



State of Tennessee

PUBLIC CHAPTER NO. 284

SENATE BILL NO. 1221

By White, Lowe, Rose, Yarbrow

Substituted for: House Bill No. 424

By Stevens, White, Slater, Love, Hardaway, Todd, Powell, Terry, Howell, Sparks, McCalmon,
Ragan, Hawk

AN ACT to amend Tennessee Code Annotated, Title 49, relative to clinical experience.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) The commissioner of education may grant, on behalf of the state board of education, under the conditions prescribed by the state board's rules, an individual pursuing clinical experience in an educator preparation program (EPP) who meets the requirements of subsection (b) a temporary permit to teach in a teaching position in which an LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists.

(b) To be eligible to receive a temporary permit pursuant to subsection (a):

(1) An individual must:

(A) Be enrolled in an EPP and have completed all of the coursework in the program except for the clinical experience required pursuant to § 49-5-5604; and

(B) Submit with the individual's application for a temporary permit a letter of recommendation from the EPP in which the individual is enrolled; and

(2) A director of schools or a director of a public charter school must submit a conditional offer of employment made by the respective director of schools or the director of the public charter school for the individual to fill a position for which the LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists. The conditional offer of employment must include a certification by the director of schools or the director of the public charter school that the director has notified the commissioner of the LEA's or public charter school's inability to fill the vacancy and its intent to employ the individual pursuant to a temporary permit issued pursuant to this section.

(c) The commissioner may grant an individual a temporary permit pursuant to this section authorizing the individual to teach a course requiring an end-of-course examination to satisfy the graduation requirements established by the state board if the individual demonstrates sufficient content knowledge in the course material by taking and passing, at the teacher's own expense, a standardized or criterion-referenced test for the content area in accordance with § 49-6-6006.

(d) Notwithstanding subsection (a), the commissioner shall not grant an individual a temporary permit to teach a physical education class required under § 49-6-1021(e) or a special education course.

(e) A temporary permit issued pursuant to this section is valid only until June 30 following the date of the permit's issuance and shall not be renewed.

(f) A director of schools or a director of a public charter school who learns of the conviction of a teacher holding a temporary permit who is employed by the LEA or public charter school, respectively, for any offense listed in § 49-5-417(a) shall report the conviction to the state board. The state board shall set the time frame within which a director of schools or a director of a public charter school must report a conviction of a teacher holding a temporary permit. The state board may specify other offenses for which a director of schools or a director of a public charter school is required to report to the state board upon learning of a conviction of a teacher holding a temporary permit for any such offense.

(g) A director of schools or a director of a public charter school shall report to the state board teachers holding a temporary permit who are employed by the LEA or public charter school, respectively, who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for disciplinary action under state board rules. As used in this subsection (g), "sexual misconduct" has the same meaning as defined in § 49-5-417(c)(5).

(h) An individual who teaches under a temporary permit issued pursuant to this section satisfies the clinical experience required pursuant to § 49-5-5604 if:

(1) The individual is assigned to, and receives guidance, evaluations, and instructions from, an educator for an amount of time that is at least equal to the amount of time required for candidates of the EPP in which the individual is enrolled to meet the EPP's clinical experience requirements;

(2) The educator assigned to the individual evaluates the individual as having adequately met the same requirements that candidates of the EPP in which the individual is enrolled must meet in order to satisfy the clinical experience requirements of § 49-5-5604; and

(3) The individual teaches under a temporary permit for an amount of time that is at least equal to the amount of time required for candidates of the EPP in which the individual is enrolled to complete the clinical experience requirements of § 49-5-5604.

(i) The state board of education shall promulgate rules to effectuate the purposes of this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2023, the public welfare requiring it.

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PASSED: April 17, 2023



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of April 2023



BILL LEE, GOVERNOR