

TEA 's Guide to State Board of Education Emergency Rules

K-12 Students

Taking Student Attendance

With respect to the period of closure due to COVID19, Rule 0520-01-02-.17 clarifies that districts may take attendance in conjunction with distance learning activities, but may not issue students unexcused absences or otherwise report students as truant for failure to participate.

Under SBE Emergency Rule 0520-01-03-.11, the following apply:

For High School Seniors:

- Spring semester grades can't be lower than their grades before March 20th
- Remote learning opportunities can improve grades
- Students without internet should be given printed materials
- Credit recovery should be available for students who failed Spring 2020 course on first attempt
- Locally approved grading systems continue
- 20 course credits required for graduation
- No EOCs
- Civics test not required for graduation
- Occupational diploma available if have 1 year of work experience
- No ACT requirement

For High School Juniors:

- No ACT/SAT requirement

High school courses:

- Any high school course taken for credit, no grade lower than what was earned as of March 20th.

Testing

- State not mandating TCAP. Administration of any assessments is a district decision.
- If District chooses to go forward with standardized testing, testing results won't be used to assign a letter grade to school unless it benefits the school.
- Schools shall not have performance designations based on 2019-20 data.

Professional development and safety drill requirements are waived.

Licensure

Several pathways exist for an out-of-state educator seeking licensure pursuant to 0520-02-03-.03:

- (1) Holds a bachelor's degree from a regionally accredited college or university.
- (2) Holds a valid initial level license from a state other than Tennessee.
- (3) Has completed an educator preparation program approved by a state other than Tennessee.
- (4) Is recommended by the approved educator preparation provider.

An out-of-state prospective instructional leader can obtain an instructional-leader license (“ILL”) if the educator meets all the following requirements as provided in 0520-02-03-.10:

- (1) Holds an advanced degree from a regionally accredited college or university.
- (2) Has at least three (3) years of qualifying experience as an educator as defined by the Department, of which, one (1) year must be as a school principal.
- (3) Has completed an instructional leader preparation program approved by a state other than Tennessee as demonstrated by:
 - (i) A full and valid license comparable to the ILL from a state other than Tennessee; or
 - (ii) A provider recommendation from the approved instructional leader preparation program.

Educators who have practitioner licenses and those who were enrolled in an educator-preparation or an instructional-leader program in the spring of 2020 have lots of questions about their licenses or obtaining their licenses since the COVID-19 public-health emergency shut down our nation. The State Board of Education recently approved an emergency rule to deal with each of these issues.

First, educators with current, valid practitioner licenses that are set to expire in August 2020 will have those expiration dates extended to August 31, 2021. Educators may use the additional validity period to complete any required licensure assessments, professional development points, or other requirements that were interrupted due to the COVID-19 public health emergency.

Second, prospective educators who complete a State Board approved educator-preparation program in the spring of 2020 and who meet all other requirements for the license type for which they are applying but are unable to submit qualifying scores on the required assessments shall be eligible for a provisional practitioner license. This license will be valid from the date of issuance until August 31, 2021, and shall not be renewed or reactivated. It shall, however, be converted to a full practitioner license upon submission of qualifying scores on all required assessments before the end of the validity period. If qualifying scores are not submitted before the end of the validity period, then the license shall become inactive. No provisional practitioner license will be issued if the application was received by the department of education after December 31, 2020.

Third, educators who complete a State Board approved instructional-leader program in the spring of 2020 and who meet all other requirements for the Instructional Leader License (ILL) but are unable to submit qualifying scores on the required assessments shall be eligible for a provisional ILL. This license will be valid from the date of issuance until August 31, 2021 and shall not be renewed or reactivated. It shall, however, be converted to a full ILL upon submission of qualifying scores on all required assessments before the end of the validity period. If qualifying scores are not submitted before the end of the validity period, then the license shall become inactive. No provisional ILL will be issued if the application was received by the department after December 31, 2020.

Special Education

As a result of the COVID-19 emergency, the State Board of Education has amended that part of the State Rule dealing with the timeline for initial evaluations of students by adding a new section to Rule 0520-01-09. *Rule 0520-01-09-.24 states the timeline for initial evaluations initiated or in process as of March 3, 2020 may be extended beyond sixty (60) calendar days by the number of calendar days equal to the duration of an order, declaration, or recommendation to stay at home, self-quarantine, or implement*

social distancing issued by the LEA's or public charter school's local, state, or federal government. LEAs may also request an additional extension up to thirty (30) calendar days after an order is lifted.

A student's initial evaluation for an IEP can be extended for up to ninety (90) days after receipt of parental consent.

Students in grades three (3) through eight (8) shall not be required to take a nationally norm-referenced test identified by the Department or the Tennessee comprehensive assessment program ("TCAP") tests if such tests were scheduled to occur the spring semester of the 2019-20 school year.

This emergency rule also amends the State Board's Individualized Education Accounts rule to waive the requirement that students participating in the program take a nationally norm-referenced test or the TCAP test, if the test was scheduled to occur in the spring semester of the 2019-20 school year.

Student Teachers

0520-02-03-.15

Student teachers will be eligible for a provisional practitioner license that will be valid from the date of issuance until August 31, 2021 if they complete a State Board approved educator program but are unable to submit qualifying scores on required assessments. The provisional practitioner license shall be converted to a full practitioner license upon submission of qualifying scores on all required assessments as defined in the Professional Assessments for Tennessee Educators Policy prior to the end of the validity period.

The provisional practitioner license cannot be renewed or reactivated.

Those completing an approved instructional leader program shall be eligible for a provisional ILL that will be valid until August 31, 2021. The provisional ILL shall be converted to a full ILL upon submission of qualifying scores on all required assessments. If qualifying scores on all required assessments are not submitted prior to the end of the validity period of the provisional ILL, the license shall become inactive.

The provisional ILL shall not be renewed or reactivated.

Teacher Discipline

Before schools closed because of COVID-19, a director of schools was required to file a director's report to the State Board of Education within 30 days any time a teacher had been suspended or dismissed or who had resigned following conduct, which if substantiated, would warrant a licensure action. At its April 9, 2020 conference-call meeting, the State Board of Education unanimously passed an emergency rule that would allow a director of schools to request an extension of the 30-day reporting requirement, *if* the director is unable to submit a timely report because schools were closed as a result of the COVID-19 public health emergency. Any extension request, however, must include the date by which the director will submit the report to the State Board.

Private Schools: Testing, Instructional Days & Graduation Requirements

Similar to the action taken with respect to the state's public K-12 schools and students discussed above, this rule clarifies that approved private schools are not required to administer the TCAP or a nationally standardized achievement test if the test was scheduled to occur in the spring semester of the 2019-20 school year. Additionally, it clarifies that the 180 instructional day requirement is also waived for private schools. Finally, the rule clarifies that private school students are subject to the same graduation requirements as public schools as provided in State Board Emergency Rule 0520-01-03-.11.

