
Education of Incarcerated Students, Rule 0520-01-12

The Background:

T.C.A. § 49-6-3023 provides the State Board of Education the authority to promulgate rules to ensure students incarcerated in detention centers are provided general educational services by the receiving local education agency (LEA).

This first reading item proposes to add the minimum length of instructional day for students at juvenile detention centers. While State Board Rule 0520-1-3-.02(1)(a) requires a minimum instructional day of 6.5 hours for students in traditional public schools, State Board Rule 0520-01-12 is currently silent as to the length of instructional day for students in juvenile detention centers. This addition will ensure consistency in instructional day length from one LEA to the next.

Second, the proposal makes clear that instruction must be provided by a teacher holding a valid Tennessee teacher license as required by T.C.A. Title 49, Chapter 5 and State Board Rule 0520-01-02-.03(1). This will ensure that instruction in the detention centers is provided by educators with the same qualifications as educators at traditional public schools.

The Fiscal Analysis Impact:

T.C.A. § 49-1-212 requires that the Department prepare a fiscal analysis of any policy, rule, or regulation proposed to the State Board of Education. This item has no financial impact on an LEA.

The Recommendation:

The Department of Education recommends acceptance of this item on first reading. The SBE staff concurs with this recommendation.