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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:	P. Danielle Nellis
Address:	500 James Robertson Parkway, 8th Floor, Nashville, TN 37243
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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:	P. Danielle Nellis
Address:	500 James Robertson Parkway, 8th Floor, Nashville, TN 37243
Phone:	(615) 483-0268
Email:	Danielle.Nellis@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 :	07/25/2024		
Hearing Time:	9:00 am	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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

URL: <https://tn.webex.com/tn/j.php?MTID=m1f53ef76e26ab9477302a36f86685b31>

Meeting number: 2312 143 1802
Password: SBERules
Phone: 615-747-4911
Access Code: 2312 143 1802

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 danielle.nellis@tn.gov or mailed to:
 Tennessee State Board of Education
 Attention: P. Danielle Nellis

Davy Crockett Tower, 8th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

Written comments must be received by **9:00 AM CT on July 29, 2024** in order to ensure consideration.

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

For further information, please contact P. Danielle Nellis by e-mail at Danielle.nellis@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
0520-02-03	Educator Licensure
Rule Number	Rule Title
0520-02-03-.02	Educator License Types
0520-02-03-.11	Endorsements
0520-02-03-.12	Permits
0520-02-03-.13	Requirements for the Limited License

Chapter Number	Chapter Title
0520-02-06	Employment Standards
Rule Number	Rule Title
0520-02-06-.01	Purpose
0520-02-06-.02	Employment Standards for Teachers

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

Chapter Number	Chapter Title
0520-01-07	Career and Technical Education
Rule Number	Rule Title
0520-01-07-.04	Coordination and Supervision of Student Work-Based Learning Experience

AMENDMENT

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-02-03
EDUCATOR LICENSURE**

0520-02-03-.02 EDUCATOR LICENSE TYPES.

- (1) All educators in Tennessee shall hold one (1) of the following license types:
 - (a) The practitioner license is the first level license issued to applicants who meet the requirements set forth in this Rule. There are three (3) types of practitioner licenses: practitioner teacher license, practitioner occupational teacher license, and practitioner school services personnel license.
 - (b) The professional license is issued to educators who have met licensure expectations at the practitioner level and who meet the requirements for advancement set forth in this Rule. There are three (3) types of professional licenses: professional teacher license, professional occupational teacher license, and professional school services personnel license.
 - (c) The JROTC license is issued to active or retired military personnel who seek to serve as Junior Reserve Officers' Training Corps (JROTC) teachers.
 - (d) The license for postsecondary educators (PSE) is issued to applicants who have been a full-time or part-time college professor or instructor and who meet the requirements set forth in this Rule.
 - (e) The adjunct license is issued to applicants seeking to teach no more than three (3) classes in a content area of critical shortage identified by the State Board who meet the requirements set forth in this Rule.
 - (f) The Instructional Leader License-Aspiring (ILL-A) is issued to applicants who hold a bachelor's degree, are enrolled in an instructional leadership preparation program approved by the State Board of Education, and meet the requirements set forth in this Rule.
 - (g) The Instructional Leader License (ILL) is issued to applicants who hold a bachelor's degree, have completed an instructional leadership preparation program approved by the State Board of Education, and meet the requirements set forth in this Rule.
 - (h) The Instructional Leader License-Professional (ILL-P) is issued to educators currently holding the ILL who meet the requirements for advancement set forth in this Rule.
 - (i) The Limited License is issued to educators who hold a valid temporary teaching permit who meet the requirements set forth in this Rule.
- (2) The validity period of each license type shall be outlined in the SBE Educator Licensure Policy 5.502, however:
 - (a) The validity period of the practitioner license shall be no more than four (4) years;
 - (b) The validity period of the professional license shall be no more than eleven (11) years;
 - (c) The validity period of the ILL-A shall be no more than four (4) years;
 - (d) The validity period of the ILL shall be no more than four (4) years; and

- (e) The validity period of the ILL-P shall be no more eleven (11) years.

Authority: T.C.A. §§ 49-1-302 and 49-5-108. **Administrative History:** Original rule filed July 31, 2008; effective November 28, 2008. Amendment filed July 17, 2009; effective December 29, 2009. Repeal and new rules filed December 18, 2014; effective March 18, 2015. A stay of the rules was filed January 28, 2015; new effective date June 1, 2015. Emergency rules filed August 27, 2015; effective through February 23, 2016. Repeal and new rules filed October 27, 2015; effective January 25, 2016. Amendments filed August 16, 2019; effective November 14, 2019. Amendments filed March 16, 2023; effective June 14, 2023.

0520-02-03-.11 ENDORSEMENTS.

- (1) All educators shall hold a full and valid Tennessee educator license with an endorsement covering the work assignment as provided in T.C.A. Title 49, Chapter 5.
- (2) Prospective educators seeking initial licensure shall meet requirements in at least one (1) area of endorsement.
- (3) In accordance with T.C.A § 49-5-5619, beginning August 1, 2023, educators seeking to obtain or maintain endorsements identified in the Educator Licensure Policy 5.502 as requiring passage of a foundational literacy skills assessment or completion of an approved foundational literacy skills professional development course, must submit required documentation demonstrating completion of the foundational literacy skills assessment or foundational literacy skills professional development course as set forth below. If an educator chooses to complete the foundational literacy skills professional development course, evidence of completion of the course shall be submitted to the Department within the twelve (12) months preceding the applicable licensure transaction.
 - (a) Educators seeking licensure and endorsement in an applicable area as identified in Policy 5.502 must demonstrate meeting this requirement at the time of licensure issuance, except for candidates enrolled in an educator preparation program with a job- embedded clinical practice.
 - (b) Educators who hold a license and endorsement(s) in an applicable area as identified in Policy 5.502 while enrolled in a program with a job-embedded clinical practice and all other educators seeking to renew or advance a teacher or instructional leader license with an endorsement in an applicable area as identified in Policy 5.502 must complete this requirement to renew or advance the license.
 - (c) Educators seeking to add an endorsement in an applicable area as identified in Policy 5.502 to a teaching license must demonstrate completion of this requirement prior to the endorsement being added to the license.
 - (d) Educators who hold multiple endorsements on a license, at least one (1) of which is not impacted by T.C.A. § 49-5-5619, may maintain licensure and any endorsements not identified in Policy 5.502, without demonstrating completion of this requirement; however, any applicable endorsement(s) identified in Policy 5.502 will become inactive at the time of renewal or advancement of the license unless the educator demonstrates completion of this requirement.
 - (e) Educators who only hold a license with applicable endorsement(s) as identified in Policy 5.502 and who do not complete this requirement will not be able to renew or advance the license and it will become inactive.
 - (f) Educators whose license becomes inactive as provided for in subparagraph (e) may reactivate a license and/or applicable endorsement(s) identified in Policy 5.502 held on a license by demonstrating completion of the required foundational skills literacy assessment or approved professional development course required by T.C.A. § 49-5- 5619.
 - (g) Once an educator has demonstrated completion of the requirement to pass the foundational literacy skills assessment or complete an approved foundational literacy skills professional development course as provided in subparagraphs (a) through (f), the

educator will not have to re-take the course or the assessment to maintain licensure.

- (4) Educators may add additional endorsements to a license in accordance with rules and policies established by the State Board, State Board Educator Licensure Policy 5.502, and guidelines established by the Department.
- (5) When an endorsement held by an out-of-state applicant does not match the content area or grade span of an available Tennessee endorsement, the Department shall identify the most appropriate match, if possible. In some cases, if there is not an equivalent endorsement and the grade span and/or content area do not have an appropriate match, the Department may request additional evidence to demonstrate knowledge and/or experience in the content area and/or grade span covered by the available Tennessee endorsement prior to issuing or reactivating a license in Tennessee. The same process shall also apply to an educator who is seeking to reactivate an expired license if the endorsements previously held are no longer issued.
- (6) All educators who teach a course in which a state-level end-of-course examination is required shall hold the subject-specific endorsement for the course or meet the appropriate employment standard set forth in Employment Standards Rule Chapter 0520-02-06, unless the educator is granted an Academic Permit or Clinical Practice Permit by the Commissioner in accordance with Permits Rule 0520-02-03-.12. .
- (7) An educator may teach up to two (2) sections of one (1) course outside the educator's area of endorsement each school year, except for courses in which a state-level end of course examination is required, elementary physical education courses, or special education courses.
- (8) An educator who holds a full and valid and active license may teach more than one (1) course or more than two (2) sections of one (1) course outside of the educator's area of endorsement if an endorsement exemption is requested by the director of schools or director of a public charter school and approved by the Commissioner.
 - (a) In reviewing an initial endorsement exemption for approval, the Commissioner shall consider:
 1. The educator's previous teaching experience;
 2. The educator's postsecondary coursework and degrees held; and
 3. The content and grade span of endorsements held on the educator's current license.
 - (b) Endorsement exemptions shall be valid for one (1) school year. A director of schools or director of public charter school may request renewal of an endorsement exemption for an educator who demonstrates progress toward earning the relevant endorsement. An endorsement exemption may be renewed no more than two (2) times.
 - (c) Educators may teach on an approved endorsement exemption for no more than a total of three (3) school years.
 - (d) An endorsement exemption shall not be issued by the Commissioner to an individual to teach a course in which an end of course examination is required, in accordance with T.C.A. § 49-6-6006 or a special education course in accordance with Federal laws.
- (9) Licensed educators enrolled in an additional endorsement program in special education offered by a State Board-approved educator preparation provider may add a provisional special education endorsement by:
 - (a) Submitting a recommendation from the educator preparation provider verifying:
 1. Enrollment in a program of study for additional endorsement in the special education endorsement area; and
 2. An assurance that the educator will be assigned a mentor who is endorsed in the

special education endorsement area.

- (b) In order to transition from a provisional endorsement to a full endorsement, educators shall submit qualifying scores on all State Board-required assessments and successfully complete the program of study within three (3) years of receiving a provisional endorsement. The provisional endorsement shall be valid for three (3) years and shall not be renewed.

Authority: T.C.A. §§ 49-1-302, 49-5-106, 49-5-108, 49-5-403, 49-5-5619, 49-6-303, and 49-6-6006.

Administrative History: Original rule filed November 16, 1989; effective February 29, 1990. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed May 28, 1999; effective September 28, 1999. Repeal and new rules filed December 18, 2014; effective March 18, 2015. A stay of the rules was filed January 28, 2015; new effective date June 1, 2015. Emergency rules filed August 27, 2015; effective through February 23, 2016. Repeal filed October 27, 2015; effective January 25, 2016. New rules filed August 16, 2019; effective November 14, 2019. Emergency rules filed July 9, 2021; effective through January 5, 2022. Emergency rules expired effective January 6, 2022, and the rules reverted to their previous statuses. Amendments filed December 2, 2021; effective March 2, 2022. Amendments filed July 20, 2022; effective October 18, 2022. Amendments filed March 16, 2023; effective June 14, 2023. Amendments filed November 21, 2023; effective February 19, 2024.

0520-02-03-.12 PERMITS.

- (1) Academic Permits.
 - (a) After the director of schools or the director of a public charter school notifies the director's local board of education or the governing body of the director's charter school, as applicable, that the LEA or charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists, the director of schools or the director of a charter school may certify to the Commissioner that the LEA or charter school is unable to secure a qualified teacher with a valid license for the position in which a vacancy exists.
 - (b) In accordance with T.C.A. § 49-5-106, upon the Commissioner's receipt of the certification, the Commissioner may grant a temporary permit to teach in the unfilled position to an individual who does not hold an active Tennessee educator license under the conditions set forth in this rule.
 - (c) The LEA or charter school shall provide evidence of a targeted recruitment strategy for the vacant position.
 - (d) The director of schools or charter school leader shall recommend the individual for a teaching permit.
 - (e) The recommended individual shall hold a minimum of a bachelor's degree from a regionally accredited college or university.
 - (f) If an individual indicates an affirmative answer on the personal affirmation section of the application for a permit, the individual shall show cause why the permit should be issued despite the individual's affirmative answers. The permit application of any individual who indicates an affirmative answer on the personal affirmation section of the application shall be sent to the State Board for review in accordance with State Board Rule 0520-02-03-.09 for a determination of whether the permit may be issued by the Commissioner.
 - (g) If an individual teaching on a permit issued by the Commissioner is reported to the State Board by a director of schools or director of a public charter school as described in State Board Rule 0520-02-03-.09 and the misconduct, if substantiated, would warrant disciplinary action under State Board Rule 0520-02-03-.09, the State Board may direct the Commissioner not to issue a subsequent permit to the individual upon expiration of the individual's current permit pursuant to T.C.A. § 49-5-106 and State Board Rule 0520-02-03-.09.

- (h) In reviewing a permit application for approval, the Commissioner may consider, but is not limited to, the following:
 - 1. The individual's previous work experience;
 - 2. The individual's postsecondary coursework and degrees held;
 - 3. The individual's relevant experience in the subject area where the individual is seeking to teach; and
 - 4. The individual's progress toward obtaining a Tennessee educator license.
- (i) In addition to criteria specified in paragraph (1)(h), when determining whether to issue a temporary teaching permit to allow a person to teach a course for which an end-of-course examination is required, the Commissioner shall consider the following information:
 - 1. The availability of other faculty or staff who are qualified to teach the course for which an end-of-course examination is required;
 - 2. The timing of the vacancy in relation to the LEA's or public charter school's school calendar, such as whether the vacancy occurs during the LEA's or public charter school's school calendar or in between academic years; and
 - 3. In cases where a vacancy for a course requiring an end-of-course examination occurs outside of the LEA's or public charter school's school calendar, the Commissioner shall also consider an LEA's or public charter school's efforts to advertise the vacancy.
- (j) An individual who is issued a temporary teaching permit to teach a course for which an end-of-course examination is required shall be assigned a mentor teacher by the director of schools or the director of the public charter school.
- (k) Individuals with a teaching permit shall not teach a special education course in accordance with Federal laws.
- (l) Each permit issued by the Commissioner shall be valid only until June 30 following the date of issuance.
- (m) An individual may be issued no more than three (3) permits. An individual shall meet the requirements set forth in this Rule for each issuance of a permit.
- (n) A local board of education or governing body of a charter school may employ an individual holding a permit, but not holding a valid license, only for such period for which the local board of education or the governing body of the charter school is unable to secure a qualified teacher with a valid license for the type and kind of school. The permit issued to an unlicensed individual is only valid for the school and LEA identified in the permit application submitted to the Department and shall not be used for any other purpose.
- (o) If an individual has had a permit application denied by the Commissioner pursuant to paragraph (1)(f) or (1)(g) of this Rule, the individual must indicate such on any future application for an educator license or permit in Tennessee.
- (2) Clinical Practice Permits.
 - (a) After the director of schools or the director of a public charter school notifies the director's local board of education or the governing body of the director's charter school, as applicable, that the LEA or charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists, the director of schools or the director of a public charter school may certify to the Commissioner that the LEA or charter school is unable to secure a qualified teacher with a valid license for the position in which a vacancy exists.

- (b) In accordance with T.C.A. § 49-5-114, upon the Commissioner’s receipt of the certification, the Commissioner may grant a clinical practice permit to teach in the unfilled position to an individual who does not hold an active Tennessee educator license under the conditions set forth in this Rule.
- (c) A director of schools or a director of a public charter school shall submit a conditional offer of employment made by the respective director of schools or the director of the public charter school for the individual to fill a position for which the LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists. The conditional offer of employment must include a certification by the director of schools or the director of the public charter school that the director has notified the Commissioner of the LEA's or public charter school's inability to fill the vacancy and its intent to employ the individual pursuant to a clinical practice permit issued pursuant to this Rule.
- (d) To be eligible to receive a clinical practice permit, an individual shall be enrolled in a State Board approved educator preparation program (“EPP”), have completed all EPP coursework except for the clinical practice required pursuant to T.C.A. § 49-5-5604 and State Board Rules Chapter 0520-02-04, and submit with the application for a clinical practice permit a letter of recommendation from the EPP in which the individual is enrolled. In accordance with T.C.A. § 49-5-5604, courses required as part of the clinical practice shall be considered part of the clinical practice.
 - 1. In reviewing the clinical practice permit application for approval, the Commissioner may consider, but is not limited to, the following:
 - (i) The individual’s postsecondary coursework; and
 - (ii) The individual’s progress toward obtaining a Tennessee educator license.
 - 2. In accordance with T.C.A. § 49-5-114 , the Commissioner may issue a clinical practice permit to teach a course in which an end-of-course examination is required to satisfy the graduation requirements established by the State Board if the individual demonstrates sufficient content knowledge in the course material by taking and passing, at the teacher’s own expense, all specialty area content assessments.
 - 3. The Commissioner shall not grant an individual a clinical practice permit to teach a physical education class required under T.C.A. § 49-6-1021(e) or a special education course in accordance with Federal and state law.
- (e) If an individual indicates an affirmative answer on the personal affirmation section of the application for a clinical practice permit, the individual shall show cause why the permit should be issued despite the individual’s affirmative answers. The permit application of any individual who indicates an affirmative answer on the personal affirmation section of the application shall be sent to the State Board for review in accordance with State Board Rule 0520-02-03-.09 for a determination of whether the permit may be issued by the Commissioner.
- (f) An individual who teaches under a clinical practice permit issued pursuant to this Rule satisfies the clinical practice required pursuant to T.C.A. § 49-5-5604 and State Board Rule 0520-02-04-.10 if:
 - 1. The individual is assigned to, and receives guidance, evaluations, and instructions from a clinical mentor who meets criteria set forth in State Board Rule 0520-02-04-.10 and Educator Preparation Policy 5.504 for school-based clinical mentors, for an amount of time that is at least equal to the amount of time required for candidates of the EPP in which the individual is enrolled to meet the EPP’s clinical practice requirements;
 - 2. The EPP clinical supervisor assigned to the individual evaluates the individual as

having adequately met the same requirements that candidates of the EPP in which the individual is enrolled must meet to satisfy the clinical practice requirements of T.C.A. § 49-5-5604 and State Board Rule 0520-02-04-.10, including, but not limited to, teaching under a clinical practice permit in a course or endorsement area aligned to the specialty area for which the individual is being prepared; and

3. The individual teaches under a clinical practice permit for an amount of time that is at least equal to the amount of time required for candidates of the EPP in which the individual is enrolled to complete the clinical practice requirements of T.C.A. § 49-5-5604.
- (g) For the purposes of this Rule “clinical practice” has the same meaning as State Board Rule 0520-04-02-.02(4).
 - (h) Each clinical practice permit issued by the Commissioner shall be valid only until June 30 following the date of issuance.
 - (i) An individual may only be issued one (1) clinical practice permit. A clinical practice permit shall not be re-issued by the Commissioner.
 - (j) The clinical practice permit issued to an unlicensed individual is only valid for the school and LEA identified in the clinical practice permit application submitted to the Department and shall not be used for any other purpose.
 - (k) If an individual teaching on a clinical practice permit issued by the Commissioner is reported to the State Board by a director of schools or director of a public charter school as described in State Board Rule 0520-02-03-.09 and the misconduct, if substantiated, would warrant disciplinary action under State Board Rule 0520-02-03-.09, the State Board may direct the Commissioner not to issue any subsequent permit to the individual upon expiration of the individual’s current clinical practice permit.
 - (l) If an individual has had a clinical practice permit application denied by the Commissioner pursuant to paragraph (2)(e) of this Rule or if the State Board has directed the Commissioner not to issue the individual any subsequent temporary permits pursuant to paragraph (2)(k) of this Rule, the individual must indicate such on any future application for an educator license or temporary permit in Tennessee.
- (3) Occupational Permits.
- (a) After the director of schools or the director of a public charter school notifies the director’s local board of education or the governing body of the director’s charter school, as applicable, that the LEA or charter school is unable to secure a qualified occupational teacher with a valid occupational license for the course of study in which a vacancy exists, the director of schools or the director of a charter school may certify to the Commissioner that the LEA or charter school is unable to secure a qualified occupational teacher with a valid occupational license for the position in which a vacancy exists.
 - (b) In accordance with T.C.A. § 49-5-106, upon the Commissioner’s receipt of the certification, the Commissioner may grant a temporary occupational permit to teach in the unfilled position to an individual who does not hold an active Tennessee educator license under the conditions set forth in this rule.
 - (c) The LEA or charter school shall provide evidence of a targeted recruitment strategy for the vacant position.
 - (d) The director of schools or charter school leader shall recommend the individual for an occupational teaching permit.
 - (e) The recommended individual shall hold a minimum of a high school diploma; and either:
 1. An active industry certification for the area of endorsement, as defined by the Department; or

2. A minimum of five (5) years of relevant work experience, completed within the last ten (10) years, or three (3) years of relevant work experience, completed within the last five (5) years, in the endorsement area or equivalent educational attainment, as defined by the Department.
- (f) If an individual indicates an affirmative answer on the personal affirmation section of the application for an occupational permit, the individual shall show cause why the permit should be issued despite the individual's affirmative answers. The permit application of any individual who indicates an affirmative answer on the personal affirmation section of the application shall be sent to the State Board for review in accordance with State Board Rule 0520-02-03-.09 for a determination of whether the permit may be issued by the Commissioner.
 - (g) If an individual teaching on an occupational permit issued by the Commissioner is reported to the State Board by a director of schools or director of a public charter school as described in State Board Rule 0520-02-03-.09 and the misconduct, if substantiated, would warrant disciplinary action under State Board Rule 0520-02-03-.09, the State Board may direct the Commissioner not to issue any subsequent permit to the individual upon expiration of the individual's current occupational permit.
 - (h) In reviewing an occupational permit application for approval, the Commissioner may consider, but is not limited to, the following:
 1. The individual's previous work experience;
 2. The individual's postsecondary coursework and degrees held;
 3. The individual's relevant experience in the subject area where the individual is seeking to teach; and
 4. The individual's progress toward obtaining a Tennessee educator license.
 - (i) An occupational permit issued by the Commissioner shall be valid only until June 30 following the date of issuance.
 - (j) An individual may only be issued one (1) occupational permit. An occupational permit shall not be re-issued by the Commissioner.
 - (k) A local board of education or governing body of a charter school may employ an individual holding an occupational permit, but not holding a valid license, only for such period of time for which the local board of education or the governing body of the charter school is unable to secure a qualified occupational teacher with a valid license for the type and kind of school. The occupational permit issued to an unlicensed individual is only valid for the school and LEA identified in the permit application submitted to the Department and shall not be used for any other purpose.
 - (l) If an individual has had an occupational permit application denied by the Commissioner pursuant to paragraph (3)(f) or if the State Board has directed the Commissioner not to issue the individual any subsequent temporary permits pursuant to paragraph (3)(g) of this Rule, the individual must indicate such on any future application for an educator license or temporary permit in Tennessee.

Authority: T.C.A. §§ 49-1-302, 49-5-106, 49-5-108, 49-5-403, and Public Chapter 284 of the Public Acts of 2023.
Administrative History: Original rule filed November 16, 1989; effective February 29, 1990. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed May 28, 1999; effective September 28, 1999. Repeal and new rules filed December 18, 2014; effective March 18, 2015. A stay of the rules was filed January 28, 2015; new effective date June 1, 2015. Emergency rules filed August 27, 2015; effective through February 23, 2016. Repeal filed October 27, 2015; effective January 25, 2016. New rules filed August 16, 2019; effective November 14, 2019. Amendments filed November 30, 2020; effective February 28, 2021. Amendments filed August 5, 2021; effective November 3, 2021.

0520-02-03-.13 REQUIREMENTS FOR THE LIMITED LICENSE.

- (1) An individual may apply to the Department for a Limited License to continue teaching the course or subject area taught pursuant to the teacher's most recently issued permit, if the teacher meets the following requirements for issuance of a Limited License by the Department:
 - (a) Was issued a valid second or third temporary teaching permit pursuant to T.C.A. § 49-5-106 and State Board Permits Rule 0520-02-03-.12 in the 2021-2022 school year or thereafter;
 - (b) Earned a level of overall effectiveness score of "above expectations" or "significantly above expectations" on the teacher's most recent evaluation pursuant to T.C.A. § 49-1-302;
 - (c) Provides a recommendation from the director of schools or from the director of the public charter school, at which the teacher taught on a permit, recommending that the teacher receive a Limited License with the endorsement(s) issued pursuant to the most recently issued permit; and
 - (d) Agrees, in writing, to begin a pathway approved by the State Board for transitioning from a Limited License to a Practitioner license.
- (2) The Limited License is valid for two (2) school years and is not renewable.
- (3) A Limited License shall not be issued to an individual to teach a course for which an end-of-course examination is required or a special education course.
- (4) Educators seeking to advance from the limited license to the practitioner teacher license shall meet the following requirements:
 - (a) Submits a recommendation from a State Board approved educator preparation program or a provider approved by the State Board and the Department in accordance with LEA Teacher Training Programs Rule Chapter 0520-02-07, certifying that the educator has completed coursework focused on foundational pedagogical skills and foundational literacy skills in accordance with the Tennessee Literacy Success Act. A State Board approved educator preparation provider or a provider approved by the State Board and the Department shall not require an educator to complete more than six (6) credit hours to meet this requirement;
 - (b) Receives support from a highly effective clinical mentor in accordance with the requirements for clinical mentors set forth in State Board Clinical Experiences Rule 0520-02-04-.10; and
 - (c) Submits qualifying scores on all required content assessments as defined in the State Board Professional Assessments for Tennessee Educators Policy 5.105.
- (5) Once an educator is issued a practitioner teacher license, the educator shall meet requirements for renewal and/or advancement of the license as set forth in Rule 0520-02-03-.03 of this Chapter.

Authority: T.C.A. §§ 49-1-302, 49-5-106, and 49-5-108. **Administrative History:** Repeal and new rules filed December 18, 2014; effective March 18, 2015. A stay of the rules was filed January 28, 2015; new effective date June 1, 2015. Emergency rules filed August 27, 2015; effective through February 23, 2016. Repeal filed October 27, 2015; effective January 25, 2016. New rules filed August 16, 2019; effective November 14, 2019. Amendments filed March 16, 2023; effective June 14, 2023.

AMENDMENT
RULES
OF
THE STATE BOARD OF EDUCATION

CHAPTER 0520-02-06
EMPLOYMENT STANDARDS

0520-02-06-.01 PURPOSE.

- (1) A teacher or principal shall hold a valid Tennessee teacher license with an endorsement covering the work assignment as provided in T.C.A. Title 49, Chapter 5.
- (2) Employment standards identified in this Rule outline the requirements for certain school and LEA level positions that educators may hold without holding a specific endorsement.
- (3) The Department of Education may provide additional endorsement flexibility as appropriate.

Authority: T.C.A. §§ 49-1-302, 49-5-108, and 49-5-403. **Administrative History:** Original rules filed August 20, 2020; effective November 18, 2020.

0520-02-06-.02 EMPLOYMENT STANDARDS FOR TEACHERS.

- (1) A teacher with a professional license may teach Algebra I at any grade level if they have:
 - (a) An endorsement to teach at least through grade eight (8);
 - (b) A passing score on the middle school math PRAXIS or Pearson NES middle grades and early secondary assessment; and
 - (c) Successful completion of a state-approved training or a passing score on a supplemental test in the content area approved for this purpose by the Department of Education.
- (2) Gifted Education.
 - (a) A general education or special education teacher providing direct instruction to a student identified as intellectually gifted, in accordance with the student's individualized education program (IEP), shall meet the following employment standards:
 1. Hold a valid Tennessee teaching license with an endorsement in a general education area or special education area; and
 2. Meet one (1) of the following criteria:
 - (i) Hold an endorsement in gifted education;
 - (ii) Provide gifted services under the supervision of a gifted consulting teacher that meets the requirements of this rule;
 - (iii) Complete a minimum of six (6) semester hours in gifted coursework from a State Board approved educator preparation program, or from an educator preparation program approved by a state other than Tennessee; or
 - (iv) Complete a gifted education training program recognized by the Department of Education.
 - (b) Individuals serving as a consulting teacher in gifted education are responsible, either through direct instruction or supervision, for implementation of IEPs for gifted students. All

consulting teachers in gifted education shall hold a valid Tennessee teaching license with an endorsement in gifted education.

(c) Individuals serving as a gifted education coordinator in special or general education shall meet one (1) of the following employment standards:

1. Hold a valid Tennessee teaching license with an endorsement in gifted education;
2. Hold a valid Tennessee teaching license and complete six (6) semester hours in gifted education from a State Board approved educator preparation program or from an educator preparation program approved by a state other than Tennessee; or
3. Hold a valid Tennessee Instructional Leader License.

(d) Individuals serving as a gifted education coordinator in special or general education shall not serve as a consulting teacher in gifted education unless they meet the requirements of a consulting teacher in gifted education under this rule.

(3) Personal Finance.

(a) A teacher of personal finance shall hold a valid Tennessee teacher license and shall meet one (1) of the following requirements:

1. Complete a minimum of fourteen (14) clock hours of training on use of the state adopted Personal Finance standards provided by:
 - (i) The Department of Education; or
 - (ii) A Department of Education-approved organization or institution of higher education; or
2. Hold an active endorsement in Economics, Business, Marketing, or Family and Consumer Sciences.

(4) Year one (1) career and technical education (CTE) courses in grades six (6) through nine (9):

(a) A teacher of year one (1) CTE Courses shall hold a valid Tennessee teacher license with an endorsement to teach at least through grade eight (8) and shall meet the following requirements:

1. Successfully complete a Department-approved training with a minimum of seven (7) clock hours of training on the implementation of CTE standards; and
2. The course is offered for students in grades six (6) through nine (9).

(5) End of Course (EOC)-assessed subjects: A teacher with a valid Tennessee teacher license may teach a course with an EOC assessment at any grade level if the educator:

(a) Demonstrates sufficient content knowledge in the course material by taking and passing, at the teacher's own expense, the relevant content-area assessment listed in State Board Policy 5.105 Professional Assessments for Tennessee Educators in accordance with T.C.A. § 49-6-6006.

Authority: T.C.A. §§ 49-1-302, 49-5-108, 49-5-403, and 49-6-6006. **Administrative History:** Original rules filed August 20, 2020; effective November 18, 2020.

AMENDMENT
RULES
OF
STATE BOARD OF EDUCATION
CHAPTER 0520-02-05
OCCUPATIONAL EDUCATOR SCHOLARSHIP PROGRAM

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 three (3) consecutive academic years; and
 - (e) Enter into a written agreement with the state of Tennessee in which the Prospective Educator agrees to repay the scholarship to the state of Tennessee according to a repayment schedule if the Prospective Educator does not fulfill the three (3) 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, Amendments filed September 20, 2023; effective December 19, 2023.

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 three (3) 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;

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 three (3) 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 Service 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) 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.
 - (f) A Recipient shall be delinquent if the Recipient fails to make an installment payment after thirty calendar (30) days of the due date. Upon delinquency, the Department shall send notice to the Recipient of the delinquency and inform the Recipient of the consequences of default.
 - (g) The Department shall consider a Recipient to be in default if the Recipient fails to make a payment for a period of two hundred seventy (270) consecutive calendar days. The Department will refer all defaulted accounts to the Office of the Attorney General for collection.

- (h) If it becomes impossible for the Recipient to fulfill the requirements of 0520-02-05-.03(1)(d) above due to the Recipient'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, then the Recipient shall no longer be required to repay any remaining unpaid scholarship amounts currently due.

Authority: T.C.A. §§ 49-1-302 and 49-11-102. **Administrative History:** Original rules filed March 26, 2020; effective June 24, 2020, Amendments filed September 20, 2023; effective December 19, 2023.

**AMENDMENT
RULES
OF
THE STATE BOARD OF EDUCATION

CHAPTER 0520-01-07
CAREER AND TECHNICAL EDUCATION**

0520-01-07-.04 COORDINATION AND SUPERVISION OF STUDENT WORK-BASED LEARNING EXPERIENCE.

- (1) Work-based learning coordinators shall be provided time during the regular school day to coordinate and supervise students involved in work-based learning placements.

- (2) In a work-based learning program, a maximum of six (6) credits may be earned in any one (1) school year. At least one (1) credit shall be earned through related classroom experience which shall include a minimum of two (2) periods per week of classroom instruction if the school is on a period schedule, or a minimum of one (1) block per week of classroom instruction if the school is on a block schedule. A minimum of five (5) hours per week of supervised work experience shall be required for each additional credit earned. Students earning credits for work experience shall be supervised by a certified work-based learning coordinator. Work-based learning programs shall align with the Work-Based Learning Framework as defined in State Board of Education High School Policy 2.103, this Chapter, and shall adhere to all state and federal child labor laws.

Authority: T.C.A. §§ 49-1-302, 49-11-101, and 49-11-909. **Administrative History:** Original rule filed March 16, 1992; effective June 29, 1992. Amendments filed June 25, 2019; effective September 23, 2019. Amendments filed April 19, 2023; effective July 18, 2023.

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: 06/03/2024

Signature: 

Name of Officer: P. Danielle Nellis

Title of Officer: Deputy General Counsel

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Secretary of State

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