



## **Emmanuel United Methodist Kindergarten: Application for SBE Approval as a Category IV Non-Public School**

Pursuant to Tennessee Code Annotated (“T.C.A.”) § 49-50-801 and State Board Rule 0520-07-02-.05, church-related schools “operated by denominational, parochial, or other bona fide [religious] organizations” may apply directly to the State Board of Education (“State Board”) for approval if they are not accredited by or members of one of the accrediting or membership agencies set forth in T.C.A. § 49-50-801(a). Schools seeking approval directly from the State Board must complete and submit an application to the State Board’s Executive Director and meet any deadlines established by State Board staff. In accordance with State Board Rule 0520-07-02-.05, State Board staff shall review any complete and timely submitted application and provide a recommendation for approval or denial of the application to the State Board.

### **Background**

Since 1970, Emmanuel United Methodist Kindergarten (Emmanuel) has operated as a Category I non-public school located in Memphis, Tennessee. It is approved and monitored for compliance by the Tennessee Department of Education. The school currently serves both pre-k and kindergarten students and had 11 students enrolled in the 2025-26 school year.

Starting with the 2026-27 school year, State Board Rule 0520-07-02-.02(3)(a)(3) requires Category I non-public schools to have at least 10 full-time school-age students enrolled each school year. Because no such requirement exists for Category IV schools, the applicant aims to switch from a Category I school to a Category IV school.

While the school is currently accredited by the National Association for the Education of Young Children (NAEYC), the applicant has determined that maintaining approval with two separate agencies (NAEYC and SBE) would not be the best use of the school’s financial resources, time, or focus.

The school is operated by Emmanuel United Methodist Church, a 501(c)(3) non-profit organization. While the applicant will only offer kindergarten and first grade for its initial year in operation, it hopes to expand to additional grade bands in the future.

The Tennessee Department of Education confirmed this school is in good standing and has not presented any compliance or other concerns. Similarly, NAEYC confirmed the school is in good standing and awarded the school “the highest standard of NAEYC Accreditation for a commitment to quality and continuous improvement within their early childhood program,” serving toddlers, preschool, and kindergartners.

## **Review Process**

Members of the SBE legal team evaluated the application using SBE's scoring rubric for Category IV schools. The reviewers notified the applicant of any initial deficiencies and provided an opportunity to correct and resubmit the application materials. The Executive Director reviewed the findings and met with the reviewers to discuss the application in order to determine her recommendation to the board.

## **Summary of Reviewer Findings**

Once the applicant corrected the SBE-identified deficiencies in their application materials, the reviewers determined that Emmanuel's application was complete and met the requirements for SBE approval. Specifically, the applicant submitted:

- A timely application on the current SBE application.
- A cover letter with its rationale for application.
- The denominational, parochial, or other bona fide religious organization's IRS 501(c)(3) status letter.
- A document outlining the religious beliefs of the denominational, parochial, or other bona fide religious organization.
- A school handbook containing policies/procedures to:
  1. Comply with the requirement of T.C.A. § 49-6-3007 that the names, ages, and addresses of all pupils in attendance be reported to the director of schools of the public school district in which the student resides.
  2. Ensure students entering Kindergarten have reached five (5) years of age on or before August 15.
  3. Maintain an operating schedule that includes at least 180 instructional days of at least 6 ½ hours.
  4. Conduct criminal history records check prior to employment for any person applying for or holding a position as a teacher or any other position requiring proximity to school children.
  5. Comply with the requirement of Tennessee Dept. of Health rules and T.C.A. § 49-6-5001 that each child enrolled in school be vaccinated against disease, subject to any applicable exemptions set forth in state law or Dept. of Health rules.
  6. Comply with the reporting requirements set forth in T.C.A. § 49-5-417 and State Board Rule 0520-02-03-.09 with regard to any employee who possesses an active or expired Tennessee educator license.
  7. Comply with T.C.A. § 49-6-3007(d) by keeping daily reports of attendance, verified by the teacher making the record, which shall be

open to inspection by the director of schools of the district in which the school is located.

8. Comply with T.C.A. § 49-6-3007(e)(1) by providing written notice to the parent, guardian, or person having control of a student subject to compulsory attendance that the parent, guardian, or other person having control of the student must monitor the student's school attendance and require the student to attend school.
9. Comply with T.C.A § 49-6-3009(k) by adopting a policy addressing compulsory attendance and truancy that describes the interventions that the school will employ for violations of compulsory attendance laws.
10. Construct, remodel, renovate, expand, or model school buildings or other structures in accordance with any state and/or federal requirements applicable to the school regarding building accessibility, which may include, but is not limited to, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.
11. Comply with all fire safety regulations and procedures promulgated by the Tennessee Fire Marshal's Office.
12. Conduct at least one (1) fire safety inspection annually based on the fire safety inspection checklist developed by the Tennessee Fire Marshal's Office, and maintain copies of the inspection reports, including findings of non-compliance and actions taken to comply, for review by the Tennessee Fire Marshal's Office.
13. Comply with all rules and regulations and codes of the city, county, and state regarding planning of new buildings, alterations, and safety.

Finally, Emmanuel submitted documentation of a passing fire/electrical inspection from the Department of Commerce and Insurance. Because the school will not prepare or serve food, documentation of a passing foodservice inspection report is not required.

#### **Reviewer and Executive Director Recommendation**

Because Emmanuel meets the applicable requirements for Category IV church-related schools, the reviewers recommend that the application be approved. The Executive Director concurs with the recommendation.