

(Rule 0520-07-02-.04, continued)



NOT RELEVANT TO CAT IV SCHOOLS

0520-07-02-.05 CATEGORY IV: CHURCH-RELATED SCHOOLS.

- (1) Category IV schools are schools that are “church-related” and exempt from certain regulations regarding faculty, textbooks, and curriculum. T.C.A. § 49-50-801 defines a church-related school as a school operated by denominational, parochial or other bona fide church organizations, which are required to meet the standards of accreditation or membership of the Tennessee Association of Christian Schools, the Association of Christian Schools International, the Tennessee Association of Independent Schools, the Southern Association of Colleges and Schools, the Tennessee Association of Non-Public Academic Schools, the Tennessee Association of Church Related Schools, the Association of Classical and Christian Schools, the Tennessee Alliance of Church Related Schools, or a school affiliated with Accelerated Christian Education, Inc.
- (2) In accordance with T.C.A. § 49-6-3050, a parent may enroll their child in a Category IV school and participate as a parent-teacher in the Category IV school for the purposes of home schooling their children. Such parent-teachers shall meet the requirements established in T.C.A. § 49-6-3050 and shall be subject to the requirements established by the Category IV school for home school parent-

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teachers. Students who are enrolled in a Category IV school with a parent-teacher as provided in this paragraph and T.C.A. § 49-6-3050 shall be reported as enrolled students as required by paragraph (3)(f) below, in the same manner as all other enrolled students.

- (3) Each agency shall ensure all of its accredited or member schools:
- (a) Comply with all laws, rules and regulations, and codes of the city, county, and state regarding planning of new buildings, alterations, and health and safety.
 - (b) Comply with all fire safety regulations and procedures promulgated by the Tennessee Fire Marshal's Office.
 - (c) 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.
 - (d) Construct, remodel, renovate, expand, or modify school buildings or other structures in accordance with any applicable state and/or federal requirements 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.
 - (e) Comply with the requirement of Department 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 Department of Health rules.
 - (f) 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.
 - (g) Ensures students entering Kindergarten have reached five (5) years of age on or before August 15 pursuant to T.C.A. § 49-6-201(b)(3), unless the principal or head of school finds through evaluation and testing, at the request of the parent or legal guardian, that a child who is five (5) on or before September 30 is sufficiently mature emotionally and academically to enter Kindergarten and the school has a policy permitting testing by the principal or head of school to obtain early admission to Kindergarten.
 - (h) Each school shall maintain an operating schedule that includes the minimum number of instructional days (180) and minimum number of hours per day (6 ½) required of public schools, In accordance with T.C.A. § 49-6-3004, a school that exceeds the required six and one-half (6 ½) hours of instructional time per day for the full academic year shall be credited with the additional instructional time in amounts up to, but not exceeding, thirteen (13) instructional days each school year. Schools that are unable to meet the required 180 instructional day requirement due to natural disaster or serious outbreak of illness affecting or endangering students or staff during the school year may request a waiver of the minimum instructional day requirement from the Commissioner.
 - (i) Each school shall conduct a 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. Criminal history records checks shall also be required for any person or employee of the person, corporation, or other entity who contracts with a school and who will have direct contact with school children or access to the grounds of the school when children are present. The criminal history records check shall be fingerprint based or social security number based and shall also include a check of the Tennessee and National Sex Offender Registries and the Tennessee Department of Health Abuse Registry.

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Schools may also search the Tennessee educator licensure database (TNCompass) to determine if an applicant for a teaching position or any other position requiring proximity to school children has had a Tennessee educator license suspended or revoked for misconduct.

- (4) Church-related schools not accredited by or members of one of the agencies set forth in paragraph (1) of this rule may seek approval from the State Board as provided for in T.C.A. § 49-50-801(e)(1) by submitting the application on a form developed by the State Board staff and meet any deadlines for application established by the State Board staff. 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.
- (5) Schools approved as Category IV schools by the State Board shall be monitored by the Department for continued compliance with the requirements set forth in paragraph (3) of this rule, State Board Rule Chapter 0520-07-01, and all applicable state and federal laws.
- (6) Reporting of Non-Compliance and Revocation of Approval.
 - (a) For accrediting agencies listed in T.C.A. § 49-50-801, the Department shall notify an agency of non-compliance of any of its accredited or member schools with this rule, State Board Rules Chapter 0520-07-01, and any applicable state or federal laws and establish a deadline by which the agency shall show evidence of its accredited or member schools' compliance. If the agency does not produce evidence of compliance by the specified deadline, the Department may provide notice of the continued non-compliance to the Chairs of the Education Committees of the Tennessee House and Senate.
 - (b) For schools approved by the State Board as provided in paragraph (4) of this rule, approval may be revoked by the State Board for non-compliance. The Department shall notify the school of non-compliance with this rule, State Board Rules Chapter 0520-07-01, and any applicable state or federal laws and establish a deadline by which the school shall show evidence of compliance. If the school does not establish compliance by the specified deadline, the Department may provide notice to the school of intent to recommend to the State Board that the school's approval be revoked.
 1. If the Department recommends revocation of approval of a school to the State Board, the Department shall provide to the State Board:
 - (i) Information regarding the non-compliance;
 - (ii) Reasons supporting the recommendation to revoke school approval; and
 - (iii) All notices provided to the school regarding non-compliance and responses from the school.
 2. Representatives of the school may request to speak at the State Board meeting at which revocation is under consideration pursuant to State Board Policy 1.400.
 3. If the State Board votes to revoke approval of a school, the revocation shall take effect at the end of the school year in which the vote takes place, or on another date identified by the State Board.

Authority: T.C.A. §§ 49-1-201, 49-1-302, 49-6-3001, 49-6-3050, and 49-50-801. **Administrative History:** (For history prior to June 1987, see pages ii-iii). New rule filed April 24, 1987; effective June 8, 1987. Repealed and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed February 20, 2008; effective June 27, 2008. Amendment filed October 29, 2008; effective February 28, 2009.

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Amendment filed March 25, 2010; effective August 29, 2010. Amendment filed March 24, 2014; effective August 29, 2014. Amendments filed August 11, 2017; effective November 9, 2017.

0520-07-02-.06 CATEGORY V: REGISTERED FOR OPERATION.



NOT RELEVANT TO CAT IV SCHOOLS