
Textbook and Instructional Materials Waivers Emergency Rule 0520-01-18

The Background:

T.C.A. § 49-1-302(a)(9) states that it is the duty of the board, and the board has the power to, “prescribe the use of textbooks and other instructional materials, based on recommendations of the state textbook and instructional materials quality commission, for the various subjects taught or used in conjunction with the public schools.” In addition, Public Chapter 770 of 2020 provided the State Board with the authority to approve or deny waiver requests from local education agencies (LEAs) that wish use textbooks or instructional materials that are not on the state-approved adoption list due to the unique or unusual needs of the LEA. Public Chapter 770 also provided the State Board authority to promulgate emergency rules to effectuate the act.

Public Chapter 770 took effect on August 1, 2020. In order to effectuate this public chapter and so that LEAs may continue to request textbook and instructional materials waivers until a permanent rule can be promulgated, this emergency rule is presented on first and final reading. To develop this emergency rule, State Board staff collected feedback from the Tennessee School Boards Association, Tennessee Organization of School Superintendents, and state Department of Education.

A permanent version of this rule is also presented on first reading at this meeting, and the State Board will conduct a rulemaking hearing to gather additional public input on the proposed waiver process.

The Recommendation:

The State Board staff recommends approval of this item on first and final reading.