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Sequence Number: 02-19-21
Notice ID(s): 3245
File Date: 2/19/2021

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	State Board of Education
Division:	N/A
Contact Person:	Angie Sanders
Address:	500 James Robertson Parkway, 5 th Floor, Nashville, TN 37243
Phone:	(615) 253-5707
Email:	Angela.C.Sanders@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Angie Sanders
Address:	500 James Robertson Parkway, 5 th Floor, Nashville, TN 37243
Phone:	(615) 253-5707
Email:	Angela.C.Sanders@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway		
Address 2:	Davy Crockett Building, Conference Room 1C, 1 st Floor		
City:	Nashville, TN		
Zip:	37243		
Hearing Date :	4/14/2021		
Hearing Time:	10:00 AM	<input checked="" type="checkbox"/> X <input type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

****Anyone wishing to participate electronically may access the hearing using the following information:****

URL: <https://tngov.webex.com/tngov/j.php?MTID=m9b2e45bdbd0a2cbeb0075891bef86f6f>

Password: SBERules

Phone: 1-415-655-0003

Access Code: 185 600 7392

Please check the State Board's website at <https://www.tn.gov/sbe/meetings.html> for any additional information regarding this rulemaking hearing. **If prohibitions on in-person gatherings due to COVID-19 prevent this hearing from occurring in-person, such information will be posted on the State Board's website and all attendees will utilize the above information to participate electronically.**

Oral comments are invited at the hearing.
In addition, written comments may be submitted via email at angela.c.sanders@tn.gov or mailed to:
Tennessee State Board of Education
Attention: Angie Sanders
Davy Crockett Tower, 5th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243.

Written comments must be received by 4:30 PM CT on April 19, 2021 in order to ensure consideration. For further information, please contact Angie Sanders at the above address or by e-mail at angela.c.sanders@tn.gov.

If attending the hearing in-person, please bring identification so that you may be checked into the building by security. Conference room 1C is located on the first floor of the building.

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0520-01-04	School Facilities
Rule Number	Rule Title
0520-01-04-.01	School Facilities

AMENDMENT

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-01-04
SCHOOL FACILITIES**

0520-01-04-.01 SCHOOL FACILITIES.

- (1) Each public and nonpublic school, as defined by T.C.A. § 49-6-3001(c)(3), and public charter school, as defined by T.C.A. § 49-13-104 (12) shall:
 - (a) Comply with rules, regulations, and codes of the city, county, and state regarding planning of new buildings, alterations of buildings, and building safety.
 - (b) Observe all fire safety regulations and procedures promulgated by the Tennessee Fire Marshal's Office.
 - (c) Conduct at least one (1) fire safety inspection annually based on the fire safety inspection checklist developed by the Tennessee Fire Marshal's Office, and maintain copies of the inspection reports, including findings of non-compliance and actions taken to comply for review by the Tennessee Fire Marshal's Office.
 - (d) Construct, remodel, renovate, expand, or modify school buildings or other structures in accordance with applicable state and federal requirements regarding building accessibility, including, but not limited to, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.
- (2) Each Local Education Agency (LEA) and public charter school shall comply with T.C.A. § 62-2-107 regarding use of registered architects, engineers, or landscape architects, and T.C.A. §§ 62-6-102 and 62-6-103 regarding use of contractors.
- (3) Each LEA shall comply with the procurement requirements of T.C.A. § 49-2-203(a)(3) when constructing new school buildings or additions to existing buildings.

Authority: T.C.A. § 49-1-302, 49-3-311, 49-13-111 and 49-13-136. **Administrative History:** Original rule certified June 10, 1974. Amendment filed February 28, 1978; effective March 30, 1978. Amendment filed January 9, 1979; effective February 23, 1979. Amendment filed May 28, 1986; effective June 27, 1986. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed May 26, 2015; effective August 24, 2015.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 2/19/2021

Signature: _____

Angela C. Sanders

Name of Officer: Angela C. Sanders

Title of Officer: General Counsel

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Filed with the Department of State on: 2/19/2021

Tre Hargett

Tre Hargett
Secretary of State

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