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File Date: 11/15/2022

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:	Angie Sanders
Address:	500 James Robertson Parkway, 5 th Floor, Nashville, TN 37243
Phone:	(615) 253-5707
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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:	Angie Sanders
Address:	500 James Robertson Parkway, 5 th Floor, Nashville, TN 37243
Phone:	(615) 253-5707
Email:	Angela.C.Sanders@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 :	01/06/2023		
Hearing Time:	10:00 am	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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

URL:
<https://tn.webex.com/tn/j.php?MTID=m0b12e5f53916bc37a8f8b132bb7b3782>
Meeting number: 2304 393 2623
Password: SBERules
Phone: +1-415-655-0001
Access Code: 2304 393 2623

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 angela.c.sanders@tn.gov or mailed to:

Tennessee State Board of Education

Attention: Angie Sanders

Davy Crockett Tower, 5th Floor

500 James Robertson Parkway

Nashville, Tennessee 37243

Written comments must be received by **9:00 AM CT on January 10, 2023** in order to ensure consideration.

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

For further information, please contact Angie Sanders by e-mail at angela.c.sanders@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
0520-01-07	Career and Technical Education
Rule Number	Rule Title
0520-01-07-.04	Coordination and Supervision of Student Work-Based Learning Experience

Chapter Number	Chapter Title
0520-12-01	Standards for School Administered Child Care Programs
Rule Number	Rule Title
0520-12-01-.10	Health and Safety

Chapter Number	Chapter Title
0520-01-02	District and School Operations
Rule Number	Rule Title
0520-01-02-.32	Assessment Materials Review

Chapter Number	Chapter Title
0520-02-03	Educator Licensure
Rule Number	Rule Title
0520-02-03-.03	Requirements for Teacher Licenses
0520-02-03-.04	Requirements for Occupational Teacher Licenses
0520-02-03-.05	Requirements for School Services Personnel Licenses

**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 three (3) 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. A minimum of ten (10) hours per week of supervised work experience shall be required for one (1) additional credit, and a minimum of twenty (20) hours per week will be required for two (2) additional credits. 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 and shall adhere to all state and federal child labor laws.

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

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-12-01
STANDARDS FOR SCHOOL ADMINISTERED CHILD CARE PROGRAMS**

0520-12-01-.10 HEALTH AND SAFETY.

- (1) Current and comprehensive first aid information shall be available to all staff who interact with children. A standard first aid kit (for example, one (1) approved by the American Red Cross) shall be available to all staff, and all staff shall be familiar with its contents and use. Each program shall provide periodic training and updates on basic first aid and the use of the first aid kit.
- (2) At least one (1) staff member who has current certification in first aid from a certifying organization recognized by the Department shall be on duty at all times. The first aid certification course shall be a minimum of three (3) hours and shall be taught by a certified first aid instructor.
- (3) At least one half (1/2) of the staff members on duty shall hold current certification in Infant/Pediatric Cardiopulmonary Resuscitation (CPR) from the American Red Cross, the American Heart Association, or other certifying organization, as recognized by the Department.
 - (a) The initial CPR course shall be a minimum of four (4) hours and shall be taught by an individual currently certified, as recognized by the Department, to provide CPR instruction.
 - (b) When school-age children are present, and/or in a school-age only program, at least one (1) staff member shall hold current certification in adult CPR
- (4) Each program, in consultation with appropriate local authorities, shall develop a written plan to protect children in the event of disaster such as, but not limited to, fire, tornado, earthquake, chemical spills, floods, etc. and shall inform parents of the plan.
 - (a) The program shall implement these emergency procedures through timely practice drills to meet local regulations and local emergency services plans and shall maintain documentation of drills for one year. Extended Care: At least one (1) of these drills shall be conducted during extended care hours.
- (5) Smoking is not permitted on the premises of a childcare program.
- (6) The consumption or possession of alcohol is not permitted on the premises of a childcare program.
- (7) Firearms shall not be on the premises of a childcare program, or in any vehicle used to transport children or in the presence of a child.
- (8) Kitchen knives and other potentially dangerous utensils or tools shall be secured so that they are not accessible to children.
- (9) Staff's personal belongings (such as, but not limited to, contents of purses, backpacks, coat pockets, diaper bags, etc.) shall be inaccessible to children at all times.
- (10) The following emergency telephone numbers shall be posted next to all telephones and be readily available to any staff member:

- (a) Fire department;
 - (b) Police department/sheriff;
 - (c) Nearest hospital emergency room;
 - (d) Child abuse hotline;
 - (e) Local emergency management agency;
 - (f) Ambulance or rescue squad;
 - (g) Poison control center;
 - (h) 911 or a similar generic number operated in the community; and
 - (i) Contact numbers for parents.
- (11) Programs shall comply with the following rules for the health of children:
- (a) All children shall be checked upon arrival and observed for signs of communicable disease during the day.
 - (b) A child's temperature should be taken using a non-invasive method unless otherwise prescribed by a physician. Symptomatic children shall be removed from the group until parents are contacted and health issues are resolved.
 - (c) Impetigo and diagnosed strep shall be treated appropriately for twenty-four (24) hours prior to readmission of the child to the program.
 - (d) Children diagnosed with scabies or lice shall have proof of treatment prior to readmission.
 - (e) The program may not provide care and/or isolation for a child with contagious condition unless written instructions are obtained from a licensed physician or certified health care provider.
 - (f) All children born in countries other than the United States, Canada, Western Europe, Australia, New Zealand, and Japan shall present evidence of a tuberculin skin test performed in the United States at any time after twelve (12) months of age. Any child with a positive tuberculin skin test shall be referred to a physician for evaluation. After the initial evaluation, future periodic screening is not required unless the child develops persistent pulmonary symptoms or there is contact with tuberculosis.
 - (g) Staff shall make every reasonable attempt to notify parents immediately when a child shows signs of serious illness, including but not limited to, high temperature, disorientation, coughing, vomiting or diarrhea with blood present, severe difficulty breathing, seizure, etc. to arrange for emergency treatment.
 - (h) In no event shall the program delay seeking emergency treatment due to a delay in making contact with the parent.
 - (i) Parents of every child enrolled shall be notified immediately if one (1) of the following communicable diseases has been introduced into the program:

1. Hepatitis A;
 2. Food borne outbreaks;
 3. Salmonella;
 4. Shigella;
 5. Measles, mumps, and/or rubella;
 6. Pertussis;
 7. Polio;
 8. Influenza type A or B;
 9. Meningococcal meningitis;
 10. Staphylococcus aureus; and
 11. Any other illness identified by the state or local Department of Health.
- (j) The program shall report the occurrence of any of the above diseases to the local health department as soon as possible, but no later than the end of the day in which it occurred.
- (12) Program staff shall make every reasonable attempt to notify parents immediately when a child sustains serious injury/injuries, including but not limited to, massive bleeding, broken bones, head injuries, possible internal injury, etc., to arrange for emergency treatment.
- (13) Tuberculosis (TB) screening prior to on-going contact with children is recommended for any individual who:
- (a) Was born in a country other than the United States, Canada, Western Europe, Australia, New Zealand, and Japan;
 - (b) Has a weakened immune system (including but not limited to Human Immunodeficiency Virus (HIV), cancer, taking chemotherapy drugs, etc.); or
 - (c) Has been recently exposed to tuberculosis.
- (14) The administration of medication shall be in compliance with the following:
- (a) All medications, prescription and non-prescription shall be received from the parent by a designated staff person or management level staff person. An alternate staff person shall be available to administer medication in the event the designated staff person is absent.
 - (b) The designated staff person shall document verification of the following:
 1. The parent's written authorization to administer medication and instructions on the methods of administration;

2. That medicines or drugs are in the original prescription container, are not out of date, and are labeled with the child's name; and
 3. The specific dosage and times medication is to be administered to the child.
- (c) The following documentation of administration shall be maintained in the child's file and a copy provided to the parent:
1. Times medications administered;
 2. Noticeable side effects; and
 3. Name of staff person administering medication to child.
- (d) The parent of a child receiving medication shall sign documentation verifying the receipt of documentation of administration required by subparagraph (c) above and that all unused medication was returned to the parent.
- (e) Medication shall not be handled by children, with the exception of children with a physician's authorization for the self-administration of a medication. Assistance to school-age children self-administering medication must be in accordance with Guidelines for Use of Health Care Professionals and Health Care Procedures in a School Setting.
- (f) Medication shall never be administered in bottles or infant feeders unless authorized by a physician.
- (g) All medicines, prescription and non-prescription shall be stored in a locked compartment or container.
1. If medicine requiring refrigeration is kept in a refrigerator the medicine shall be put in a leak-proof locked container.
 2. Keys for these compartments shall be inaccessible to children.
 3. Medication requiring emergency administration, as directed by the physician, nurse practitioner or physician's assistant, e.g., "EpiPen," asthma inhaler, etc., may be kept in an unlocked container that is inaccessible to children.
- (h) Public school-administered programs shall follow the procedures for student medications defined in the School Health policy, adopted by the Local Education Agency.
- (15) The following safe sleep practices shall be followed:
- (a) Infants shall be positioned on their backs when placed in a crib for sleeping.
 - (b) A crib shall only have a tight-fitting sheet; soft bedding for infants is prohibited.
 - (c) Infants shall not be wrapped tightly or swaddled in blankets for sleeping.
 - (d) Infants should be dressed lightly for sleep and the room temperature shall be in a range that is comfortable for a lightly clothed adult. Infants may be clothed in sleep sacks that have been approved by the Consumer Product Safety Commission and the Tennessee

Department of Health as long as the sleep sack is not handmade, not on the recall list, and children are able to move their arms freely while wearing the sleep sack.

- (e) Infants that fall asleep during tummy time shall be placed in their crib immediately.
 - (f) Infants shall be touched by a teacher every fifteen (15) minutes in order to check breathing and body temperature.
 - (g) Pillows and blankets shall be prohibited for infants.
 - (h) If a child appears not to be breathing, the program must immediately begin CPR and call for emergency medical assistance.
 - (i) Before any teacher can assume duties of any type in an infant room they must be oriented in the foregoing SIDS procedures.
 - (j) The areas where infants sleep shall have adequate lighting which allows the teacher to quickly, at a glance, verify that the child's head is uncovered, that the child is breathing, and otherwise visually verify the child's condition.
- (16) For the protection of children and adults, the Centers for Disease Control guidelines for hand washing and diapering procedures shall be followed. Hand Sanitizer shall not be a substitute for soap and water and shall be kept out of reach of children.
- (17) Diapering shall comply with the following:
- (a) Children shall be diapered/changed and cleaned immediately when wet or soiled.
 - (b) The diapering area and/or toilet training area shall be located near a hand washing lavatory and shall be located in a separate area from the food preparation/service area.
 - (c) All diapering surfaces must be off the floor, and nonporous and shall be sanitized using solutions for general cleaning and sanitizing purposes, including:
 - 1. For general cleaning and sanitizing purposes, a fresh solution of one quarter (1/4) cup chlorine bleach to one (1) gallon of water (or one (1) tablespoon bleach to one (1) quart of water) shall be made daily.
 - 2. Substitutions for the bleach solution required in part 1. above that are approved for the childcare setting by the Department of Health are permissible.
 - 3. The solution required in part 1. above is not appropriate for items associated with food preparation or for items that children frequently place in their mouths, and the Health Department does not permit the use of higher concentrations than these in food preparation areas. Specific jurisdictions may have even more stringent requirements; therefore, the local health department should be consulted.
 - (d) A tightly covered container with plastic liner shall be used for diaper disposal and shall be inaccessible to children. This container shall be emptied by closing the liner and disposing of it in an outside receptacle.
- (18) Program equipment shall meet the following safety requirements:

- (a) Manufacturer's safety instructions shall be followed for the use and/or installation of all indoor and outdoor equipment and appliances. Such instructions shall be retained and communicated to all appropriate staff.
- (b) All indoor and outdoor equipment shall be well made and safe. There shall be no dangerous angles, sharp edges, splinters, nails sticking out, open S-hooks or pinch points within children's reach.
- (c) Electrical cords on equipment for children shall be inaccessible to the children.
- (d) Damaged equipment shall be repaired or removed from the room or playground immediately.
- (e) Equipment shall be kept clean by washing frequently with soap and water.
- (f) There shall be developmentally appropriate equipment and furnishings for each age group in attendance.
- (g) Individual lockers, separate hooks and shelves or other containers, placed at children's reaching level, shall be provided for the belongings of each child, ages infant – preschool.
- (h) In infant/toddler rooms, equipment and space shall be provided for climbing, crawling, and pulling without the restraint of playpens or cribs.
- (i) A place shall be provided for each school-age child's belongings.
- (j) There shall be equipment for napping or sleeping for each preschool child who is in care for six (6) hours or more.
 - 1. A quiet rest area and cots or mats shall be available for children who want to rest or nap. However, no child shall be forced to nap.
 - 2. No child shall be forced to stay on a cot or on a mat for an extended period of time.
 - 3. In order to avoid the spread of airborne diseases, children shall be positioned on mats in a face-to-feet alternating pattern.
 - 4. Spacing of cots, cribs, and mats shall allow sufficient space to walk between them.
 - 5. All nap/sleep equipment shall be in good condition and comply with the following requirements:
 - (i) Individual cots or two-inch (2") mats shall be provided for children ages twelve (12) months to five (5) years.
 - (ii) Individual beds or cots shall be provided for children sleeping for extended periods of more than two and one half (2-1/2) hours, such as during nighttime care.
 - (iii) Each child under twelve (12) months shall have an individual, free-standing, crib at least twenty-two inches (22") x thirty-six inches (36") with an open top.

- (iv) Mattresses and foam pads shall be covered with safe, waterproof material.
 - (v) A clean sheet or towel shall be used to cover whatever the child sleeps on.
 - (vi) A clean coverlet shall be available to each child.
 - (vii) Soiled sheets and coverlets shall be replaced immediately.
 - (viii) Each crib, cot, bed or mat shall be labeled to assure that each child naps on his own bedding.
6. Crib mattress shall not be positioned directly on the floor for napping. Pack 'n plays may be used for naptime.
- (19) All program staff, including volunteers, are individually responsible, and are required by T.C.A. §§ 37-1-403, 37-1-605, and 49-6-1601 to immediately report any knowledge or reasonable cause for suspicion of child abuse or neglect, or child sexual abuse, including, but not limited to, any statement from a child reasonably indicating abuse/neglect of that child or another child or any evidence of abuse or neglect observed on a child, to the Department of Children's Services and law enforcement.
- (20) If the information is received from a child, the following procedures shall be followed:
- (a) If a child voluntarily discloses information about possible abuse to program staff or a volunteer in a program, then the child shall be provided with a quiet and private place to speak and the person receiving the information shall listen openly and speak at the child's level in a positive, non-judgmental tone.
 - (b) The person receiving the information from the child shall:
 - 1. Allow the child to say what happened in the child's own words;
 - 2. Avoid conducting an investigation by asking the child detailed questions;
 - 3. Make every effort to write down the child's exact words;
 - 4. Refrain from making any statements to the child about the alleged abuse, the alleged abuser, or the consequences of the child reporting the alleged abuse; and
 - 5. Immediately notify the program child abuse coordinator and report the information to the Department of Children's Services and law enforcement, provided, however, when the alleged abuse involves someone employed by, previously employed by, or otherwise affiliated with the program, the report may be made directly to the Department of Children's Services and law enforcement prior to notifying the program child abuse coordinator. This requirement does not relieve a program teacher, program official, or other program personnel from the duty to report alleged abuse under federal law.
- (21) If a third party informs a program personnel of a reasonable suspicion that a child at the program may be the victim of child abuse or neglect, or child sexual abuse, then the program personnel must:
- (a) Encourage the third party to report the suspicion to the Department of Children's Services and law enforcement;

- (b) Notify the program's child abuse coordinator; and
 - (c) Report all information received from the third party to the Department of Children's Services and law enforcement.
- (22) Each program shall designate a child abuse coordinator and an alternate child abuse coordinator. The designation of an alternative child abuse coordinator is not required when only one (1) adult is employed by or responsible for the care of children at the program. The child abuse coordinator and alternative child abuse coordinator must:
- (a) Have access to an area providing privacy and access to a telephone for reporting suspected child abuse, neglect, and child sexual abuse;
 - (b) Receive training as required by T.C.A. § 49-6-1601(c)(2);
 - (c) Be available for program personnel to share information about suspected child abuse, neglect, and child sexual abuse;
 - (d) Assist program personnel in reporting suspected child abuse, neglect, and child sexual abuse to the Department of Children's Services and law enforcement;
 - (e) Serve as a liaison between the program, the Department of Children's Services, and law enforcement;
 - (f) Assist the Department of Children's Services and law enforcement by sharing available information regarding suspected child abuse, neglect, and child sexual abuse, and by providing a private area within the program for Department of Children's Services and law enforcement personnel to meet with the child and the reporting program personnel as a group or individually if required; and
 - (g) Maintain confidential files in accordance with T.C.A. §§ 37-5-107 and 37-1-612 regarding all reported suspicions of child abuse, neglect, and child sexual abuse.
- (23) All program staff shall receive annual training regarding the procedures to report child abuse, neglect, and child sexual abuse as is required by T.C.A. § 37-1-408.
- (24) The program shall not attempt to validate the allegation prior to making a report. A final determination of the validity of the report of child abuse or neglect, or child sexual abuse shall be made exclusively by the Department of Children's Services and law enforcement upon the report by the program's staff.
- (25) The program shall not develop or implement policy that inhibits, interferes with or otherwise affects the duty of any staff, including substitutes and volunteers, to report suspected abuse, neglect, or sexual abuse of a child as required by this rule and T.C.A. §§ 37-1-403, 37-1-605, and 49-6-1601 and shall not otherwise directly or indirectly require staff to report to the program management or child abuse coordinator or seek the approval of program management or child abuse coordinator prior to any individual staff member reporting the suspected abuse, neglect, or sexual abuse to the Department of Children's Services and law enforcement.
- (26) A report of suspected child abuse or neglect, or sexual abuse of a child enrolled in the program by a program staff member or volunteer shall not be made to any other entities or persons, including, but not limited to, hospitals, physicians, or educational institutions as an alternative to or substitute for the reporting requirements to the persons or entities specifically listed in this rule.
- (27) A program staff member or volunteer shall not suggest to, advise or direct a parent or caretaker of

a child enrolled in the program to make a report of suspected child abuse or neglect, or child sexual abuse regarding that parent's or caretaker's own child who is enrolled in the program as a means of fulfilling the duty of the program staff member or volunteer to report child abuse or neglect, or child sexual abuse as required by T.C.A. §§ 37-1-403, 37-1-605, and 49-6-1601.

- (28) Program personnel should be observant of any bruising, injury, markings, or other unusual behavior that may be the result of child abuse or neglect, or child sexual abuse, and immediately coordinate with the program's child abuse coordinator to report any suspicions to the Department of Children's Services and law enforcement. However, photographs of such bruising, injury, or markings shall not be taken by any program personnel.
- (29) Any action that does not comply in all respects with these rules, will not fulfill the statutory duty to report child abuse or neglect, or child sexual abuse and the certification of approval requirements of this Chapter.
- (a) Failure to make the reports required by this Chapter or the use of prohibited methods as an attempt to fulfill the duty to report suspected child abuse or neglect, or child sexual abuse, for children in the care of the program are, by themselves, grounds for suspension, denial or revocation of the program's certificate of approval.
- (b) If the facts established by a preponderance of the evidence indicate that there has not been strict compliance with the requirements of this Chapter or that the prohibited procedures been utilized as an alternative means of fulfilling the requirements, these circumstances shall create a rebuttable presumption for the Administrative Law Judge and the Child Care Advisory Council Review Board that the duty to report child abuse or neglect, or child sexual abuse, has not been fulfilled, and this ground for suspension, denial, or revocation of the program's certificate of approval by the Department of Education shall be sustained unless such presumption is rebutted by a preponderance of the evidence.
- (c) All program staff and volunteers in a program certified as approved by the Department of Education shall fully cooperate with all agencies involved in the investigation of child abuse or neglect, or child sexual abuse.
1. The program shall provide access to records of children and staff.
 2. The program shall allow appropriate investigators to interview children and staff.
 3. The program shall not interfere with a child abuse or neglect, or child sexual abuse, investigation.
 4. The program shall protect the child by requesting the investigator's identification.
 5. The program shall maintain confidentiality of the investigation and shall not disclose the investigation or details of the investigation except as required to carry out procedures for the protection of children or as otherwise directed by the Department of Children's Services, law enforcement or the Department of Education.
- (d) Upon notification of a pending child abuse or neglect, or child sexual abuse investigation of any program staff member, the program shall enter into a safety plan with the Department regarding the individual's access to the program and the children in the care of the program.

Authority: T.C.A. §§ 4-5-201, et seq.; 37-1-113; 37-1-401, et seq.; 37-1-601, et seq.; 49-1-302(l); 49-1-1101 through 49-1-1109; 49-5-415; 49-6-5001 and 5002; 49-6-1601, and 20 U.S.C. § 6081. **Administrative History:** Original rule filed April 30, 2002; effective July 14, 2002. Amendment repealing and replacing rule

filed March 15, 2010; effective August 29, 2010. Amendment filed June 18, 2013; effective November 28, 2013. Amendments filed November 2, 2017; effective February 1, 2018. Amendments filed May 3, 2018; effective August 1, 2018. Amendments filed January 25, 2019; effective April 25, 2019. Amendments filed April 1, 2021; effective June 30, 2021.

**RULES
OF
THE STATE BOARD OF EDUCATION**

CHAPTER 0520-01-02

DISTRICT AND SCHOOL OPERATIONS

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0520-01-02-.32 ASSESSMENT MATERIALS REVIEW

- (1) Definitions. As used in this Rule:
 - (a) “Department” means the Tennessee Department of Education.
 - (b) “LEA” means local education agency and has the same meaning given in T.C.A. § 49-1-103(2).
 - (c) “Materials” means Testing Materials or Proposed Testing Materials as defined in this Rule.
 - (d) “Member” means an active sworn-in representative or senator of the Tennessee General Assembly.
 - (e) “Testing Materials” or “Proposed Testing Materials” means any copies of questions, writing prompts, or scoring rubrics and tables that have been used, or have been proposed or planned for future use as part of statewide Tennessee Comprehensive Assessment Program (TCAP) and end-of-course assessments.
- (2) A Member may request from the LEA or Department to inspect and review any Materials that are in the LEA or Department’s possession.
- (3) When submitting a request to inspect and review Materials directly to an LEA, the request shall be made in writing to the LEA and the request shall include the name of the Material(s) requested (if known), the grade level and subject area, and the purpose for the request. An LEA who receives a request from a Member for Materials shall forward the request to the Commissioner of Education (“Commissioner”) or the Commissioner’s designee within five (5) business days of the LEA’s receipt of the request. The Commissioner or Commissioner’s designee shall respond to the Member’s request and provide any Materials that are in the Department’s possession pursuant to paragraphs (4) and (5) of this Rule.

- (4) The Department shall provide any Materials that are in the Department's possession to a Member upon the Member's request to inspect and review the Materials.
- (a) A request to inspect and review Materials shall be made in writing to the Commissioner or the Commissioner's designee and the request shall include the name of the Material(s) requested (if known), the grade level and subject area, the purpose for the request, and any additional information required by the Department.
 - (b) Within five (5) business days of receipt of the request from the Member pursuant to paragraph (4)(a) or LEA pursuant to paragraph (3), the Department shall respond to the Member acknowledging receipt of the Member's request. The Department shall provide the requested Materials to the Member within fifteen (15) business days of receipt of the request, unless another date is agreed upon by the Member and Department. However, Materials shall not be provided to the Member until the Member has completed any necessary test security training as set forth below.
 - (c) The Department shall provide an in-person opportunity for the Member to review the Materials.
 - (d) The Department shall provide necessary test security training to the Member prior to providing access to the Materials. All test security protocols outlined in the *Tennessee Test Security Manual* published by the Department shall be followed by the Member prior to, during, and after review of the Materials.
 - 1. Members granted access to Materials must complete a test security and non-disclosure agreement provided by the Department prior to accessing Materials.
 - (e) In order to protect the validity or reliability of Materials, Members granted access to Materials by the Department shall not share Materials with any other individuals.
 - (f) The Department and the Member must comply with the Data Accessibility, Transparency and Accountability Act, compiled in Title 49, Chapter 1, Part 7, the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g), and T.C.A. § 10-7-504 at all times during and after the review of Materials.
- (5) The release of Materials to a Member by the Department pursuant to this Rule shall not include:
- (a) Items required by the Department to validate future administrations of the Tennessee Comprehensive Assessment Program (TCAP) and end-of-course assessments;
 - (b) Items that are being field tested for future administrations of the Tennessee Comprehensive Assessment Program (TCAP) and end-of-course assessments;
 - (c) Passages, content, or related items if the release would be in violation of copyright infringement laws; or
 - (d) Items that would impact the validity, reliability, or cost of administering the Tennessee Comprehensive Assessment Program (TCAP) and end-of-course assessments. This includes, but is not limited to the release of information that would place the Department in violation of intellectual property or privacy clauses outlined in contracts held between the Department and a testing vendor.

Authority: T.C.A. § 49-6-6016. **Administrative History:**

**RULES
OF
THE STATE BOARD OF EDUCATION**

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

0520-02-03-.03 REQUIREMENTS FOR TEACHER LICENSES.

- (1) Prospective educators seeking a practitioner teacher license shall meet the requirements of one (1) of the following pathways:
- (a) Pathway 1. The prospective educator:
1. Holds a bachelor's degree from a regionally-accredited college or university;
 2. Has completed a State Board-approved educator preparation program;
 3. Is recommended by the approved educator preparation provider; and
 4. Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
- (b) Pathway 2. The prospective educator:
1. Holds a bachelor's degree from a regionally-accredited college or university;
 2. Is enrolled in a State Board-approved educator preparation program with a job-embedded clinical practice;
 3. Is recommended by the approved educator preparation provider; and
 4. Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy or holds a degree with a major in the specialty area.
- (c) Pathway 3. The prospective educator:
1. Holds a bachelor's degree from a regionally-accredited college or university;
 2. Holds an active Tennessee practitioner or professional occupational teacher license with an endorsement covering the secondary grade span;
 3. Has completed a State Board-approved occupational educator preparation program;
 4. Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
- (2) Prospective educators from a state other than Tennessee that is a partner in the NASDTEC interstate agreement and who are seeking a practitioner teacher license shall meet the requirements of one (1) of the following pathways:
- (a) Out-of-State Pathway 1. The out-of-state prospective educator:

1. Holds a bachelor's degree from a regionally-accredited college or university;
 2. Has completed an educator preparation program approved by a state other than Tennessee;
 3. Is recommended by the approved educator preparation provider; and
 4. Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
- (b) Out-of-State Pathway 2. The out-of-state prospective educator:
1. Holds a bachelor's degree from a regionally-accredited college or university;
 2. Holds a full and valid initial level teacher license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement;
 3. Has completed an educator preparation program approved by a state other than Tennessee; and
 4. Is recommended by the approved educator preparation provider.
- (c) Out-of-State Pathway 3. The out-of-state prospective educator:
1. Holds a bachelor's degree from a regionally-accredited college or university
 2. Is enrolled in an educator preparation program with job-embedded clinical practice that is approved by a state other than Tennessee that has a state-recognized partnership with a Tennessee local education agency (LEA);
 3. Is recommended by the approved educator preparation provider; and
 4. Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
- (3) Prospective educators from a state other than Tennessee that is a partner in the NASDTEC interstate agreement and who are seeking a professional academic teacher license shall meet requirements of one (1) of the following pathways:
- (a) Out-of-State Pathway 4. The out-of-state prospective educator:
1. Holds a bachelor's degree from a regionally-accredited college or university; and
 2. Holds a full and valid professional-level license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement.
- (b) Out-of-State Pathway 5. The out-of-state prospective educator:
1. Holds a bachelor's degree from a regionally-accredited college or university; and
 2. Holds a valid certification from the National Board for Professional Teaching Standards.
- (4) A practitioner license may be renewed once upon completion of an approved educator preparation program and submission of qualifying scores on all State Board-required assessments as defined

in the Professional Assessments for Tennessee Educators Policy prior to the end of the validity period of the first (1st) issuance of the practitioner license.

- (5) If the requirements for practitioner license renewal are not met prior to the end of the validity period of the first (1st) issuance of the practitioner license, the license shall expire.
- (6) An educator with a practitioner teacher license may seek to advance to a professional teacher license. In order to advance from a practitioner license to a professional license, an educator shall meet one (1) of the following sets of requirements:
 - (a) Option 1:
 1. Completed an approved educator preparation program and submitted qualifying scores on all State Board-required assessments as defined in the Professional Assessments for Tennessee Educators Policy prior to the end of the validity period of the first (1st) issuance of the practitioner license;
 2. Obtained three (3) years of qualifying experience as an educator as defined by the Department; and
 3. Earned thirty (30) professional development points or obtained the recommendation from a Director of Schools or leader of a charter school or the school's charter management organization (CMO).
 - (b) Option 2: Holds a full and valid professional-level license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement.
 - (c) Option 3: Holds a valid certification from the National Board for Professional Teaching Standards.
- (7) If the requirements for licensure advancement are not met prior to the end of the validity period of the second (2nd) issuance of the practitioner license, then the license may be renewed. To renew the practitioner second (2nd) issuance license, an educator shall earn thirty (30) qualifying professional development points as defined in Educator Licensure Policy 5.502.
- (8) Educators who obtained the practitioner teaching license through the out-of-state pathway 4 prior to enactment of Public Chapter 125 of 2021 shall not be required to submit qualifying scores on State Board-required assessments to advance if:
 - (a) The educator has been employed in a Tennessee public school in the candidate's area of endorsement; and
 - (b) The educator earned a level of overall effectiveness (LOE) score of "above expectations" or "significantly above expectations" in each of the first two (2) years immediately following the issuance of the individual's initial practitioner license; or
 - (c) If the educator did not receive an overall performance effectiveness level during one (1) or both of the two (2) years immediately following issuance of the educator's practitioner license, then the educator may:
 1. Choose to use the educator's most recent overall performance effectiveness level that is available to demonstrate an overall performance effectiveness level of "above expectations" or "significantly above expectations"; or

2. The educator may request that the Director of Schools or the Director of the public charter school submit a recommendation to the Department of Education on the educator's effectiveness.
- (9) To renew the professional license, an educator shall earn sixty (60) qualifying professional development points as defined in Educator Licensure Policy 5.502 or demonstrate two (2) years of qualifying experience as an educator as defined by the Department within the validity period of the license.
 - (10) If the educator has not met the requirements for renewal at the end of the validity period of the professional license, then the license shall expire.
 - (11) Educators may reactivate an expired license and endorsements held by meeting one (1) of the following requirements:
 - (a) Option A (Professional License only): Earn sixty (60) qualifying professional development points as defined in the Educator Licensure Policy 5.502.
 - (b) Option B (Professional License only): Demonstrate two (2) years of qualifying experience as an educator as defined by the Department.
 - (c) Option C: Submit to the Department evidence of completion of an approved educator preparation program (if not already provided) and submit qualifying scores on all State Board-required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
 - (d) Option D: Present a full and valid professional-level teaching license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement.
 - (e) Option E: Submit to the Department evidence of current National Board Certification issued by the National Board for Professional Teaching Standards.

Authority: T.C.A. §§ 49-1-302, 49-5-108, and 49-5-5603. **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 and new rules filed October 27, 2015; effective January 25, 2016. Amendments filed October 16, 2017; effective January 14, 2018. Amendments filed August 16, 2019; effective November 14, 2019. Emergency rules filed April 16, 2020; effective through October 13, 2020. Amendments filed April 16, 2020; effective July 15, 2020. 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.

0520-02-03-.04 REQUIREMENTS FOR OCCUPATIONAL TEACHER LICENSES.

- (1) Prospective educators seeking a practitioner occupational teaching license shall meet the requirements of one (1) of the following pathways:
 - (a) Pathway 1. The prospective educator:
 1. Holds a high school diploma or higher;
 2. Is enrolled in a State Board-approved educator preparation program with a job-embedded clinical practice;
 3. Is recommended by the approved educator preparation provider;

4. Has 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 area of endorsement or equivalent education attainment as defined by the Department; and
 5. Holds an active industry certification for the area of endorsement as defined by the Department, if applicable.
- (b) Pathway 2. The prospective educator:
1. Holds an active Tennessee practitioner academic teacher license or professional academic teacher license with an endorsement covering any of the grades six (6) through twelve (12);
 2. Has completed a State Board-approved academic educator preparation program; and
 3. Holds an active industry certification for the area of endorsement as defined by the Department, if applicable.
- (c) Pathway 3. The prospective educator:
1. Has 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 area of endorsement or equivalent education attainment as defined by the Department;
 2. Holds an active industry certification for the area of endorsement as defined by the Department, if applicable;
 3. Provides proof of pairing with a highly effective mentor teacher; and
 4. Has completed coursework in classroom management, pedagogy, serving students with disabilities and English learners, and the teacher code of ethics as set forth in § 49-5-5615, from a state board-approved educator preparation provider.
- (2) Prospective educators from a state other than Tennessee that is a partner in the NASDTEC interstate agreement and who are seeking a practitioner occupational teacher license shall meet requirements of one (1) of the following pathways:
- (a) Out-of-State Pathway 1. The out-of-state prospective educator:
1. Holds a high school diploma or higher;
 2. Has completed an educator preparation program approved by a state other than Tennessee;
 3. Is recommended by the approved educator preparation provider;
 4. Holds an active industry certification for the area of endorsement as defined by the Department, if applicable; and
 5. Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.

- (b) Out-of-State Pathway 2. The out-of-state prospective educator:
1. Holds a high school diploma or higher;
 2. Has completed an educator preparation program approved by a state other than Tennessee;
 3. Holds a full and valid initial level license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement;
 4. Is recommended by the approved educator preparation provider; and
 5. Holds an active industry certification for the area of endorsement as defined by the Department, if applicable.
- (3) Prospective educators from a state other than Tennessee seeking a professional occupational teacher license shall meet the following requirements:
- (a) Out-of-State Pathway 3. The out-of-state prospective educator:
1. Holds a high school diploma or higher;
 2. Holds a full and valid professional-level occupational license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement; and
 3. Holds an active industry certification for the area of endorsement as defined by the Department, if applicable.
- (4) A practitioner occupational teacher license may be renewed once upon completion of an approved educator preparation program and submission of qualifying scores on all State Board-required assessments as defined in the Professional Assessments for Tennessee Educators Policy prior to the end of the validity period of the first (1st) issuance of the practitioner license. An educator issued a practitioner occupational teacher license under Pathway 3 is not required to complete an approved educator preparation program to renew the license.
- (5) In order to advance from a practitioner occupational teacher license to a professional occupational teacher license, an educator shall meet one of the following sets of requirements:
- (a) Option 1:
1. Complete three (3) years of qualifying experience as an educator as defined by the Department;
 2. Complete a State Board-approved educator preparation program, unless the license was issued under Pathway 3;
 3. Earn thirty (30) professional development points, a minimum of twenty (20) which shall come from new teacher training provided by the Department as indicated by SBE Educator Licensure Policy 5.502;
 4. Hold an active industry certification for the area of endorsement as defined by the Department, if applicable; and

5. For educators that received the practitioner occupational teacher license on or after July 1, 2018, submit qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
 - (b) Option 2:
 1. Holds a full and valid professional-level occupational license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement; and
 2. Holds an active industry certification for the area of endorsement as defined by the Department, if applicable
- (6) If the requirements for licensure advancement are not met prior to the end of the validity period of the second (2nd) issuance of the practitioner occupational teacher license then the license may continue to be renewed. To renew the practitioner occupational second (2nd) issuance license, an educator shall earn thirty (30) qualifying professional development points as defined in the Educator Licensure Policy 5.502 and hold an active industry certification for the area of endorsement as defined by the Department, if applicable.
- (7) In order to renew the professional occupational teacher license educators must meet the following requirements:
 - (a) Earn sixty (60) professional development points as indicated by SBE Educator Licensure Policy 5.502 or demonstrate two (2) years of qualifying experience as an educator as defined by the Department within the validity period of the license; and
 - (b) Provide verification of an active industry certification for the area of endorsement as defined by the Department, if applicable.
- (8) If the educator has not met the requirements for renewal at the end of the validity period of the professional license, then the license shall expire.
- (9) Teachers who hold an active professional occupational teacher license may add additional occupational endorsements through one (1) of the following pathways:
 - (a) Hold an active industry certification, as determined by the Department, for the area of endorsement, if applicable; or
 - (b) If the endorsement area does not require a certification, then have 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 area of endorsement or equivalent education attainment as defined by the Department.
- (10) An occupational teacher license may be reactivated by meeting the following requirements:
 - (a) Hold an active industry certification, as determined by the Department, for the area of endorsement, if applicable; or
 - (b) If the endorsement area does not require a certification, then have 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 area of endorsement or equivalent education attainment as defined by the Department; and
 - (c) Meeting one (1) of the following requirements:

1. Option A (Professional License only): Earning sixty (60) qualifying professional development points as defined in the Educator Licensure Policy 5.502.
2. Option B (Professional License only): Demonstrating two (2) years of qualifying experience as an educator as defined by the Department.
3. Option C: Submit to the Department evidence of completion of an approved educator preparation program (if not already provided) and submit qualifying scores on all State Board-required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
4. Option D: Present a full and valid professional-level occupational license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement.
5. Option E: Submit to the Department evidence of current National Board Certification issued by the National Board for Professional Teaching Standards.

Authority: T.C.A. §§ 49-1-302, 49-5-108, and 49-5-5603. **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 and new rules filed October 27, 2015; effective January 25, 2016. Amendments filed October 7, 2016; effective January 5, 2017. Amendments 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.

0520-02-03-.05 REQUIREMENTS FOR SCHOOL SERVICES PERSONNEL LICENSES.

- (1) School services personnel licenses are available in the following areas:
 - (a) School speech-language pathologist;
 - (b) School speech-language pathology assistant;
 - (c) School audiologist;
 - (d) School psychologist;
 - (e) School counselor;
 - (f) School social worker; and
 - (g) School educational interpreter.
- (2) School speech-language pathologists shall hold a school services personnel license with the school speech-language pathologist endorsement.
 - (a) Candidates seeking a practitioner school services personnel license as a school speech-language pathologist shall meet one (1) of the following requirements:
 1. Submit qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy and hold an advanced degree in speech-language pathology from a regionally-accredited institution of

- higher education with a speech-language program approved by the Council on Academic Accreditation in Audiology and Speech-Language Pathology; or
2. Hold an advanced degree in speech-language pathology and hold a full and valid out-of-state initial level speech-language pathology license from a state that is a partner in the NASDTEC interstate agreement.
- (b) Candidates seeking a professional school services personnel license as a school speech-language pathologist shall hold an advanced degree in speech-language pathology and meet one (1) of the following requirements:
1. Hold a full and valid out-of-state professional level speech-language pathology license from a state that is a partner in the NASDTEC interstate agreement;
 2. Hold a valid license issued by the Tennessee Board of Communication Disorders and Sciences;
 3. Hold a valid license issued by an out-of-state Board of Communication Disorders and Sciences; or
 4. Hold the Certificate of Clinical Competence from the American Speech-Language Hearing Association.
- (3) School speech-language pathology assistants shall hold a school services personnel license with the school speech-language pathology assistant endorsement.
- (a) Candidates seeking a practitioner school services personnel license as a school speech-language pathology assistant shall meet one (1) of the following requirements:
1. Hold a current Speech-Language Pathology Assistant Certification (SLPA-C) from the American Speech-Language & Hearing Association (ASHA);
 2. Hold a bachelor's degree with a major or concentration in speech-language pathology, communication disorders, or speech and hearing sciences from a regionally accredited institution of higher education;
 3. Hold a valid registration with the Tennessee Board of Communication Disorders and Sciences as a speech-language pathology assistant;
 4. Hold a degree from a Speech-Language Pathology Assistant Program; or
 5. Hold a full and valid out-of-state initial level speech-language pathology assistant license from a state that is a partner in the NASDTEC interstate agreement and hold a bachelor's degree with a major or concentration in speech-language pathology, communication disorders, or speech and hearing sciences from a regionally accredited institution of higher education.
- (b) Out-of-state candidates seeking a professional school services personnel license as a school speech-language pathology assistant shall hold a bachelor's degree with a major or concentration in speech-language pathology, communication disorders, or speech and hearing sciences from a regionally accredited institution of higher education and hold a full and valid out-of-state professional level speech-language pathology assistant license from a state that is a partner in the NASDTEC interstate agreement.

- (4) School audiologists shall hold a school services personnel license with the audiologist endorsement.
- (a) Candidates seeking a practitioner school services personnel license as a school audiologist shall meet the requirements of one (1) of the following pathways
1. Pathway 1: Submit qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy and meet one (1) of the following:
 - (i) Hold an advanced degree in audiology from a state or regionally-accredited institution of higher education with a graduate level program approved by the Council on Academic Accreditation in Audiology and Speech-Language Pathology; or
 - (ii) Hold a valid audiology license issued by the Tennessee Board of Communication Disorders and Sciences or the licensing board of a state other than Tennessee;
 2. Pathway 2: Hold an advanced degree in audiology and hold a full and valid out-of-state initial level school audiologist license from a state that is a partner in the NASDTEC interstate agreement.
- (b) Out-of-state candidates seeking a professional school services personnel license as a school audiologist shall hold an advanced degree in audiology and hold a full and valid out-of-state professional level school audiologist license from a state that is a partner in the NASDTEC interstate agreement.
- (5) School psychologists shall hold a school services personnel license with the school psychologist endorsement.
- (a) Candidates seeking a practitioner school services personnel license as a school psychologist shall meet the requirements of one (1) of the following pathways:
1. Pathway 1: Submit qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy and meet one (1) of the following:
 - (i) Complete a State Board-approved graduate level educator preparation program in school psychology or a graduate level educator preparation program in school psychology approved for licensure by a state other than Tennessee; or
 - (ii) Hold a valid certificate as a Nationally Certified School Psychologist issued by the National School Psychology Certification System;
 2. Pathway 2: Hold an advanced degree in school psychology and hold a full and valid out-of-state initial level school psychologist license from a state that is a partner in the NASDTEC interstate agreement.
- (b) Out-of-state candidates seeking a professional school services personnel license as a school psychologist shall hold an advanced degree in school psychology and hold a full and valid out-of-state professional level school psychologist license from a state that is a partner in the NASDTEC interstate agreement.

- (6) School counselors shall hold a school services personnel license with the school counselor endorsement.
- (a) Candidates seeking a practitioner school services personnel licensure and endorsement as a school counselor shall meet the requirements of one (1) of the following pathways:
1. Pathway 1. The candidate:
 - (i) Holds an advanced degree in school counseling from a regionally-accredited college or university;
 - (ii) Has completed a State Board-approved educator preparation program in school counseling;
 - (iii) Is recommended by the approved educator preparation provider; and
 - (iv) Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
 2. Pathway 2. The candidate:
 - (i) Holds a bachelor's degree or higher from a regionally accredited college or university;
 - (ii) Is enrolled in a State Board-approved educator preparation program in school counseling with a job embedded clinical practice;
 - (iii) Has completed all coursework required of the educator preparation program;
 - (iv) Is recommended by the approved educator preparation provider; and
 - (v) Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
 3. Pathway 3. The candidate:
 - (i) Holds an advanced degree in a counseling field;
 - (ii) Is enrolled in a State Board-approved educator preparation program in school counseling;
 - (iii) Has completed a minimum of twenty-four (24) hours of coursework in school counseling;
 - (iv) Is recommended by the approved educator preparation provider;
 - (v) Submits required supervision agreement between the LEA and approved educator preparation provider; and
 - (vi) Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
 4. Pathway 4. The candidate:

- (i) Holds an advanced degree in school social work or school psychology from a State Board-approved educator preparation program or from an educator preparation program approved by a state other than Tennessee;
 - (ii) Is enrolled in a State Board-approved educator preparation program in school counseling;
 - (iii) Is recommended by the approved school counseling educator preparation provider;
 - (iv) Submits required supervision agreement between the LEA and approved educator preparation provider; and
 - (v) Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
5. Pathway 5. The out-of-state candidate:
- (i) Holds an advanced degree in school counseling from a regionally-accredited college or university;
 - (ii) Has completed an educator preparation program in school counseling approved by a state other than Tennessee as evidenced by a recommendation from the out-of-state educator preparation provider where the educator completed preparation; and
 - (ii) Submits qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy.
6. Pathway 6. The out-of-state candidate:
- (i) Holds an advanced degree in school counseling from a regionally-accredited college or university; and
 - (ii) Holds a full and valid out-of-state initial level school counselor license from a state that is a partner in the NASDTEC interstate agreement.
- (b) Out-of-state candidates seeking a professional school services personnel licensure and endorsement as a school counselor shall hold an advanced degree in school counseling and hold a full and valid out-of-state professional level educator license from a state that is a partner in the NASDTEC interstate agreement.
- (c) School counselors who serve in a supervisory role shall have a professional school services personnel license with an endorsement in school counseling.
- (7) School social workers shall hold a school services personnel license with the school social worker endorsement.
- (a) Candidates seeking a practitioner school services personnel license as a school social worker shall meet the requirements of one (1) of the following pathways:
 - 1. Pathway 1: Submit qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy and meet one (1) of the following sets of requirements:

- (i) Complete a State Board-approved educator preparation program in school social work, or an educator preparation program in school social work approved for licensure by a state other than Tennessee, and be recommended by the approved educator preparation provider; or
 - (ii) Hold a full and valid social worker license issued by the Tennessee Board of Social Workers or the licensing board of a state other than Tennessee;
 - 2. Pathway 2: Hold a bachelor's degree or higher in social work from a regionally-accredited college or university and hold a full and valid out-of-state initial level school social work license from a state that is a partner in the NASDTEC interstate agreement.
 - (b) Out-of-state candidates seeking a professional school services personnel licensure and endorsement as a school social worker shall hold a bachelor's degree or higher in social work and hold a full and valid out-of-state professional level license from a state that is a partner in the NASDTEC interstate agreement.
- (8) School educational interpreters shall hold a school services personnel license with the educational interpreter endorsement.
- (a) Candidates seeking a practitioner school services personnel license as an educational interpreter shall meet the following requirements:
 - 1. Hold a bachelor's degree from a regionally accredited college or university; and
 - 2. Meet one (1) of the following:
 - (i) Hold a current, nationally recognized certification in interpreting which includes a written examination related to ethics and practice;
 - (ii) Submit qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy; or
 - (iii) Holds a full and valid out-of-state initial level educational interpreter license from a state that is a partner in the NASDTEC interstate agreement.
 - (b) Out-of-state candidates seeking a professional school services personnel license and endorsement as an educational interpreter shall hold a bachelor's degree or higher in educational interpreting and hold a full and valid out-of-state professional level educational interpreter license from a state that is a partner in the NASDTEC interstate agreement.
- (9) A practitioner school services personnel license may be renewed once upon completion of an approved educator preparation program, if enrollment in a program is required for issuance of the license, and submission of qualifying scores on all State Board-required assessments as defined in the Professional Assessments for Tennessee Educators Policy 5.105, prior to the end of the validity period of the first (1st) issuance of the practitioner license.
- (10) In order to advance from a practitioner school services personnel license to a professional school services personnel license, an educator shall meet one (1) of the following sets of requirements:
- (a) Option 1:
 - 1. Three (3) years of qualifying experience as defined by the Department; and

2. Earn thirty (30) qualifying professional development points as defined in Educator Licensure Policy 5.502 or obtain the recommendation from a Director of Schools or leader of a charter school or the school's charter management organization (CMO).
- (b) Option 2: Hold a full and valid professional-level school services personnel license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement.
- (11) If the requirements for licensure advancement are not met prior to the end of the validity period of the second (2nd) issuance of the practitioner license, then the license may be renewed. To renew the practitioner school services personnel second (2nd) issuance license, an educator shall earn thirty (30) qualifying professional development points as defined in Educator Licensure Policy 5.502.
- (12) In order to renew the professional school services personnel license, educators must earn sixty (60) qualifying professional development points as defined in Educator Licensure Policy 5.502 or demonstrate two (2) years of qualifying experience as an educator as defined by the Department within the validity period of the license.
- (13) If the educator has not met the requirements for renewal at the end of the validity period of the professional school services personnel license, then the license shall expire.
- (14) Educators may reactivate a school services personnel license and endorsements held by meeting one (1) of the following sets of requirements:
- (a) Option A (Professional License only): Earning sixty (60) qualifying professional development points as defined in the Educator Licensure Policy 5.502.
 - (b) Option B (Professional License only): Demonstrating two (2) years of qualifying experience as an educator as defined by the Department.
 - (c) Option C: Submit to the Department evidence of completion of an approved educator preparation program (if not already provided and if enrollment in a program is required for issuance of the license) and submit qualifying scores on all State Board-required assessments as defined in the Professional Assessments for Tennessee Educators Policy 5.105.
 - (d) Option D: Present a full and valid professional-level school services personnel license from a state other than Tennessee that is a partner in the NASDTEC interstate agreement; or
 - (e) Option E: Submit evidence of an active national credential in the area of endorsement as outlined below:
 1. Speech-language Pathologists – Certificate of Clinical Competence in Speech-language Pathology (CCC-SLP) issued by the American Speech-language Hearing Association
 2. Audiologist – Certificate of Clinical Competence in Audiology (CCC-A) issued by the American Speech-language Hearing Association
 3. School Psychologist – National Certification in School Psychology issued by the National School Psychology Certification Board
 4. School Counselor – National Counselor Certification (NCC, CCMHC, MAS, or NCSC) issued by the National Board for Certified Counselors

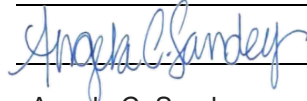
5. School Social Worker – Certified School Social Work Specialist (C-SSWS) issued by the National Association of Social Workers or Certification by the Academy of Certified Social Workers (NASW)
6. Educational Interpreter – Professional Deaf Interpreter Credential issued by the National Association for the Deaf or Registry of Interpreters for the Deaf Certification.

Authority: T.C.A. §§ 49-1-302 49-5-108, and 49-5-5603. **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 and new rules filed October 27, 2015; effective January 25, 2016. Amendments 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.

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: 11/15/22

Signature: _____



Name of Officer: Angela C. Sanders

Title of Officer: General Counsel

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Tre Hargett
Secretary of State

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