
Educator Preparation Permanent Rule 0520-02-04-.03 Eligible Educator Preparation Providers

The Background:

Currently, Chapter 0520-02-04-.03 states that an LEA is eligible to become a Tennessee-approved Educator Preparation Program if the LEA or consortium of LEAs “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.”

Due to the COVID-19 public health emergency, the State Board passed emergency rules at its April 9, 2020 meeting clarifying that TCAP testing will not take place in the Spring of the 2019-20 school year, and that LEAs and schools will not be assigned performance designations in 2020 due to the lack of assessment data. Due to the lack of performance designations for 2020, this rule seeks to clarify that an LEA or consortium of LEAs eligibility to become an EPP will be based on performance designations from the two most recent school years where performance designations were available.

The State Board approved this as a proposed rule (without a rulemaking hearing) at its July 2020 Board Meeting. However, because the rule was previously promulgated as an emergency rule, T.C.A. § 4-5-203 requires a rulemaking hearing. To ensure compliance with the law, the State Board withdrew the rule adopted in July 2020 to conduct a rulemaking hearing. A rulemaking hearing was held in January 2021 and no comments were offered.

The Recommendation:

The Department recommends approval of this item on final reading. The SBE staff concurs with this recommendation.