied the protections and provisions of the 2016 Say Dyslexia legislation.

Gifted students with characteristics of dyslexia will be denied the benefit of early interventions.

Gifted students will be deprived of access to a free appropriate public education because they have characteristics of dyslexia.

Early Interventions

Interventions in grades K-2 can be implemented as dyslexia-specific ELA instruction before the student fails. This will enable gifted students to continue to progress through school at an advanced pace alongside their similarly gifted peers. Later interventions require more intensive remediation and are less effective than early interventions.

The requirement that students, particularly those in grades K-3, test below the 40th percentile will delay the identification of gifted students with characteristics of dyslexia and deprive them of the opportunity to receive early interventions because they may not fall below the 40th percentile until upper elementary.

The current 40th percentile provision (although an improvement on previous provisions) is inadequate for identifying gifted students with characteristics of dyslexia, who appear able to “read” in grades K-2. The 40th percentile provision is an obstacle to the early identification of gifted students with characteristics of dyslexia.

Twice Deprived

Some students with high cognition are never identified as gifted because their unidentified

characteristics of dyslexia hinder their performance on screeners that are not designed to identify “giftedness” in children with dyslexia or characteristics of dyslexia. These children are **twice deprived** because their public education does not address their giftedness or their characteristics of dyslexia.

When the emphasis of instruction shifts from "learning to read", to "reading to learn", these students find themselves increasingly locked out of education. Their characteristics of dyslexia can become so debilitating (even before they fall below the 40th percentile) that they give up on school in the upper elementary grades.

I hope that you will consider the suggested amendments.

Kind regards,

Parent, Teacher & Dyslexia Advocate

From: [FASHA WOODS](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA funding
Date: Monday, July 25, 2022 2:46:06 PM

Hello,

To whom it may concern. I have two kids going to 7th grade. One is a IEP student. I'm interested in knowing more about the TISA funding! Can someone please help me with getting funding for my kids? What's the process and when is the deadline to get funding for this school year (2022-2023)

Thank you,

Fasha Woods
901-484-0963

Sent from my iPhone

From: [Phyllis and Ray Sells](#)
To: [TISA Rules](#)
Subject: [EXTERNAL] TISA rulemaking
Date: Tuesday, July 26, 2022 10:07:53 AM

I am in agreement with the public comments that have been submitted by NOAH (Nashville Organized for Action and Hope) Tennessee must provide funding for literacy improvement - the budget surplus in Tennessee must provide funding to achieve literacy goals. Measurements must be made according to students progress and improvement and not on a set goal established by some outside entity. All of NOAH's comments are to be taken seriously if students are to be successful. Thank you, Phyllis Sells, 836 Kendall Drive, Nashville, Tn. 37209

From: [Penny Schwinn](#)
To: [TISA Rules](#)
Subject: FW: TISA Rules - Ryan Holt comments
Date: Monday, July 25, 2022 4:59:56 PM
Attachments: [image001.png](#)
[image002.png](#)



Penny Schwinn, PhD | Commissioner
Andrew Johnson Tower, 9th floor
710 James Robertson Parkway, Nashville, TN 37243
p: (615) 741-5158
tn.gov/education
[#TNBestforAll](#)
[#Reading360](#)
[#TNALLCorps](#)

We will set all students on a path to success.

Resources for PUBLIC ENGAGEMENT AROUND SCHOOL FUNDING can be found here:

<https://www.tn.gov/education/tnedufunding.html>

Information on Tennessee's FEDERAL RELIEF FUNDING PLANS AND TN ALL CORPS can be found here:

<https://www.tn.gov/education/top-links/esser.html>

Information on Tennessee's READING 360 INITIATIVE can be found here:

<https://www.tn.gov/education/reading-360.html>

From: Ryan Holt <Ryan.Holt@tn.gov>
Date: Sunday, July 24, 2022 at 3:09 PM
To: Penny Schwinn <Penny.Schwinn@tn.gov>, Charlie Bufalino <Charlie.Bufalino@tn.gov>, TISA Rules <TISA.Rules@tn.gov>
Cc: Sara Morrison <Sara.Morrison@tn.gov>, "Michael J. Deurlein" <Michael.J.Deurlein@tn.gov>, "Angela C. Sanders" <Angela.C.Sanders@tn.gov>
Subject: TISA Rules - Ryan Holt comments

Commissioner Schwinn and Charlie:

It was good seeing you both at the SBE Workshop last Thursday. As I promised to Charlie on

Friday, below is a list of my priorities for revisions to the draft TISA Rules:

1. Further clarity in the Rules that districts shall pass along all TISA funds earned by students in public charter schools (PCSs) to the PCSs in which those students are enrolled. That includes:
 2.
 - a. Direct Allocations for PCS students. Rule .05(1)(e) provides that DOE shall disburse direct allocations to authorizers. I read Rule .05(e)(2) as implying that authorizers must then distribute the base, weight, and direct allocations to PCSs, but I would respectfully request that this language make clear that authorizers shall distribute all such funds to PCSs.
 - b.
 - c. Outcome Bonuses for PCS students. Rule .06(1) provides that DOE shall allocate outcome-incentive dollars to districts based on the achievement of PCS students authorized by such districts. I would ask that the Rule make clear that districts shall then pass through all such outcome bonuses to the PCSs whose students earned those funds. Those would be the PCSs in which those students were enrolled in the prior year (i.e., the year for which the outcome bonus was earned).
 - d.
 - e. Cost-differential factor (CDF) funds created by PCS students. Rule .09(2)(a) calculates CDF funds based on TISA allocations generated within a county, including for PCS students in such counties. The intent, as I understand it, is to accommodate the higher costs in those counties. PCSs in those counties are also subject to those higher costs and therefore, I believe, should receive their share of CDF funds. I would respectfully request that the Rules make clear that LEAs must pass through these funds to PCSs located in their counties. (And, because the CDF calculation is done and disbursements are made by county and not by PCS authorizer, the requirement for districts to pass along such funds would include passing them to PCSs authorized by the Charter Commission or ASD that are located in their county.)
 - f.
3. Outcome bonuses: I suggest using a true growth measure for 4th grade or at least credit for moving from "below" to "approaching." Rule .06(3)(b) only gives a bonus for students who move from below "on track," to "on track" or above. That puts a lot of emphasis right on the cut score, which I can understand given the emphasis on ELA proficiency. But, I believe we should also be incentivizing schools to get students from "below" to "approaching" so those students can take that next step.
3. Clarity in the Rules that all data needed to calculate a PCS's entitlement to TISA funding

(e.g., its weights, direct allocation share, outcome bonuses, and CDF share) and related math for each PCS will be published somewhere (e.g., DOE website) so PCSs can know exactly how much they should be receiving and the breakdown. This should help avoid duplicative administrative expense within PCSs and minimize friction between PCSs and their authorizers about the proper amount of funding.

Below are other minor clerical issues mentioned at the Workshop:

1. Clarify that the DOE "shall" disburse CDF funds to LEAs. See .09(1) (the draft says "may")
2. A 3rd grade proficiency extra outcome bonus does not require ED "and" EL. See .05(3)(a)(should be "an" EL)
3. Clarify that a student can trigger a middle school outcome bonus through a combination of growth and proficiency. See .05(3)(d) (currently it says the bonus is triggered by on-track/mastered in 8th grade or "significantly exceeded expected growth in ELA and math"; I think we want to allow for on-track/mastered in one subject and growth in the other subject). Also, I would suggest more clarity on what it means to "significantly exceed expected growth" would be helpful here.

I know that a tremendous amount of work and expertise has gone into TISA itself and these draft Rules. I appreciate your consideration of these comments, which will impact how I plan to vote on the Rules next month.

I would be glad to discuss if helpful.

Best,
Ryan

Ryan Holt | Board Member - 5th District

Tennessee State Board of Education

500 James Robertson Parkway, 5th Floor

Nashville, TN 37243 c. 615-423-9229

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From: [Meghan McLeroy](#)
To: [TISA Rules](#)
Subject: South Central Superintendent Feedback
Date: Monday, July 25, 2022 3:24:10 PM
Attachments: [SC Superintendent Meeting TISA Rules 7.14.22.pdf](#)
[image001.png](#)

Please see the attached feedback captured in a meeting with Superintendents from the South Central region.



Meghan McLeroy | Chief of Statewide Supports
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#TNBestforAll

We will set all students on a path to success.

TISA Rules Feedback Regional Meeting

South Central Superintendent Meeting

July 14, 2022

Participants*:

Bill Heath, Lincoln County Schools
Joey Vaughn, Manchester City Schools
Chad Moorehead, Moore County Schools
Marlon Davis, Wayne County Schools
Charles Lawson, Coffee County Schools
Jacob Sorrells, Marshall County Schools
Vickie Beard, Giles County Schools
Tammy Garrett, Bedford County Schools
Michelle Gilbert, Hickman County Schools

**Comments will be attributed to the speaker to the extent possible.*

Things we like/want to keep:

- Weighted Allocations .04, - It is a strength of TISA that it includes characteristics of dyslexia, not just diagnosed dyslexia to be able to provide supports to those students. (T. Garrett, Bedford)
- Outcome Bonuses .06, (3)(b) and (c) – Like that this is based on TCAP vs. something like statewide NAEP (since it's 4th and 8th grade). This is important to keep. (J. Vaughn, Manchester)
- Outcome Bonuses .06, (3)(c) – Like the growth component in this middle school section, would like that to stay. (T. Garrett, Bedford)

Potential clarifications needed:

- Weighted Allocations .04, (4)(b) – It isn't clear what is meant by a "deficit" or how that is defined (C. Lawson, Coffee), and the TN URS does not require us to assess each of the areas listed in part (II). It's not clear if we do the required components, and then do additional testing on those below the 40th percentile? Would be good to clarify somewhere. (J. Sorrells, Marshall)
- Data Collection, Calculations, and Appeals .10, (5)(b) – It is not clear what is meant by the phrase "inclusive of all student attributes" in this section. (M. Davis, Wayne)
- Outcome Bonuses .06, (1) – Would help to clarify what is meant by "reported at the school level" in this section. Reported to whom and where? (J. Sorrells, Marshall)
- Outcomes Bonuses .06, (3)(d): With regards to this language "...a student who increases his or her ACT score by at least three (3) points between the first ACT and a subsequent ACT..." does that have to be the two tests the state pays for? Or can it be an increase between any number of tests (ex. across 6 tests)? Do the tests have to be taken in junior or senior year, or can it be tests taken earlier (ex. in 8th grade)? (J. Sorrells, Marshall)
- Outcomes Bonuses .06, (3)(d) – Clarify if the ACT score is Superscore or overall score. (J. Vaughn, Manchester)

Suggested revisions or considerations:

- Direct Allocations .05, (1)(b) – Suggest allowing for some kind of appeals process or exception request for programs of study that may be something very niche locally in the community that makes a program higher-demand, or higher-wage that maybe doesn't register in the statewide labor reports. (J. Sorrells, Marshall)

- Direct Allocations .05, (1)(b) – We recognize local TCATs (and community colleges) must be doing some kind of similar data analysis to determine what programs to offer at the TCAT/community college, could there be an additional weight added to the rules for a program of study that aligns to something offered by a local TCAT/community college, or some other way to recognize that alignment? (M. Davis, Wayne & B. Heath, Lincoln)
- Data Collection, Calculations, and Appeals .10, (4) – Would like to see more time to attest to data at the beginning of the year, not initially in August. There is a lot of change occurring in that time and would like more flexibility in these first few months to get it right. Easy IEP doesn't report data for their first extract until maybe September so this further reinforces why additional time might be needed at the beginning of the year. Maybe the first certification could be in October? (J. Vaughn, Manchester & C. Lawson, Coffee)
- Data Collection, Calculations, and Appeals .10, (4) – Would like to receive an initial estimate earlier in the year than April (J. Sorrells, Marshall), perhaps if we attest monthly, we could receive a monthly estimate in return (C. Moorehead, Moore)
- Outcome Bonuses .06, (1) – Suggest the Outcomes Bonus payment be a completely separate payment from the main TISA payment. (J. Sorrells, Marshall)
- Outcomes Bonuses .06, (3)(d) – For districts that don't have a TCAT or other higher ed partners anywhere nearby, it is significantly more challenging to attain this and other similar outcomes. Could there be a way to compensate for that? (M. Gilbert, Hickman)
- Data Collection, Calculations, and Appeals .10, (4) – Student matriculation throughout the year presents a challenge to attesting data on a monthly basis and not having an opportunity to do that later. It sometimes takes quite awhile for transfer paperwork to come from other districts. Suggest allowing districts to do a final attestation at the end of the year prior to appeals (Group consensus)

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.

Joey Vaughn 7/25/2022
 Signature & Date

Joey Vaughn, Director
 Name & Title
 MCS

From: [Meghan McLeroy](#)
To: [TISA Rules](#)
Subject: Upper Cumberland Superintendent Feedback
Date: Tuesday, July 26, 2022 5:13:43 PM
Attachments: [UC Superintendent Feedback TISA Rules.pdf](#)
[image001.png](#)

Please see attached feedback from the Superintendents in the Upper Cumberland region. The first two sections were captured in a group meeting on July 13, 2022. The final section containing questions and feedback was added by the Superintendents in subsequent discussion following the meeting.

Thanks!



Meghan McLeroy | Chief of Statewide Supports
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tn.gov/education
#TNBestforAll

We will set all students on a path to success.

TISA Rules Feedback Regional Meeting

Upper Cumberland Superintendent Meeting
July 25, 2022

Participants:

Diane Monroe, Clay County
Kristi Hall, Fentress County Schools
Kristy Brown, Jackson County Schools
Donnie Holman, Overton County Schools
Diane Elder, Pickett County Schools
Cheryl Cole, Van Buren County Schools
Grant Swallows, Warren County Schools
Kurt Dronebarger, White County Schools

Members not present at the feedback gathering meeting on 7.25.22.

Freddy Curtis, Cannon County Schools
Billy Stepp, Cumberland County Schools
Corby King, Putnam County Schools
Clint Satterfield, Trousdale County Schools
Macon County Schools
Patrick Cripps, Dekalb County

**Comments are attributed to the speaker to the extent possible.*

Things we like/want to keep:

Potential clarifications needed:

- Weighted Allocations .04, (4)(b) – Clarification on the timing of the Dyslexia Individualized Learning Plan would be helpful. That may come in state board rules on dyslexia but it's not clear based on when we give the screener and when a plan could be put in place and how that will impact funding. (K. Brown, Jackson)
- Outcome Bonuses .06, (3)(a) – Would a district receive outcome funding for a 3rd-grade student who does not score “on track” or “mastered” on the end of year TCAP, but DOES score “on track” or “mastered” on the retake opportunity provided through the Literacy Success Act? (C. Satterfield, Trousdale)

Suggested revisions or considerations:

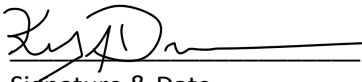
- Weighted Allocations .04, (3)(e) – Suggest that any incoming, first-year English Learner (regardless of what grade they are in) should be funded at a ULN 5. (C. Satterfield, Trousdale)
- Outcome Bonuses .06 (a) and (b) – Would like to see a growth measure for these outcomes as well. (C. Satterfield, Trousdale)
- Outcome Bonuses .06, (3) – Think it makes sense to parallel outcomes funding with the state accountability system. (C. Satterfield, Trousdale & K. Brown, Jackson)
- Outcome Bonuses .06, (4) – Would prefer for Ready Grad to be the main goal for outcome bonuses in high school since it's aligned with our state accountability system. ACT is embedded in the ready grad already so this would collapse them into one. (K. Brown, Jackson)

Questions from the Group

- **When will data for dyslexic students be pulled from SIS?**
- **If a parent declines a dyslexic determination, you cannot claim that student. Correct?**
- **Page 3/#16. Will students be funded based on a free and reduced determination only or must they have another qualifying factor such as migrant, or homeless?**

- Page 3/#19- Will first-year ESL students be funded at the highest level (ULN 5)? It is our recommendation that they should as they likely need more intensive intervention.
- Page 4/#27- When can we expect a chart/ list of the occupations?
- Page/#41 & #42- Could we have safe harbors for barely missing the cut for small & sparse? Say 5%?
- Page8/ "e"- What if an ESL student also has ULN's (ie: SPED)? Are we funded for both?
- Page 12/1a- How is the amount generated for direct allocations? What is the formula?
- Page13- Will they use the most recent TCAP only? No going back to previous years.
- Page15/ 5i- When will the CTE list come out so that we can plan for FY24?
- Page 15- Will middle school classes like Career Exploration be funded under CTE?
- Page15- Define elective credits. Is it any course outside of the declared program of study?
- Page15- Can they have more than one program of study? Dual concentrators?
- Page17- Our concern is that high-performing schools will receive higher rewards than poor-performing schools (\$500) which may have more hindering factors.
- Will the language be changed to read "met and exceeds" rather than on-track & mastered?
- Page 17- Can the bonus measures be better aligned to our accountability measures?
- Page17/ 3b- Can growth be added to ELA and Math in 4th grade?
- Page 17-18/ (f)- Could the requirements be reduced from 3 out of 4, to 2 out of 4? This would seem attainable for many of our districts.
- P24/ #5- What about funding based on the variable start and end dates of different districts. Is there any flexibility for the poor attendance at the end of each semester (ie: semester test days, early graduates, prior approvals, etc.)?
- Can we include funding for 504 students?
- Will eTiger connect to SIS so that programs of study will be recorded for funding?
- Clarifying information can be provided upon request.

I certify, on behalf of the participants in this meeting, that this feedback accurately reflects the discussion that occurred.

 7.26.22
Signature & Date

Kurt Dronebarger- UC SSC Chairman
Name & Title

From: [Penny Schwinn](#)
To: [TISA Rules](#)
Subject: FW: TISA Rules - Ryan Holt comments
Date: Monday, July 25, 2022 4:59:56 PM
Attachments: [image001.png](#)
[image002.png](#)



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<https://www.tn.gov/education/tnedufunding.html>

Information on Tennessee's FEDERAL RELIEF FUNDING PLANS AND TN ALL CORPS can be found here:

<https://www.tn.gov/education/top-links/esser.html>

Information on Tennessee's READING 360 INITIATIVE can be found here:

<https://www.tn.gov/education/reading-360.html>

From: Ryan Holt <Ryan.Holt@tn.gov>
Date: Sunday, July 24, 2022 at 3:09 PM
To: Penny Schwinn <Penny.Schwinn@tn.gov>, Charlie Bufalino <Charlie.Bufalino@tn.gov>, TISA Rules <TISA.Rules@tn.gov>
Cc: Sara Morrison <Sara.Morrison@tn.gov>, "Michael J. Deurlein" <Michael.J.Deurlein@tn.gov>, "Angela C. Sanders" <Angela.C.Sanders@tn.gov>
Subject: TISA Rules - Ryan Holt comments

Commissioner Schwinn and Charlie:

It was good seeing you both at the SBE Workshop last Thursday. As I promised to Charlie on

Friday, below is a list of my priorities for revisions to the draft TISA Rules:

1. Further clarity in the Rules that districts shall pass along all TISA funds earned by students in public charter schools (PCSs) to the PCSs in which those students are enrolled. That includes:
 2.
 - a. Direct Allocations for PCS students. Rule .05(1)(e) provides that DOE shall disburse direct allocations to authorizers. I read Rule .05(e)(2) as implying that authorizers must then distribute the base, weight, and direct allocations to PCSs, but I would respectfully request that this language make clear that authorizers shall distribute all such funds to PCSs.
 - b.
 - c. Outcome Bonuses for PCS students. Rule .06(1) provides that DOE shall allocate outcome-incentive dollars to districts based on the achievement of PCS students authorized by such districts. I would ask that the Rule make clear that districts shall then pass through all such outcome bonuses to the PCSs whose students earned those funds. Those would be the PCSs in which those students were enrolled in the prior year (i.e., the year for which the outcome bonus was earned).
 - d.
 - e. Cost-differential factor (CDF) funds created by PCS students. Rule .09(2)(a) calculates CDF funds based on TISA allocations generated within a county, including for PCS students in such counties. The intent, as I understand it, is to accommodate the higher costs in those counties. PCSs in those counties are also subject to those higher costs and therefore, I believe, should receive their share of CDF funds. I would respectfully request that the Rules make clear that LEAs must pass through these funds to PCSs located in their counties. (And, because the CDF calculation is done and disbursements are made by county and not by PCS authorizer, the requirement for districts to pass along such funds would include passing them to PCSs authorized by the Charter Commission or ASD that are located in their county.)
 - f.
3. Outcome bonuses: I suggest using a true growth measure for 4th grade or at least credit for moving from "below" to "approaching." Rule .06(3)(b) only gives a bonus for students who move from below "on track," to "on track" or above. That puts a lot of emphasis right on the cut score, which I can understand given the emphasis on ELA proficiency. But, I believe we should also be incentivizing schools to get students from "below" to "approaching" so those students can take that next step.
3. Clarity in the Rules that all data needed to calculate a PCS's entitlement to TISA funding

(e.g., its weights, direct allocation share, outcome bonuses, and CDF share) and related math for each PCS will be published somewhere (e.g., DOE website) so PCSs can know exactly how much they should be receiving and the breakdown. This should help avoid duplicative administrative expense within PCSs and minimize friction between PCSs and their authorizers about the proper amount of funding.

Below are other minor clerical issues mentioned at the Workshop:

1. Clarify that the DOE "shall" disburse CDF funds to LEAs. See .09(1) (the draft says "may")
2. A 3rd grade proficiency extra outcome bonus does not require ED "and" EL. See .05(3)(a)(should be "an" EL)
3. Clarify that a student can trigger a middle school outcome bonus through a combination of growth and proficiency. See .05(3)(d) (currently it says the bonus is triggered by on-track/mastered in 8th grade or "significantly exceeded expected growth in ELA and math"; I think we want to allow for on-track/mastered in one subject and growth in the other subject). Also, I would suggest more clarity on what it means to "significantly exceed expected growth" would be helpful here.

I know that a tremendous amount of work and expertise has gone into TISA itself and these draft Rules. I appreciate your consideration of these comments, which will impact how I plan to vote on the Rules next month.

I would be glad to discuss if helpful.

Best,
Ryan

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