
Educator Licensure Permanent Rule 0520-02-03-.03 through .05 and .10 through .11

The Background:

Tennessee State Board of Education Rule sections 0520-02-03-.03 through -.05 and section -.10 govern the issuance, renewal, advancement, and reactivation of educator licenses, including academic and occupational teacher licenses, school services personnel licenses, and instructional leader licenses. Section -.11 governs endorsements issued on educator licenses.

This rule addresses revisions necessary to implement statutory changes to educator licensure stemming from Public Chapter Numbers 125 and 493 of the 2021 legislative session. The Board approved these revisions on an emergency basis at the July 1st special called meeting.

Revisions to the rule to address Public Chapter 125 include:

- Revisions to out of state pathways to licensure for academic and occupational teachers, school services personnel and instructional leaders, removing assessment requirements for individuals who hold a professional level license in a state with which Tennessee has reciprocity; and
- The addition of flexibility to the pathway by which certain educators may waive assessment requirements due to a lack of overall level of effectiveness data.

Revisions to the rule to address Public Chapter 493 include:

- The addition of language permitting academic and occupational teachers, school services personnel and instructional leaders who have allowed their license to lapse the ability to use a valid professional level license issued by a state other than Tennessee to reactivate the Tennessee license.

Additional edits have been made for clarity and consistency and to ensure implementation of PC 125 and PC 493. This includes removing the requirement that content assessments be no more than five years old. This will address challenges faced by educators who are seeking to transfer to Tennessee with a practitioner license from another state by allowing issuance of a practitioner license if an educator has qualifying scores on all currently required assessments.

Furthermore, due to rule revisions to align with Public Chapters 125 and 493, this item incorporates and brings again revisions initially brought on first reading at the Board's February quarterly meeting. Those revisions include changes to allow educators to use specific nationally recognized credentials to reactivate a Tennessee School Services Personnel license. In addition, to align with a pathway for teacher licenses, this item recommends a pathway for School Counselors to obtain a professional license if they hold National Board Certification in School Counseling. The item also presents revisions to create a licensure pathway for speech-language pathologist assistants (SLPAs).

The State Board staff held a rulemaking hearing for this rule on April 14, 2021 and September 16, 2021. No comments were offered at either the hearing. Written comments were submitted after the April 14, 2021 hearing.

Between first and final reading revisions were made to include additional pathways for licensure advancement using an out of state professional-level license. This will allow educators who do not meet advancement requirements to seamlessly maintain their license, as opposed to having to let it expire and then reactivate the license.

Revisions were also made to include additional options for out-of-state candidates to obtain a professional license to be a school speech-language pathologist. These options were originally specified in the Educator Licensure Policy but were inadvertently removed in 2019 when the State Board transitioned some requirements from policy to rule.

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 approval of this item on final reading. The SBE staff concurs with this recommendation.