

Virtual Education Permanent Rule 0520-01-03-.05

The Background:

Chapter 16 of Tennessee Code Annotated authorizes LEAs to establish public virtual schools and offer virtual education programs. The State Board is authorized to promulgate rules related to virtual education.

Public Chapter 652 of 2020 authorizes the State Board to promulgate rules to address COVID-19 related disruptions. Over the past several months, the Department and State Board have received inquiries from LEAs related to virtual education options for the 2021-22 school year. Revisions to this rule ensure that LEAs have clear rules on virtual school and virtual education programs for the upcoming school year.

This item presents revisions to clarify differences between public virtual schools and virtual education programs. The revisions further define a virtual education program and specify conditions under which LEAs and charter schools can offer virtual education programs. The rule revisions also outline instructional and attendance requirements for virtual education programs and clarifies the teacher of record for a student enrolled in a virtual education program or virtual school.

The State Board approved revisions to this rule on an emergency basis at the July 1st special called meeting.

State Board staff will hold a rulemaking hearing to collect public feedback on this rule between first and final reading.

The Fiscal Analysis Impact:

T.C.A. § 49-1-212 requires that the Department prepare a fiscal analysis of any policy, rule, or regulation proposed to the State Board of Education. This item has no financial impact on an LEA.

The Recommendation:

The Department of Education recommends acceptance of this item on first reading. The SBE staff concurs with this recommendation.