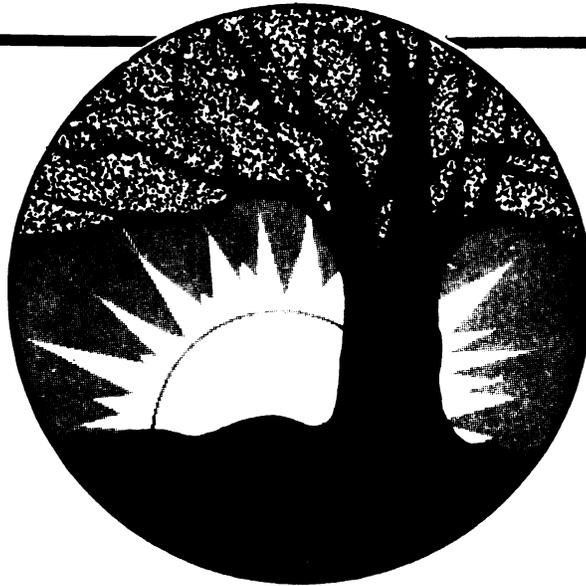


# PERFORMANCE AUDIT

Department of Education  
State Board of Education  
January 2011



Justin P. Wilson  
Comptroller of the Treasury



State of Tennessee  
Comptroller of the Treasury  
Department of Audit  
Division of State Audit

*Arthur A. Hayes, Jr., CPA, JD, CFE*  
Director

*Deborah V. Loveless, CPA, CGFM*  
Assistant Director

*Dena W. Winningham, CGFM*  
Audit Manager

*Jennifer M. Garoutte, CGFM, CFE*  
In-Charge Auditor

*Amy Abbott, CGFM, CFE*  
*Bridget Carver, CFE*  
*Vincent Finamore, CFE*  
*Jim Harrison*  
*LaShanda Mott, CFE*  
*Ricky Ragan, CFE*  
*David Wright, CFE*  
Staff Auditors

*Amy Brack*  
Editor

Comptroller of the Treasury, Division of State Audit  
1500 James K. Polk Building, Nashville, TN 37243-1402  
(615) 401-7897

Performance audits are available online at [www.comptroller1.state.tn.us/RA\\_SA](http://www.comptroller1.state.tn.us/RA_SA).  
For more information about the Comptroller of the Treasury, please visit our website at  
[www.tn.gov/comptroller/](http://www.tn.gov/comptroller/).



STATE OF TENNESSEE  
**COMPTROLLER OF THE TREASURY**  
DEPARTMENT OF AUDIT  
DIVISION OF STATE AUDIT

SUITE 1500  
JAMES K. POLK STATE OFFICE BUILDING  
NASHVILLE, TENNESSEE 37243-1402  
PHONE (615) 401-7897

January 13, 2011

The Honorable Ron Ramsey  
Speaker of the Senate  
The Honorable Beth Harwell  
Speaker of the House of Representatives  
The Honorable Bo Watson, Chair  
Senate Committee on Government Operations  
The Honorable Jim Cobb, Chair  
House Committee on Government Operations  
and  
Members of the General Assembly  
State Capitol  
Nashville, Tennessee 37243

Ladies and Gentlemen:

Transmitted herewith is the performance audit of the Department of Education and the State Board of Education. This audit was conducted pursuant to the requirements of Section 4-29-111, *Tennessee Code Annotated*, the Tennessee Governmental Entity Review Law.

This report is intended to aid the Joint Government Operations Committee in its review to determine whether the department and the board should be continued, restructured, or terminated.

Sincerely,

A handwritten signature in black ink, reading "Arthur A. Hayes, Jr." with a stylized flourish at the end.

Arthur A. Hayes, Jr., CPA  
Director

AAH/dww  
09-030

State of Tennessee

# Audit Highlights

Comptroller of the Treasury

Division of State Audit

Performance Audit  
**Department of Education**  
**State Board of Education**  
January 2011

---

## AUDIT OBJECTIVES

The objectives of the audit were determine the differences in testing and reporting requirements for the diplomas issued in the seven categories of non-public and public schools; determine the status of the information system for teacher licensing; review the databases housed by the department to determine if consolidation would make the department more efficient in reporting; determine the efficiency of the department's information systems help desk tracking system; determine the effectiveness of departmental controls over identifying information of students and parents; determine if the State Board of Education's staff and members regularly sign and update conflict-of-interest forms; determine if appointments made to the State Board are made in a timely manner; determine if the State Board's process for evaluating and approving policies ensures that feedback is considered from multiple sources; determine if the department verifies self-monitoring reports it receives from Local Education Agencies; determine if the department issues certificates of approval for child care programs before ensuring that the program meets requirements; determine the status of the Minority Teacher Report; determine if the Request for Proposal the department issued in June 2009 regarding a centralized strategic plan to offset teacher shortages is sufficient to meet the department's needs; and review the department's Title VI plan to ensure compliance with Title VI of the Civil Rights Act of 1964.

## FINDINGS

### **The Department's Lack of Oversight Over the Child Care Program Hinders Its Ability to Ensure that Child Care Centers Meet Board Standards**

State law requires the department to review and approve child care centers that meet standards set by the State Board of Education.

The department reviews child care centers operated by local school systems or church-related schools and all early childhood programs. We found management of the program exercised little oversight over the staff. This lack of oversight led to inconsistencies in documenting evaluations

among field offices. Without proper oversight, the commissioner cannot ensure that child care centers meet the board standards (page 9).

### **Mistakes by a Contractor and a Department Employee Jeopardize the Department's Compliance With Federal Laws**

The federal Family Educational Rights and Privacy Act requires education agencies to safeguard students' personally identifying information. Two situations occurred during the period of our audit that jeopardized the department's compliance with the act. One was the responsibility of a department contractor and the other was an error by department staff (page 18).

### **The Department Does Not Have a Centralized Process to Verify Local Education Agencies' Self-Reported Data for Annual School Approvals**

Local Education Agencies (LEAs) must comply with many state laws and State Board of Education rules. The LEAs self-report compliance and the department verifies some of the self-reported information. However, there is not a centralized mechanism to ensure the commissioner that LEAs are in full compliance. This leaves the department at risk of approving LEAs that are not in compliance because the Office of School Approval may not be aware of noncompliance found by other divisions and because some rules and laws are not checked by any division (page 21).

### **The State Board of Education Did Not Always Notify the Secretary of State's Office of Board Member Vacancies and Appointments**

State law requires the board to notify the Secretary of State's Office when positions are scheduled to become vacant, become vacant unexpectedly, and when appointments are made. When the board does not send this information to the Secretary of State, the Secretary of State's Office cannot fulfill its duty to publish open appointments, and this lack of information may hinder the timely appointment of members (page 23).

### **The State Board of Education Does Not Require Its Board Members and Staff to Complete Annual Conflict-of-Interest Statements**

Although the board members and staff complete conflict-of-interest statements, the board does not require them to complete a new form every year (page 24).

### **The Department Lacks a Formal Plan to Address Teacher Shortages**

The 2006 audit found the department lacked a centralized, formal strategic plan to address teacher shortages. The department concurred with our finding and responded with a plan for recruitment; however, department staff stated that little had been done with this plan (due to a lack of funding) and the plan was out of date. The department needs to regularly evaluate its teacher recruitment efforts, update its teacher recruitment strategic plan, and use regularly updated, timely data and analysis in order to assess current and potential problems (page 26).

## **OBSERVATIONS AND COMMENTS**

The audit also discusses the following issues: (1) the Department of Education has not prepared an annual report addressing the African-American teacher population as required by law; (2) the partially implemented Teacher Licensing System to provide timely processing of license applications begun in 2006 is still not implemented; (3) board staff appear independent from the Department of Education; however, public input methods could be improved; and (4) the department's internal help desk unit needs a more efficient way of handling work requests (page 32).

**Performance Audit  
Department of Education  
State Board of Education**

---

**TABLE OF CONTENTS**

---

	<u>Page</u>
<b>INTRODUCTION</b>	1
Purpose and Authority for the Audit	1
Objectives of the Audit	1
Scope and Methodology of the Audit	2
Statutory Responsibilities and Organization	2
Revenues and Expenditures	8
<b>FINDINGS AND RECOMMENDATIONS</b>	9
1. The department’s lack of oversight over the child care program hinders its ability to ensure that child care centers meet board standards	9
2. Mistakes by a contractor and a department employee jeopardize department’s compliance with federal laws	18
3. The department does not have a centralized process to verify Local Education Agencies’ self-reported data for annual school approvals	21
4. The State Board of Education did not always notify the Secretary of State’s Office of board member vacancies and appointments	23
5. The State Board of Education does not require its board members and staff to complete annual conflict-of-interest statements	24
6. The department lacks a formal plan to address teacher shortages	26

---

## TABLE OF CONTENTS (CONT.)

---

	<u>Page</u>
<b>OBSERVATIONS AND COMMENTS</b>	32
The Department of Education has not prepared an annual report addressing the African-American teacher population as required by law	32
The partially implemented Teacher Licensing System to provide timely processing of license applications begun in 2006 is still not implemented	32
Board staff appear independent from the Department of Education; however, public input methods could be improved	34
The department's internal help desk unit needs a more efficient way of handling work requests	35
<b>RESULTS OF OTHER AUDIT WORK</b>	36
Comparison of graduation requirements for all seven school categories	36
Implementation of the department's Longitudinal Data System	41
<b>RECOMMENDATIONS</b>	43
Administrative	43
<b>APPENDIX</b>	47
Title VI and Title VII Information	47

# **Performance Audit Department of Education State Board of Education**

---

## **INTRODUCTION**

---

### **PURPOSE AND AUTHORITY FOR THE AUDIT**

This performance audit of the Department of Education and the State Board of Education was conducted pursuant to the Tennessee Governmental Entity Review Law, *Tennessee Code Annotated*, Title 4, Chapter 29. Under Section 4-29-231, the department and the board were scheduled to terminate June 30, 2010, and are currently in wind-down pending legislative action. The Comptroller of the Treasury is authorized under Section 4-29-111 to conduct a limited program review audit of the department and board and to report to the Joint Government Operations Committee of the General Assembly. The audit is intended to aid the committee in determining whether the department and the board should be continued, restructured, or terminated.

### **OBJECTIVES OF THE AUDIT**

The objectives of the audit were to

1. determine the differences in testing and reporting requirements for the diplomas issued in the seven categories of non-public and public schools;
2. determine the status of the information system for teacher licensing;
3. review the databases housed by the department to determine if consolidation would make the department more efficient in reporting;
4. determine the efficiency of the department's information systems help desk tracking system;
5. determine the effectiveness of departmental controls over identifying information of students and parents;
6. determine if the State Board of Education's staff and members regularly sign and update conflict-of-interest forms;
7. determine if appointments made to the State Board are made in a timely manner;
8. determine if the State Board's process for evaluating and approving policies ensures that feedback is considered from multiple sources;

9. determine if the department verifies self-monitoring reports it receives from Local Education Agencies;
10. determine if the department issues certificates of approval for child care programs before ensuring that the program meets requirements;
11. determine the status of the Minority Teacher Report;
12. determine if the Request for Proposal the department recently issued regarding a centralized strategic plan to offset teacher shortages is sufficient to meet the department's needs; and
13. review the department's Title VI plan to ensure compliance with Title VI of the Civil Rights Act of 1964.

## **SCOPE AND METHODOLOGY OF THE AUDIT**

The activities of the Department of Education and the State Board of Education were reviewed for the period July 2006 to February 2010. We conducted this performance audit in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Methods used included

1. review of applicable legislation and policies and procedures;
2. examination of the entities' records, reports, and information summaries; and
3. interviews with department and board staff and staff of other state and federal agencies that interact with the agencies.

## **STATUTORY RESPONSIBILITIES AND ORGANIZATION**

### Department of Education

The Department of Education was created by Section 4-3-801, *Tennessee Code Annotated*. According to Sections 49-1-201 and 49-1-1101, the Commissioner of Education's duties include

- implementing law or policies established by the General Assembly or the State Board of Education and ensuring that these laws and the board's regulations are faithfully executed;
- collecting and publishing statistics and other information about the public school system;

- inspecting and surveying public schools;
- submitting annually to the Governor a detailed report on the condition and progress of public schools;
- revoking licenses of school faculty who are guilty of immoral conduct;
- inspecting, approving, and classifying private schools at their request;
- presenting to the State Board for its action rules and regulations necessary to implement board policies or state law;
- conducting a public information program concerning public schools, subject to the approval of the State Board; and
- inspecting and approving child care centers operated by church-related schools and local school systems.

The Department of Education is organized into the following four divisions that are headed by an assistant commissioner: the Division of Special Education; the Division of Legislation and Policy; the Division of Accountability, Teaching, and Learning; and the Division of Career and Technical Education. The department also has the Division of Resources and Support Services that is headed by the deputy commissioner. In addition, the following offices are under the direction of the commissioner and the deputy commissioner: Audit Compliance, Communication, Constituent Services, the Career and Technical Education Advisory Council, Early Learning, Legal, the Office of Civil Rights, Special Projects, Technology, and Assessment and Evaluation. The following areas also report directly to the deputy commissioner: Research, Planning, and Development; Policy Analysis; and Best Practices. In addition, the field service centers and the Compliance and Auxiliary Coordinators report directly to the assistant commissioner of the Division of Career and Technical Education; and the Governor's Schools and Special Courses report directly to the assistant commissioner of the Division of Accountability, Teaching, and Learning. In September 2009, the department had 1,480 employees located in Nashville and nine field offices (and in three special schools listed in the next paragraph).

The Division of Special Education is responsible for initiating, improving, and expanding special education programs and services to children with disabilities as mandated by state and federal law. Also under this division are the Tennessee School for the Blind in Nashville, the Tennessee School for the Deaf in Knoxville, and the West Tennessee School for the Deaf in Jackson.

The Division of Legislation and Policy includes the following five offices: Instructional Leadership, School Approval, Teacher Education and Accreditation, Teacher Licensing, and Teacher Recruitment and Support. The Office of Instructional Leadership provides training and professional development opportunities for instructional personnel, school system superintendents, and board members. The Office of School Approval monitors district compliance with state laws and State Board of Education rules and regulations related to class-size standards, required professional licensure, and other school components indicative of a

quality school program. The Office of Teacher Education and Accreditation is responsible for the implementation of the approval process that evaluates the professional education units in Tennessee teacher preparation colleges and universities and the state licensure programs offered by those units. The Office of Teacher Licensing is the central agency for application, renewal, and changes to Tennessee teacher and administrator licenses. The Office of Teacher Recruitment and Support is responsible for the Troops to Teachers Program and the Teach Tennessee Program.

The Division of Accountability, Teaching, and Learning is responsible for providing local school systems with leadership and technical assistance in the design, development, and implementation of instructional programs in grades K-12.

The Division of Career and Technical Education is responsible for providing specialized vocational education services to the state's high school students that will prepare them for employment or post-secondary education. The program also provides direction to the Local Education Agencies in establishing and maintaining programs in areas such as agriculture, family and consumer sciences, trade and industry, information technology, marketing, health science, and technology education.

The Division of Resources and Support Services provides support to the department and local school systems. This division includes the following areas: Business Services, Personnel and Human Resources, School Nutrition Services, School Safety and Learning Support, Coordinated School Health, Facilities Management, and Local Education Agencies Support Services. This section maintains the Basic Education Program (BEP) funding formula. This formula is used to calculate K-12 funds for public schools in Tennessee. Within the Comptroller's Office, the Office of Education Accountability is preparing an informational legislative brief that explains the methodology used by the Tennessee Department of Education to calculate funding levels for the BEP. The report will include a written description of the process and an annotated sample worksheet. The brief, which is intended to assist the General Assembly and the public in understanding state-level education funding, will be available by the beginning of the 2011 legislative session.

### State Board of Education

The board's duties listed in Section 49-1-302, *Tennessee Code Annotated*, include

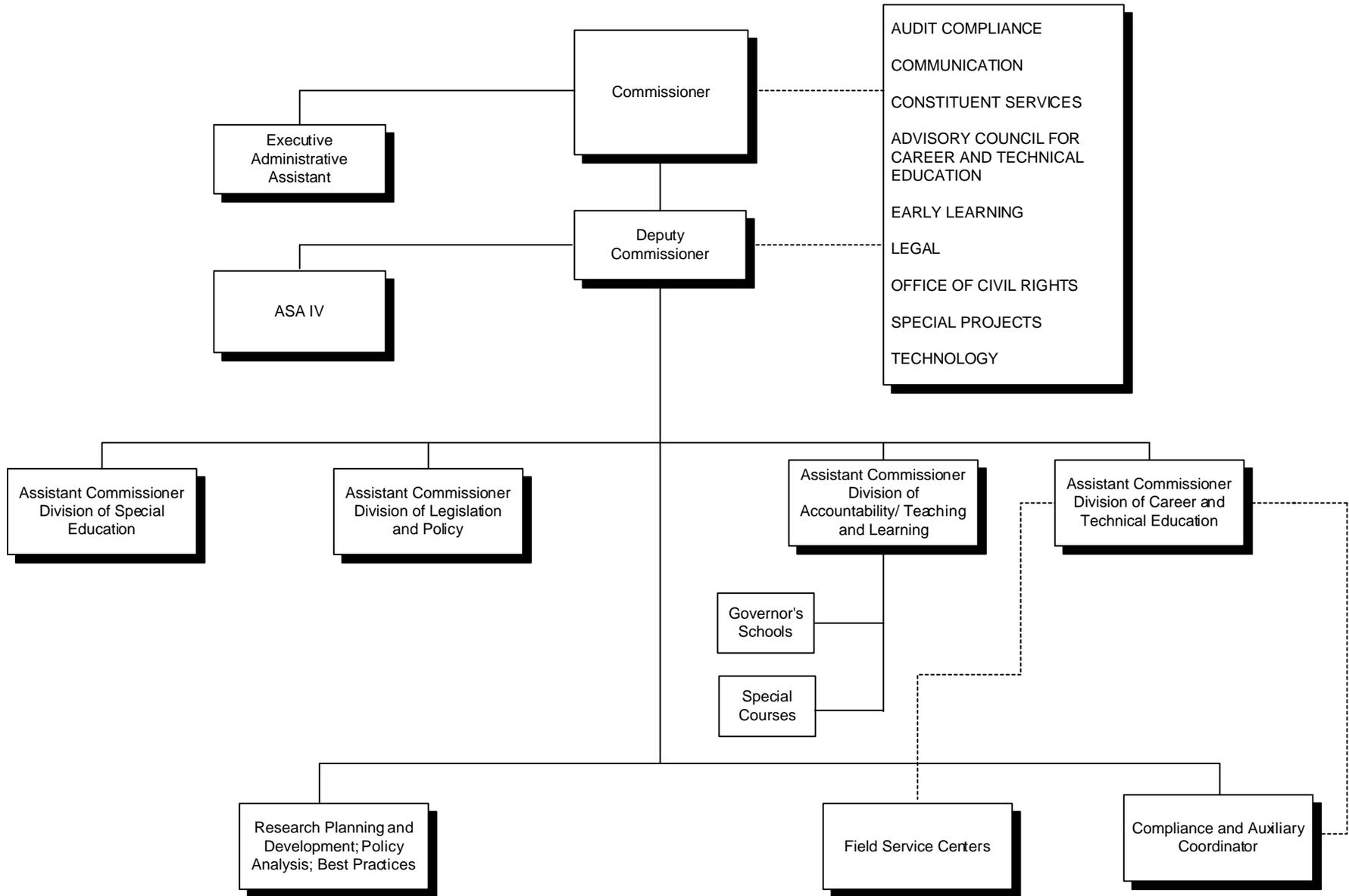
- studying programs of instruction in public schools, analyzing the needs of public schools, and including its conclusions in its annual recommendations to the Governor and General Assembly for the funding of public education;
- setting policies for completing academic levels (elementary, middle, junior high, and senior high school), for evaluating student progress and achievement, for evaluating teachers, and for measuring the educational achievement of individual schools;
- developing a master plan for public education;

- developing and adopting policies and formulas for the fair and equitable distribution of funds for public education and making recommendations regarding the use of the funds;
- adopting policies governing the qualifications, requirements, and standards for (and providing the licenses and certificates for) all public school teachers, principals, assistant principals, supervisors, and superintendents;
- setting policies for graduation requirements;
- setting policies for the review, approval or disapproval, and classification of all public schools;
- setting policies governing all curricula and courses of study in public schools;
- prescribing the use of textbooks and other instructional material based on recommendations of the State Textbook Commission;
- meeting jointly with the Tennessee Higher Education Commission and the Commissioner of Education at least annually to review the expenditures and programs of public education and jointly providing a report to the Governor, the General Assembly, and all public schools and institutions of higher learning and their respective governing boards;
- acting on rules and regulations prepared by the Commissioner of Education in order to implement board policies, standards, or guidelines;
- determining ways and means of improving teacher, student, and school performance and setting policies to accomplish these improvements;
- providing, in association with the Commissioner of Education, an annual report on teacher, student, and school performance to the Governor and the General Assembly;
- developing a professional credentialing program for school principals;
- developing and providing school systems guidelines and criteria for evaluating all certified employees;
- developing and adopting rules and regulations to achieve a duty-free lunch period for all teachers;
- adopting rules, upon the Commissioner's recommendation, permitting local school boards to operate ungraded and/or unstructured K-3 classes;
- adopting rules, upon the Commissioner's recommendation, urging local boards of education to establish goals for recruitment, employment, and retention of African-American teachers; and
- enforcing standards, through the department, for care of children in before- or after-school child care programs.

As provided by Section 49-1-301, *Tennessee Code Annotated*, the board is to be composed of nine members (appointed by the Governor) representing the nine congressional

districts; one high school student appointed by the Governor; and the Executive Director of the Tennessee Higher Education Commission (nonvoting). As of September 2010, the board had an executive director and five other full-time staff members. (See organization chart on the following page.)

# Department of Education August 2010



## REVENUES AND EXPENDITURES

### Statement of Revenues and Expenditures Revenues by Source For the Fiscal Year Ending June 30, 2009

<i>Source</i>	<i>Amount</i>	<i>% of Total</i>
State	\$3,985,391,900	78.7%
Federal	1,029,857,500	20.3%
Other	46,976,000	.9%
<b>Total Revenue</b>	<b>\$5,062,225,400</b>	<b>100.0%</b>

Source: The Budget 2009-2010.

### Statement of Revenues and Expenditures Expenditures by Account For the Fiscal Year Ending June 30, 2009

<i>Account</i>	<i>Amount</i>	<i>% of Total</i>
Payroll	\$87,090,700	1.7%
Operational	4,975,134,700	98.3%
<b>Total Expenses</b>	<b>\$5,062,225,400</b>	<b>100.0%</b>

Source: The Budget 2009-2010.

### Budget and Anticipated Revenues For the Fiscal Year Ending June 30, 2010

<i>Source</i>	<i>Amount</i>	<i>% of Total</i>
State	\$3,927,728,500	76.7%
Federal	1,172,839,200	22.9%
Other	21,792,100	.4%
<b>Total Revenue</b>	<b>\$5,122,359,800</b>	<b>100.0%</b>

Source: The Budget 2009-2010.

---

## FINDINGS AND RECOMMENDATIONS

---

### **1. The department’s lack of oversight over the child care program hinders its ability to ensure that child care centers meet board standards**

#### **Finding**

State law requires the department to review and approve child care centers that meet standards set by the State Board of Education. The department reviews child care centers operated by local school systems or church-related schools and all early childhood programs. We found management of the program exercised little oversight over the staff. This lack of oversight led to inconsistencies in documenting evaluations among field offices. Without proper oversight, the commissioner cannot ensure that child care centers meet the board standards.

#### State Laws and Board Rules Regarding Certificates of Approval

Section 49-1-1101, *Tennessee Code Annotated*, gives the Department of Education “the authority to issue certificates of approval . . . for those child care programs which meet the child care standards of the [State Board of Education], and the commissioner shall be responsible for enforcing the board’s standards for such programs.” Section 49-1-1102(3) defines these child care programs as

. . . any place or facility operated by any person or entity that provides child care for children in a before or after school based program operated by a local board of education pursuant to 49-2-203(b)(11), a public school administered early childhood education program, a church affiliated program operated pursuant to Section 49-50-801, or a federally funded early childhood education program such as a Title I program, a school-administered head start or an even start program, state-approved Montessori school programs and a program operated by a private school as defined by Section 49-6-3001(c)(3)(A)(iii).

The Department of Education does not license child care programs in “child care centers,” “group child care homes,” or “family child care homes” as defined in Section 71-3-501. Those approximately 3,750 programs are regulated by the Department of Human Services.

State Board Rule 0520-12-1-.03 requires that each child care program regulated by the Department of Education receive an annual certificate of approval to continue operations. Criteria for granting such a certificate are

1. the safety, welfare, and best interests of the children in the care of the agency;
2. the capability, training, and character of the persons providing or supervising the care to the children and the use of such judgment by a caregiver in the performance of any

of the caregiver's duties as would be reasonably necessary to prevent injury, harm, or the threat of harm to any child in care;

3. the quality of the methods of care and instruction provided for the children;
4. the suitability of the facilities provided for the care of the children; and
5. the adequacy of the methods of administration and the management of the child care agency, the agency's personnel policies, and the financing of the agency.

State Board Rule 0520-12-1-.07 specifically requires child care workers to have background checks which should be verified during the department's annual evaluation. Section 49-1-1108, *Tennessee Code Annotated*, requires each child care program to submit an annual report by October 1 to qualify for a certificate of approval. This report should consist of

1. identification information;
2. current enrollment figures;
3. self-reporting on mandatory regulations;
4. current certification status; and
5. such additional information as determined by the department.

Department field staff known as child care program evaluators conduct inspections to determine if child care programs meet certificate of approval requirements. According to State Board Rule 0520-12-1-.04, each child care program is required to have at least two visits by the department each year, one of which may be unannounced.

#### Previous Audit Finding

Our 2006 audit found that the department was not documenting that all child care programs met certificate of approval requirements before the certificate was granted. The department concurred with the finding and reorganized and increased staffing levels. The reorganization lowered case loads for the child care program evaluators from 150 schools to 100 schools per evaluator. The 2006 audit noted there were 1,127 programs across the state at that time. At the beginning of our current review, there were 18 evaluators across the state covering 1,737 programs. The 18 evaluators are distributed across the state as follows:

Cleveland – 2  
Columbia – 1  
Cookeville – 1  
Jackson – 2  
Johnson City – 1  
Knoxville – 3  
Martin – 1  
Memphis – 3  
Nashville – 4

## Current Risk Assessment

State departments and agencies are often responsible for programs that cover the entire state. The decentralized administration of programs increases the risk of fraud, waste, abuse, error, inefficiency, and ineffectiveness of the programs. When these risks are combined with the inherent risk of programs that touch the lives of children, it is essential that effective systems are in place to adequately monitor program performance. However, no matter how decentralized a program may be, the ultimate responsibility for its effectiveness and outcomes lies with those individuals who are responsible for assuring the public their tax dollars are being spent appropriately and are achieving the outcomes designed for and promised by the respective programs. These individuals have to put in place a system of oversight and management that will provide the information necessary to make the required assurances with regard to program outcomes and accountability.

To assess the information available for program management review and oversight housed in the Nashville office, we reviewed three school files at the department's central office in Nashville and discovered limited information in the files. To adequately document the certificate of approval process, at minimum, a file should contain an annual report, an annual evaluation form, and an unannounced evaluation form for each year the program was active.

File #1 contained copies of three certificates of approval for years 2007-2008, 2008-2009, and 2009-2010; an undated annual report; a copy of a February 20, 2008, unannounced inspection; and a copy of an October 19, 2006, annual inspection. (A complete file would have included, at minimum, three annual and unannounced inspections and three annual reports.)

File# 2 contained a copy of the 2006-2007 certificate of approval; an undated annual report; a December 13, 2005, annual inspection; and two unannounced inspections dated March 6, 2006, and May 23, 2006. (The master list of programs provided by the department indicated this school was issued a certificate of approval for 2007-2008 and 2008-2009, but these documents were not in the file. For this file to have been complete, it would have included the certificates of approval for 2007-2008 and 2008-2009, three annual and unannounced inspections, and three annual reports.)

File #3 contained certificates of approval for 2008-2009 and 2009-2010; two annual reports; an annual inspection dated April 2, 2008; and an unannounced inspection dated September 13, 2007. (A complete file would have included, at minimum, two annual and unannounced inspections and two annual reports.)

After our initial review revealed piecemeal information in the central office files, we concluded the internal controls were weak, thereby increasing the potential that the department may not be properly monitoring the child care centers. For further analysis of the process, we shifted our review to documentation maintained by child care program evaluators at the regional field service centers.

## Review of 110 Pre-K and Before and After School Programs

To determine if programs were meeting certificate of approval requirements prior to being issued a certificate of approval, we reviewed a randomly selected sample of files in the Cleveland, Columbia, Cookeville, Knoxville, Nashville, and Memphis field offices. Our review included 84 public and 26 private child care programs (out of 1,737 total child care programs). We could not determine if certificates were issued prior to requirements being met because certificates of approval do not have an issuance date and therefore could not be linked to a specific inspection form unless specifically grouped with that form in the files.

We reviewed the annual reports the programs are to submit to the department and the annual and unannounced inspection forms. We found there is no manual or official procedures for staff to follow; however, the general practice involves completing unannounced inspections during the fall semester and annual reports and inspections during the winter/spring semester. The annual reports and inspections are being completed so the certificates of approval can be issued for the next school year. Among the field offices we visited, we found inconsistencies in the way each child care program evaluator completes the inspections and among the forms used for unannounced inspections. We also found general weaknesses in the documentation of the inspections.

### Annual Inspection Forms

The annual inspection form is a four-page carbon-copied checklist of rules and regulations regarding the pre-K and child care program requirements. The form is considered a negative reporting form, which means that the boxes are only checked if there is an incidence of noncompliance. Page one of the form has space to fill in the school name and address, program evaluator name, date, and arrival and departure time. Page one also contains a recommendation line where the evaluator can check annual approval, temporary approval, or deferral and reason. There is a large lined blank area for the evaluator to fill in any findings and a space titled, "Copy Received By," for a school representative to sign the form.

We compared the number of annual inspection forms completed to the number of schools reviewed that received a certificate of approval for each year and found the department is completing 80-90% of the annual reviews each year.

Although boiler plate checklists may provide a degree of consistency between different evaluators, that consistency may come with severe limitations on the substance of the information. A simple checklist may not provide the evaluator (and the person relying on the evaluator) with enough detailed information to give either of them an adequate understanding of the matter being monitored. The use of such simple documents can also facilitate perfunctory reviews, especially when there are considerable time constraints on the evaluator. It may be much easier to just check or, in the case of a negative reporting form, not check off a series of items rather than spend the extra time to write out or type out a narrative that better describes the activities reviewed.

### Specific Issues Found During Sample Review Across State

- The recommendation line of the annual inspection form which indicates if the program is approved was completed on half (51.6%) of the forms we observed.
- The time in/out space on the annual inspection form was rarely used; in fact, it was used on only 18% of the forms we reviewed.
- Some evaluators would make notes on the forms or cross out sections that did not apply to a particular program, which indicated to the auditor an inspection had been completed. Other evaluators would leave pages 2, 3, and 4 of the forms blank.
- In the findings area on page one of the form, many evaluator notes indicated teacher-to-student ratios and whether the fire inspection or environmental inspections had been completed; however, the evaluators did not consistently use this area to list deficiencies or problems noted during their review.
- We found 10 annual inspection forms that were dated as completed on a Saturday or Sunday. Eight of the ten were from the Memphis office.

### Unannounced Inspection Forms

The unannounced inspection form is not a carbon form, and there is more than one version being used by the child care program evaluators. One version is very simple and only lists whether the program is in compliance and has a space for findings, while the other form has a checklist of things the evaluator could review while on site for the unannounced inspection. The schools are required to receive one annual and at least one unannounced inspection per year so it is possible for the schools to receive more than one unannounced inspection and have a higher than 100% completion rate. For the three-year period reviewed (fiscal years 2007 through 2009), the department had completion percentages of 76, 92, and 114%, respectively.

- In Jackson, we found two unannounced inspection forms printed on one page while in other offices, there was only one unannounced inspection form per page. Like the annual inspections, the unannounced inspections had notes about teacher-to-student ratios and whether fire or environmental inspections had been completed.
- We found five unannounced inspection forms completed on a Saturday or Sunday.

With the information above, the auditors questioned whether the inspections were as thorough as intended by the legislature. We also questioned certain activities in one field office. We referred our concerns to the appropriate staff at the Department of Education and submitted our work to the State Attorney General's Office for further review. The results of that review are not included in this report.

Department officials responsible for oversight of the program failed to implement even a simple inventory system of evaluations due and completed by monitor. With today's technology, officials could have required real-time data.

Going forward, the department is working on new forms for the program including a carbon copy unannounced inspection form, training for the evaluators across the state, and communication with schools regarding the inspection process.

### **Recommendation**

The department should implement clear, written policies and procedures for completing inspection forms, obtaining school official signatures, and management's responsibilities regarding review and verification of inspections.

The department should regularly review the adequacy of inspection forms with the evaluators and others involved in the programs to ensure that they are still current and cover any subsequent developments or circumstances that might not have existed at the time the instruments were initially prepared. The inspection forms should be flexible enough to permit the evaluators to add other information that they consider relevant to the overview of the program that is not included in the basic document.

The department should implement an effective system of checks and balances to verify that all evaluations are in fact being completed. The department might also consider the periodic rotation of evaluators. A key control concept is job rotation, so that one person cannot conceal problems from disclosure by having total control over an area of operation.

The department should ensure that each certificate of approval has an issue date and an expiration date. The certificate of approval should also reference an inspection document/date.

The Program Director should make regular visits to the field service centers and attend inspections with the evaluators to ensure the evaluations are thorough. This provides the Program Director the opportunity to observe reviews and provide real-time advice to the evaluators. The Program Director, field supervisor, or other designated department personnel could also randomly visit school sites on dates that monitors are scheduled to be on site to observe their work.

Department officials should ensure that all levels of management and review understand that if they find any problems with any monitoring efforts that suggest records are not accurate or site visits are not being conducted, they are to report such concerns immediately to the commissioner's office. They should also instruct schools to make the same report to the department if they detect any such problems on their end. The commissioner should immediately investigate any such reports he or she receives and share their information with this office pursuant to state law.

The Program Director should also be responsible for regularly reviewing inspection documentation and comparing it to the itineraries submitted by the evaluators.

With regard to the annual reports submitted by the schools, accepting a photocopy of a prior year's form with a copied signature and new date is unacceptable. The department should require school officials to sign a corrected copy of the annual report each year.

The department's Internal Audit Division should regularly review this program to ensure evaluations are being completed at proper intervals and that certificates of approval are being issued in a timely manner.

### **Management's Comment**

The Department of Education concurs in part. The department has developed new training materials to accompany the new announced and unannounced evaluation forms (see following section for more information) and to clarify specific elements such as review of criminal history reports, immunization forms, memorandum of understanding with State Fire Marshall, memorandum of understanding with Department of Children Services regarding child abuse investigations, memorandum of understanding with Department of Human Services regarding Voluntary Pre-K classes in partner agencies, program inspection in private, church-related schools, as defined by Section 49-50-801, *Tennessee Code Annotated*; the Tennessee Early Learning Developmental Standards for programs, birth to age 5; and the School-age Developmental Standards for afterschool programs.

The Department of Education concurs that the four-page carbon (NCR) checklist of rules and regulations was inadequate. The department has revised the forms to display both compliance with specific rules and non-compliance with specific rules. The NCR form copies were of poor quality, difficult to use, and copies were hard to read. In considering the options for developing better forms, it was found that generating NCR forms with more than one copy would yield illegible second and third copies. Therefore, new reliable laptops were issued to each program evaluator. The revised announced evaluation checklist and the revised unannounced evaluation form were installed electronically on the laptop computers distributed to each child care program evaluator. The electronic forms are completed on the laptop computer during the site evaluations. By using the electronic format, evaluators are no longer limited in the number or length of comments regarding the compliance issues found during the evaluation as they were with the NCR forms. The forms are sent electronically to the inspected program/agency and a copy of the electronic form is forwarded to the Office of School-based Support Services in the department. All forms are saved electronically by the department to reduce paper and storage costs. For those programs/agencies that do not have Internet connectivity, a paper copy of the completed form is printed and is mailed to the inspected program/agency. Verification of all site inspections, annual evaluation, unannounced inspection, complaint investigations, and follow-up reviews is established through the completion of the "Verification of Program Review" form. The "Verification of Program Review" form is a hard copy which is signed and dated by the site program/agency director or director designee and signed and dated by the DOE's program evaluator. The "Verification of Program Review" form is maintained in the program evaluator's hard files.

During August 2010, all child care program evaluators were convened for training on the new evaluation procedures and on the importance of maintaining complete, legible documentation. The department plans to continue a regular schedule of staff training for program evaluators.

Further verification of program/agency evaluation is obtained through an electronic log. Monthly, each child care program evaluator submits an electronic log, which provides the names of the programs inspected and the dates of the inspections, to the department's Office of School-based Support Services. As an internal control measure, a sample of programs/agencies listed on each monthly log are contacted to verify the inspection date and to determine if the results/findings of the inspection were clearly communicated. The sample is a random selection of three to four programs from each of the 18 program evaluators' caseloads, completed monthly.

In addition to completion of the evaluation forms, the program evaluator updates program/agency information on the Regulated Adult and Child Care System (RACCS). The Department of Education Office of School-based Support Services is notified when the RACCS data file is updated and data entry is reviewed for verification. The RACCS System was developed and is maintained by the Department of Human Services (DHS). The RACCS data contains information on the programs licensed by DHS and the school-administered programs certificated by the Department of Education. The RACCS generates the annual report for each program/agency based on encoded information on the program/agency's annual report from the preceding year. The annual reports generated by RACCS are not imprinted with a date. The Department of Education does not have authority to alter this system.

Section 49-1-1108, *Tennessee Code Annotated*, requires each program/agency to submit an annual report consisting of identification information, enrollment figures, self-reporting on mandatory regulations, and current status. If programs/agencies elect to use the annual report form, generated by RACCS, to submit as their annual report, the department will request programs/agencies to date and sign the form. If the program uses the generated annual report form to report changes in program operations, the program/agency will verify any corrections by noting corrections on the most current annual report form, date and sign the report, and submit the form to the department. The annual report form submitted must be the most recent annual report generated by RACCS.

The department does not concur with the recommendation that the certificate of approval have an issue date and a termination date, which could force the certification schedule to a specific anniversary date. The Certificates of Approval are issued for the school year, which is clearly stated on the certificate. The issuance of a Certificate of Approval is based upon completion of the department's minimum of two annual evaluations; the completion of a fire safety inspection conducted by the Department of Commerce and Insurance, Division of Fire Safety; and the completion of an environmental health inspection conducted by the Department of Health. Each of these departments has an inspection staff with very large caseloads. To effectively manage the caseloads and to conserve travel costs as much as possible, the inspections are completed based on geographic proximity rather than based on a fixed anniversary date; i.e., the respective fire and/or health inspection may occur at anytime during the

preceding year to qualify for certification of the program/agency. Of note, the department is not empowered to collect fees for the certificate of approval process. Hence, there is no funding source to defray the costs of additional inspectors and their travel expenses required when inspections are scheduled with respect to anniversary date rather than inspecting programs within a common geographic area when in the area. The department is dependent upon the timing and the completion of two other inspections, over which the department has no control, before issuing a Certificate of Approval. The DOE is not opposed to placing a date on the Certificate of Approval when it is signed. However, the DOE does not have revenues to cover the extra travel and extra staff time in three agencies which would be required to conduct individual inspections based strictly on fixed anniversary dates.

The department concurs that the Program Director has been unable to make regular visits to the field service center and accompany program evaluators on inspections. The Program Director has been under restricted travel as have all other DOE employees for the past five years. To conserve state funds, state funded department employees have been on restricted or banned travel. Only the program evaluators have been permitted to travel to inspect programs/agencies, as defined by state law. The Program Director stays in contact with field staff via e-mail communication and frequent phone communication. The Program Director purchased a personal cell phone plan which permits conversations with field staff with no extra costs to the state. As state funding permits, the Program Director will make trips to accompany program evaluators as they inspect programs/agencies for the purposes of observation and providing any needed guidance.

To ensure that all levels of management and review understand that any detected problems with monitoring efforts that suggest inadequate or inaccurate record keeping or site visits are reported to the commissioner's office, information on reporting to the commissioner's office was included in the December 20, 2010, commissioner's memo sent to directors of schools, principals, and supervisors. Information on reporting to the commissioner's office for officials of non-public schools that are monitored by the Office of School-based Support Services was sent out via e-mail on December 21, 2010.

For each month, the child care program evaluators submit via e-mail a log of all program evaluations and technical assistance reviews conducted during the month. The log contains a listing of the dates and location of each inspection and/or review. Staff of the Office of School-based Support Services contacts a random sample of the programs reviewed in that month to verify the evaluation was completed and that the findings were communicated to appropriate program personnel. The program evaluations submitted electronically are correlated with the monthly activity logs on a sample basis.

During January 2011, the Internal Audit Section will start a review of the Office of School-based Support Services to assess timeliness of inspections and to assess the effectiveness of the new controls that have been implemented.

## **2. Mistakes by a contractor and a department employee jeopardize the department's compliance with federal laws**

### **Finding**

The federal Family Educational Rights and Privacy Act (FERPA) requires education agencies to safeguard students' personally identifying information. Two situations occurred during the period of our audit that jeopardized the department's compliance with the act. One was the responsibility of a department contractor, and the other was an error by department staff.

#### Contractor Issue

On December 28, 2008, an error occurred in the operation of a student data management system being tested by Public Consulting Group (PCG), and student (and in some instances parent) information was posted to an insecure Internet website where it could have been found using a Google search. The department contracted with PCG to manage student information. The mistakenly posted information included students' names, addresses, dates of birth, and full social security numbers. In some instances, the parents' names, addresses, and telephone numbers were also posted.

According to the Department of Education, on March 30, 2009, a Metro Nashville Public Schools employee found the information and reported it to PCG, who removed the information. Google was also notified on March 30, 2009, and the information was removed from the Google storage servers on March 31, 2009.

On April 1, 2009, the Department of Education sent a letter to PCG requesting a corrective action plan by April 6, 2009.

On April 6, 2009, PCG submitted a corrective action plan to the department with three steps:

1. Define, control, and correct the immediate situation: As of the date of the plan, the data exposure had been located and resolved by PCG.
2. Develop effective remedies for affected students and their families: PCG provided identity theft and credit monitoring services to all affected students and their families. PCG also notified the national credit bureaus of the issues.
3. Implement controls to ensure this incident does not occur again: PCG implemented new policies and changed its processes in an effort to ensure this problem did not occur again.

On April 13, 2009, the department in conjunction with Metro Nashville Public Schools sent a letter to all parents of students affected by this issue detailing the problem and offering credit monitoring services.

## Department Issue

During the planning phase of our audit, we found that two powerpoint presentations on the department's website used for training purposes showed student names and social security numbers. We notified the department, and one presentation was removed immediately. Six months later, the auditors found the second presentation still on the department's website and notified the department's general counsel. Once the department removed the second presentation from the website, the students and their families from both presentations were notified of the issue and offered identity theft protection. The department paid for credit monitoring packages for families affected, costing the department \$1,757.35. According to a memo sent to the families, the information was potentially exposed from August 2007 to August 2009.

According to the department's general counsel, all department employees receive training on the federal education rights and privacy act regarding personally identifiable student information. The general counsel provided us with copies of training materials provided to employees.

### **Recommendation**

The department should take all necessary steps to ensure the security of student and parents' personally identifiable information. The department should review the U.S. Office of Management and Budget (OMB) Memo 07-16 dated May 22, 2007, which suggests a "breach notification policy" and outlines the following steps to consider in the event of a theft of files or computer equipment, hacking or other intrusion, software or hardware malfunction, inadvertent release of data to Internet sites, or other unauthorized release or disclosure of education records:

- Report the incident to law enforcement authorities.
- Determine exactly what information was compromised, i.e., names, addresses, SSNs, ID numbers, credit card numbers, grades, and the like.
- Take steps immediately to retrieve data and prevent any further disclosures.
- Identify all affected records and students.
- Determine how the incident occurred, including which school officials had control of and responsibility for the information that was compromised.
- Determine whether institutional policies and procedures were breached, including organizational requirements governing access (user names, passwords, PINS, etc.); storage; transmission; and destruction of information from education records.
- Determine whether the incident occurred because of a lack of monitoring and oversight.
- Conduct a risk assessment and identify appropriate physical, technological, and administrative measures to prevent similar incidents in the future.

- Notify students that the U.S. Department of Education’s Office of Inspector General maintains a website describing steps students may take if they suspect they are a victim of identity theft at [www.ed.gov/about/offices/list/oig/misused/idtheft.html](http://www.ed.gov/about/offices/list/oig/misused/idtheft.html) and [www.ed.gov/about/offices/list/oig/misused/victim.html](http://www.ed.gov/about/offices/list/oig/misused/victim.html).

The department should also consider penalties for contractors who violate contract terms that put student data at risk and jeopardize the department’s compliance with the Family Educational Rights and Privacy Act.

### **Management’s Comment**

The department concurs that two situations occurred during the period of the audit that jeopardized the department’s compliance with the federal Family Educational Rights and Privacy Act (FERPA) that requires education agencies to safeguard students’ personally identifiable information. One situation was caused by a contractor error, the other was caused by the error of a department employee.

As stated in the audit finding, the department took action in both of the above referenced situations to minimize the risk to the parties involved by facilitating credit monitoring services. In addition, the department conducted a detailed FERPA training on January 22, 2010, for all employees whose job responsibilities require them to work with personally identifiable student and staff information. The training included a review of employee obligations regarding any information deemed confidential under state or federal law and incorporated steps on how to protect the integrity and confidentiality of such information. This training was a review of part of the required training all department employees receive when they are first hired.

As part of the department’s continued efforts to ensure breaches of confidential information do not occur, and to minimize the risks should it happen, all new contracts now include the following clause:

*Disclosure of Personal Identity Information. The Contractor shall report to the State any instances of unauthorized disclosure of confidential information that come to the attention of the Contractor. Any such report shall be made by the Contractor within twenty-four (24) hours after the instance has come to the attention of the Contractor. The Contractor, at the sole discretion of the State, shall provide no cost credit monitoring services for individuals that are deemed to be part of a potential disclosure. The Contractor shall bear the cost of notification to individuals having personal identity information involved in a potential disclosure event, including individual letters and/or public notice.*

The department will also be proposing to the new administration the adopting of a new Confidential Information Policy, which will incorporate the breach notification action steps listed in the U.S. Office of Management and Budget (OMB) Memo 07-16.

### **3. The department does not have a centralized process to verify Local Education Agencies' self-reported data for annual school approvals**

#### **Finding**

Local Education Agencies (LEAs) must comply with many state laws and board rules. The LEAs self-report compliance, and the department verifies some of the self-reported information. However, there is not a centralized mechanism to ensure the commissioner that LEAs are in full compliance.

The Office of School Approval monitors LEAs' compliance with state laws and the State Board of Education rules and regulations related to class-size standards, required professional licensure, and other school components indicative of a quality school program. The Office of School Approval uses the "Report of School System/School Compliance" in the annual approval process and requires the Director of Schools and a School Board Chair to sign a form including the following statement: "I certify that the school system is in compliance with Tennessee statutes. I certify that the school system/school is in compliance with the State Board of Education rules and regulations except for those items listed below for which a compliance plan has been given." The form goes on to list some but not all state laws and state board rules applicable to Local Education Agencies.

We asked department officials who verifies that the LEAs' self-reported information is accurate and found that there is not one centralized process to verify the self-reported information. Different areas are responsible for different aspects of ensuring that LEAs are in compliance with laws and rules, but there is not one centralized place that determines overall compliance. This leaves the department at risk of approving LEAs that are not in compliance because the Office of School Approval may not be aware of noncompliance found by other divisions and because some rules and laws are not checked by any division.

Since different areas of the department are responsible for ensuring compliance with individual aspects of laws and rules, most information/evidence necessary to prove compliance should already be available in departmental records.

#### **Recommendation**

The commissioner should direct officials in the Office of School Approval to devise and implement a process for verifying the LEAs' self-reported data. The process should include procedures to provide a transparent and simple method for the office to be able to quickly ascertain if a local school agency is in full compliance with all requirements. The process should include features to automatically alert officials when an LEA is out of compliance. Care should be taken to coordinate all verification efforts to avoid unnecessary duplication of efforts.

The department's Division of Internal Audit should randomly select a sample of LEAs each year and review departmental records to ensure compliance with state laws and board rules.

The Division of Internal Audit should also review any and all areas not verified by other divisions of the department. One example would be reviewing LEA policies to ensure all statutorily mandated policies have been implemented.

### **Management's Comment**

We concur. Local Education Agencies (LEAs) must comply with many state laws and board rules. The LEAs self-report compliance, and the department verifies the self-reported data within the Office of School Approval and appropriate divisional areas.

On August 26, 2010, the following departmental offices/program areas met to discuss streamlining our process for monitoring and collecting LEA compliance data:

Office of Legal Counsel  
State Board of Education  
Non-Public and Home Schools  
Attendance  
Special Education  
School Approval

The results of this meeting produced a revised compliance report including a list of helpful links:

- New public chapters from the most recent legislative session
- New and pending state board of education rules
- State Board of Education frequently asked questions
- *Tennessee Code Annotated*
- School Approval webpage
- Non-exhaustive list of state laws applicable to Category I non-public schools

Each program area is responsible for monitoring areas of noncompliance as applicable laws or state board of education rules and regulations and funding apply. Field Service Center staff and program coordinators also conduct regular scheduled monitoring district site visits pertaining to compliance regulations.

Subject to the approval of the newly appointed administration, we will assign a designated liaison from each division for the purpose of reporting any quarterly noncompliance issues (March, June, September and December) to the School Approval Office. School Approval will be responsible for follow-up communication via e-mail and/or letter to the local education agency regarding areas of noncompliance and their plan for resolving any compliance issues within a timely manner. This documentation will be maintained in the School Approval Office for future reference. The department's Internal Audit Section will devote additional staff time to assessing LEA compliance with state education laws, rules, and regulations.

#### **4. The State Board of Education did not always notify the Secretary of State's Office of board member vacancies and appointments**

##### **Finding**

State law requires the board to notify the Secretary of State's Office when positions are scheduled to become vacant, become vacant unexpectedly, and when appointments are made. When the board does not send this information to the Secretary of State, the Secretary of State's Office cannot fulfill its duty to publish open appointments, and this lack of information may hinder the timely appointment of members.

Ten of the 11 State Board of Education members are appointed by the Governor. The executive director of the Tennessee Higher Education Commission is an ex officio, nonvoting member of the board. Per the Assistant to the Governor for Boards and Commissions, the Governor makes an appointment to the board when a vacancy exists. The Governor's Office then contacts the nominee for acceptance and willingness to serve on the board. If the nominee accepts the nomination, the Governor's Office mails a packet that includes an oath of office, information form to complete, an appointment letter from the Governor, and a certificate for the nominee. The nominee is instructed to have the oath of office notarized and mail it back along with the information form. The form must be received to make the appointment official. The Governor's Office issues a press release after all appointees have accepted and returned the oath and information form. A copy of the oath of office and the information form are sent to the board and the Secretary of State.

Section 10-7-605, *Tennessee Code Annotated*, also known as the Open Appointments Act, requires that the Secretary of State's Office be notified at least 45 days before a board member's term expires. If an unscheduled vacancy occurs, the Secretary of State's Office must be notified within 15 days after the vacancy occurred. The office must also be notified within 15 days after an appointment is made.

We reviewed the notices of vacancy and appointment maintained by the State Board of Education and Oaths of Office, appointment letter, and information form maintained by the Governor's Boards Office for the years 2006 through 2009.

##### Vacancies

There were seven vacant positions that occurred from 2006 to 2009. The board did not submit notices of the vacancies for any of the vacancies. The board should submit vacancy notices within 45 days for scheduled expirations and within 15 days for unscheduled vacancies.

##### Appointments

There were six appointments and one reappointment to the board from 2006-2009. Due to the board's failure to notify the Secretary of State's Office of upcoming term expirations, five of the six appointments were made after the term had already expired. In these five instances, it

took between 3 and 85 days to appoint a new board member. The Secretary of State's Office was also not notified of the reappointment in the time required, resulting in the board being identified as noncompliant by the office. The 2007 student position was filled prior to the expiration of the previous student member.

The board did not submit notices of appointment for four of the appointments. For the other three, notification was sent but later than the required 15 days. Appointees become official board members the day they sign the notarized Oath of Office; for the period reviewed, the Secretary of State's Office was notified by the board of the appointments 78, 106, and 109 days after the appointees officially became board members.

### **Recommendation**

The State Board of Education should submit notification of vacancies and appointments to the Secretary of State's Office within the time frame stated by law. The board should maintain all documentation, including notifications of vacancy and appointment, copy of notarized oath of office, information form, and appointment letter, for all vacancies and appointments to the board. The board should follow up with the Secretary of State's Office if no action is taken regarding appointments.

### **Management's Comment**

The State Board of Education concurs with the finding. Staff will notify the Secretary of State's office 45 days prior to the vacancies.

---

## **5. The State Board of Education does not require its board members and staff to complete annual conflict-of-interest statements**

### **Finding**

The State Board of Education consists of 11 members. Nine of the members are appointed by the Governor, one is a high school junior or senior in high standing, and one is the executive director of the Tennessee Higher Education Commission as an ex-officio nonvoting member.

Prior to July 1, 2007, the board members served nine-year terms. Currently, the appointed members serve five-year terms and may be reappointed. The student member is appointed each year from nominees chosen by the local board of education in each school system at each board's discretion, with no more than one student from each school system being nominated. The chair of the board is elected by the members of the board for a term of four

years and may be reelected. The chair of the board appoints the chair and members of any board committee.

We reviewed conflict-of-interest statements for the board members and staff from 2006 to August 2009.

### Conflict-of-Interest Disclosure

The board's policy requires that conflict-of-interest statements be completed in order to assure that any appearance of conflict of interest is avoided, and in order to ensure that any indirect interests are publicly acknowledged. The board does not require its members and staff to complete the disclosure form annually. Instead, the form should be immediately completed again when the board or staff member's status of any ownership or interest in an entity changes.

Conflict-of-interest statements were not completed by two board members who were appointed in 1999 and 2004. Both served until 2008. Conflict-of-interest statements were not completed by any of the five student members that served from 2006 to 2009, including the current selected student member. The board's administrative assistant stated that she was not aware that the students were also required to complete the statements. In addition, the Executive Director of the Tennessee Higher Education Commission did not complete conflict-of-interest statements for the board. The administrative assistant believed that the ex-officio member's completion of the statement for THEC exempted the completion of the statement for the board. However, a statement should be completed for each separate entity.

Also, five of the currently serving appointed board members have not completed an updated form since 2005 or 2007. The other four have completed a form within the past year. In addition, one staff member has not completed an updated form since 2007.

The conflict-of-interest form asks all board members and staff to identify

- any family relationships to employees of the board or any official of any corporation, partnership, sole proprietorship, K-12 public education institution, or other entities which do business with, are licensed by, or are otherwise involved with the State Board of Education;
- employment or professional affiliation with any corporation, partnership, sole proprietorship, association, K-12 public education institutions, or any other entities which are licensed by the board;
- any ownership interest in or membership on the board of any corporation, partnership, sole proprietorship, association, K-12 public education institutions, or other entities that do business with any K-12 public education institution coordinated or licensed by the board;

- anyone in their household or dependents that have any ownership interest in or serve on the board of any corporation, partnership, sole proprietorship, association, K-12 public education institutions, or other entities that do business with any K-12 public education institution coordinated or licensed by the board; and
- receipt of any grants administered by the board.

The form provides a place for an individual's signature, but there is no place on the form for an individual to print his or her name. During the review, one conflict-of-interest form had an illegible signature. The board should consider adding a place on the form where an individual can print his or her name so the signor can be identified.

### **Recommendation**

The State Board of Education should require the completion of conflict-of-interest statements from all board members (including the student member) and staff on an annual basis. The form can be mailed out with an agenda package on an annual basis. The conflict-of-interest statement should include a space for members to print their name as well as a place for their signature. The forms should also be kept on file for audit purposes for three years.

### **Management's Comment**

The State Board of Education concurs with the finding. Staff will ensure that all board members and staff complete a conflict-of-interest statement annually. It is the responsibility of board members and staff to make notice of any changes/revisions during the year.

---

## **6. The department lacks a formal plan to address teacher shortages**

### **Finding**

The 2006 audit found the department lacked a centralized, formal strategic plan to address teacher shortages. We recommended that the department develop a plan and use regularly updated, timely data and analysis in order to assess current and potential problems by location, endorsement, and other significant criteria. We also recommended that the department track its progress in meeting goals, regularly update the plan, and coordinate the efforts of all divisions involved with the plan. We recommended that the plan include goals related to attracting and retaining teachers trained in other states as well as those trained in Tennessee.

The department concurred with our finding and responded with a plan for recruitment; however, in May 2009, department staff stated that little has been done with this plan (due to a

lack of funding) and the plan is out of date. The department administers several teacher recruitment programs. The programs are described in the table below, which shows the number of students enrolled in a program for the 2009-2010 school year and the number of previous and current program participants teaching in a Tennessee school that year.

**Table 1**  
**Department of Education**  
**Teacher Recruitment Efforts**  
**2009-2010 School Year**

<b>Program</b>	<b>Description</b>	<b>Number of Students in a Teaching Program in 2009-2010 School Year</b>	<b>Number of Teachers Employed With Alternate or Full Teaching License in 2009-2010 School Year</b>
Teach Tennessee	State-funded program targeting degreed individuals who wish to teach in high-need subject areas in grades 7-12.	34	124
Troops to Teachers (3T)	Federally funded program to assist eligible military personnel to transition to careers as teachers in high-need schools.	98	548
Become A Special Educator in Tennessee (BASE-TN)	Federally funded program that issues grants to universities for the recruitment of teachers into Special Education Programs. (Multiple schools currently receiving grant funds for recruitment)	358	131
Transition to Teach (T2T)	Federally funded program that targets individuals with bachelor's degrees in math and science to teach high school in eligible districts (UT Martin)	77	71
<b>Effect of DOE teacher recruitment efforts in 2009-2010 school year</b>		<b>567</b>	<b>874</b>

## Teach Tennessee

Teach Tennessee is a state-funded program to assist individuals with bachelor's degrees in specific content areas with obtaining a teaching license. There are two Teach Tennessee Fellows: Governor's Fellows and Commissioner's Fellows.

Governor's Fellows must hold a bachelor's degree and have five years of work experience related to the high-need subject area in which the individual wants to teach. Governor's Fellows must attend a 12-day Teach Tennessee Institute which concentrates on "how" to teach. The individual is responsible for any costs associated with attending this institute; after completing the institute, the individual may seek a teaching position.

Commissioner's Fellows must hold a bachelor's degree in the high-need subject area in which they wish to teach. Commissioner's Fellows must attend a 12-day Teach Tennessee Institute and 8 monthly Saturday sessions; after completing the 12-day institute, the individual may apply for a teaching position.

Upon completion of the Teach Tennessee Institute, both Governor's and Commissioner's Fellows teach with transitional teaching licenses. All Teach Tennessee participants must attend 40 hours of professional development in their first year of teaching. A performance-based Individualized Professional Educator Plan (IPEP) will be written for them following their first and second year of teaching. The IPEP is written by a Department of Education staff member and takes into account the evaluations completed during the school year, a Summative Evaluation completed by the teacher's school administration, a survey from the teacher's mentor, and a look at what standards the teacher did or did not address in the first 40 hours of professional development. The IPEP may require additional college coursework or professional development, the cost of which would be the individual's responsibility.

In June 2009, the department issued an RFP for a "Statewide Media Campaign to Recruit Qualified Persons for the *Teach Tennessee* Teacher Licensing Program." According to the RFP, there is a shortage of trained teachers in Tennessee. The RFP resulted in a three-year \$689,375 contract with Media Cross, Inc., which began in December 2009.

As of June 2010, Media Cross has held focus groups, run newspaper ads in major markets in Tennessee, and recorded and played a media ad of the Governor speaking about the Teach Tennessee program. In fall 2010, Media Cross will have a television advertisement ready, billboards will be up across the state, and there will be more newspaper advertisements. According to the Executive Director of Teacher Recruitment and Support, the contract with Media Cross was to focus on Teach Tennessee, but the overall objective is to get all people interested in teaching in Tennessee.

## Troops to Teachers

Troops to Teachers is a federally funded program to assist eligible military (including Guard or Reserve) personnel in transitioning to a new career as a public school teacher in high-need areas and subjects. Eligible individuals qualify for up to \$10,000 in assistance from stipends and bonuses.

Stipends of \$5,000 are available to reimburse costs associated with becoming certified to teach. Stipend recipients must agree to teach for three years in a school located in a “high-need” district.

Bonuses of \$10,000 are available to those who agree to teach for three years in a school that serves a high percentage of students from low-income families.

The director of Tennessee’s Troops to Teachers program is directly involved with recruiting individuals into the program. The director makes monthly visits to the “Operation Stand Down” veterans transition center in Nashville and travels to colleges/universities, K-12 schools, and military posts to market the program and recruit seminar speakers for the Semi-Annual Teaching as a Second Career Seminar.

The Teaching as a Second Career Seminar provides information on assistance available and requirements to become a teacher. The seminar is held several times a year with participation from local elementary, middle, and high school principals, regional college representatives, and transitioning military personnel. The seminars in December 2009 and April 2010 reached a total of 93 transitioning military personnel. Currently, the seminars are held in Memphis and Clarksville; however, there are plans to add a third seminar location in East Tennessee in early 2011.

## Become A Special Educator in Tennessee (BASE-TN)

The BASE-TN program is federally funded and provides limited financial assistance to professional personnel who desire to work in programs for the education of children with disabilities. The purpose of the program is to supplement other federal and state financial aid to help professional personnel meet licensure requirements in the area of Special Education. Financial assistance provided by BASE-TN is distributed to colleges and universities that have approved teacher education programs and participate under the BASE-TN guidelines developed by the Department of Education, Division of Special Education, and the Tennessee Interagency Professional Educators Consortium (TIPEC). The colleges and universities determine eligibility and distribute assistance to program participants.

## Transition to Teaching

Transition to Teaching is a five-year federal grant that is awarded to the state based upon partnership with a university. UT Martin is the only Tennessee university that currently recruits

students for Transition to Teaching. Since our last audit, Transition to Teaching has expanded its high-need subject areas and now includes math, science, foreign language, special education, and English language learners. Transition to Teaching reports 106 participants since beginning in 2005-2006.

All four of these programs have similar objectives—to recruit individuals to teach either in a high-risk geographic area or in specific high-need subject areas. In obtaining the information for this objective, the four areas seem to be focused specifically on their own recruitment efforts, creating a siloed effect that makes obtaining information on the state’s recruitment efforts as a whole difficult. While the siloed effect occurs, it is not the fault of the department but the nature of the individual program requirements; however, the department should do its part to ensure all program information is clearly communicated and readily available to potential recruits.

### **Recommendation**

The department should regularly evaluate its teacher recruitment efforts, update its teacher recruitment strategic plan, and use regularly updated, timely data and analysis in order to assess current and potential problems. The department should monitor progress in meeting plan goals and regularly update the plan. Within the plan, the department should include information and goals related to attracting and retaining teachers trained in other states as well as those trained in Tennessee.

### **Management’s Comment**

We concur. The teacher recruitment plan will be revised and updated to reflect current state fiscal constraints. The updated plan will be completed by March 2011, and will be updated periodically. We will also work toward making the department’s website for teacher licensing more user-friendly and centralized for those looking for pathways to obtaining a teacher license.

Below is a summary of some of the significant actions that have been taken to improve teacher recruitment since the 2006 audit:

- The Office of Teacher Recruitment and Support was established to coordinate the department’s teacher recruitment efforts.
- A secure web-based teacher recruitment system was developed that provides a means for Tennessee schools to recruit teachers, and for qualified teachers to learn about openings in Tennessee public schools. The system is set up to allow teaching candidates (from in-state or out-of-state) to submit their background information and resume using the Create-a-Profile process, as well as allowing them to search through jobs that are in the web-based application system. The system was also built to allow district recruiters to submit job postings into the system and search from a database of available candidates. The site is <https://www.k-12.state.tn.us/teachingjobs>.

- The department contracted with Media Cross in October 2009, to develop and implement a strategic teacher recruitment media campaign to:
  - a) increase public awareness of Tennessee’s licensing requirements;
  - b) create an attitude shift about the rewards of a teaching career; and
  - c) provide strong content, knowledge-based, trained professionals to fill the dwindling ranks of Tennessee’s teacher pool, specifically in core academic subjects such as math, sciences, foreign languages and hard-to-staff schools.

Focus groups were held in Memphis, Nashville, and Chattanooga in the fall of 2009 to determine what messages resonated with specific targeted audiences.

- Data on alternative licenses, waivers, and permits granted is compiled and sent to the U.S. Department of Education on an annual basis to determine the shortage areas. The report submitted in 2009 indicated the areas of Special Education K-12 and ESL K-12 were the only areas exceeding the limit of 5% of the total of all FTE teaching positions.
- On December 15, 2008, the State Board of Education adopted a rule that established the new Transitional License, which broadens the opportunities for candidates to pursue teacher licensure as well as streamlining the existing licenses. The new license replaces the current Alternative Type I, Alternative Type II, and Teach Tennessee licenses. A transitional license teacher preparation program is a pathway for talented, committed individuals with at least bachelor’s degrees to enter the teaching profession. Transitional licensure preparation programs may be offered by Tennessee institutions of higher education (IHEs) in partnership with Tennessee Local Education Agencies (LEAs), Tennessee LEAs, education-related organizations in partnership with Tennessee LEAs, and the continuation of the Teach Tennessee program offered by the Department of Education.

---

## OBSERVATIONS AND COMMENTS

---

The topics discussed below did not warrant a finding but are included in this report because of their effect on the operations of the Department of Education and the State Board of Education and on the citizens of Tennessee.

### **The Department of Education has not prepared an annual report addressing the African-American teacher population as required by law**

The department has not prepared a report on the African-American teacher population since November 2006. House Joint Resolution 36 of 1989 requested that an annual report on the status of minority teachers be submitted to the Senate and House K-12 Education Sub-Committees of the Tennessee General Assembly. A shortage of minority teachers in the state was acknowledged in 1987 by the State Board of Education, resulting in the creation of the Tennessee Task Force on the Supply of Minority Teachers.

A report on the status of the African-American teacher population was last completed in November 2006. Responsibility for producing the report is currently assigned to the Director of Textbook Services, who also holds the title of Director of Minority Teacher Retention and Recruitment, within the Department of Education. According to the Director of Textbook Services, the report has not been completed on an annual basis because the information for the report has changed as a result of the Longitudinal Data System. (See Observation regarding Implementation of the Department's Longitudinal Data System on page 41). He also thought that it might be better to do the report every two years, which would not be in compliance with state law or the joint resolution. He stated that the next report would cover two years and would be completed at the end of 2009. However, as of September 2010, the department has not released an updated report.

By not preparing the report, the department is not complying with state law. The department may wish to consult with the General Assembly and the State Board of Education on the department's information needs for decision-making regarding the availability of African-American teachers. Section 49-1-302(a)(13), *Tennessee Code Annotated*, requires the department to provide an annual report on teacher, student, and school performance to the Governor and to the General Assembly no later than February 1 of each year. The department could consider incorporating the minority teacher data into this report.

### **The partially implemented Teacher Licensing System to provide timely processing of license applications begun in 2006 is still not implemented**

A license is required to be employed as a teacher, principal, or administrator in a Tennessee school. Prior to issuing a license, the department verifies that license applicants meet

all educational, teacher preparation, and national examination requirements necessary to receive a teacher license. The 2006 performance audit found the department did not have an adequate system for monitoring licensing processing activities. At that time, the department responded that updated software, the Multi-Agency Regulatory System (MARS) was under development with a projected start date of October 2006. However, the contract with the software developer was cancelled in 2009, and the department is developing a new system. Management needed the new system for timely processing of teacher license applications.

In June 2005, the Department of Education became part of the MARS Request For Proposal (RFP). The RFP was originally issued by the Office for Information Resources (OIR) to help four state agencies manage licensing data (the departments of Education, Commerce and Insurance, Health, and Financial Institutions). For the Department of Education, the system was to manage teacher licensing data. In June 2006, OIR awarded a contract to System Automation Corporation (SAC) for its product My License Office, an off-the-shelf multi-agency data system. The system included databases and interface software needed to input and manage information. SAC was scheduled to have MARS implemented for the department's use by November 2006. Implementation occurred in January 2007; but the department reported some post-implementation problems which OIR was working to resolve with the vendor.

Over a year later, in an April 2008 letter to the vendor, OIR required that the Department of Education's system be fully functional by June 15, 2008, and that the vendor provide a firm schedule to OIR regarding the implementation of systems for the Departments of Health and Commerce and Insurance (the Department of Financial Institutions had withdrawn from the project).

In July 2008, OIR determined that the vendor had still not provided a fully operational system. It proposed amending the contract, by shortening its focus to only the system components being implemented by the Department of Education. The vendor called the contract amendment a "partial termination for convenience." In January 2009, OIR determined that vendor was not meeting its obligations and terminated the contract under the "Termination for Cause" section of the contract.

As of June 2009, the department was working with OIR to design and develop a new application; however, until the new system is implemented, the department must still use the database and software supplied by System Automation Corporation. With the cancellation of the contract, department staff lost all technical support for the software from the vendor and must now support the partially implemented software. The contract required that the vendor's source code be placed into an approved escrow account within 15 days of full system implementation; since this system was never fully implemented, the vendor never put the source code in escrow. Access to the source code would reduce the difficulty in making necessary program changes, corrections, and repairs to the partially implemented database and software supplied by System Automation Corporation.

## **Board staff appear independent from the Department of Education; however, public input methods could be improved**

We reviewed the board's methods of getting input before it votes on policy issues, including how it advertises its meetings. The board appropriately relies on the department staff for much information and input; however, it publicizes its meetings only on its website.

### Roles of State Board of Education and Department of Education in Policy Making

Section 49-1-305, *Tennessee Code Annotated*, states that “the state board of education is authorized to employ an executive director and other personnel as it determines are necessary to provide it with staff support.” The staff should be independent of all state government agencies and departments and is subject only to the state board. Section 49-1-305 also states, “For administrative purposes, however, the executive director and staff shall be administratively housed in the department of education. The executive director and staff shall have no responsibility for administering policies, rules or regulations, or the education laws of the state.”

The State Board of Education is responsible for many important tasks to ensure all Tennessee children are prepared for successful post-secondary work, education, and citizenship. Some of the board's responsibilities include studying public K-12 instructional programs; setting policies to evaluate student, teacher, and school progress; developing and adopting policies for fair and equitable distribution and use of public funds; creating policies governing qualifications, requirements, standards, and revocation of teacher licenses; and setting graduation requirements.

The Department of Education is responsible for implementing and ensuring laws and policies established by the State Board of Education or General Assembly. Section 49-1-201, *Tennessee Code Annotated*, states that “the commissioner shall attend all meetings of the state board of education and may speak at such meetings and make recommendations. Any recommendations made by the commissioner shall be made a part of the minutes of such meeting.”

We reviewed the minutes from the 25 board meetings between January 2006 and July 2009. The commissioner presented or commented at two board meetings. There were four meetings where someone who was not an employee of the State Department of Education or State Board of Education presented or commented. From review of the minutes, the board uses the department's staff and knowledge in researching potential rule changes. This seems to be an acceptable practice since the board is administratively attached to the department and the size of the board's staff (six including the executive director) does not allow for full-time policy analysts.

### Public Input and Notification

We asked about how the board provides time for public comments during meetings or how individuals would need to go about being recognized at a board meeting. According to the board's attorney, there is not a designated time period for public comments during the board

meetings. Anyone that wishes to speak before the board must request to do so and be placed on the agenda. There is no public comment period. The attorney also stated that public notices are posted on the board's website. Since the public notices are only posted on the board's website, the number of people from the education community and public who would see the notices is limited.

The State Board of Education may wish to explore other methods of notifying the public of its meetings such as asking local school districts to distribute notices and agendas so more administrators and parents will be aware of the meetings. The board may wish to set aside time at each meeting for public comments.

### **The department's internal help desk unit needs a more efficient way of handling work requests**

The department has two different help desk units. One (external help desk) provides assistance to Local Education Agencies using the department's web-based applications, and the other (internal help desk) provides assistance to department employees. A tracking system for the internal help desk would help the staff respond to requests more efficiently.

The four-member internal help desk group provides desktop support for 1,700 department employees at the Andrew Johnson building in Nashville, 21 remote sites, 9 service centers, and 3 regional resource centers for special education across the state. The support provided includes resolving network access, password problems, replacing or upgrading equipment, installing system upgrades, and providing technical support for department conferences. There is currently not a formal tracking mechanism for the help desk requests. The system in place involves the use of e-mail folders shared by this group's staff. However, the shared e-mail folder process does not take into account any requests received by phone or in person. The internal help desk does not have software capable of producing frequency and timeliness reports. However, the IT Director stated that the staff are aware of each request and the time it is taking to be resolved because of the small group size and because each e-mail folder is reviewed by each staff member repeatedly through each workday. According to the IT Director, two other issues with regard to the efficiency of this group are the IT staff's inability to locate staff in order to gain access to their equipment and being pulled away from one work request to respond to another.

The department should consider a simple tracking software program for internal help desk requests to ensure staff time is used efficiently and requests are dealt with as quickly as possible. The software should, at minimum, be able to log when the request was received, when work was started, and when work was completed. The department may also want to consider policies requiring requests for help from the internal help desks to be in writing and include times the person seeking assistance will be available. The internal help desk staff may also consider implementing a policy of using the groupwise appointment function to schedule appointments with staff to resolve their requests. If a staff person is not available at the scheduled time, the help desk staff could then move on to work the next request.

## **RESULTS OF OTHER AUDIT WORK**

The following topics, reviewed as part of our audit objectives, are included in this report to provide additional information on the activities of the department and Board of Education.

### **Comparison of graduation requirements for all seven school categories**

We reviewed the graduation requirements for public and non-public schools in Tennessee to determine the similarities and differences between the diploma requirements. Effective July 1, 2009, state law required all state and local government entities to recognize diplomas issued by church-related schools and home schools with the same rights and privileges of a diploma issued by a public school. As defined by Tennessee law, a public school is any school operated by a Local Education Agency or by the state with public funds. The law defines a non-public school as a private school, church-related school, or home school. There are seven categories of non-public schools:

- Category I schools are approved and inspected by the state Department of Education.
- Category II schools are approved by a private school accrediting agency which has been approved by the State Board of Education. These schools are church-related schools and must meet standards of accreditation or membership with a state approved denominational, parochial, or other church organization. The approving agency inspects and evaluates the schools.
- Category III schools are approved by the Southern Association of Colleges and Schools (SACS), now AdvanceEd.
- Category IV schools are schools that may be a church-related or independent home school that is recognized but not accredited by the state.
- Category V schools are simply acknowledged for operation and are neither approved nor accredited.
- Category VI schools are international secondary (grades 9-12) schools that are associated with an accredited state university that has a teacher preparation program.
- Category VII schools are special purpose schools for students that require special education or special needs on a temporary basis and are approved and inspected by the state Department of Education.

See Table 2 for a comparison of the graduation requirements between public, non-public, and home schools.

**Table 2**  
**Comparison of Graduation Requirements Between Public, Non-Public, and Home Schools**

	<b>Public Schools</b>	<b>Non-Public Schools</b>					<b>Home Schools</b>	
		Category I	Category II	Category III	Category IV	Category V	Category VII	
<b>Credits</b>	20 total units*	Same as public schools	Must at least meet the same minimum requirements of public schools	Varies, but must meet or exceed state requirements	Varies by school and based on accrediting agency requirements	Same as public schools	Same as public schools	Varies by school
<b>Attendance</b>	Satisfactory record of attendance and conduct. 6.5 hour minimum school days and at least 180 instructional days	Same as public schools	Same as public schools	Varies by school dependent upon accrediting agency, but must meet or exceed state requirements	Same as public schools	Same as public schools	Same as public schools	4-hour minimum per day; 180 days per year; T.C.A. requires students to attend until their 17th birthday
<b>Testing</b>	Competency test - Given in 9th grade for Math and Language Arts - student must answer 70% of test items correctly and can retake if required level of proficiency not met; Gateway exam - Given in 9th grade includes Mathematics-Algebra I, Science-Biology I, and Language Arts-English II and the student must pass all 3 parts	Varies by school	Same as public schools	Varies by school dependent upon accrediting agency	9-12 students administered an annual standardized achievement test or the Sanders Model of value-added assessment, whichever is used by the LEA	Nationally standardized achievement test for 2nd-8th and 10th grade	Same as public schools	Achievement tests in 5th and 7th grade; Take same tests as required in public schools in 9th grade. Students only have to pass Math portion of the Gateway exam.

\* 20 units must consist of 3 Math (including Geometry and Algebra II); 3 Science (including Physical Science and Biology); 4 English; 3 Social Studies; 1 Wellness; and 6 electives, OR a student can satisfactorily complete an individualized education plan for graduation.

We found the category I, III, and VII schools to have similar operations and approvals as public schools, meaning the graduation requirements of students would be similar to those of public school students. Category II schools are approved by a private school accrediting agency and must meet different standards than Category I, III, and VII schools. Category V schools are simply acknowledged as schools and do not have to meet specific standards. Schools operating as category IV schools are recognized but not accredited or approved by the state. State testing and completion requirements are different than those of public schools. The requirements of state approved accrediting agencies can be found on Table 3. The Tennessee Association of Non-public Academic Schools (TANAS), a state accrediting agency, has different requirements for the Category II and IV schools.

**Table 3**  
**State Approved Accrediting Agency Requirements**

Accrediting Agency	Curriculum	Testing	Attendance	Graduation Requirements	Accreditation	Teacher Level of Education
<p><b>Tennessee Association of Christian Schools</b></p>	<p>Determined by the church-related school and cannot be regulated</p>	<p>Schools must test all students each school year with a standardized achievement test, preferably the Stanford Achievement Test</p>	<p>The length of the school year must include 180 days of school, not including pre- and post-in-service training days, professional days, and days missed for inclement weather (state law T.C.A. 49-50-801). Length of the school day should equal or exceed 7 hours per day for 180 days per school year.</p>	<p>The number of high school credits applicable toward a high school diploma must equal or exceed 22 credits of course work in grades 9-12</p>	<p>Schools that have accepted the Association's statement of faith and the establishment of educational practices common to schools of excellence.</p>	<p>The academic qualifications for all classroom teachers should equal or exceed a 4-year college degree in the specialized field of the assigned teaching responsibilities. The academic qualifications for part-time and full-time school administrators should exceed a bachelor's degree with special emphasis on educational administration courses.</p>

### State Approved Accrediting Agency Requirements

Accrediting Agency	Curriculum	Testing	Attendance	Graduation Requirements	Accreditation	Teacher Level of Education
<p><b>Tennessee Association of Non-public Academic Schools (category II)</b></p>	<p>A-Beka, Bob Jones, Alpha Omega, or School of Tomorrow; Each school shall establish a curriculum framework for each subject area, grades K-12. These frameworks shall contain goals and objectives that identify the minimum content required at each grade level. Each curriculum framework must include instructional objectives designed to reach each objective in the framework skills and activities, and an evaluation plan. Each school must establish a six-year cycle for the selection, review, and adoption of textbooks. The following cycle may be adopted or the school may verify its own cycle. Beginning with the school year 1997-1998, the six-year cycle for the selection and adoption of textbooks determines the order of implementation of the curriculum frameworks, grades K-12.</p>	<p>Nationally standardized tests must be given each school year in the areas of Reading, Language Arts, Spelling, Math, Science, and Social Studies. Schools are required to give standardized tests to grades 2, 5, 7, and 9. TANAS strongly suggests that tests be given to each grade level annually. These tests will be required for all Category II schools and all high school home schoolers, whether enrolled in a category II or a category IV school.</p> <p>Beginning with the graduates of 2005, it will be required for graduation, that all students pass three Gateway Tests: English II Algebra I (also for Math for Technology II students) Biology (also for Biology for Technology students) Schools may purchase Tennessee Proficiency and Basic Skills Tests and Gateway tests from DOE.</p>	<p>The length of the school term shall not be less than 180 instructional days. Teacher in-service days, teacher planning, and student orientation days may not be counted as a part of the 180 required days. The minimum length of the school day for students shall be 6 1/2 hours.</p>	<p>The school must certify the attendance and conduct of each student graduating. A unit of credit in high school courses is based on 180 class periods. Course time frames and schedules are at the discretion of each school, subject to TANAS approval.</p>	<p>1) Schools that meet all the rules, regulations, and guidelines promulgated by TANAS; subscribe to the TANAS Statement of Faith; and pay all necessary fees. Agency-approved schools hold the status of state accreditation and may refer to themselves as such. These schools are classified as Category II schools. 2) Schools which are approved or accredited by another association may also join TANAS for the purpose of services offered such as athletic competition, in-service, student activities, and the newsletter. The school must show proof of membership in another association, with said association being recognized in Tennessee State Law or by the Tennessee Department of Education. The applying school must also agree with the TANAS Statement of Faith and pay an annual fee.</p>	<p>Each administrator, principal, and/or teacher must hold a valid certificate. The certificate may be obtained from the Tennessee State Department of Education, from certification programs approved by Departments of Education in other states, or from certification programs recognized by the Tennessee State Department of Education.</p>

## **Implementation of the department's Longitudinal Data System**

We reviewed the department's data systems to determine if the department should consolidate applications to be more efficient. We found the department continuously working to consolidate applications for better flow into its Longitudinal Data System.

In November 2005, the Institute of Education Sciences (part of the federal Department of Education) awarded the department a \$3,670,000, three-year grant to implement a "Longitudinal Data System" (LDS). The intent of the LDS was to capture a 360-degree view of life and educational influences for each student. This data could then be used for decision making at the state, district, school, and teacher levels to improve student learning, stimulate research to increase student achievement, and close achievement gaps.

The state's plan involved three phases:

1. Add summative assessment data to the existing Education Information System (EIS), develop data policies, and implement an agency-wide data dictionary and data inventory.
2. Acquire and implement a business intelligent reporting tool and establish a set of reports which meet agency, legislature, community, and district needs.
3. Acquire and implement a data warehouse to archive data and facilitate longitudinal analysis.

Before the department received the grant, the EIS had been created to store student enrollment and attendance data longitudinally so developing a statewide LDS only required building upon this initial system.

To work through the phases of the plan, the department created a Data Management Committee composed of eight departmental divisions and a representative for the Local Education Agencies for a total of 26 members. The committee meets once a month to discuss data issues. We reviewed meeting minutes from May 2006 to August 2009 and found that the committee is continually discussing, planning, implementing, and managing data-related issues for the department. A few examples of the issues observed were

- standardizing a process for making changes to the data collection process;
- identifying the duplication of collection data among various systems;
- consolidating applications for a more standardized collection process;
- using a different database primary identifier unrelated to the social security number; and
- developing a Data Management Manual for Data Managers describing the roles, responsibilities, and standards set by the committee.

According to the IT Director, although the LDS is generating reports, the data are not being used regularly for decisions, which was the underlying purpose of the system. The Education Information System data are transferred into the LDS, and there are some duplicate data stored by the department. The major difference in the data between the two systems is the timing of when the data are frozen in the LDS. For example, the data from the EIS for school year 2009-2010 will be uploaded into the LDS weekly until August of each year, at which time the department completes the annual yearly progress report (annual report card). While the data from the EIS are not uploaded to the LDS after August, school systems can continue to put information into the EIS until December 31, 2010. The data in the LDS are only updated after August if there are problems identified.

The department should continue regularly assessing its data management needs and use data warehouse information for decision making where applicable.

---

## RECOMMENDATIONS

---

### ADMINISTRATIVE

The Department of Education should address the following areas to improve the efficiency and effectiveness of its operations.

1. The department should implement clear, written policies and procedures for completing inspection forms, obtaining school official signatures, and management's responsibilities regarding review and verification of inspections.

The department should regularly review the adequacy of inspection forms with the evaluators and others involved in the programs to ensure that the forms are still current and cover any subsequent developments or circumstances that might not have existed at the time the instruments were initially prepared. The inspection forms should be flexible enough to permit the evaluators to add other information that they consider relevant to the overview of the program that is not included in the basic document.

The department should implement an effective system of checks and balances to verify that all evaluations are in fact being completed. The department might also consider the periodic rotation of evaluators. A key control concept is job rotation, so that one person cannot conceal problems from disclosure by having total control over an area of operation.

The department should ensure that each certificate of approval has an issue date and an expiration date. The certificate of approval should also reference an inspection document/date.

The Program Director should make regular visits to the field service centers and attend inspections with the evaluators to ensure the evaluations are thorough. This provides the Program Director the opportunity to observe reviews and provide real-time advice to the evaluators. The Program Director, field supervisor, or other designated department personnel could also randomly visit school sites on dates that monitors are scheduled to be on site to observe their work.

Department officials should ensure that all levels of management and review understand that if they find any problems with any monitoring efforts that suggest records are not accurate or site visits are not being conducted, they are to report such concerns immediately to the commissioner's office. They should also instruct schools to make the same report to the department if they detect any such problems on their

end. The commissioner should immediately investigate any such reports he or she receives and share the information with this office pursuant to state law.

The Program Director should also be responsible for regularly reviewing inspection documentation and comparing it to the itineraries submitted by the evaluators.

With regard to the annual reports submitted by the schools, accepting a photocopy of a prior year's form with a copied signature and new date is unacceptable. The department should require school officials to sign a corrected copy of the annual report each year.

The department's Internal Audit Division should regularly review this program to ensure evaluations are being completed at proper intervals and that certificates of approval are being issued in a timely manner.

2. The department should take all necessary steps to ensure the security of students' and parents' personally identifiable information. The department should review the U.S. Office of Management and Budget (OMB) Memo 07-16 dated May 22, 2007, which suggests a "breach notification policy" and outlines the following steps to consider in the event of a theft of files or computer equipment, hacking or other intrusion, software or hardware malfunction, inadvertent release of data to Internet sites, or other unauthorized release or disclosure of education records:
  - Report the incident to law enforcement authorities.
  - Determine exactly what information was compromised, i.e., names, addresses, SSNs, ID numbers, credit card numbers, grades, and the like.
  - Take steps immediately to retrieve data and prevent any further disclosures.
  - Identify all affected records and students.
  - Determine how the incident occurred, including which school officials had control of and responsibility for the information that was compromised.
  - Determine whether institutional policies and procedures were breached, including organizational requirements governing access (user names, passwords, PINS, etc.); storage; transmission; and destruction of information from education records.
  - Determine whether the incident occurred because of a lack of monitoring and oversight.
  - Conduct a risk assessment and identify appropriate physical, technological, and administrative measures to prevent similar incidents in the future.
  - Notify students that the U.S. Department of Education's Office of Inspector General maintains a website describing steps students may take if they suspect they are a victim of identity theft at

[www.ed.gov/about/offices/list/oig/misused/idtheft.html](http://www.ed.gov/about/offices/list/oig/misused/idtheft.html); and  
[www.ed.gov/about/offices/list/oig/misused/victim.html](http://www.ed.gov/about/offices/list/oig/misused/victim.html).

The department should also consider penalties for contractors who violate contract terms that put student data at risk and jeopardize the department's compliance with the Family Educational Rights and Privacy Act.

3. The commissioner should direct officials in the Office of School Approval to devise and implement a process for verifying the LEAs' self-reported data. The process should include procedures to provide a transparent and simple method for the office to be able to quickly ascertain if a local school agency is in full compliance with all requirements. The process should include features to automatically alert officials when an LEA is out of compliance. Care should be taken to coordinate all verification efforts to avoid unnecessary duplication of efforts.

The department's Division of Internal Audit should randomly select a sample of LEAs each year and review departmental records to ensure compliance with state laws and board rules.

The Division of Internal Audit should also review any and all areas not verified by other divisions of the department. One example would be reviewing LEA policies to ensure all statutorily mandated policies have been implemented.

4. The department should centralize its teacher recruitment efforts, update its teacher recruitment strategic plan, and use regularly updated, timely data and analysis in order to assess current and potential problems. The department should monitor progress in meeting plan goals and regularly update the plan. Within the plan, the department should include information and goals related to attracting and retaining teachers trained in other states as well as those trained in Tennessee.

The State Board of Education should address the following areas to improve the efficiency and effectiveness of its operations.

1. The State Board of Education should submit notification of vacancies and appointments to the Secretary of State's Office within the time frame stated by law. The board should maintain all documentation, including notifications of vacancy and appointment, a copy of notarized oath of office, an information form, and an appointment letter, for all vacancies and appointments to the board. The board should follow up with the Secretary of State's Office if no action is taken regarding appointments.
2. The State Board of Education should require the completion of conflict-of-interest statements from all board members (including the student member) and staff on an annual basis. The form can be mailed out with an agenda package on an annual basis.

The conflict-of-interest statement should include a space for members to print their name as well as a place for their signature. The forms should also be kept on file for audit purposes for three years.

## APPENDIX

### Title VI and Title VII Information

#### TITLE VI

Title VI of the Civil Rights Act of 1964 requires that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.” In response to a request from members of the Government Operations Committee, we compiled information concerning federal financial assistance received by the Tennessee Department of Education and the department’s efforts to comply with Title VI requirements. The results of the information gathered are summarized below. The Tennessee Department of Education received \$905,894,500 in federal assistance in fiscal year 2008-2009, broken down as follows:

<b>Program Activity</b>	<b>Amount</b>
Administration	\$1,516,100
Early Childhood Education	\$2,845,100
Technology, Infrastructure, Support Systems	\$200,000
Accountability and Assessment	\$1,846,600
Curriculum and Instruction	\$30,044,400
No Child Left Behind	\$310,480,600
Improving Schools Program	\$26,666,200
Special Education Services	\$235,681,600
TN Early Intervention Services	\$10,547,000
School Nutrition Program	\$250,228,900
Career/Technical Education Programs	\$35,778,000
Alvin C. York School	\$60,000
<b>Total Education (K-12)</b>	<b><u>\$905,894,500</u></b>

#### Active Contracts

As of October 26, 2009, the Tennessee Department of Education had 141 different active contracts worth \$222,018,648. The vast majority of contracts are with educational institutions such as The University of Tennessee, The University of Memphis, Tennessee Technological University, East Tennessee State University, and Middle Tennessee State University. Other entities the department has contracted with include a variety of nonprofit organizations such as the Goodwill Foundation, Boys and Girls Club, Catholic Charities, and the Tennessee Advisory Commission on Intergovernmental Relations.

## Title VI Process

The department reports Title VI complaints and implementation plan updates to the Tennessee Title VI Compliance Commission and the Tennessee Office of the Comptroller of the Treasury. According to the department's Title VI plan, the director of the department's Office of Civil Rights shall be an attorney within the department's Office of General Counsel who, in addition to her general activities as support to the general counsel, shall conduct and/or oversee all complaints, investigations, corrective action plans, resolution agreements, and all other compliance measures put in place by the department and the Office of Civil Rights. The director's specific duties include the following:

- investigate and follow up on Title VI complaints;
- act as liaison between complainants and schools on Title VI matters;
- develop/approve Title VI implementation plan and plan updates;
- provide information and guidance to Local Education Agencies to help them comply with applicable laws and regulations;
- serve as liaison with federal and other state personnel on Title VI issues;
- review and approve complaint resolution and enforcement actions when requested by the department or other government entities (e.g., the U.S. Departments of Agriculture and Education, and the Tennessee Title VI Compliance Commission); and
- serve as liaison with federal and other state personnel on Title VI issues.

According to the department's 2009 Title VI plan, discrimination and/or harassment based on race, color, or national origin in all programs and activities that receive federal financial assistance is prohibited. Under the plan, any grant or contract recipient must sign a Title VI assurance statement as a precondition to receiving funds. The department also requires that all local education agencies appoint Title VI coordinators, who are responsible for ensuring that all school programs and activities comply with Title VI. The procedures listed below will be followed in processing civil rights complaints.

- Within 10 days of receiving the complaint, the Tennessee Department of Education will send a letter to the complainant acknowledging receipt of the complaint form. The department will advise the complainant that the department will conduct a preliminary review of the complaint form and that he or she will be advised of the results of the preliminary review.
- The department's Director of Civil Rights will conduct a preliminary review of the complaint form. During the preliminary review, the Director of Civil Rights will determine whether a potential violation of Title VI has occurred and whether the department has jurisdiction to investigate the complaint.

- Once the complaint has been evaluated, a notification letter shall be issued to both the complainant and the recipient (person or institution alleged to have discriminated) stating whether a full compliance investigation will be initiated or if the complaint will be dismissed. If the complaint is to be dismissed, the notification letter shall include the basis for the dismissal. If an investigation is to be initiated, the recipient shall have 15 days from the date of the notification letter to respond to the complaint.
- The notification letter will inform both parties that the department will be in separate contact with them to arrange necessary interviews and/or document evaluation. Failure of either party to provide necessary documentation, grant necessary interviews, or respond to specified questions could result in a dismissal of the complaint or a finding of noncompliance by the recipient.
- If for reasons beyond the control of the department the investigation goes beyond 60 days, all parties will be notified in writing of such delay. An indication of the anticipated date of closure will also be provided.
- If the investigation substantiates the allegations of the complainant or if other instances of noncompliance with Title VI of the Civil Rights Act of 1964 are found, the department will send a letter of findings to the entity that has been the subject of the investigation and request the entity to submit a written response to any findings or recommendations in the draft report.
- If the entity that is the subject of the complaint submits a written response which states that action will be taken to resolve the complaint, the department will issue a Resolution Agreement that will include the response of the entity. The department's Office of Civil Rights or other unit of the department will schedule a follow-up review for an appropriate time period to determine whether the complaint has been resolved.
- If the entity does not agree to resolve a substantiated complaint, the Civil Rights Office will either: (1) initiate administrative proceedings to suspend or terminate state financial assistance from funds made available through the Department to the recipient; (2) refer the case to the Office of Civil Rights for enforcement of resolution agreement, or when necessary to initiate proceedings to suspend or terminate federal financial assistance; or (3) refer the case to the Department of Justice for judicial proceedings to enforce any rights of the United States under any law of the United States.
- Any determination made by the department's Civil Rights Section with regard to the civil rights statutes is subject to a review by the United States Department of Education Office for Civil Rights.

The 2006 performance audit identified a finding concerning the department's lack of follow-up to ensure that all Title VI complaints had been satisfactorily resolved. To determine if

this finding had been addressed, we reviewed all Title VI complaints received by the department from July 1, 2008, to June 30, 2009. We found that the department adequately followed its policy to follow up on complaints as appropriate. The department received 12 civil rights complaints, of which department staff determined 10 merited further investigation. Department staff subsequently determined that there were no Title VI violations with these complaints. When the department determines complaints are valid, its plan requires staff to follow up to ensure that they have been adequately addressed.

## TITLE VII

All programs or activities receiving federal assistance must comply with Title VII of the Civil Rights Act of 1964 that prohibits employment based on race, color, religion, sex, or national origin. The tables below detail the breakdown of board members and agency staff by gender and ethnicity.

### Department and State Board of Education Staff Ethnicity and Gender by Job Position September 16, 2009

Title	Gender		Ethnicity		
	Male	Female	Black	White	Other Ethnicity
Account Clerk	0	4	0	4	0
Accountant 3	0	1	1	0	0
Accounting Manager	4	4	2	6	0
Accounting Technician 1	5	3	0	8	0
Accounting Technician 1-NE	0	1	0	1	0
Accounting Technician 2	0	5	1	4	0
Accounting Technician 2-NE	0	4	0	4	0
Administrative Assistant 1	0	6	2	4	0
Administrative Secretary	1	28	5	24	0
Administrative Secretary	0	2	1	1	0
Administrative Services Assistant 1	1	0	0	1	0
Administrative Services Assistant 2	1	34	11	24	0
Administrative Services Assistant 2-NE	4	4	1	7	0
Administrative Services Assistant 3	2	4	1	5	0
Administrative Services Assistant 3-NE	1	1	0	2	0
Administrative Services Assistant 4	0	4	1	3	0
Administrative Services Assistant 4-NE	1	2	0	3	0
Administrative Services Assistant 5	0	2	0	2	0
Administrative Services Manager	1	4	0	4	1

Title	Gender		Ethnicity		
	Male	Female	Black	White	Other Ethnicity
Assistant Commissioner 2	3	1	1	3	0
Audit Director 2	1	0	0	1	0
Auditor 2	1	0	1	0	0
Auditor 3	1	1	1	1	0
Auditor 4	1	0	0	1	0
Baker-NE	0	2	1	1	0
Board Member	4	4	2	6	0
Boiler Operator 1-NE	4	0	0	4	0
Budget Analyst 2	1	1	1	0	1
Building Maintenance Worker 1-NE	1	0	0	1	0
Building Maintenance Worker 2-NE	12	2	1	13	0
Building Maintenance Worker 3-NE	3	0	0	3	0
Child Care Program Evaluator 2	2	15	4	13	0
Clerk 2	1	0	0	1	0
Clerk 2-NE	0	2	1	1	0
Clerk 3	0	1	1	0	0
Clerk 3-NE	0	1	0	1	0
Commissioner 3	1	0	0	1	0
Cook 1-NE	0	6	0	6	0
Cook 2-NE	0	4	0	4	0
Custodial Worker 1-NE	9	7	4	10	2
Custodial Worker Supervisor 1-NE	1	0	1	0	0
Custodial Worker Supervisor 2-NE	1	0	0	1	0
Database Administrator 3	1	0	0	1	0
Dentist-NE	0	1	1	0	0
Deputy Commissioner 2	1	0	0	1	0
Education Consultant 1 Computer Education	1	1	0	2	0
Education Consultant 1 Specialty	5	13	2	15	1
Education Consultant 1 Research	0	1	0	1	0
Education Consultant 1 School Food	1	4	0	5	0
Education Consultant 1 Vocational	1	2	0	3	0
Education Consultant 1	1	6	3	4	0
Education Consultant 2	18	63	9	70	2
Education Consultant 3	14	29	6	35	2
Education Consultant 4	5	15	3	16	1
Education District Facilitator	4	3	1	6	0
Education Program Administrator 1	1	1	0	2	0
Education Program Administrator 2	3	4	2	5	0

Title	Gender		Ethnicity		
	Male	Female	Black	White	Other Ethnicity
Energy Efficient Schools Initiative Executive Director	1	0	0	1	0
Electronics Technician 2-NE	1	0	0	1	0
Executive Administrative Assistant 1	1	6	1	6	0
Executive Administrative Assistant 2	3	5	1	7	0
Executive Administrative Assistant 3	4	7	1	10	0
Executive Secretary 1	0	4	0	4	0
Executive Secretary 2	0	1	0	1	0
Family and Consumer Sciences Manager 1-NE	2	0	0	2	0
Family and Consumer Sciences Supervisor-NE	1	0	0	1	0
Field Supervisor 1	0	14	3	11	0
Field Supervisor 2	0	3	0	3	0
Fiscal Director 2	1	3	2	2	0
Fiscal Director 3	1	0	0	1	0
Food Service Manager 1-NE	0	1	0	1	0
Food Service Manager 2-NE	1	1	0	2	0
Food Service Supervisor 2-NE	0	2	1	1	0
Food Service Worker-NE	0	10	2	7	1
General Counsel 1	0	1	0	1	0
Grants Program Manager	0	1	0	1	0
Grounds Worker 1-NE	2	0	0	2	0
Grounds Worker 2-NE	1	0	0	1	0
Human Resources Analyst 2	0	1	0	1	0
Human Resources Analyst 3	0	1	0	1	0
Human Resources Director 3	1	0	0	1	0
Human Resources Technician 3	0	1	1	0	0
Information Resource Support Specialist 2	0	1	0	1	0
Information Resource Support Specialist 3	1	1	0	2	0
Information Resource Support Specialist 4	2	0	0	1	1
Information Resource Support Specialist 5	2	0	0	2	0
Information Systems Analyst 4	0	2	0	2	0
Information Systems Director 1	1	0	0	1	0
Information Systems Director 2	0	1	0	1	0
Information Systems Manager 1	1	0	0	1	0
Information Systems Manager 2	0	1	0	1	0
Information Systems Manager 3	1	1	1	1	0
Legal Assistant	0	1	0	1	0
Licensed Practical Nurse 2-NE	0	4	1	3	0
Licensed Practical Nurse 3	0	1	0	1	0

Title	Gender		Ethnicity		
	Male	Female	Black	White	Other Ethnicity
Mental Health/Mental Retardation Program Director	0	1	0	1	0
Network Technology Specialist 3	0	1	0	1	0
Occupational Therapist-NE	0	1	0	1	0
Office Automation Specialist	2	6	2	6	0
Physician-NE	2	1	0	2	1
Procurement Officer 2	1	0	0	1	0
Procurement Officer 2-NE	1	1	0	2	0
Program Monitor 2	0	1	0	1	0
Programmer/Analyst 3	0	1	0	1	0
Programmer/Analyst 4	2	0	0	2	0
Property Officer 1-NE	1	0	0	1	0
Property Representative 2	1	0	1	0	0
Psychologist-NE	1	0	0	1	0
Recreation Specialist 1-NE	0	1	0	1	0
Registered Nurse 2-NE	0	7	0	7	0
Registered Nurse 4-NE	0	3	0	3	0
Secretary	0	4	0	4	0
Secretary-NE	0	11	2	9	0
Social Counselor 1	1	9	3	7	0
Social Counselor 2	4	101	17	86	2
Social Services Director-NE	0	1	0	1	0
Special Schools Audiologist	0	4	0	4	0
Special Schools Education Assistant	3	40	5	37	1
Special Schools Guidance Counselor	1	3	1	3	0
Special Schools Instruction Director	0	1	0	1	0
Special Schools Principal	0	3	0	3	0
Special Schools Superintendent	3	1	0	4	0
Special Schools Teacher	73	495	41	522	5
Special Schools Technical Director	2	0	0	2	0
State Board of Education Executive Director	1	0	0	1	0
Statistical Research Specialist	1	0	0	0	1
Storekeeper 1-NE	0	1	0	1	0
Stores Clerk-NE	1	1	0	2	0
Telephone Operator 1-NE	0	1	1	0	0
Television Art Director-NE	1	0	0	1	0
Training Officer 1	0	2	0	2	0
Training Officer 2	0	1	0	1	0
Vehicle Operator-NE	1	0	0	1	0

<b>Title</b>	<b>Gender</b>		<b>Ethnicity</b>		
	<b>Male</b>	<b>Female</b>	<b>Black</b>	<b>White</b>	<b>Other Ethnicity</b>
Website Developer 2	0	1	0	1	0
Youth Service Worker 1-NE	31	56	12	73	2
Youth Service Worker 2-NE	11	19	4	26	0
Youth Service Worker Supervisor 1-NE	7	12	2	17	0
Youth Service Worker Supervisor 2-NE	2	5	0	7	0
	<b>306</b>	<b>1,174</b>	<b>177</b>	<b>1,279</b>	<b>24</b>