

**Department of State
Division of Publications**

312 Rosa L. Parks Ave., 8th Floor, Snodgrass/TN Tower
Nashville, TN 37243
Phone: 615-741-2650
Email: publications.information@tn.gov

For Department of State Use Only

Sequence
Number: 05-31-23
Notice ID(s): 3647-3649
File Date: 5/22/2023

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, 8th 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, 8th 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 : | 07/13/2023 | | | |
| Hearing Time: | 10:00 am | X | CST/CDT | EST/EDT |

Additional Hearing Information:

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

URL: <https://tn.webex.com/meet/educatorlicense.discipline>

Meeting number: 2302 647 6423

Password: SBERules

Phone: +1-415-655-0001

Access Code: 2302 647 6423

Please check the State Board's website at <https://www.tn.gov/sbe/meetings.html> for any additional information regarding this rulemaking hearing.

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, 8th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

Written comments must be received by **9:00 AM CT on July 17, 2023** in order to ensure consideration.

*****Email comments are preferred as mail is running very slow and may not arrive in time*****

For further information, please contact Angie Sanders 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.

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 |
|----------------|---|
| 0520-02-04 | Educator Preparation |
| Rule Number | Rule Title |
| 0520-02-04-.02 | Definitions |
| 0520-02-04-.03 | Eligible Educator Preparation Providers |
| 0520-02-04-.04 | Approval of Educator Preparation Providers |
| 0520-02-04-.07 | Provider and Program Reviews and Annual Reports |
| 0520-02-04-.09 | Partnerships |
| 0520-02-04-.10 | Clinical Experiences |

| Chapter Number | Chapter Title |
|----------------|---|
| 0520-02-05 | Occupational Educator Scholarship Program |
| Rule Number | Rule Title |
| 0520-02-05-.02 | Definitions |
| 0520-02-05-.03 | Eligibility |
| 0520-02-05-.04 | Application and Selection |
| 0520-02-05-.05 | Terms of the Scholarship |

| Chapter Number | Chapter Title |
|----------------|----------------------------------|
| 0520-14-01 | Charter Schools |
| Rule Number | Rule Title |
| 0520-14-01-.07 | Governing Body Training Approval |

AMENDMENT

RULES OF THE STATE BOARD OF EDUCATION

CHAPTER 0520-02-04 EDUCATOR PREPARATION

0520-02-04-.02 DEFINITIONS.

- (1) "Annual report" means detailed, candidate-level data for each Educator Preparation Provider (EPP) compiled each year. Annual reports provide evidence of EPP effectiveness and are used for ongoing approval.
- (2) "Candidate" means an individual enrolled in an educator preparation program that has been approved by the State Board.
- (3) "CMO" means a Charter Management Organization that is a non-profit entity that manages or operates two (2) or more public charter schools in Tennessee.
- (4) "Clinical experiences" means guided, hands-on, practical applications and demonstrations of professional knowledge of theory to practice, skills, and dispositions through collaborative and facilitated learning in field-based assignments, tasks, activities, and assessments across a variety of settings.
- (5) "Clinical practice" means student teaching, internship, or job embedded opportunities that provide candidates with sustained school-based responsibilities, assignments, tasks, and assessments that allow a candidate to demonstrate the professional knowledge, skills, and dispositions to be an effective educator.
- (6) "Completer" means an individual who has completed the requirements of an educator preparation program that has been approved by the State Board.
- (7) "Comprehensive review" means the review that each EPP must complete every seven (7) years in order to maintain state approval.
- (8) "Conditional approval" means the provider or specialty area program has met preconditions and demonstrated alignment to all appropriate standards and expectations. The provider or specialty area program has not yet been reviewed for the purpose of obtaining full approval.
- (9) "Department" means the Tennessee Department of Education.
- (10) "Endorsement Area" means the subject and/or grade level for which a licensed educator is prepared to provide instruction, leadership, or services in schools or districts. When applying for licensure, each teacher candidate must meet requirements in at least one (1) area of endorsement.
- (11) "EPP" means an Educator Preparation Provider responsible for managing, operating, or coordinating programs for the preparation and licensure of teachers and other school personnel that has been approved by the State Board.
- (12) "ERO" means a Tennessee-based Education-Related Organization.
- (13) "Focused review" means a review of an EPP that is triggered when an EPP does not meet one (1) or more standards during the comprehensive review.

- (14) "Full approval" means the approval status of an EPP that has met the requirements for initial approval, been approved by the State Board, has participated in the annual review process each year, and has undergone a comprehensive review every seven (7) years.
- (15) "IHE" means an Institution of Higher Education.
- (16) "Initial approval" means the first step of approval for new EPPs. The initial approval period shall last for a minimum of three (3) years and a maximum of five (5) years.
- (17) "Instructional Leader Preparation Program (ILPP)" means a program that is approved for the preparation of school leaders.
- (18) "Interim review" means a review of an EPP or an individual SAP that is triggered by performance that is below expectations on the annual report for a minimum of two (2) consecutive years.
- (19) "LEA" means a Tennessee Local Education Agency.
- (20) "Primary partnership" means a partnership between an EPP and one (1) or more LEAs or CMOs in which both parties collaborate to establish an explicit process for identifying and responding to LEA- or CMO-identified areas of need, developing candidate selection criteria, and designing and implementing high-quality, needs-based clinical experiences.
- (21) "Physical presence" means the entity has real estate and human capital within the boundaries of the state of Tennessee for the purpose of preparing educators.
- (22) "SAP" means a Specialty Area Program that is a planned sequence of courses and experiences designed to provide educators with an additional, specific set of knowledge and skills or to expand and enhance an existing set of knowledge and skills.
- (23) "State Board" means the Tennessee State Board of Education.
- (24) "State-recognized partnership" means a partnership between an EPP and each LEA and/or CMO where enrolled candidates will complete any aspect of clinical experiences that has been submitted to the Department for recognition.
- (25) "Stipulation" means findings that require an EPP to address identified deficiencies in order to meet standards and expectations.
- (26) "Substantial change" means a variation from the original design that implements new requirements or expectations.

Authority: T.C.A. §§ 49-1-302, 49-5-101, 49-5-108, and 49-5-5201. **Administrative History:** Original rule filed March 16, 1992; effective June 29, 1992. Amendment filed June 29, 1993; effective September 28, 1993. Amendment filed November 3, 1993; effective March 30, 1994. Amended by Public Chapter No. 957 Acts of 1994; effective May 10, 1994. (See Attorney General Opinion No. 094-080). Amendment filed January 31, 1995; effective May 31, 1995. Amendment filed May 28, 1999; effective September 28, 1999. Repeal and new rule filed April 17, 2006; effective August 28, 2006. Amendments filed April 30, 2009; effective August 28, 2009. However, notice of withdrawal of proposed amendment (2) filed August 3, 2009 and effective August 3, 2009 (to have been effective August 28, 2009). Repeal filed May 29, 2015; effective August 27, 2015. Emergency rules filed January 28, 2019; effective through July 27, 2019. Amendments filed January 28, 2019; effective April 28, 2019.

0520-02-04-.03 ELIGIBLE EDUCATOR PREPARATION PROVIDERS.

- (1) Each EPP and SAP that leads to licensure shall be approved by the State Board.
- (2) The following organizations are eligible to apply for State Board approval to serve as a Tennessee-approved EPP:

- (a) A Southern Association of Colleges and Schools (SACS) accredited Tennessee-based Institution of Higher Education (IHE) authorized by the Tennessee Higher Education Commission (THEC);
- (b) A Tennessee-based Education-Related Organization (ERO) with a physical presence in Tennessee;
- (c) A Tennessee LEA or a consortium of Tennessee LEAs that have not received the lowest performance determination on the state's accountability model pursuant to T.C.A. § 49-1-602 in either of the two (2) most recent school years where performance determinations on the state's accountability model were available; or
- (d) Out-of-state providers that hold approval in a state other than Tennessee and that meet the following conditions:
 - 1. Identified recruitment and placement goals as a component of the primary partnership and a goal of recommending at least ten (10) candidates for licensure in Tennessee per academic year. If at the point of review for full approval the provider has not met this goal, then the State Board may deny approval;
 - 2. Demonstrated capacity to provide effective mentoring and supervision for all licensure candidates completing clinical experiences in Tennessee public or non-public schools;
 - 3. Established selection criteria that meets or exceeds those minimum expectations established for Tennessee providers; and
 - 4. The ability to clearly identify program candidates and completers as affiliated with Tennessee for all federal reporting requirements.
- (3) Out-of-state providers that wish to operate in Tennessee without becoming a Tennessee-approved EPP based on approval from a state other than Tennessee shall submit to the Department an out-of-state partnership agreement that includes at least one (1) LEA or CMO in Tennessee. If the partnership agreement meets the requirements of this Rule, these providers may implement a program approved in another state.
- (4) Out-of-state providers are not eligible to become a Tennessee-approved provider for the preparation of instructional leaders.

Authority: T.C.A. §§ 49-1-302, 49-5-101, and 49-5-108; Executive Order No. 14 of 2020 (and applicable, subsequent Executive Orders addressing COVID-19 relief); and Public Chapter 652 of 2020. **Administrative History:** Original rule filed March 16, 1992; effective June 29, 1992. Amendment filed January 31, 1995; effective May 31, 1995. Amendment filed April 27, 1998; effective August 28, 1998. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed April 28, 2000; effective August 28, 2000. Amendment filed July 31, 2000; effective November 28, 2000. Amendment filed August 31, 2001; effective December 28, 2001. Amendment filed October 31, 2002; effective February 28, 2003. Amendment filed May 19, 2005; effective September 28, 2005. Repeal and new rule filed April 17, 2006; effective August 28, 2006. Amendments filed April 30, 2009; effective August 28, 2009. Repeal filed May 29, 2015; effective August 27, 2015. Emergency rules filed January 28, 2019; effective through July 27, 2019. Amendments filed January 28, 2019; effective April 28, 2019. Emergency rules filed July 2, 2020; effective through December 29, 2020. Emergency rules expired effective December 30, 2020, and the rules reverted to their previous statuses. Amendments filed April 7, 2021; effective July 6, 2021.

0520-02-04-.04 APPROVAL OF EDUCATOR PREPARATION PROVIDERS.

- (1) Eligible organizations that wish to offer educator preparation programs in Tennessee must complete a two (2)-step approval process:

- (a) The entity must receive initial approval by the State Board to begin serving as an EPP; and
 - (b) The EPP must undergo a comprehensive review to achieve full state approval to continue serving as an EPP within five (5) years of initial approval.
- (2) Eligible organizations seeking initial approval as an EPP in order to prepare and recommend candidates for licensure shall participate in the initial approval process by submitting a proposal to the Department that contains, at a minimum, the following information:
- (a) Evidence that the entity has the capacity to serve as an EPP and provide programs leading to licensure or endorsement;
 - (b) Evidence for how the EPP will address all applicable educator preparation standards approved by the State Board, including:
 - 1. Content and Pedagogical knowledge;
 - 2. Clinical partnerships and practice;
 - 3. Candidate quality, recruitment, and selectivity; and
 - 4. Provider quality assurance and continuous improvement.
 - (c) Geographic area to be served and documentation of the engagement of at least one (1) primary LEA or CMO partner;
 - (d) Plan for curriculum offerings including delivery method and timeframe, clinical placements, and clinical supervision plans;
 - (e) A proposal for each SAP that, at a minimum, includes alignment to Tennessee academic standards, candidate assessment, relevant clinical experience(s), the professional education standards approved by the State Board, all applicable literacy standards, and applicable specialty area standards approved by the State Board;
 - (f) Evidence that the faculty who teach courses or provide direct coaching to teacher or instructional leader candidates possess sufficient knowledge, skills, training, and expertise;
 - (g) A description of admissions procedures, including the criteria which must be met in order for a candidate to be fully admitted to the licensure program;
 - (h) Evidence of organizational and financial stability;
 - (i) Applicable provider characteristics, such as governance, control (private or public), regional accreditation agency, and THEC authorization; and
 - (j) If the provider is currently operating or has operated in Tennessee or any other state, data on program effectiveness, including but not limited to, completion effectiveness, quality of district partnerships, and performance on annual reports, if available.
- (3) Proposals submitted for EPP initial approval shall be reviewed by the Department. After review of the proposal for initial approval, the Department shall recommend to the State Board one (1) of the following:
- (a) Initial approval. If initial approval is awarded, providers may begin enrolling and subsequently recommending candidates for licensure in approved specialty areas; or
 - (b) Denial of initial approval. If initial approval is denied, providers may not recommend candidates for licensure or identify programs as leading to licensure. Providers may submit a revised proposal for consideration during the next review period.

- (4) EPPs shall not publicize programs as leading to licensure prior to receiving initial approval.
- (5) All EPPs that receive initial approval shall submit annual report data to the Department.
- (6) Initial approval shall expire upon an EPP receiving full approval through the state-managed full-approval review or after five (5) years, whichever occurs first. If an EPP with initial approval has not received full approval within five (5) years, approval shall be revoked and the EPP may no longer enroll or recommend candidates for licensure.
- (7) An EPP may seek full approval after three (3) years in operation under initial approval by requesting a state-managed full-approval review.
- (8) Upon completion of the full-approval review, the Department shall recommend to the State Board one (1) of the following:
 - (a) Full approval. The EPP meets one (1) of the following statuses and may recommend candidates for licensure:
 - 1. Exemplary status. The EPP exceeds expectations on a majority of the standards and meets expectations on all other standards.
 - 2. Full approval. The EPP meets expectations on all standards.
 - 3. Full approval, minor stipulations. The EPP meets expectations on all standards, but falls below expectations on one (1) or more components across multiple standards. The EPP shall submit to the Department a plan for addressing the areas in need of improvement within three (3) months of receiving full approval, minor stipulations. The Department shall annually review the EPP's progress on the submitted plan for improvement. If the EPP has adequately addressed the areas in need of improvement the Department may recommend to the State Board removal of the minor stipulations for the remainder of the approval period of the EPP. If within a three (3)-year period the Department determines the areas in need of improvement are not adequately addressed, the EPP may be required to participate in an interim review.
 - (b) Probationary approval, major stipulations. The EPP meets expectations on three (3) or more standards but falls below expectation on one (1) or more standard(s). An EPP that is issued probationary approval may recommend candidates for licensure but shall submit to the Department an improvement plan for addressing the areas in need of improvement within three (3) months of receiving probationary approval status from the State Board. Each year, the EPP shall present evidence that the provider is implementing the improvement plan and making progress toward meeting expectations. The EPP shall also participate in a focused review within three (3) years of receiving probationary approval from the State Board. The EPP shall not submit SAP proposals for conditional approval until the Department determines all deficiencies have been adequately addressed. The EPP shall specifically report on the progress made in each area of deficiency on their annual report for the three (3) years following the issuance of probationary approval.
 - (c) Denial of approval. The EPP falls below expectations on two (2) or more standards. EPPs that are denied approval shall no longer enroll new candidates for licensure and shall notify all current candidates of the denial of approval status of its program. Denied EPPs may continue to serve candidates who can complete the program by the end of the semester that falls twelve (12) months after the date of the denial of approval. The EPP shall assist candidates who are unable to complete the program within this period in transferring to another degree program at the institution or to another approved EPP. The EPP may not re-apply for initial approval for at least three (3) years from the date of denial.

- (9) The State Board has final authority on all provider and program decisions related to educator preparation.

Authority: T.C.A. §§ 49-1-302, 49-5-101, and 49-5-108. **Administrative History:** Original rule filed March 16, 1992; effective June 29, 1992. Amendment filed May 28, 1999; effective September 28, 1999. Repeal filed May 29, 2015; effective August 27, 2015. Emergency rules filed January 28, 2019; effective through July 27, 2019. Amendments filed January 28, 2019; effective April 28, 2019.

0520-02-04-.07 PROVIDER AND PROGRAM REVIEWS AND ANNUAL REPORTS.

- (1) In order to maintain full state approval, EPPs shall participate in a comprehensive review every seven (7) years. EPPs may elect to pursue ongoing full state approval through a state-managed comprehensive review or a comprehensive review managed by an educator preparation accrediting agency recognized by the Council for Higher Education Accreditation (CHEA) and the State Board.
- (2) Each comprehensive review, either state-managed or managed by an educator preparation accrediting agency recognized by CHEA and the State Board, shall include, at a minimum, the following components:
- (a) Prior to an EPP's comprehensive review, the Department shall evaluate data from the EPP's three (3) most recent annual reports.
 - (b) EPPs shall submit evidence demonstrating alignment to the educator preparation provider standards, the professional education standards, all applicable literacy standards, and all applicable specialty area standards approved by the State Board.
 - (c) A trained comprehensive review team shall be appointed for each EPP undergoing comprehensive review and shall be responsible for, at a minimum:
 - 1. Reviewing all required evidence submitted by the EPP that demonstrates high quality implementation of:
 - (i) Content and pedagogical knowledge;
 - (ii) Clinical partnerships and practice;
 - (iii) Candidate quality, recruitment, and selectivity;
 - (iv) Program impact; and
 - (v) Provider quality assurance and continuous improvement;
 - 2. Reviewing annual report data for the EPP from the applicable review cycle;
 - 3. Conducting an on-site visit; and
 - 4. Recommending an approval status to the Department.
 - (d) An Advisory Committee on Educator Preparation (ACEP) shall be appointed to review the recommendation of the review team and shall provide a preliminary recommendation for approval status to the Department.
- (3) Following each comprehensive review, the Department shall recommend to the State Board one (1) of the following:
- (a) Full approval. The EPP meets expectations on one (1) of the following statuses and may recommend candidates for licensure:

1. Full approval, exemplary status. The EPP exceeds expectations on a majority of the standards and meets expectations on all other standards and components.
 2. Full approval. The EPP meets expectations on all standards.
 3. Full approval, minor stipulations. The EPP meets expectations on all standards, but falls below expectations on one (1) or more components across multiple standards. The EPP must submit to the Department a plan for addressing the areas in need of improvement within three (3) months of receiving full approval, minor stipulations. The Department shall annually review the EPP's progress on the submitted plan for improvement. If the EPP has adequately addressed the areas in need of improvement the Department may recommend to the State Board removal of the minor stipulations for the remainder of the approval period of the EPP. If within a three (3)-year period the Department determines the areas in need of improvement are not adequately addressed, then the EPP may be required to participate in an interim review.
- (b) Probationary approval, major stipulations. The EPP meets expectations on three (3) or more standards but falls below expectation on one (1) or more standard(s). An EPP that is issued probationary approval may recommend candidates for licensure but shall submit to the Department an improvement plan for addressing the areas in need of improvement within three (3) months of receiving probationary approval status from the State Board. Each year, the EPP shall present evidence that the provider is implementing the improvement plan and making progress toward meeting expectations. The EPP shall also participate in a focused review within three (3) years of receiving probationary approval from the State Board. The EPP shall not submit SAP proposals for conditional approval until the Department determines all deficiencies have been adequately addressed. The EPP shall specifically report on the progress made in each area of deficiency on their annual report for the three (3) years following the issuance of probationary approval.
- (c) Denial of approval. The EPP falls below expectations on two (2) or more standards. EPPs that are denied approval shall no longer enroll new candidates for licensure and shall notify all current candidates of the denial of approval status of its program. Denied EPPs may continue to serve candidates who can complete the program by the end of the semester that falls twelve (12) months after the date of the denial of approval. The EPP shall assist candidates who are unable to complete the program within this period in transferring to another degree program at the institution or to another approved EPP. The EPP may not re-apply for conditional approval for at least three (3) years from the date of denial.
- (4) The Department shall manage an interim review process for EPPs or individual SAPs that have been identified as performing below expectations on the annual report for a minimum of two (2) consecutive years at any point. The Department may manage an interim review process for EPPs with initial approval that perform below expectations as reported on the annual report at any point during the initial approval period. Following an interim review, the Department may make a recommendation for approval status change, including denial of approval, to the State Board.
 - (5) The Department shall manage a focused review process for EPPs or individual SAPs that receive probationary approval based on the comprehensive review. The Department shall appoint a review team responsible for reviewing the EPP's progress on implementation of the required improvement plan. As a result of a focused review, the Department may make an approval status change recommendation, including denial of approval, to the State Board.
 - (6) If an EPP refuses to participate in any required review, the Department may make a recommendation for approval status change, including denial of approval, to the State Board.
 - (7) EPPs shall annually submit to the Department the following:

- (a) Any substantial changes to the approved EPP or SAP(s), including changes to accreditation status, parent organization, primary partnerships, the requirements for selection, structure of the program of study, clinical requirements, or candidate assessment systems;
 - (b) Contact information, including primary contact information and verification of the designated head of the EPP and approved certification or licensure officers; and
 - (c) Progress reports addressing any stipulations, including all required focused or interim reviews, identified in the most recent comprehensive review, if applicable.
- (8) Each EPP shall annually verify or submit all information identified by the Department for inclusion in an annual report. Annual reports provide evidence of performance of the provider and SAP or clusters of SAPs and shall include, at a minimum, the following:
- (a) Metrics related to recruitment and selection of candidates, such as selectivity characteristics;
 - (b) Goals related to the recruitment and program retention of candidates from underrepresented demographics including race, ethnicity, and sex;
 - (c) Information on completer and job-embedded candidate employment in qualifying positions in Tennessee public schools;
 - (d) Completer and job-embedded candidate retention in Tennessee public schools following initial employment;
 - (e) Results from a program completer satisfaction survey;
 - (f) Results from an employer satisfaction survey administered to all primary partner LEAs and/or CMOs and any LEA or CMO employing more than twenty-five percent (25%) of the program completer cohort;
 - (g) Completer outcomes including, but not limited to, program completion rates and pass rates on required licensure assessments;
 - (h) Job-embedded candidate outcomes, if applicable, including but not limited to pass rates on required licensure assessments; and
 - (i) Completer and job-embedded candidate impact as measured by components of an approved Tennessee educator evaluation model including, but not limited to, overall levels of effectiveness, observation scores, and individual growth scores.
- (9) EPPs with approved instructional leader preparation programs shall annually verify or submit all information identified by the Department for inclusion in the annual report. The Department shall, at a minimum, include the following ILPP metrics in the annual report:
- (a) Metrics related to recruitment and selection;
 - (b) Information on employment and retention, including the percentage of completers employed in a qualifying instructional leadership position and the percentage of completers retained in a qualifying instructional leadership position after initial employment as a leader;
 - (c) Results from a program completer satisfaction survey;
 - (d) Results from an employer satisfaction survey administered to all primary partner LEAs and/or CMOs;

- (e) Completer outcomes including, but not limited to, program completion rates and pass rates on required licensure assessments; and
- (f) Completer impact as measured by components of an approved Tennessee educator evaluation model.

Authority: T.C.A. §§ 49-1-302, 49-5-101, and 49-5-108. (Public Chapter No. 535 - Education Improvement Act).
Administrative History: Original rule filed March 16, 1992; effective June 29, 1992. Amendment filed May 12, 1992; effective August 29, 1992. Amendment filed January 29, 1993; effective April 30, 1993. Amendment filed November 22, 1993; effective March 30, 1994. Expired rules edited by Secretary of State in October 1996. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed February 20, 2008; effective June 27, 2008. Repeal filed May 29, 2015; effective August 27, 2015. Emergency rules filed January 28, 2019; effective through July 27, 2019. Amendments filed January 28, 2019; effective April 28, 2019.

0520-02-04-.09 PARTNERSHIPS.

- (1) All EPPs shall have a partnership with each LEA and/or CMO where enrolled candidates are placed for clinical experiences.
- (2) Each Tennessee-based EPP shall have at least one (1) primary partnership with an LEA or CMO in which both parties collaborate to establish an explicit process for identifying and responding to LEA- or CMO-identified areas of need, developing candidate selection criteria, and designing and implementing high-quality, needs-based clinical experiences. The primary partnership shall also establish the roles and responsibilities of EPP faculty and LEA or CMO staff, including clinical mentors and supervisors and establish clear expectations regarding the delivery of candidate support and evaluation.
- (3) Tennessee-based EPPs that meet the following requirements may request to establish a primary partnership with an alternate entity that oversees or manages two (2) or more schools in Tennessee:
 - (a) The most recent completer cohort has ten (10) or fewer educators employed in a Tennessee public school; and
 - (b) The EPP provides a description of how the partnership will comply with the requirements of paragraph (2).
- (4) All EPPs shall establish state-recognized partnerships with LEAs and/or CMOs with which they do not have a primary partnership, but where enrolled candidates are placed for clinical experiences. State-recognized partnerships, at a minimum, shall establish the roles and responsibilities of EPP faculty and LEA or CMO staff, including clinical mentors and supervisors and establish clear expectations regarding the delivery of candidate support and evaluation.
- (5) Out-of-state and online EPPs that place candidates in Tennessee LEAs and/or CMOs for clinical experiences shall have formal state-recognized partnership agreements with the LEAs/ or CMOs hosting their candidates. This includes placement of candidates who are employed as teachers-of-record while completing preparation programs through the job embedded clinical practice option. Out-of-state and online EPPs must submit LEA and/or CMO partnership agreements to the Department in order to receive partnership recognition from the state.
- (6) Pursuant to T.C.A. § 49-5-5631, all full-time faculty members, including academic deans or executive leaders, in a Tennessee approved EPP, who are involved in the preparation of teachers, shall further their professional development through direct personal involvement in a public school or LEA on an annual basis. Each primary partnership agreement shall detail the faculty involvement. Direct faculty involvement shall include at least one (1) of the following activities:

- (a) Professional learning targeted to or led by pre-K through grade twelve (pre-K–12) educators;
- (b) Professional learning focused on local education agency-specific educational initiatives;
- (c) Direct instruction to pre-K through grade twelve (pre-K–12) students;
- (d) Curriculum development;
- (e) District level strategic partnerships; or
- (f) Direct observation of pre-K through grade twelve (pre-K–12) classrooms.

Authority: T.C.A. §§ 49-1-202, 49-1-302, 49-1-302(15), 49-1-302(16), 49-5-101, and 49-5-108. (Public Chapter No. 535 - Education Improvement Act). **Administrative History:** Original rule filed March 16, 1992; effective June 29, 1992. Amendment filed May 12, 1992; effective August 29, 1992. Expired rules edited by Secretary of State in October 1996. Amendment filed May 28, 1999; effective September 28, 1999. Amendments filed September 6, 2007; effective January 28, 2008. Amendment filed February 20, 2008; effective June 27, 2008. Amendment filed October 20, 2009; effective March 31, 2010. Repeal filed May 29, 2015; effective August 27, 2015. Emergency rules filed January 28, 2019; effective through July 27, 2019. Amendments filed January 28, 2019; effective April 28, 2019.

0520-02-04-.10 CLINICAL EXPERIENCES.

- (1) Each EPP shall provide candidates with clinical experiences. EPPs shall design these experiences to provide candidates with opportunities to build and demonstrate content knowledge, pedagogical knowledge, and pedagogical content knowledge. These experiences shall reflect the breadth of the grade span and the depth of the content reflected by the specialty area(s) in which the candidate is being prepared.
- (2) Each candidate shall complete field experiences and at least one (1) clinical practice in order to successfully complete an educator preparation program.
- (3) EPPs shall ensure candidates complete a clinical practice in the appropriate licensure and endorsement area.
- (4) Field experiences shall provide early and ongoing practice opportunities to apply content and pedagogical knowledge in settings reflective of the specialty area(s) in which the candidate is being prepared.
- (5) EPPs shall develop requirements for completion of clinical practice and outline the causes and procedures by which the clinical practice can be terminated. Candidates who do not successfully complete clinical practice shall not be recommended for licensure.
- (6) Prior to participating in a clinical practice, post-baccalaureate program candidates shall receive training on the professional education standards.
- (7) Clinical practice sites may include Tennessee public schools, including public charter schools and Tennessee state special schools, or Category 1, 2, or 3 non-public schools. Category 4 and 5 schools shall not be used as placement sites. These categories are defined in State Board Rule 0520-07-02. If extraordinary circumstances arise that prevent a candidate from completing the clinical experience in Tennessee, the EPP may request permission for the candidate to complete the clinical practice in another state. Information of candidates that complete the clinical practice outside of Tennessee shall be included as part of the comprehensive review process.
- (8) EPPs shall ensure all candidates participating in a clinical practice have a school-based clinical mentor.

- (9) Educators who serve as a school-based clinical mentor in a public school setting shall, at a minimum:
 - (a) Hold an active Tennessee license with an endorsement in the area or a closely related area where they will be supervising the candidate;
 - (b) Have a level of overall effectiveness of above expectations or significantly above expectations for the prior school year; and
 - (c) Have a minimum of three (3) years of experience as a teacher, school services personnel, or instructional leader, as applicable.
- (10) Clinical mentors shall be selected jointly by the EPP and the partner LEA and/or CMO.
- (11) Clinical mentors shall, in cooperation with the EPP clinical supervisor, direct the activities of the candidate in the classroom.
- (12) EPPs shall coordinate with LEAs and/or CMOs to ensure clinical mentors are provided release time for counseling, observation, evaluation, or other activities related to the clinical practice that occur during the school day.

Authority: T.C.A. §§ 49-1-302, 49-5-101, and 49-5-108. **Administrative History:** Original rule filed March 16, 1992; effective June 29, 1992. Expired rules edited by Secretary of State in October 1996. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed April 28, 2000; effective August 28, 2000. Repeal filed May 29, 2015; effective August 27, 2015. Emergency rules filed January 28, 2019; effective through July 27, 2019. Amendments filed January 28, 2019; effective April 28, 2019. Amendments filed May 27, 2021; effective August 25, 2021.

AMENDMENT

RULES OF THE STATE BOARD OF EDUCATION

CHAPTER 0520-02-05 OCCUPATIONAL EDUCATOR SCHOLARSHIP PROGRAM

0520-02-05-.02 DEFINITIONS.

- (1) "Department" means the Tennessee Department of Education.
- (2) "Distressed Rural County" means any county that qualifies as an "eligible county" under T.C.A. § 67-6-104(b)(3)(B).
- (3) "EPP" means a Tennessee educator preparation provider that is approved by the State Board of Education for the preparation of educators.
- (4) "Full-Time Teaching Service" means a minimum of fifty percent (50%) of the Recipient's weekly workload is devoted to teaching, exclusive of administrative, teaching assistance, after-school programs, counseling, or other assigned duties.
- (5) "Good Standing" means a satisfactory standard of progress toward completion of an educator preparation program as defined by the EPP the Recipient attends.
- (6) "Occupational Teacher License" means an occupational teacher license, as defined by Rule 0520-02-03, that meets the qualifications to teach occupational career and technical education courses in a Tennessee public school.
- (7) "Prospective Educator" means an individual seeking a Tennessee Occupational Teacher License and enrolled in an eligible educator preparation program.
- (8) "Recipient" means an individual prospective educator who is selected to receive the occupational educator scholarship award based upon the fulfillment of specific eligibility criteria and in accordance with the terms outlined under this Chapter.
- (9) "Rural Community" means any community located outside of a major urban or suburban area, as defined by the Tennessee Department of Economic and Community Development.
- (10) "Tuition and Mandatory Fees" means those fees required for the enrollment or attendance of a student at an eligible institution that are charged to all students, and shall not include fees charged for books, supplies, or other fees, even if such fees are considered necessary for enrollment.

Authority: T.C.A. §§ 49-1-302 and 49-11-102. **Administrative History:** Original rules filed March 26, 2020; effective June 24, 2020.

0520-02-05-.03 ELIGIBILITY.

- (1) In order to be eligible for an occupational educator scholarship, the prospective educator must:
 - (a) Be a Tennessee resident for one (1) year immediately preceding the date of application for a scholarship;

- (b) Submit to the Department an application for an occupational educator scholarship;
- (c) Be admitted to an EPP;
- (d) Agree to teach occupational career and technical education courses in a Tennessee public school for a minimum of four (4) consecutive academic years,; and
- (e) Enter into a written agreement with the EPP in which the prospective educator is enrolled agreeing to repay the scholarship to the state of Tennessee according to a repayment schedule if the prospective educator does not fulfill the four (4) consecutive academic years of teaching required under (d), unless it is impossible for the prospective educator to fulfill the requirements of (d) because of the prospective educator's death or permanent disability under the standards established by T.C.A. Title 8, Chapter 36, Part 5, for determining disability for members of the Tennessee Consolidated Retirement System.

Authority: T.C.A. §§ 49-1-302 and 49-11-102. **Administrative History:** Original rules filed March 26, 2020; effective June 24, 2020.

0520-02-05-.04 APPLICATION AND SELECTION.

- (1) To be eligible to receive an occupational educator scholarship, eligible individuals must submit an application to the Department that includes:
 - (a) Verification of enrollment in an EPP;
 - (b) Verification of employment in a Tennessee public school or a letter of intent to hire from a Tennessee director of schools or public charter school leader; and
 - (c) A signed statement of intent to teach at least four (4) years in a Tennessee public school in an occupational career and technical education course.
- (2) Preference for the scholarship program shall be as follows:
 - (a) First priority shall be given to applicants from Rural Communities or applicants who are seeking employment in a Rural Community with additional priority for employment in a Distressed Rural County.
 - (b) Second priority shall be given to applicants seeking endorsement in occupational subject areas that are in-demand as determined by the Department.
 - (c) All other eligible individuals.

Authority: T.C.A. §§ 49-1-302 and 49-11-102. **Administrative History:** Original rules filed March 26, 2020; effective June 24, 2020.

0520-02-05-.05 TERMS OF THE SCHOLARSHIP.

- (1) Each Recipient of a scholarship under this Chapter shall remain in Good Standing with the EPP during the time of enrollment in order to continue to receive the scholarship.
- (2) Each Recipient shall maintain an active and valid Occupational Teacher License for the required four (4) years of employment.
- (3) A Recipient shall not accept any other financial assistance that carries with it a conflicting service

obligation after graduation or program completion.

- (4) The total amount of a scholarship shall not exceed the cost of Tuition and Mandatory Fees at the EPP where the recipient is enrolled, less all other gift aid, which must be credited first to the eligible prospective educator's tuition and mandatory fees..
- (5) Funds shall be disbursed by the Department directly to the EPP on behalf of the Recipient. No funds shall be disbursed directly to scholarship Recipients.
- (6) The scholarship award may be transferred from one (1) EPP to another provided the transfer is approved by the Department.
- (7) Repayment.
 - (a) If the Recipient is determined to have received the scholarship based on inaccurate application information, the full amount of the scholarship received shall become due immediately to the state of Tennessee.
 - (b) The scholarship must be repaid should the Recipient fail to complete the EPP or fail to honor the terms and conditions of the scholarship agreement. Repayment for Recipients shall begin on the first day of the month following notification to the recipient from the EPP of failure to complete the EPP program or notification of failure to honor the terms and conditions of the scholarship agreement.
 - (c) For each consecutive academic year of Full-Time Teaching the Recipient completes prior to any default under the terms and conditions of the scholarship agreement, the Recipient shall receive a credit of twenty-five percent (25%) of the scholarship amount. This credit shall not begin until the Recipient completes the EPP for which the scholarship was provided.
 - (d) Repayment may be made in whole or in monthly installments over a period of not more than four (4) years from the date of notification to the Recipient of failure to complete the educator preparation program or notification of failure to honor the terms and conditions of the scholarship agreement.
- (e) Pursuant to T.C.A. § 49-4-404, the Attorney General assumes the legal responsibility for enforcing the collection of any such indebtedness against the Recipient.
- (f) If a Recipient issues a check, draft, warrant, or electronic funds transfer which is subsequently returned to the state of Tennessee for reason of insufficient funds, a stop payment order by the issuer, or any other reason, it will be considered non-payment.

Authority: T.C.A. §§ 49-1-302 and 49-11-102. **Administrative History:** Original rules filed March 26, 2020; effective June 24, 2020.

AMENDMENT

RULES OF THE STATE BOARD OF EDUCATION

CHAPTER 0520-14-01 CHARTER SCHOOLS

0520-14-01-.07 GOVERNING BODY TRAINING APPROVAL.

- (1) Approval of Training Courses.
 - (a) Charter school governing body training courses ("Training Courses") shall be approved by the State Board of Education ("State Board").
 - (b) Training Course hours will be recognized only for Training Courses approved by the State Board in accordance with this rule.
 - (c) The State Board shall require prospective course providers to submit an application for Training Course approval by March 15 prior to the fiscal year in which the Training Course will be offered. The application for Training Course approval shall include, but is not limited to, the following information:
 - 1. Name of the individual(s) or entity wishing to provide training;
 - 2. Experience of the individual(s) or entity in providing governing body training;
 - 3. Instructor qualifications;
 - 4. Title, proposed agenda, and length of Training Courses;
 - 5. Intended audience for the courses (New and/or Experienced Governing Body Members);
 - 6. Description of content to be delivered and learning objectives;
 - 7. Description of instructional strategies, activities, and presentation materials;
 - 8. Method of delivery of Training Course content (webinar, in-person, etc.);
 - 9. Fees, if any, to be charged;
 - 10. Methods used to evaluate the achievement of stated learning objectives and provider effectiveness; and
 - 11. If a charter school or charter management organization ("CMO") proposes Training Courses for approval, the proposal shall state whether the Training Courses are restricted to members of the charter school or CMO's governing body or if the Training Courses will be open to any governing body member who wishes to participate.
 - (d) Training Courses that meet the requirements of this rule and are recommended by State Board staff for approval shall be submitted to the State Board for approval

1. Training Courses approved by the State Board shall be included in State Board Policy 6.112.
2. Training Course approvals are valid for three (3) years, unless the provider or State Board indicates the Training Course is proposed or approved for a shorter period of time. Courses may be submitted for renewal of approval at the end of the approval period.
3. Approved Training Course providers shall notify State Board staff if any changes to information outlined in paragraph (c) are made to approved Training Courses during the approval period. The State Board staff shall determine if re-approval is required as a result of the changes.

(2) Training Course Requirements.

(a) Training Course requirements for new governing body members with less than one (1) year of continuous service as part of the current governing body and members of newly approved charter school governing bodies ("New Board Members").

1. Training Course Hour Requirements. New Board Members shall, at a minimum, complete six (6) hours of training within twelve (12) months of joining the governing body.
 - i. Governing body members with a break in service of more than one (1) year within the same governing body or new members of a governing body shall be considered New Board Members for training purposes.
2. Training Course Content Requirements. New Board Members shall, at a minimum, receive training on the following topics:
 - i. Overview of responsibilities of non-profit governance, including but not limited to financial oversight and evaluation of school leadership.
 - ii. State laws and rules governing charter school operations, including but not limited to student discipline and student discipline due process requirements, and requirements to comply with federal laws including, but not limited to the Individuals with Disabilities Education Act ("IDEA"), the Federal Educational Rights and Privacy Act ("FERPA"), and Section 504 of the Rehabilitation Act of 1973.
 - iii. Tennessee open meetings and open records requirements.
 - iv. Conflict of interest and ethics.
 - v. Education's governance structure, including an overview of the roles and responsibilities of the State Board of Education, Department of Education, and the Public Charter School Commission.
3. New Board Members may establish compliance through the completion of one (1) six (6) hour Training Course, or through the completion of multiple Training Courses combined to reach the six (6) hour minimum.
4. New Board Members shall complete all required Training Course hours within twelve (12) months of joining the governing body.

(b) Training Course requirements for experienced governing body members with one (1) or more years of continuous governing body service as part of a specific school's governing body ("Experienced Board Members"):

1. Training Course Hour Requirements. Experienced Board Members shall, at a minimum, complete four (4) hours of training each year.
 2. Training Course Content. Experienced Board Members may select any Training Course(s) approved by the State Board.
 3. Experienced Board Members may establish compliance through the completion of one (1) four (4) hour Training Course, or through the completion of multiple Training Courses combined to reach the four (4) hour minimum.
 4. Experienced Board Members shall complete all required Training Course hours by November 15 each year.
- (c) If a governing body member is unable to complete all required training hours due to an unanticipated hardship, the Charter School may request a waiver from the authorizer or Commissioner of Education to reduce or waive the annual training requirement for that governing body member, pursuant to T.C.A. § 49-13-111. If a New Board Member is granted a waiver of required Training Course hours for a particular year, any Training Courses not completed by the New Board Member shall be made up in the following year. Waivers shall only be valid for one (1) year.
- (d) Charter school authorizers shall monitor charter governing body compliance with these rules. Approved Training Course providers shall provide a list to authorizers of all governing body members who have completed approved Training Courses during the fiscal year. Governing body members shall provide documentation of the completion of required Training Courses to the authorizer, if requested.

Authority: T.C.A §§ 49-13-111 and 49-13-126. **Administrative History:** Original rule filed March 26, 2020; effective June 24, 2020.

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: 05/22/2023

Signature: _____



Name of Officer: Angela C. Sanders

Title of Officer: General Counsel

Department of State Use Only

Filed with the Department of State on: 5/22/2023



Tre Hargett
Secretary of State

RECEIVED

May 22 2023, 3:27 pm

Secretary of State
Division of Publications