

Department of State**Division of Publications**

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For Department of State Use Only

Sequence Number: 07-11-09
 Rule ID(s): 4253 - 4254
 File Date: 07/17/2009
 Effective Date: 12/29/2009

JUL 2 2009

Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to T.C.A. §4-5-205 in lieu of a rulemaking hearing. It is the intent of the Agency to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed rules are published. To be effective, the petition must be filed with the Agency and be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

Agency/Board/Commission:	State Board of Education
Division:	
Contact Person:	Rich Haglund
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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables. Please enter only ONE Rule Number/RuleTitle per row)

Chapter Number	Chapter Title
0520-01-02	Administrative Rules and Regulations
Rule Number	Rule Title
0520-01-02-.03	Employment Standards

Chapter Number	Chapter Title
0520-02-03	Teacher Education and Licensure
Rule Number	Rule Title
0520-02-03-.02	Licensure, Instructional Leader

Chapter Number	Chapter Title
Rule Number	Rule Title

Chapter 0520-01-02
Administrative Rules and Regulations

Amendments

Paragraph (6) of Rule 0520-01-02-.03 Employment Standards is amended by inserting the following as a new subparagraph and renumbering the remaining subparagraphs accordingly:

- (a) Effective September 15, 2009, assistant principals, teaching principals, or dual assignment personnel with more than fifty percent (50%) of their responsibilities involved in instructional leadership must be properly licensed or be enrolled in a State Board approved instructional leadership preparation program.

Authority: T.C.A. §§ 49-1-302, 49-2-301, and 49-5-108.

Chapter 0520-2-3
Teacher Education and Licensure

Amendments

Paragraphs (5) through (7) of Rule 0520-02-03-.02 Licensure, Instructional Leader are amended by deleting the present language in its entirety and replacing it with the following and by renumbering the remaining paragraphs:

- (5) Beginning Administrator License (BAL). A State Board program approved to recommend licensure and/or endorsement in school administration and supervision prior to September 15, 2009 may continue to recommend program graduates or candidates enrolled prior to September 15, 2009, for a BAL.
 - (a) Candidates who entered an administrator or supervisors preparation program prior to September 15, 2009, may complete that program or transition into an approved instructional leadership preparation program at the same institution and become eligible for an ILL-B.
- (6) Effective September 15, 2009, assistant principals, teaching principals, or dual assignment personnel with more than fifty percent (50%) of their responsibilities involved in instructional leadership must be properly licensed or be enrolled in a State Board approved instructional leadership preparation program.
- (7) Instructional Leadership License-Beginning (ILL-B). After September 15, 2009, a candidate seeking licensure in instructional leadership must be recommended by a preparation program approved after September 15, 2009, as per State Board policy.
 - (a) The ILL-B is valid for three (3) years of continuous employment as an instructional leader.
 - (b) The ILL-B expires five (5) years after issuance if the candidate has not been employed as an instructional leader per State Board policy.
- (8) Instructional Leadership License-Professional (ILL-P). Those who hold a PAL license issued prior to September 15, 2009, may maintain that license until July 1, 2022, at which time the ILL-P or ILL-E license will be required.

Authority: T.C.A. §§ 49-1-302, 49-5-108.

* If a roll-call vote was necessary, the vote by the Agency on these rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Jim Ayers				X	
Flavius Barker	X				
Vernita Justice	X				
Carolyn Pearre	X				
Richard Ray	X				
Jean Anne Rogers	X				
Fielding Rolston	X				
Theresa Sloyan	X				
Melvin Wright	X				
Brittini England	X				

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the State Board of Education on 11/14/2008, and is in compliance with the provisions of TCA 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed rules being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which these proposed rules are published.

Date: May 19, 2009

Signature: Gary L. Nixon

Name of Officer: Gary L. Nixon

Title of Officer: Executive Director



Subscribed and sworn to before me on: 5/20/09

Notary Public Signature: Phyllis E. Childress

My commission expires on: _____

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Robert E. Cooper, Jr.
 Robert E. Cooper, Jr.
 Attorney General and Reporter

6-29-09

 Date

Department of State Use Only

Filed with the Department of State on: 7/17/09

Effective on: 12/29/09

Tre Hargett
Tre Hargett
Secretary of State

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SECRETARY OF STATE
PUBLICATIONS

Regulatory Flexibility Addendum

Pursuant to Public Chapter 464 of the 105th General Assembly, prior to initiating the rule making process as described in § 4-5-202(a)(3) and § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

(If applicable, insert Regulatory Flexibility Addendum here)

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to TCA 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The Instructional Leadership Redesign Commission and its task forces have developed a learning-centered system for the selection, preparation, licensure, evaluation and professional growth of Tennessee's instructional leaders. These revisions facilitate collaboration between local education agencies and school leader preparation programs to help ensure that all schools have effective instructional leaders capable of leading the changes in curriculum and instruction that will result in higher levels of learning for all groups of students.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

T.C.A. §§ 49-1-302, 49-5-108.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

Local education agencies, school leader preparation programs, administrators and leadership candidates.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

None.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

Minimal.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Dr. Gary L. Nixon, State Board of Education.

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Dr. Gary L. Nixon, State Board of Education

- (H) Office address and telephone number of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

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- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

State Board of Education