

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-01-25
INNOVATIVE SCHOOL DISTRICTS**

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0520-01-25-.01 PURPOSE.

The purpose of these rules is to effectuate the Innovative School District Act as required by T.C.A. §§ 49-8-1501, et seq.

Authority: T.C.A. §§ 49-8-1501, et seq. **Administrative History:** Original rules filed; effective.

0520-01-25-.02 DEFINITIONS.

- (1) "Department" means the Tennessee Department of Education.
- (2) "Doctoral-Extensive Institution" means a Research One (R1) or Research Two (R2) institution as set by the Carnegie Classification of Institutions of Higher Education.
- (3) "Innovative School District (ISD)" means a local education agency (LEA), as defined in § 49-1-103, composed of a school or schools serving students in any of the grades pre-Kindergarten through twelve (12) as Training Schools operated by a Tennessee Public University that is approved by the Department to operate an Innovative School District.
- (4) "Public University" means a Tennessee public university approved by the Tennessee Higher Education Commission to grant bachelor's degrees.
- (5) "State Board" means the Tennessee State Board of Education.
- (6) "Training School" means a public school authorized under T.C.A. § 49-8-105 that serves students in any of the grades pre-kindergarten through twelve (pre-K-12) and that is affiliated with a public institution of higher education in this state, to pilot and model high-quality innovative educational practices and teacher training programs, to stimulate innovative educational programs, to promote robust educational research and practice, to provide opportunities for innovation in instruction, and to provide avenues for delivering innovative course programs aligned to the needs of this state through model programs.

Authority: T.C.A. §§ 49-8-1501, et seq. **Administrative History:** Original rules filed; effective.

0520-01-25-.03 ELIGIBILITY.

- (1) A Public University may apply to the Department to operate an ISD if the Public University:
 - (a) Is classified as a Doctoral-Extensive Institution;

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- (b) Operates a Training School that includes pre-Kindergarten through any of the grades nine (9) through twelve (12); and
 - (c) Provides transfer student enrollment opportunities pursuant to T.C.A. § 49-2-128.
- (2) An ISD shall be located in a county in which the Public University maintains a campus, meaning that the Public University has a physical presence in the county where students of the Public University who are not pre-K-12 students regularly attend classes.
- (3) An ISD shall not be eligible to authorize public charter schools.
- (4) The University of Memphis is authorized to operate the innovative school district pursuant to T.C.A. § 49-8-1503(b).

Authority: T.C.A. §§ 49-8-1501, et seq. **Administrative History:** Original rules filed; effective.

0520-01-25-.04 APPLICATION.

- (1) The Department shall develop an application, and a rubric for evaluating the application, by which a Public University that operates a Training School may apply to the Department to become authorized as an ISD.
 - (a) The Department shall post the application, the timeline for application and review, and the evaluation rubric on its website.
- (2) The Public University shall complete the application and provide all documents and information requested by the Department on a timeline set by the Department.
- (3) The application shall include, but is not limited to, descriptions of:
 - (a) The proposed ISD's instructional programming, including how the ISD will:
 - 1. Provide sequential instruction to students and educate students using textbooks and instructional materials approved by the State Board of Education and educational programming aligned to the Tennessee Academic Standards adopted by the State Board and that generate new and innovative educational models to advance early childhood literacy and workforce-aligned education;
 - 2. Pilot and model high-quality, innovative educational practices and teaching training programs;
 - 3. Promote robust educational research and practice;
 - 4. Provide opportunities for innovation in instruction; and
 - 5. Provide avenues for delivering innovative course programs, including an explanation for how those course programs are aligned to the future educational needs of Tennessee as defined in chapter 0520-01-25-.08 of these Rules;
 - (b) The proposed ISD's plans for serving:

(Rule 0520-01-25-.04, continued)

1. Students with disabilities pursuant to federal and state law and State Board Rule 0520-01-09 and through practices informed by the ISD's research and evaluation goals;
 2. Students who are English learners pursuant to federal and state law and State Board Rule 0520-01-19; and
 3. Students with characteristics of dyslexia pursuant to federal and state law and State Board Rule 0520-01-22;
- (c) The proposed governance structure of the ISD pursuant to T.C.A. § 49-8-1503 and T.C.A. § 49-8-1510;
 - (d) The ISD's staffing and evaluation plans for teachers and school leaders pursuant to T.C.A. § 49-8-1507;
 - (e) The ISD's research plan is in alignment with Chapter 0520-01-25-.06 of these Rules; and
 - (f) Signed assurances that the chief administrator and the general counsel of the Public University applying for an ISD understand and shall comply with all federal and state laws, rules, and regulations in the same manner as other LEAs.
- (4) The Department shall evaluate applications according to its rubric and shall, in writing, inform applicants of its decision within sixty (60) calendar days of the application deadline.
 - (5) Prior to beginning operation as an ISD, the Public University with a Department-approved plan for an ISD shall participate in a one-year planning period with readiness indicators established by the Department and posted on the Department's website. If, during the planning period, the Public University fails to meet deadlines or readiness indicators, the Department may revoke approval or require a one-time extension for one additional planning year.
 - (6) The University of Memphis is authorized pursuant to T.C.A. § 49-8-1503(b). The application requirements listed in this chapter shall not apply to the ISD operated by the University of Memphis.

Authority: T.C.A. §§ 49-8-1501, et seq. **Administrative History:** Original rules filed; effective.

0520-01-25-.05 FUNDING AND OPERATION.

- (1) Pursuant to T.C.A. § 49-8-1506, ISDs shall receive, control, and expend local, state, and federal funds for schools in their jurisdiction in the same manner as other LEAs.
- (2) If a Training School transitions from being operated pursuant to a contract between an LEA and a Public University pursuant to T.C.A. § 49-8-105 to being operated as part of an ISD, the LEA shall, for the first school year that the Training School is operated as part of the ISD, provide the governing body for a Public University that operates the ISD with the same level of support for the operation of the Training School as the LEA provided to the Public University under the contract.
 - (a) Level of support for the operation of the Training School shall include any mutually agreed-upon support services provided by the LEA to the Training School,

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including but not limited to nutrition programs, special education, or transportation. This level support is separate from the ISD's funding pursuant to paragraph (1) of this Rule.

Authority: T.C.A. §§ 49-8-1501, et seq. **Administrative History:** Original rules filed; effective.

0520-01-25-.06 REPORTING.

- (1) Pursuant to T.C.A. § 49-8-1504(b), the ISD, in collaboration with the Department, shall annually, on a timeline set by the Department, determine the research, practice, and professional development goals for the ISD in addition to the professional development requirements for all other LEAs and established by law.
- (2) Pursuant to T.C.A. § 49-8-1508, beginning January 15 following one (1) full school year of operation of an ISD and each January 15 thereafter, the local board of education for an ISD shall provide a report to the Department including:
 - (a) Findings and recommendations based on the research goals; and
 - (b) Compliance data for the practice and professional development goals.
- (3) Upon request, the Department shall transmit the annual ISD reports to the State Board, Tennessee General Assembly, or Office of the Governor.
- (4) The ISD shall participate in any monitoring requirements that apply to LEAs, including the Department's processes for monitoring compliance with federal and state laws and State Board of Education rules.

Authority: T.C.A. §§ 49-8-1501, et seq. **Administrative History:** Original rules filed; effective.

0520-01-25-.07 APPEALS.

- (1) A Public University may appeal the Department's determinations to:
 - (a) Deny approval to operate an ISD;
 - (b) Revoke approval during the one-year planning period; or
 - (c) Require a one-time, one-year extension during the planning period.
- (2) All appeals shall be submitted on the appeals form provided on the Department's website. If an appeal is not submitted on the appropriate appeal form or by the requisite deadline, the appeal shall be denied.
- (3) Appeals shall follow the following two-step process:
 - (a) Only timely filed step one appeals shall be reviewed and acted upon by the Department. To be considered timely filed, step one appeals must be submitted to the Department within fourteen (14) calendar days of the Department electronically sending the determination that is being appealed. The day that the Department sends the determination shall not count as part of the fourteen (14) calendar days. The Commissioner or Commissioner's designee shall make a

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determination and issue an electronic notification to the appealing party within forty-five (45) calendar days of receiving the timely filed step one appeal.

- (b) If the Department makes a determination to deny the step one appeal, the appealing party may file a step two appeal. Step two appeals shall be reviewed by an administrative law judge in accordance with the procedures set forth in the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301 et seq. Step two appeals must be submitted to the Department within thirty (30) calendar days of the Department electronically sending the step one determination. The day that the Department sends the step one determination shall not count as part of the thirty (30) calendar days.
- (4) If the deadline to submit an appeal falls on a weekend or state holiday, the appeal shall be considered timely submitted if it is received by the next business day after the weekend or state holiday.
- (5) If an appeal is not timely submitted, the appeal shall be deemed denied.

Authority: T.C.A. §§ 49-8-1501, et seq. **Administrative History:** Original rules filed; effective.

0520-01-25-.08 FUTURE EDUCATIONAL NEEDS.

- (1) Future educational needs of Tennessee are defined as needs identified in one (1) or more of the following:
 - (a) The State Board's current Master Plan;
 - (b) The Department's current Strategic Plan; or
 - (c) Tennessee's State Plan prepared to meet the requirements of the Carl D. Perkins Career and Technical Education Act.
- (2) The ISD shall indicate in its application how its instructional programs meet the future educational needs of Tennessee according to the one (1) or more of the documents listed in this section.

Authority: T.C.A. §§ 49-8-1501, et seq. **Administrative History:** Original rules filed; effective.