








Tennessee

Law Analyzed	Tennessee First to the Top Act of 2010, Public Chapter 70 of 2011, and The Professional Educators Collaborative Conferencing Act of 2011
Date Passed	2010, 2011
Overall Rating	7




Tennessee has passed a series of laws related to teachers and teacher effectiveness over the past two years. The Tennessee First to the Top Act of 2010, signed into law by then-Governor Phil Bredesen (D) as part of the state’s Race to the Top effort, requires annual teacher evaluations based at least 50 percent on student achievement and created a statewide “achievement school district” to turn around low-performing schools (not included in scorecard). Public Chapter 70 of 2011, signed into law by Governor Bill Haslam (R), reforms teacher tenure and allows for dismissal of ineffective teachers. The Professional Educators Collaborative Conferencing Act of 2011, passed and signed in the same legislative session, restricts the scope of teacher collective bargaining in Tennessee. In the 2012 session, the legislature passed legislation to keep teacher evaluation results out of the public record.

Strengths of Tennessee’s teacher effectiveness legislation include a strong evaluation framework and a streamlined process for dismissing teachers who are ineffective. Tenure reform is another area of strength—but would be stronger if the tenure reforms were extended to include teachers who had tenure prior to July 2011. Public Chapter 70 prohibits the use of seniority as a consideration in teacher reductions in force, which would end “last in, first out,” layoffs, but does not specify alternative criteria—another area for improvement. Other areas for improvement include transparent reporting on teacher effectiveness to parents and the public, and preventing students from being taught by ineffective teachers in consecutive years—which none of these laws address.

Tennessee

Criteria	Explanation	Score
Are teachers evaluated at least annually?	Yes.	
Are principals, as well as teachers, evaluated?	Yes. The Tennessee First to the Top Act requires the Teacher Evaluation Advisory Committee to develop guidelines and criteria for annual evaluation of all teachers and principals.	
Is evidence of student learning a factor in teacher evaluations?	Yes. 50 percent of teachers' evaluation must be based on student achievement, 35 percent from TVAAS (where available), and 15 percent from other measures. Other factors in evaluation include prior evaluations, personal conferences, and classroom observation.	
Do evaluations differentiate between multiple levels of educator performance?	Not defined in legislation; adopted regulations include five levels of performance.	
Are parents and the public provided clear information about teacher effectiveness?	The 2010 legislative session passed legislation making teacher evaluations confidential personnel data. The law neither requires nor precludes aggregated public reporting on teacher performance.	
Are educator preparation programs accountable for graduates' effectiveness?	The Tennessee First to the Top Act requires estimates of specific teacher effects to be made available to the teachers' state board-approved teacher preparation programs. Tennessee has established a program report card for every teacher preparation program that includes value-added data for the program's graduates and will incorporate data from evaluations.	
Is tenure linked to effectiveness?	Teachers who did not earn tenure before July 1, 2011 must teach for five years and receive "above expectations" or "significantly above expectations" ratings in the last two of five years in order to receive tenure. Teachers who receive two consecutive "below expectations" or "significantly below expectations" ratings will lose tenure and must earn two consecutive "above expectations" or "significantly above expectations" ratings to have tenure restored. This provision does not apply to teachers who had tenure before July 1, 2011.	

Tennessee

Criteria	Explanation	Score
Does state provide clear authority to dismiss ineffective teachers and a reasonable process for doing so?	Law defines “inefficiency,” as grounds for dismissal, to include evaluations demonstrating performance effectiveness of “below expectations” or “significantly below expectations.” Law also provides an appeal process for dismissal of tenured teachers: A tenured teacher notified of charges for dismissal may request a hearing before an impartial hearing officer. A teacher may appeal the hearing officer’s decision to the board of education. If either the teacher or director of the school is dissatisfied with the board’s decision, they may appeal to the chancery court of the county where the district is located. Review of the court shall be <i>de novo</i> on the record of the hearing officer.	
Is effectiveness, rather than seniority, the primary consideration in reductions in force?	The Professional Educators Collaborative Conferencing Act prohibits school districts from entering into collective bargaining agreements that base personnel decisions on seniority, but does not specify the criteria on which layoffs should be based.	
In cases of teacher excessing, is there a process for teachers to secure new positions through mutual consent, and for those who cannot do so to eventually be discharged from employment?	The Professional Educators Collaborative Conferencing Act prohibits school districts from entering into collective bargaining agreements that base personnel decisions on seniority, including filling of vacancies, assignment to specific schools, positions, professional duties, transfers within the system, reductions in force, and recall. But it does not specify a process for excessed teachers to find new positions through mutual consent or for discharge from district employment of those that fail to do so.	

Tennessee

Criteria	Explanation	Score
Do principals have authority to decide who teaches in their schools?	The law does not explicitly require teacher assignment by mutual consent, nor does it provide for dismissal of teachers who do not gain positions through mutual consent hiring. But different pieces of legislation do 1) prohibit teacher assignment as a subject of collective conferencing, and 2) indicate that state law does not override a school director's (superintendent's) ability to assign teachers to positions based on competence (including evaluations), compatibility, and interests of students.	<input type="radio"/>
Does the law protect students from being consecutively assigned to ineffective teachers?	No.	<input type="radio"/>
Are effective teachers rewarded with increased compensation?	The Tennessee First to the Top Act allows districts to negotiate their own salary schedules; the Professional Educators Collaborative Conferencing Act precludes differentiated or incentive pay from being subject to collective conferencing.	<input type="checkbox"/>