

August 9, 2021

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

RE: Draft Rule, Prohibited Concepts in Public Instruction - Tenn. Code Ann. § 49-6-1019

Dear Commissioner Schwinn,

The Dan and Margaret Maddox Fund thanks you for the opportunity to submit a written public comment regarding the Tennessee Department of Education's draft rule related to Section 51 of Chapter 493 of the Tennessee Public Acts of 2021's implementation. We are troubled by the punitive measures proposed in this rule and believe that excessive financial penalties would be a detriment educating Tennessee's students.

The Dan and Margaret Maddox Fund's mission is to better our community through partnerships that improve the lives of young people and further wildlife conservation. In doing that work, we have come to learn the importance of understanding our history, which includes unjust U.S. policies and structures that barred opportunities for many based on their race, gender, sexual orientation, religion, and citizenship status. The Maddox Fund believes that our best, shared opportunity for healing is rooted in understanding our violent history and pledging ourselves to create new liberating systems that can lead us forward together.

The Maddox Fund supports education partners tirelessly working to create safe and welcoming environments. We have witnessed Tennessee teachers striving to foster student learning through creative curriculum and pedagogy. The punitive measures recommended by the Department of Education create a fear-based environment for teachers. Rather than rewarding teacher innovation, they thwart teacher aspirations and steal the joy that teachers find in seeing students thinking critically about complex subjects.

Finally, since 2008, The Maddox Fund has provided over \$12,000,000 in education grants to nonprofit organizations in Middle Tennessee. Being partners in education, we know that districts are already being asked to work miracles with meager funding. These financial penalties would needlessly further reduce funding available for student education. Philanthropy cannot close the gap created by fines and we ask that you not punish Local Education Authorities with financial consequences that threaten their ability to educate our children.

At this critically important time, when schools are asked to meet the social-emotional needs of students through the COVID pandemic, while schools are striving to address learning loss and through unprecedented demands on public education, it is not the time to place additional financial burdens on overworked, underfunded systems of education

Again, we are grateful for your consideration of these points when making a decision on the implementation of Tenn. Code Ann. § 49-6-1019.

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