



Tennessee Investment in Student Achievement



# Rulemaking

The **Tennessee Investment in Student Achievement (TISA) Act** ([Chapter 966 of the Public Acts of 2022](#)) was passed by the Tennessee General Assembly on April 28, 2022 and was signed into law by Governor Bill Lee on May 2, 2022. Through the passage of the historic TISA Act, Tennessee's K-12 public schools will now transition to a student-based funding formula starting in the 2023-24 school year.

The TISA Act specifically requires rulemaking by the Tennessee Department of Education (department) in certain areas to define important terms and set allocation amounts for funding disbursements. On June 6, 2022, the department released the [proposed rules](#) for the TISA Act and now invites all Tennesseans to provide feedback as part of the rulemaking process. As a stakeholder in Tennessee, it is important that you understand how to engage, and feel empowered to offer feedback to inform the critical rulemaking process. This overview explains what rules are, how rules are created, and provides more information about the proposed rule for the TISA, including how to engage and provide feedback.

## What are rules?

**Rules further clarify and define the law** by providing additional details to help practitioners – like teachers and school district staff – implement and follow the law. Each year, the Governor and Tennessee General Assembly enact new state laws, and many of those laws require state agencies, like the department, to create rules. Although rules provide more details to support the implementation of a law, rules cannot contradict or supersede the laws enacted by the legislature. Rules also “take the effect” of law, meaning rules must be followed, just like the law.

## Key Dates

### JUNE 6

Proposed TISA rules released, and public comment period begins

### JULY 21

Department presentation at the State Board workshop on the proposed TISA rules

### JULY 28

Public rulemaking hearing

### AUGUST 2

Deadline to submit public comment on the proposed TISA rules

### AUGUST 11

State Board special called meeting to issue a positive, neutral, or negative recommendation on the proposed TISA rules

## How are rules created?

**Rules are created and approved through a process called “rulemaking,”** which is outlined in state law. Once a rule is written by a state agency, it is submitted to the [Secretary of State](#), which triggers the scheduling of a public “rulemaking hearing.” A rulemaking hearing is an opportunity for the public to provide feedback on the proposed rules. Any individual can also submit written comments on a rule during an established public comment period. After the rulemaking hearing, public feedback is incorporated into the rule, the rule is finalized by the state agency that created it, and it is submitted to the state Attorney General’s office for review and approval. Once the Attorney General approves the rule, it is filed again with the Secretary of State’s office and becomes effective 90 days after the filing date. All rules must also be reviewed and presented before the Joint Government Operations Committee of the Tennessee General Assembly.

## What are the TISA rules?

The TISA Act requires the department to create rules to define the 10 categories of unique learning needs, direct allocation amounts, and student outcome incentive dollars. Additionally, the department is also authorized through the Act to create any other needed rules for implementation of the TISA public school funding formula. Finally, the TISA Act requires the department to submit the rules to the State Board of Education for a positive, neutral, or negative recommendation and include

this recommendation in the filing of the rules with the Secretary of State’s office. [The State Board of Education will hold a special called meeting on August 11, 2022](#), to issue a recommendation on the TISA rules. Members of the public will be able to attend the special called meeting in-person or virtually.

## How do TISA rules impact public school funding?

Although the TISA becomes effective in the 2023-24 school year, the department has drafted and released [the proposed rules](#) to ensure school districts, educators, and parents have a clear understanding of how TISA will be implemented and can provide feedback before the rule becomes effective.

**The definitions and procedures contained in the rules impact the amount of funding a student generates through the TISA.** While some portions of the rule are taken directly from the TISA Act, the rules include additional detail not found in the Act. For example, the rules define the student characteristics for each of the 10 unique learning needs, including students receiving special education and English as a second language services. The rules also identify the specific student outcomes and indicators of student achievement that generate additional funds for a school district, such as early literacy rates and postsecondary readiness. [Can I engage in this process?](#)

## How can I engage in this process?

**Submit public comment:** The department encourages all Tennesseans to provide feedback on the department’s proposed rules for the TISA Act. The deadline for public comment is August 2, 2022. All public comment should be sent via e-mail to [Tisa.Rules@tn.gov](mailto:Tisa.Rules@tn.gov) or can be mailed to:



**Tennessee Department of Education, Andrew Johnson Tower, 9th Floor  
710 James Robertson Pkwy, Nashville, TN 37243  
ATTN: TISA Rules.**

**Attend the public rulemaking hearing:** As part of the rulemaking process, the department will host a public hearing on the proposed rules for the TISA. This is an opportunity for anyone to provide in-person feedback on the proposed rules. The public rulemaking hearing will be held on July 28, 2022 from 9:00 a.m. CT – 12 noon CT in Nashville. There is also a virtual option for attendees to participate remotely.



**TISA Public Rulemaking Hearing  
July 28, 2022 from 9:00 a.m. – 12 noon CT  
Ed Jones Auditorium at the Ellington Agricultural Center  
416 Hogan Road Nashville, TN 37220**