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Sequence Number: 05-07-15
Rule ID(s): 5946
File Date: 5/22/15
Effective Date: 8/20/15

Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to Tenn. Code Ann. §§ 4-5-202, 4-5-207, and 4-5-229 in lieu of a rulemaking hearing. It is the intent of the Agency to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within ninety (90) days of the filing of the proposed rule with the Secretary of State. To be effective, the petition must be filed with the Agency and be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly. The agency shall forward such petition to the Secretary of State.

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	State Board of Education
Division:	
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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
0520-01-03	Minimum Requirements for the Approval of Public Schools
Rule Number	Rule Title
0520-01-03-.06	Graduation, Requirement E

Chapter Number	Chapter Title
Rule Number	Rule Title

Substance of Proposed Rules

**CHAPTER 0520-01-03
MINIMUM REQUIREMENTS FOR THE APPROVAL OF PUBLIC SCHOOLS**

Amendment/Repeal

Rule 0520-01-03-.06 Graduation, Requirement E is amended by deleting paragraphs (3) Out-of-School and Work-Based Learning Experiences (a) and (b) and substituting instead the following. Paragraphs (3)(c) and (d) are further amended by deleting them in their entirety, so that the amended paragraph (3) shall read:

0520-01-03-.06 GRADUATION, REQUIREMENT E

- (3) Work-Based Learning Experiences.
 - (a) Local boards of education are authorized to implement work-based learning (WBL) experiences, school-based enterprises, and service learning experiences where students learn at the work site, school site or in the community, during and/or outside of normal school hours. These experiences must be integrated with classroom instruction and student plans of study and adhere to the Work-Based Learning Framework requirements (State Board of Education Policy 2.103) to ensure robust application of both academic concepts and employability skills.
 - (b) In order to ensure that WBL experiences are of high quality, the Department of Education shall develop a Work-Based Learning Framework (State Board of Education Policy 2.103) for approval and adoption by the State Board of Education. The Department of Education will also provide local boards of education with a Work-Based Learning Policy Guide and a Work-Based Learning Implementation Guide to address training requirements, program expectations, and legal requirements. These documents will be reviewed annually by the Department of Education and will be updated as necessary for dissemination to local boards of education.

Authority: T.C.A. § 49-1-302.

* If a roll-call vote was necessary, the vote by the Agency on these rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Chancey	X				
Edwards				X	
Hartgrove	X				
Johnson	X				
Pearre	X				
Roberts	X				
Rolston	X				
Tucker	X				

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the State Board of Education on 10/31/2014, and is in compliance with the provisions of T.C.A. § 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed rules being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of ninety (90) days of the filing of the proposed rule with the Secretary of State.

Date: 9/7/15

Signature: [Signature]

Name of Officer: Dr. Sara Heyburn

Title of Officer: Executive Director

Subscribed and sworn to before me on: 9/7/15

Notary Public Signature: [Signature]

My commission expires on: _____



MY COMMISSION EXPIRES:
January 9, 2016

State Board of Education Rules
Chapter 0520-01-03 - Minimum Requirements for the Approval of Public Schools
Rule 0520-01-03-.06 – Graduation, Requirement E

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
Herbert H. Slatery III
Attorney General and Reporter
5/4/2015
Date

Department of State Use Only

Filed with the Department of State on: 5/22/15
Effective on: 8/20/15
Tre Hargett
Tre Hargett
Secretary of State

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Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

Not applicable.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 "any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments." (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

This rule will have no impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A)** A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

This rule will delete redundancies in State Board of Education Rule 0520-01-03.06 by aligning the requirements for all forms of work-based learning, including service learning and school-based enterprise. It also establishes that a Work-Based Learning Framework, as outlined in the newly-revised State Board of Education Policy 2.103, will govern the expectations for all forms of work-based learning experiences.

The rule will provide greater flexibility for the Department of Education to expand work-based learning opportunities for students, using a Work-Based Learning Policy Guide and the Work-Based Learning Implementation Guide that can be updated annually by the Division of Career and Technical Education in the Department.

- (B)** A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

N/A

- (C)** Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

CTE Directors, administrators, counselors Work-Based Learning Coordinators, and students participating in Work-Based Learning programs were made aware of the change. State Board staff and the Department of Education urged adoption of this rule. No written or verbal comments were received at the time of rulemaking.

The Division of Career and Technical Education in the Department undertook a multi-step process to redesign work-based learning. The rule changes are the result of a nine-month effort to assess current work-based learning practices, align with the state's more rigorous CTE course standards, and provide more robust work-based learning opportunities for students across the state.

This process involved the following steps:

- 1) Survey various stakeholders (e.g. CTE directors, counselors and work-based learning coordinators in order to ascertain areas of strength and opportunities with the current approach.) Nearly 450 surveys were received.
- 2) Conduct focus groups across all three grand divisions to complement the survey. Roughly 225 CTE directors, administrators, counselors, work-based learning coordinators and Tennessee employers participated.
- 3) Contract with a third-party vendor to provide national perspectives and expertise and to analyze and assist with the revision of the department's current policies, resources, trainings and expectations.

- (D)** Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

N/A

- (E)** An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

N/A

- (F)** Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Angela C. Sanders

Angela.C.Sanders@tn.gov

- (G)** Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

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Angela.C.Sanders@tn.gov

- (H)** Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

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- (I)** Any additional information relevant to the rule proposed for continuation that the committee requests.

N/A