
Civil Rights Compliance Rule 0520-12-04

The Background:

This final reading item creates a rule regarding Tennessee Department of Education (TDOE) and local education agency (LEA) compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) and Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.). All recipients of federal financial assistance from the U.S. Department of Education must comply with these federal civil rights laws and this rule outlines TDOE's oversight and investigation processes. The rule ensures consistency and transparency regarding LEA and department responsibilities in responding to and preventing complaints arising under Titles VI and IX.

Revisions between first and final reading include adding terminology for charter school compliance with Title VI and Title IX. Revisions also added a definition of "records" and the requirement for LEAs and public charter schools to maintain records of investigations. Additionally, various changes were made throughout the rule to align language with federal law and include appropriate citations.

To collect public feedback, the State Board held a rulemaking hearing on July 8, 2021. No comments were offered at the hearing. Written comments were received from a state legislator and the Tennessee School Boards Association.

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