

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE  
AT NASHVILLE

**FILED**  
2021 DEC 10 AM 11:33

CLERK & MASTER  
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LN D.C.&M.

SHELBY COUNTY BOARD )  
OF EDUCATION, et al, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TENNESSEE SCHOOL )  
SYSTEMS FOR EQUITY, )  
 )  
Intervening Plaintiff, )  
 )  
v. )  
 )  
WILLIAM BYRON LEE, )  
in his official capacity as the )  
GOVERNOR OF TENNESSEE, et al, )  
 )  
Defendant. )

Case No. ~~15-0148-I(III)~~

# 15-1048-III

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**ORDER GRANTING JOINT MOTION TO STAY PROCEEDINGS**

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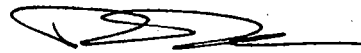
This cause came to be heard on Friday, December 3, 2021 via Zoom videoconference on the parties' Joint Motion to Stay Proceedings, filed on or about November 19, 2021. There are currently multiple motions for summary judgment pending and a three-week long trial setting currently scheduled for February 7- 25, 2022.

As a basis for their joint Motion, the parties agree a stay of these proceedings is appropriate because Governor Lee and Commissioner of Education, Penny Schwinn, announced plans in October 2021 they intend to conduct a full review of the Basic Education Program ("BEP") and intend to explore possibilities for a more student-centered approach to education funding. In response to this announcement, the Tennessee Department of Education ("TDOE")

has established a central steering committee and several subcommittees on topics related to public education. These subcommittees have begun meeting and are expected to continue to meet over the next three months. Accordingly, Governor Lee may or may not propose legislative changes to the BEP during the 2022 legislative session, which is scheduled to begin January 11, 2022 and will continue until approximately April 2022.

Based on the arguments of the parties and all applicable legal authority, the Court hereby GRANTS the Joint Motion to Stay Proceedings. **The current trial date of February 7-25, 2022 is hereby continued to October 31- November 23, 2022** after the 2022 legislative session has concluded and allowing time for Governor Lee to potentially approve or veto pursuant to Tennessee Constitution, Article 3, §18. The location of this trial setting is to be determined at a later time. A **pre-trial conference** is set for **Friday, October 28, 2022 at 2:30 p.m. CST** to be conducted via Zoom videoconference. The parties shall contact the office of Senior Judge Don R. Ash, Chief Judge of the Special Three Judge Panel, after the 2022 legislative session has concluded to obtain a hearing date for the pending motions for summary judgment. Any issues not addressed by this Order are reserved.

**It is SO ORDERED.** Entered and effective this the 6 day of December 2021.



SENIOR JUDGE DON R. ASH,  
Chief Judge, Special Three Judge Panel

**CERTIFICATE OF SERVICE**

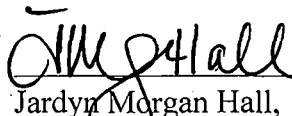
I hereby certify a true and correct copy of the foregoing Order has been served via U.S.P.S. mail and email to the following on the 7 day of December 2021:

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Jardyn Morgan Hall,  
Office of Senior Judge Don R. Ash