
Textbook and Instructional Materials Waivers Permanent Rule 0520-01-18

The Background:

T.C.A. § 49-1-302(a)(9) states that it is the duty of the board, and the board has the power to, “prescribe the use of textbooks and other instructional materials, based on recommendations of the state textbook and instructional materials quality commission, for the various subjects taught or used in conjunction with the public schools.” In addition, Public Chapter 770 of 2020 provided the State Board with the authority to approve or deny waiver requests from local education agencies (LEAs) that wish use textbooks or instructional materials that are not on the state-approved adoption list due to the unique or unusual needs of the LEA. Public Chapter 770 also provided the State Board authority to promulgate emergency rules to effectuate the act.

Public Chapter 770 took effect on August 1, 2020. In order to effectuate this public chapter and so that LEAs may continue to request textbook and instructional materials waivers while this permanent rule is promulgated, an emergency version of this rule is being presented on first and final reading at this meeting.

This permanent version of the rule is on first reading, and the State Board will conduct a rulemaking hearing to gather additional public input on the proposed waiver process prior to bringing this rule on final reading in November 2020. To develop the emergency and permanent rule, State Board staff collected feedback from the Tennessee School Boards Association, Tennessee Organization of School Superintendents, and state Department of Education.

The Recommendation:

The State Board staff recommends acceptance of this item on first reading.