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Sequence Number: 01-03-24
 Rule ID(s): 10000
 File Date: 1/4/2024
 Effective Date: 4/3/2024

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	State Board of Education
Division:	N/A
Contact Person:	Angie Sanders
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Revision Type (check all that apply):

- Amendment
 New
 Repeal
- Content based on previous emergency rule filed on _____
 Content is identical to the emergency rule

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that ALL new rule and repealed rule numbers are listed in the chart below. Please enter only ONE Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0520-01-03	Academic and Instructional Requirements
Rule Number	Rule Title
0520-01-03-.03	Academic Program Requirements
0520-01-03-.07	Civics

AMENDMENT

AMEND the rules of the State Board of Education Chapter 0520-01-03 Academic and Instructional Requirements, Section .03 Academic Program Requirements, and Section .07 Civics, so that as amended, the revised Rule Sections .03 and .07 shall read:

RULES OF THE STATE BOARD OF EDUCATION CHAPTER 0520-01-03 ACADEMIC AND INSTRUCTIONAL REQUIREMENTS

0520-01-03-.03 ACADEMIC PROGRAM REQUIREMENTS.

- (1) The Tennessee state academic standards approved by the State Board shall be used for all courses grades kindergarten through twelve (K-12).
- (2) All textbooks and instructional materials adopted and purchased shall be aligned with state academic standards.
- (3) All courses listed in State Board's Approved High School Courses Policy 3.205 may be offered for credit in grades nine through twelve (9-12). Additional details about approved courses shall be included in the Correlation of Course and Endorsement Codes database managed by the Department of Education.
- (4) LEAs may offer special courses in addition to the courses listed in the State Board's Approved High School Courses Policy 3.205. Such special courses shall be approved by the Department of Education and the State Board. Each special course approved by the Department shall be recommended to the State Board for an approval period of one (1), three (3), or six (6) years.
- (5) Each school shall evaluate and report in writing to the parent or legal guardian each student's progress in each subject, at least every nine (9) weeks, in accordance with the local school board's grading policy.
- (6) LEAs shall implement the Response to Instruction and Intervention (RTI²) framework adopted by the State Board. RTI² shall include high-quality instruction and interventions tailored to student need where core instructional and intervention decisions are guided by student outcome data. Tiered interventions in the areas of reading, mathematics, and/or writing shall occur in the general education setting depending on the needs of the student. If a student fails to respond to intensive interventions and is suspected of having a Specific Learning Disability as defined in State Board Rule 0520-01-09-.02, then the student may require special education interventions.
- (7) LEAs shall award high school credit to students who successfully complete college-level courses aligned to a graduation requirement course, including general education and elective focus courses.
 - (a) Local high schools shall accept postsecondary credits as a substitution for an aligned graduation requirement course, including general education and elective focus courses for those students who take and pass dual enrollment courses at a postsecondary institution for credit.
 - (b) Local boards of education may adopt policies providing for college-level courses to be offered during the school day on the high school campus. Such courses must be taught by

a licensed high school teacher or credentialed postsecondary faculty member approved by the local school system and partnering postsecondary institution. These courses are to be considered part of the high school program, with content and instruction subject to the supervision of the school principal and local board of education.

- (8) Coursework successfully completed in an LEA, public charter school, or Category I, II, or III private school, including coursework completed during a summer school operated or offered by these entities, is fully transferrable to any other approved school. All summer school teachers at a summer school operated or offered by an LEA or public charter school shall be licensed and hold endorsements in the subject areas in which they are teaching.
- (9) LEAs may offer Work-Based Learning (WBL) experiences that allow students to apply classroom theories to practical problems and to explore career options. All WBL experiences shall align to the State Board's Work-Based Learning Framework set forth in State Board High School Policy 2.103.
- (10) State-mandated student testing programs shall be undertaken in accordance with procedures published by the Department of Education.
 - (a) State-mandated assessments shall be given for grades three through eleven (3-11).
 - (b) End-of-course examinations shall be given in English I, English II, Algebra I, Geometry, Algebra II, Integrated Math I, Integrated Math II, Integrated Math III, U.S. History, and Biology I.
 - (c) A comprehensive writing assessment shall be conducted in at least one (1) grade within elementary, middle grades, and high school as part of the state-mandated assessment program.
 - (d) The Department of Education shall provide raw score data from the end-of-course examinations to each LEA for the purpose of including student scores on the examinations into a student's final grade for the course. The weight of the examination on the student's final average shall be determined by the LEA from a range of not less than fifteen percent (15%) and not more than twenty-five percent (25%). If an LEA does not receive its students' end-of-course examination scores at least (5) instructional days before the scheduled end of the course, then the LEA may choose not to include its students' examination scores in the students' final average.
 - (e) Each local school board shall adopt a policy that details the methodology used and the required weighting for incorporating students' scores on end-of-course examinations into final report card grades.
 - (f) Local school boards shall adopt a policy regarding security of test administration, consistent with Department of Education guidelines.
 - (g) The Department of Education shall annually report to the State Board the number and percentage of students who scored below but were promoted to the next grade level by the LEA. This data shall be disaggregated by subgroups similar to those required for federal reporting.
- (11) Beginning in the 2023-24 school year, all students in grade eight (8), including students with an Individualized Education Program (IEP), shall begin the development of the high school and beyond plan in accordance with the State Board's Middle Grades Policy 2.102 and High School Policy 2.103.
- (12) Each local board of education shall adopt a credit recovery policy, aligned to the State Board's High School Policy 2.103, to provide standards-based extended learning opportunities for students who have previously been unsuccessful in mastering the standards required to receive course credit or earn promotion.

- (a) Each credit recovery policy shall address, at a minimum:
 - 1. Admission to and removal from credit recovery programs;
 - 2. Instruction; and
 - 3. Grading and awarding of credit.

- (13) High School Equivalency Credentials.
 - (a) Pursuant to T.C.A. § 4-3-1422, the Tennessee Department of Labor and Workforce Development (Department of Labor) is required to make recommendations to the State Board for approval of assessments or criteria leading to the award of a high school equivalency credential. A high school equivalency credential is recognized as being equivalent to a traditional high school diploma.
 - (b) The Department of Labor shall oversee the issuance of high school equivalency credentials to individuals who meet the criteria established in subparagraphs (c) and (d) of this Rule.
 - (c) An individual shall be eighteen (18) years of age before being eligible to obtain a high school equivalency credential. However, a seventeen (17) year old who is not currently enrolled in school or who is currently enrolled in a Tennessee public school may be eligible to obtain a high school equivalency credential upon receiving a signed recommendation from the director of schools (or the director's designee) of the LEA having jurisdiction over the individual. A seventeen (17) year old enrolled in a private school or church-related school may be eligible to obtain a high school equivalency credential upon receiving a signed recommendation from the leader of the private school or church-related school where the student is currently enrolled, The director of schools or leader of the private school or church-related school may require written documentation from the individual to support this recommendation. A seventeen (17) year old who is independently home schooled by their parent or legal guardian may be eligible to obtain a high school equivalency credential upon receiving a signed recommendation from the individual's parent or legal guardian.
 - (d) In addition to meeting the requirements set forth in subparagraph(c), a high school equivalency credential may be obtained by meeting the requirements of any one (1) of the following pathways:
 - 1. Pathway 1: High School Equivalency Test (HiSET).
 - (i) The HiSET test shall be operated in accordance with the policies established by the Department of Labor.
 - (ii) The HiSET test consists of five (5) subtests that count twenty (20) points each. In order to pass, the total composite score on the HiSET test shall be forty-five (45) or higher, and the minimum score on each subtest shall be eight (8) or higher.
 - 2. Pathway 2: General Educational Development Test (GED).
 - (i) The GED test shall be operated in accordance with the policies established by the Department of Labor.
 - (ii) The GED test consists of four (4) subtests that count 200 points each. In order to pass, the score on each subtest shall be 145 or higher.

3. Pathway 3: Multiple Measures.

- (i) Demonstrating subject matter competency by achieving passing sub-test scores in math, reading, writing/ language, science, and social studies. Passing scores can be demonstrated through a combination of HiSET, GED, Test of Adult Basic Education (TABE), CASAS GOALS, or ACT WorkKeys subtests.
 - (I) All tests shall be operated in accordance with the policies established by the Department of Labor.
 - (II) The TABE test consists of three (3) subtests in the subject areas of math, reading, and writing/language. In order to pass the math subtest, the scale score shall be 537 or higher. In order to pass the reading subtest, the scale score shall be 536 or higher. In order to pass the writing/language subtest, the scale score shall be 547.
 - (III) The CASAS GOALS test consists of two (2) subtests in the subject areas of math and reading. In order to pass the math subtest, the scale score shall be 214 or higher. In order to pass the reading subtest, the scale score shall be 228 or higher.
 - (IV) The ACT WorkKeys test consists of one (1) math subtest and one (1) reading subtest. In order to pass the math subtest, the "Applied Math" score shall be 83 or higher. In order to pass the reading subtest, the "Workplace Documents" score shall be 78 or higher.

Authority: T.C.A. §§ 4-3-1422, 49-1-302, 49-2-110, 49-2-114, 49-6-101, 49-6-201, 49-6-3001, 49-6-3003, 49-6-3005, 49-6-3104, 49-6-3105, 49-6-6001 and 49-6-6002; and Public Chapter 652 of 2020.

Administrative History: Original rule certified June 10, 1974. Amendment filed February 28, 1978; effective March 30, 1978. Amendment filed April 14, 1980; effective May 28, 1980. Amendment filed July 19, 1982; effective October 13, 1982. Repeal and new rule filed April 18, 1983; effective May 18, 1983. Amendment filed June 10, 1983; effective September 14, 1983. Amendment filed June 27, 1984; effective July 27, 1984. Amendment filed June 28, 1984; effective July 28, 1984. Amendment filed May 28, 1986; effective June 27, 1986. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed July 21, 1992; effective October 28, 1992. Amendment filed September 1, 1992; effective December 29, 1992. Amendment filed October 11, 1995; effective February 28, 1996. Amendment filed April 29, 1996; effective August 28, 1996. Amendment filed May 31, 1996; effective September 27, 1996. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed August 31, 2001; effective December 28, 2001. Amendment filed March 28, 2002; effective July 29, 2002. Amendment filed June 30, 2003; effective October 28, 2003. Amendment filed March 1, 2005; effective July 29, 2005. Amendment filed September 6, 2007; effective January 28, 2008. Amendment filed April 30, 2009; effective August 28, 2009. Amendment filed October 20, 2009; effective March 31, 2010. Amendment filed March 25, 2010; effective August 29, 2010. Amendment filed December 19, 2012; effective May 30, 2012. Amendments filed March 21, 2012; effective August 29, 2012. Amendment filed February 6, 2013; effective July 29, 2013. Amendment filed May 22, 2015; effective August 20, 2015. Amendments filed October 25, 2017; effective January 23, 2018. Amendments filed March 20, 2018; to have been effective June 18, 2018. However, on May 24, 2018, the Government Operations Committee filed a 5-day stay; new effective date June 23, 2018. Amendments filed January 11, 2019; effective April 11, 2019. Amendments filed August 20, 2020; effective November 18, 2020. Emergency rules filed November 19, 2020; effective through May 18, 2021. Emergency rules expired effective May 19, 2021, and the rules reverted to their previous statuses. Amendments filed September 6, 2022; effective December 5, 2022.

0520-01-03-.07 CIVICS.

- (1) All high school students must take and pass a United States civics test in order to meet the social studies course credit requirement to earn a traditional diploma.
 - (a) The LEA shall prepare the civics test. The test shall be developed in accordance with T.C.A. § 49-6-408.
 - (b) A student shall pass the test if the student correctly answers at least seventy percent (70%) of the questions. The LEA may provide students with the opportunity to take the test as many times as necessary. Each LEA may determine if a student's grade on the U.S. civics test will be counted in the classroom grade. A passing score on the civics test shall be noted on a student's transcript.
 - (c) The U.S. civics test shall be administered to a student who has an IEP with the accommodations and/or modifications that are deemed necessary by the IEP team.
 - (d) A school shall be recognized on the Tennessee Department of Education's website as a United States civics all-star school if all of the school's seniors receiving a traditional diploma make a passing grade of eighty five percent (85%) or higher on the United States civics test for that school year.
- (2) All LEAs shall implement a project-based assessment in civics at least once in grades four through eight (4-8) and once in grades nine through twelve (9-12) pursuant to T.C.A. § 49-6-1028.
 - (a) "Project-based" means an approach that engages students in learning essential knowledge and skills through a student-influenced inquiry process structured around complex authentic questions and carefully designed products and tasks.
 - (b) The project-based assessment shall be developed by the LEA, measure the civics learning objectives contained in the social studies standards, and allow students to demonstrate understanding and relevance of public policy; the structure of federal, state, and local governments; and both the Tennessee and the United States constitutions.
- (3) The Governor's Tennessee Excellence in Civics Education Seal shall be awarded to each school that:
 - (a) Incorporates civic learning across a broad range of grades and academic subjects that build on the Tennessee academic standards, such as the civics lesson plans and the blue book lesson plans provided by the secretary of state;
 - (b) Provides instruction regarding our nation's democratic principles and practices, the significant events and individuals responsible for the creation of our foundational documents, and the formation of the governments of the United States and the state of Tennessee using the federal and state foundational documents, as evidenced by submission of at least five (5) lesson plans or activities that focus on civics and are aligned with the Tennessee academic standards and a summary of how the lesson was implemented;
 - (c) Provides professional development opportunities or student resources that facilitate civics education, such as civics education workshops offered by the secretary of state, as evidenced by submission of documentation identified by the Department of Education;
 - (d) Provides one (1) or more of the following opportunities for students to engage in real world learning activities:
 1. Participation in a mock election, such as the secretary of state's student mock

election;

2. Participation in the secretary of state's civics essay contest by at least fifteen percent (15%) of the school's students;
 3. A school voter registration drive for the school or community;
 4. Participation in another state or national civics-based contest by at least fifteen percent (15%) of the school's students;
 5. Participation of an individual student or school team in the United States Senate Youth Program or Model United Nations; or
 6. Participation in a real-world learning activity recognized by the Department of Education.
- (e) Implements a high-quality, project-based assessment in accordance with T.C.A. § 49-6-1028(e), if applicable; and
- (f) Is recognized as a civics all-star school in accordance with T.C.A. § 49-6-408, if applicable.
- (4) The Governor's Tennessee Excellence in Civics Education Seal shall be awarded to each LEA in which at least eighty percent (80%) of the LEA's schools earn the Governor's Tennessee Excellence in Civics Education Seal.

Authority: T.C.A. §§ 49-1-302, 49-6-408, 49-6-1018, and 49-6-1028. **Administrative History:** Original rule certified June 10, 1974. Amendment filed June 30, 1975; effective July 30, 1975. Amendment filed July 15, 1976; effective August 16, 1976. Amendment filed February 28, 1978; effective March 30, 1978. Amendment filed January 9, 1979; effective February 23, 1979. Amendment filed October 15, 1979; effective January 8, 1980. Amendment filed June 27, 1984; effective July 27, 1984. Amendment filed October 1, 1985; effective January 14, 1986. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed July 22, 1987; effective October 28, 1987. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed March 28, 2002; effective July 29, 2002. Repeal and new rule filed May 16, 2014; effective October 29, 2014. Amendments filed October 25, 2017; effective January 23, 2018. Amendments filed March 20, 2018; to have been effective June 18, 2018. However, on May 24, 2018, the Government Operations Committee filed a 5-day stay; new effective date June 23, 2018. Amendments filed August 20, 2020; effective November 18, 2020.

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

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Jordan Mollenhour	X				
Bob Eby	X				
Ryan Holt	X				
Warren Wells	X				
Lillian Hartgrove	X				
Nate Morrow	X				
Darrell Cobbins	X				
Larry Jensen	X				
Krissi McInturff	X				
Laurel Cox				X	
Victoria Harpool, designee for Steven Gentile, Interim Executive Director, Tennessee Higher Education Commission Non-Voting Ex-Officio					

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the State Board of Education on 11/03/2023, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 08/11/2023

Rulemaking Hearing(s) Conducted on: (add more dates). 10/02/2023

Date: 1/2/2024

Signature: 


Name of Officer: Angie Sanders

Title of Officer: General Counsel

Agency/Board/Commission: State Board of Education

Rule Chapter Number(s): 0520-01-03

All rulemaking hearing 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.


 Jonathan Skrmetti
 Attorney General and Reporter
Jan. 3, 2024
 Date

Department of State Use Only

Filed with the Department of State on: 1/4/2024

Effective on: 4/3/2024



Tre Hargett
Secretary of State

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Division of Publications

Public Hearing Comments

The Tennessee State Board of Education held a public rulemaking hearing on Rules 0520-01-03-.03 and .07 on October 2, 2023, at 500 James Robertson Parkway, Nashville, TN and via Webex. No public comments were submitted at the hearing regarding this rule.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

This rule does not affect small businesses.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228, "On any rule and regulation proposed to be promulgated, the proposing agency shall state in a simple declarative sentence, without additional comments on the merits or the policy of the rule or regulation, whether the rule or regulation may have a projected financial impact on local governments. The statement shall describe the financial impact in terms of increase in expenditures or decrease in revenues."

This rule has no fiscal impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 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;

Revisions to Rule 0520-01-03-.03 titled Academic Program Requirements are proposed in alignment with Public Chapter 114 of 2023 (PC 114) pertaining to the award of high school equivalency credentials. Under PC 114, T.C.A. § 4-3-1422 now requires the State Board of Education to review the recommendations of the Tennessee Department of Labor and Workforce Development for criteria or assessments leading to the award of a high school equivalency credential. PC 114 clarifies that a student who successfully completes the criteria or assessments approved by the State Board shall be issued a high school equivalency credential by the Department of Labor.

Currently, the High School Equivalency Test (HiSET) is the only assessment offered to individuals to obtain a high school equivalency credential in Tennessee. In an attempt to expand both participant choice and successful attainment rate, the Tennessee Department of Labor and Workforce Development recommended the State Board approve several new pathways for individuals to obtain a high school equivalency credential, in addition to the HiSET. Accordingly, Rule 0520-01-03-.03 was revised to establish these additional pathways to a high school equivalency credential in Tennessee.

Additionally, language regarding transfer requirements for students transferring from non-public to public schools has been removed from this Rule as this language was transferred to the State Board's revised Non-Public Schools Rule 0520-07-01-.02 (which became effective on August 15, 2023).

This item also amends Civics Rule 0520-01-03-.07 in alignment with Public Chapter 686 of 2022 to remove the requirement that LEAs submit verification to the Department of Education of implementation of a project-based civics assessment.

- (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;

Public Chapter 114 of 2023 removed specific references to the GED or HiSET assessments throughout Tennessee Code Annotated to refer instead to a high school equivalency credential approved by the State Board of Education.

T.C.A. § 4-3-1422 authorizes the Tennessee Department of Labor and Workforce Development to make recommendations to the State Board relative to criteria or assessments that lead to the award of a high school equivalency credential, and authorizes the State Board to promulgate rules to effectuate the section.

Public Chapter 686 of 2022 removed the requirement that LEAs submit verification to the Department of Education of implementation of a project-based civics assessment.

- (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;

These rules have a direct effect on the State Board, Department of Education, and Department of Labor and Workforce Development and all urge adoption. These rules also have a direct effect on citizens seeking to obtain a high school equivalency credential and LEAs. The State Board did not hear from citizens or LEAs urging adoption or rejection of the rules.

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

None.

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

Angie Sanders (State Board of Education)
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Nathan James (State Board of Education)
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Robin Yeh (Department of Education)
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Stamatia Xixis (Department of Labor)
Stamatia.Xixis@tn.gov

Jay Baker (Department of Labor)
Jay.Baker@tn.gov

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

Angie Sanders (State Board of Education)
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Nathan James (State Board of Education)
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Robin Yeh (Department of Education)
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Stamatia Xixis (Department of Labor)
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Jay Baker (Department of Labor)
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(H) Office address, telephone number, and email address 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.

None.

RULES
OF
THE STATE BOARD OF EDUCATION
CHAPTER 0520-01-03
ACADEMIC AND INSTRUCTIONAL REQUIREMENTS

0520-01-03-.03 ACADEMIC PROGRAM REQUIREMENTS.

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- (2) All textbooks and instructional materials adopted and purchased shall be aligned with state academic standards.
- (3) All courses listed in State Board's Approved High School Courses Policy 3.205 may be offered for credit in grades nine through twelve (9-12). Additional details about approved courses shall be included in the Correlation of Course and Endorsement Codes database managed by the Department of Education.
- (4) LEAs may offer special courses in addition to the courses listed in the State Board's Approved High School Courses Policy 3.205. Such special courses shall be approved by the Department of Education and the State Board. Each special course approved by the Department shall be recommended to the State Board for an approval period of one (1), three (3), or six (6) years.
- (5) Each school shall evaluate and report in writing to the parent or legal guardian each student's progress in each subject, at least every nine (9) weeks, in accordance with the local school board's grading policy.
- (6) LEAs shall implement the Response to Instruction and Intervention (RTI²) framework adopted by the State Board. RTI² shall include high-quality instruction and interventions tailored to student need where core instructional and intervention decisions are guided by student outcome data. Tiered interventions in the areas of reading, mathematics, and/or writing shall occur in the general education setting depending on the needs of the student. If a student fails to respond to intensive interventions and is suspected of having a Specific Learning Disability as defined in State Board Rule 0520-01-09-.02, then the student may require special education interventions.
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 - (c) A comprehensive writing assessment shall be conducted in at least one (1) grade within elementary, middle grades, and high school as part of the state-mandated assessment program.
 - (d) The Department of Education shall provide raw score data from the end-of-course examinations to each LEA for the purpose of including student scores on the examinations into a student's final grade for the course. The weight of the examination on the student's final average shall be determined by the LEA from a range of not less than fifteen percent (15%) and not more than twenty-five percent (25%). If an LEA does not receive its students' end-of-course examination scores at least (5) instructional days before the scheduled end of the course, then the LEA may choose not to include its students' examination scores in the students' final average.
 - (e) Each local school board shall adopt a policy that details the methodology used and the required weighting for incorporating students' scores on end-of-course examinations into final report card grades.
 - (f) Local school boards shall adopt a policy regarding security of test administration, consistent with Department of Education guidelines.
 - (g) The Department of Education shall annually report to the State Board the number and percentage of students who scored below but were promoted to the next grade level by the LEA. This data shall be disaggregated by subgroups similar to those required for federal reporting.
- (11) Beginning in the 2023-24 school year, all students in grade eight (8), including students with an Individualized Education Program (IEP), shall begin the development of the high school and beyond plan in accordance with the State Board's Middle Grades Policy 2.102 and High School Policy 2.103.
- (12) Each local board of education shall adopt a credit recovery policy, aligned to the State Board's High School Policy 2.103, to provide standards-based extended learning opportunities for students who have previously been unsuccessful in mastering the standards required to receive course credit or earn promotion.
- (a) Each credit recovery policy shall address, at a minimum:
 - 1. Admission to and removal from credit recovery programs;
 - 2. Instruction; and
 - 3. Grading and awarding of credit.
- ~~(13) Students may transfer from a Category I, II, or III private school, as defined in State Board Rule 0520-07-02, to a public school without loss of credit for completed work. The school which the student leaves must supply a properly certified transcript showing the student's record of attendance, achievement, and the units of credit earned.~~
- ~~(14) Local boards of education and public charter schools shall not prohibit or impede the transfer of a student from a Category IV church-related school, Category V private school, or a home school to a public school of this state. Local boards of education and public charter schools may, however, place students transferring from a Category IV church-related school, Category V private school, or home school to a public school in a grade level and confer credit for courses based upon the student's performance on a test administered by the local board or public charter school for that purpose. If a local board of education or public charter school administers a test to students transferring from a~~

~~Category IV church-related school, Category V private school, or home school, to a public school, students shall be allowed credit only when they have passed comprehensive written examinations approved, administered, and graded by the principal or designee of the public school. Student scores from a recognized standardized test may substitute for the required comprehensive written examinations.~~

- ~~(a) The examination administered to students in grades one through eight (1-8) shall cover only the last grade completed.~~
- ~~(b) The examinations administered to students in grades nine through twelve (9-12) shall cover the individual subjects appearing on the official transcripts. The examination for graduation requirement subjects may only cover the last course completed by the student (for example, if a student has completed English I, II, and III, the examination may only cover English III).~~
- ~~(c) The principal of a Category IV church-related school or Category V private school, or the parent of a home school student is authorized to transmit transcripts of a student to any school to which the student transfers or applies for admission when the records are requested by the receiving school or parent or legal guardian. The parent or legal guardian of the student shall be notified by the private or church-related school that the transcript is being sent.~~

~~The High School Equivalency Testing (HiSET) shall be operated in accordance with the HiSET manual of the Education Testing Service and the rules established by the Department of Labor and~~

~~Workforce Development.~~

- ~~(a) The chief examiners shall ensure that all examinees meet the state requirements for age, residency, proper identification, and any other qualifications prior to admission to the testing session.~~
- ~~(b) A candidate must be eighteen (18) years of age before being eligible to take the HiSET test. A seventeen (17) year old may be allowed to take the examination upon recommendation of the director of schools. The director of schools may require written documentation from the applicant to support this recommendation. This rule shall not be used to circumvent participation in the regular high school program.~~
- ~~(c) The HiSET test consists of five (5) core areas that count twenty (20) points each. In order to pass, the total composite score on the HiSET test shall not be less than forty-five (45) and no score on any one (1) core area of the test battery shall be less than eight (8).~~

(136) High School Equivalency Credentials.

- (a) Pursuant to T.C.A. § 4-3-1422, the Tennessee Department of Labor and Workforce Development* (Department of Labor) is required to make recommendations to the State Board for approval of assessments or criteria leading to the award of a high school equivalency credential. A high school equivalency credential is recognized as being equivalent to a traditional high school diploma.
- (b) The Department of Labor shall oversee the issuance of high school equivalency credentials to individuals who meet the criteria established in sSubparagraphs (c) and (d) of this Rule.
- (c) An individual shall be eighteen (18) years of age before being eligible to obtain a high school equivalency credential. However, a seventeen (17) year old who is not currently enrolled in school or who is currently enrolled in a Tennessee public school may be eligible to obtain a high school equivalency credential upon receiving a signed recommendation from the director of schools (or the director's designee) of the LEA having jurisdiction over the individual. A seventeen (17) year old enrolled in a private school or church-related school, e, may be eligible to obtain a high school equivalency credential upon receiving a signed recommendation from the leader of the private school or church-related school where the student is currently enrolled. The director of schools or leader of the private school or church-related school may require written documentation from the individual to support this recommendation. A seventeen (17) year old who is independently home

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schooled by their parent or legal guardian may be eligible to obtain a high school equivalency credential upon receiving a signed recommendation from the individual's parent or legal guardian.

(d) In addition to meeting the requirements set forth in subparagraph (c), a high school equivalency credential may be obtained by meeting the requirements of any one (1) of the following pathways:

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1. Pathway 1: High School Equivalency Test (HiSET).

(i) The HiSET test shall be operated in accordance with the policies established by the Department of Labor.

(ii) The HiSET test consists of five (5) subtests that count twenty (20) points each. In order to pass, the total composite score on the HiSET test shall be forty-five (45) or higher, and the minimum score on each subtest shall be eight (8) or higher.

2. Pathway 2: General Educational Development Test (GED).

(i) The GED test shall be operated in accordance with the policies established by the Department of Labor.

(ii) The GED test consists of four (4) subtests that count 200 points each. In order to pass, the score on each subtest shall be 145 or higher.

3. Pathway 3: Multiple Measures.

(i) Demonstrating subject matter competency by achieving passing sub-test scores in math, reading, writing/language, science, and social studies. Passing scores can be demonstrated through a combination of HiSET, GED, Test of Adult Basic Education (TABE), CASAS GOALS, or ACT WorkKeys, subtests.

(I) All tests shall be operated in accordance with the policies established by the Department of Labor.

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(II) The TABE test consists of three (3) subtests in the subject areas of math, reading, and writing/language. In order to pass the math subtest, the scale score shall be 537 or higher. In order to pass the reading subtest, the scale score shall be 536 or higher. In order to pass the writing/language subtest, the scale score shall be 547.

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(III) The CASAS GOALS test consists of two (2) subtests in the subject areas of math and reading. In order to pass the math subtest, the scale score shall be 214 or higher. In order to pass the reading subtest, the scale score shall be 228 or higher.

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(IV) The ACT WorkKeys test consists of one (1) math subtest and one (1) reading subtest. In order to pass the math subtest, the "Applied Math" score shall be 83 or higher. In order to pass the reading subtest, the "Workplace Documents" score shall be 78 or higher.

Authority: T.C.A. §§ 4-3-1422, 49-1-302, ~~49-1-302(a)(2) and (13)~~, 49-2-110, 49-2-114, 49-6-101, 49-6-201, 49-6-3001, 49-6-3003, 49-6-3005(a) and (a)(4), 49-6-3104, 49-6-3105, ~~49-6-6001 and 49-6-602021~~; Sections 30, 78 through 80, and 88 of Chapter 535 of the Public Acts of 1992; and Public Chapter 652 of 2020. **Administrative History:** Original rule certified June 10, 1974. Amendment filed February 28, 1978; effective March 30, 1978. Amendment filed April 14, 1980; effective May 28, 1980. Amendment filed July 19, 1982; effective October 13, 1982. Repeal and new rule filed April 18, 1983; effective May 18, 1983. Amendment filed June 10, 1983; effective September 14, 1983. Amendment filed June 27, 1984; effective July 27, 1984. Amendment filed June 28, 1984; effective July 28, 1984. Amendment filed May 28, 1986; effective June 27, 1986. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed July 21, 1992; effective October 28, 1992. Amendment filed September 1, 1992; effective December 29, 1992. Amendment filed October 11, 1995; effective February 28, 1996. Amendment filed April 29, 1996; effective August 28, 1996. Amendment filed May 31, 1996; effective September

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27, 1996. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed August 31, 2001; effective December 28, 2001. Amendment filed March 28, 2002; effective July 29, 2002. Amendment filed June 30, 2003; effective October 28, 2003. Amendment filed March 1, 2005; effective July 29, 2005. Amendment filed September 6, 2007; effective January 28, 2008. Amendment filed April 30, 2009; effective August 28, 2009. Amendment filed October 20, 2009; effective March 31, 2010. Amendment filed March 25, 2010; effective August 29, 2010. Amendment filed December 19, 2012; effective May 30, 2012. Amendments filed March 21, 2012; effective August 29, 2012. Amendment filed February 6, 2013; effective July 29, 2013. Amendment filed May 22, 2015; effective August 20, 2015. Amendments filed October 25, 2017; effective January 23, 2018. Amendments filed March 20, 2018; to have been effective June 18, 2018. However, on May 24, 2018, the Government Operations Committee filed a 5-day stay; new effective date June 23, 2018. Amendments filed January 11, 2019; effective April 11, 2019. Amendments filed August 20, 2020; effective November 18, 2020. Emergency rules filed November 19, 2020; effective through May 18, 2021. Emergency rules expired effective May 19, 2021, and the rules reverted to their previous statuses. Amendments filed September 6, 2022; effective December 5, 2022.

0520-01-03-.07 CIVICS.

- (1) All high school students must take and pass a United States civics test in order to meet the social studies course credit requirement to earn a traditional diploma.
- (a) The LEA shall prepare the civics test. The test shall be developed in accordance with T.C.A. § 49-6-408.
- (b) A student shall pass the test if the student correctly answers at least seventy percent (70%) of the questions. The LEA may provide students with the opportunity to take the test as many times as necessary. Each LEA may determine if a student's grade on the U.S. civics test will be counted in the classroom grade. A passing score on the civics test shall be noted on a student's transcript.
- (c) The U.S. civics test shall be administered to a student who has an IEP with the accommodations and/or modifications that are deemed necessary by the IEP team.
- (d) A school shall be recognized on the Tennessee Department of Education's website as a United States civics all-star school if all of the school's seniors receiving a traditional diploma make a passing grade of eighty five percent (85%) or higher on the United States civics test for that school year.
- (2) All LEAs shall implement a project-based assessment in civics at least once in grades four through eight (4-8) and once in grades nine through twelve (9-12) pursuant to T.C.A. § 49-6-1028.
- (a) "Project-based" means an approach that engages students in learning essential knowledge and skills through a student-influenced inquiry process structured around complex authentic questions and carefully designed products and tasks.
- (b) The project-based assessment shall be developed by the LEA, measure the civics learning objectives contained in the social studies standards, and allow students to demonstrate understanding and relevance of public policy; the structure of federal, state, and local governments; and both the Tennessee and the United States constitutions.
- ~~(c) LEAs shall submit verification of implementation of the project-based assessment to the Department of Education.~~
- (3) The Governor's Tennessee Excellence in Civics Education Seal shall be awarded to each school that:
- (a) Incorporates civic learning across a broad range of grades and academic subjects that build on the Tennessee academic standards, such as the civics lesson plans and the blue book lesson plans provided by the secretary of state;
- (b) Provides instruction regarding our nation's democratic principles and practices, the significant events and individuals responsible for the creation of our foundational documents, and the formation of the governments of the United States and the state of Tennessee using the federal and state foundational documents, as evidenced by submission of at least five (5) lesson plans or activities that focus on civics and are aligned with the Tennessee academic standards and a summary of how the lesson was implemented;

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- (c) Provides professional development opportunities or student resources that facilitate civics education, such as civics education workshops offered by the secretary of state, as evidenced by submission of documentation identified by the Department of Education;
 - (d) Provides one (1) or more of the following opportunities for students to engage in real-world learning activities:
 1. Participation in a mock election, such as the secretary of state's student mock election;
 2. Participation in the secretary of state's civics essay contest by at least fifteen percent (15%) of the school's students;
 3. A school voter registration drive for the school or community;
 4. Participation in another state or national civics-based contest by at least fifteen percent (15%) of the school's students;
 5. Participation of an individual student or school team in the United States Senate Youth Program or Model United Nations; or
 6. Participation in a real-world learning activity recognized by the Department of Education.
 - (e) Implements a high-quality, project-based assessment in accordance with T.C.A. § 49-6-1028(e), if applicable; and
 - (f) Is recognized as a civics all-star school in accordance with T.C.A. § 49-6-408, if applicable.
- (4) The Governor's Tennessee Excellence in Civics Education Seal shall be awarded to each LEA in which at least eighty percent (80%) of the LEA's schools earn the Governor's Tennessee Excellence in Civics Education Seal.

Authority: T.C.A. §§ 49-1-302, ~~49-3-305~~, 49-6-408, 49-6-1018, and 49-6-1028. **Administrative History:** Original rule certified June 10, 1974. Amendment filed June 30, 1975; effective July 30, 1975. Amendment filed July 15, 1976; effective August 16, 1976. Amendment filed February 28, 1978; effective March 30, 1978. Amendment filed January 9, 1979; effective February 23, 1979. Amendment filed October 15, 1979; effective January 8, 1980. Amendment filed June 27, 1984; effective July 27, 1984. Amendment filed October 1, 1985; effective January 14, 1986. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed July 22, 1987; effective October 28, 1987. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed March 28, 2002; effective July 29, 2002. Repeal and new rule filed May 16, 2014; effective October 29, 2014. Amendments filed October 25, 2017; effective January 23, 2018. Amendments filed March 20, 2018; to have been effective June 18, 2018. However, on May 24, 2018, the Government Operations Committee filed a 5-day stay; new effective date June 23, 2018. Amendments filed August 20, 2020; effective November 18, 2020.