

Proposed Rules  
of the  
State Board of Education

Chapter 0520-01-03  
Minimum Requirements for the Approval of Public Schools

Presented herein are proposed amendments of the State Board of Education submitted pursuant to Tenn. Code Ann. § 4-5-202 in lieu of a rulemaking hearing. It is the intent of the State Board of Education 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 amendments are published. Such petition to be effective must be filed with the State Board of Education, 9th Floor, Andrew Johnson Tower, 710 James Robertson Parkway, Nashville, Tennessee 37243-1050, and in the Department of State, 8<sup>th</sup> Floor, William Snodgrass Building, 312 8<sup>th</sup> Avenue North, Nashville, Tennessee 37243, and must be signed by twenty-five (25) persons who will be affected by the rule, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of the proposed rule, contact Rich Haglund, State Board of Education, 9th Floor, Andrew Johnson Tower, 710 James Robertson Parkway, Nashville, TN, 37243-1050, (615) 741-2966.

The text of the proposed amendment is as follows:

Amendment

Rule 0520-01-03-.06 Graduation, Requirement E is amended by deleting the rule in its entirety and substituting instead the following language so that as amended the rule shall read:

- (1) Graduation Requirements – Effective through the 9th grade class of 2008-2009.
  - (a) High School Diploma, High School Certificate, and Special Education Diploma.
    1. The high school diploma will be awarded to students who (1) earn the specified twenty (20) units of credit or satisfactorily complete an individualized educational program (IEP); (2) meet competency test or gateway examination standards; and (3) have satisfactory records of attendance and conduct.
    2. The high school certificate may be awarded to students who have earned the specified twenty (20) units of credit and who have satisfactory records of attendance and conduct, but who have not met competency test or gateway examination standards.
    3. The special education diploma will be awarded to students who have satisfactorily completed an individualized education program, and who have satisfactory records of attendance and conduct, but who have not met competency test or gateway examination standards
  - (b) High School Diploma.
    1. The following twenty (20) units shall be required for graduation for students who enter the ninth (9th) grade in 1994-95 and thereafter; students shall complete the core curriculum plus either the university preparation curriculum or the technical preparation curriculum.

<u>Core Curriculum</u>	<u>Units</u>
English Language Arts.....	4
Mathematics* .....	3
Science** .....	3
Social Studies*** .....	3
Wellness .....	1
Total .....	14

\* Students who enter ninth (9th) grade in 1994-95 and thereafter shall be required to achieve, by the time they graduate, at least one of the following: Algebra I, Technical Algebra (formerly Math for Technology II), or Integrated Mathematics I. Students who enter high school beginning in 2005-06 will also be required to complete one (1) of the following: Geometry, Technical Geometry, Algebra II, or Integrated Mathematics II as part of the three required units.

\*\* One (1) of the three (3) science courses for students who enter ninth (9th) grade in 2001-02 and thereafter must be Biology I, Biology for Technology, or the equivalent in an integrated curriculum.

\*\*\*The social studies curriculum shall include United States History, World History/ World Geography, Economics, and Government.

<u>University Preparation Curriculum</u>	<u>Units</u>
Foreign Language .....	2
Fine Arts .....	1
Electives .....	3
Total .....	6

<u>Technical Preparation Curriculum</u>	<u>Units</u>
Program of study focusing on a particular technical area .....	4
Electives .....	2
Total .....	6

2. Students who have taken the equivalent of high school level courses may meet course requirements in accordance with local board of education policies permitting credit by examination.

(c) Graduation with Honors.

1. Students who graduate with a high school diploma may graduate with honors if they complete the core curriculum and either the university preparation curriculum or the technical preparation curriculum. School systems may specify additional requirements, such as requiring students to demonstrate performance of distinction in one (1) or more areas.
2. Students must achieve an overall grade point average of 3.0 or higher on a 4.0 scale.

(d) Examinations.

1. Competency test. A competency test shall be administered to all high school students. Achieving minimum standards on all required subtests shall constitute one (1) requirement for graduation with a high school diploma and graduation with

honors. The test shall first be administered to students in the ninth (9th) grade. Students who fail to meet the minimum standards on any subtest shall be given the opportunity to be retested during any of the regularly scheduled administrations of the test. A student shall not be required to be retested on any subtest for which minimum standards on the competency test, proficiency test, or the competency/proficiency screening were previously achieved.

- (i) Students must meet a minimum standard of seventy percent (70%) of the test items answered correctly on each of two (2) subtests: one (1) subtest to test competency in Mathematics and one (1) subtest to test competency in Language Arts.
- (ii) Each local education agency shall provide research based academic interventions and require participation of students who have not met the minimum standard on either section of the competency test. At least one (1) intervention must be offered during the regular school day. All interventions shall be designed to meet the individual student's needs and shall be conducted by a teacher endorsed in the subject area.
- (iii) Any student who previously received a special education diploma or a high school certificate regardless of the date of issuance may, at any time during a regularly scheduled administration of the competency test, take the competency test and upon passing the test be awarded a high school diploma.

2. Gateway examinations. Achieving minimum standards on three gateway examinations in Mathematics, English Language Arts, and Science shall constitute one requirement for graduation with a high school diploma and graduation with honors for students who enter the ninth (9th) grade in 2001-2002 and thereafter. Students who fail to meet the minimum standard on any gateway examination shall be given the opportunity to be retested during any of the regularly scheduled administrations of the examination. A student shall not be required to be retested on any gateway examination for which the minimum standard was previously achieved.

- (i) Students must meet minimum standards for the gateway examinations as determined by the State Board of Education in Mathematics, English Language Arts, and Science.
- (ii) Course work should be structured and scheduled to ensure that all students are successful. However, each local education agency shall provide research based academic interventions and require participation of students who have not met the minimum standard on any gateway examination. At least one (1) intervention must be offered during the regular school day. All interventions shall be designed to meet the individual student's needs, not simply repeating the course, and shall be conducted by a teacher endorsed in the subject area.
- (iii) Any student who previously received a special education diploma or a high school certificate regardless of the date of issuance may, at any time during a regularly scheduled administration of the gateway examinations, take the gateway examinations and upon passing the exams be awarded a high school diploma.
- (iv) Students who entered high school prior to or during the 2000-2001 school year may fulfill this requirement by meeting the minimum standards on the competency test until September 1, 2004, after which time the competency test will no longer be administered.

3. Optional exit examinations. Prior to graduation, all students shall have the opportunity to take an optional exit examination. No minimum score shall be required for this examination.
- (2) Graduation Requirements - Effective with the ninth (9th) grade class of 2009-2010 and thereafter.

(a) High School Diploma and Special Education Diploma.

1. The high school diploma will be awarded to students who (1) earn the specified twenty-two (22) units of credit, and (2) have satisfactory records of attendance and conduct.
2. A transition certificate may be awarded at the end of the fourth (4th) year of high school to students with disabilities who have (1) taken classes toward a high school diploma (twenty-two (22) units of credit), (2) have satisfactorily completed an individualized education program (IEP), and (3) have satisfactory records of attendance and conduct. Students who obtain the transition certificate may continue to work towards the high school diploma through the end of the school year in which they turn twenty-two (22) years old.

An individualized education program (IEP) certificate will be awarded to students with disabilities who have (1) satisfactorily completed an IEP, (2) successfully completed a portfolio, and (3) have satisfactory records of attendance and conduct.

(b) High School Diploma.

1. The following twenty-two (22) units shall be required for graduation for students who enter the ninth (9th) grade in 2009-10 and thereafter.

<u>Ready Core Curriculum</u>	<u>Units</u>
English Language Arts.....	4
Mathematics* .....	4
Science** .....	3
Social Studies*** .....	3
Wellness .....	1
Physical Education .....	.5
Personal Finance.....	0.5
Foreign Language**** .....	2
Fine Arts***** .....	1
<u>Electives Focus .....</u>	<u>3</u>
 Total .....	 22

\* Students who enter ninth (9th) grade in 2009-10 and thereafter shall be required to achieve, by the time they graduate, at least the following: Algebra I, Geometry, and Algebra II (or the equivalents) plus one (1) additional mathematics course beyond Algebra I. All students will be enrolled in a math class each year. Students with qualifying disabilities in math as documented in the individualized education program shall be required to achieve at least Algebra I and Geometry (or the equivalent). The required number of credits in math will be achieved through strategies such as, but not limited to, increased time, appropriate methodologies, and accommodations as determined by the IEP team.

\*\* Students who enter ninth (9th) grade in 2009-10 and thereafter shall be required to achieve, by the time they graduate, at least Biology I and either Chemistry or Physics plus another laboratory science. Students

with qualifying disabilities in reading and/or math as documented in the individualized education program shall be required to achieve at least Biology I and two (2) other lab science credits. The required number of credits in science will be achieved through strategies such as, but not limited to, increased time, appropriate methodologies, and accommodations as determined by the IEP team.

\*\*\* The social studies curriculum shall include United States History, World History/World Geography, Economics, and Government.

\*\*\*\* In exceptional circumstances, schools may waive the foreign language and fine art requirement for students who are not planning to attend the university to expand and enhance their elective focus.

2. Students who have taken the equivalent of high school level courses may meet course requirements in accordance with local board of education policies permitting credit by examination.
3. Local boards of education are encouraged to consider requirements for students to complete a capstone experience such as, but not limited to:
  - (i) senior project
  - (ii) Virtual Enterprise
  - (iii) internship
  - (iv) externship
  - (v) work-based learning
  - (vi) service learning (minimum of forty (40) hours)
  - (vii) community service (minimum of forty (40) hours)

(c) Graduation with Honors and Distinction.

1. Students who score at or above all of the subject area readiness benchmarks on the ACT or equivalent score on the SAT will graduate with honors.
2. Students will be recognized as graduating with “distinction” by attaining a B average and completing at least one of the following:
  - (i) earn a nationally recognized industry certification
  - (ii) participate in at least one (1) of the Governor’s Schools
  - (iii) participate in one (1) of the state’s All State musical organizations
  - (iv) be selected as a National Merit Finalist or Semi-Finalist
  - (v) attain a score of thirty-one (31) or higher composite score on the ACT
  - (vi) attain a score of three (3) or higher on at least two (2) advanced placement exams
  - (vii) successfully complete the International Baccalaureate Diploma Programme
  - (viii) earn twelve (12) or more semester hours of transcribed postsecondary credit

Each local school board shall develop a policy prescribing how students graduating with “distinction” will be noted and recognized.

(d) Examinations.

1. End-of-course examinations will be given in English I, English II, English III, Algebra I, Geometry, Algebra II, U.S. History, Biology I, Chemistry and Physics. Further, the results of these examinations will be factored into the student’s grade at a percentage

determined by the State Board of Education in accordance with Tenn. Code Ann. §49-1-302 (2). The weight of the end-of-course examination on the student's course average is as follows for entering ninth (9th) graders:

- (i) fall of 2009 and 2010 - 20%
- (ii) fall of 2011 and 2012 - 25%
- (iii) fall of 2013 and thereafter - 25%

Students would not be required to pass any one (1) examination, but instead would need to achieve a passing score for the course average in accordance with the State Board of Education's uniform grading policy.

2. Students with disabilities will be included in regular classes to the degree possible and with appropriate support and accommodations. To earn a regular high school diploma, students with disabilities must earn the prescribed twenty-two (22) credit minimum. Students failing to earn a yearly grade of seventy (70) in a course that has an end-of-course test and whose disability adversely affects performance in that test will be allowed, through an approved process, to add to their end-of-course assessment scores by demonstrating the state identified core knowledge and skills contained within that course through an alternative performance-based assessment. The necessity for an alternative performance-based assessment must be determined through the student's IEP. The alternative performance-based assessment will be evaluated using a state approved rubric.
  3. When the mean of the teacher-assigned grades and the mean of the end-of-course assessment results are significantly different as determined by State Board of Education policy, the school must develop and implement strategies in the School Improvement Plan to ameliorate such differences. Until such time that the State Department of Education recommends, based upon an appropriate statistical analysis, and the State Board of Education approves an acceptable measure of disparity, schools and school systems should consider differences between ten (10) and fifteen (15) or more points to be too large and develop and implement strategies through the School Improvement Plan to ameliorate such differences:
    - (e) Academic Program. All courses listed in State Board of Education Policy 3.205 may be offered for credit in grades nine (9) through twelve (12).
    - (f) Every local board of education shall develop a policy regarding the minimum and maximum units in any course or subject area for which a student may earn credit toward graduation.
- (3) Testing for Credit.
- (a) Local boards of education may adopt policies permitting students who are enrolled in grades nine (9) through twelve (12) and who have taken the equivalent of high school level courses to earn unit(s) of high school credit for these courses. Students may earn credit toward graduation upon passing a comprehensive written examination in accordance with standards determined by the local board of education.
  - (b) High school credit may not be given by examination in American History.
- (4) Out-of-School and Work-Based Learning Experiences.
- (a) Local boards of education are authorized to adopt policies permitting students to earn a maximum of two (2) high school credits for out-of-school experiences which are not work-based learning. Such policies shall conform to the Guide for Out-of-School Experiences when developed by the Department of Education and approved by the State Board of Education.

- (b) Local boards of education are authorized to implement internship, clinical, cooperative education, youth apprenticeship, and registered apprenticeship programs to provide work-based learning experiences where students learn at the work site. These work-based learning experiences must be integrated with classroom instruction or the student's program of study; follow a training plan developed by employers, teachers and students; and teach all aspects of a particular industry or career.
  - (c) Local boards of education are authorized to implement programs for school-based enterprises, studios, laboratories, and service learning to provide work-based learning experiences in which students learn through work completed at the school site or in the community. These work-based learning experiences must be integrated with classroom instruction; follow a training plan developed by teachers, students, and employers when available; and teach multiple aspects of the enterprise.
  - (d) In order to assure that work-based learning experiences are of high quality, the Department of Education shall develop a Work-Based Learning Guide to be distributed to local boards of education. Prior to distribution, the Work-Based Learning Guide shall be submitted to the State Board of Education for approval; all subsequent revisions shall be approved by the State Board of Education. The Work-Based Learning Guide shall include as a minimum program components and standards; templates for a training plan and program evaluation; a legal issues guide; and requirements for safety training for students and teachers. The Work-Based Learning Guide shall also include the implementation guidelines for each work-based learning program covering the following areas:
    - 1. Program coordination
    - 2. Student selection process (if any)
    - 3. Related classroom instruction
    - 4. On-the-job supervision
    - 5. Training plan and other required documentation
    - 6. Program evaluation
- (5) Enrollment in College Level Courses.
- (a) Option #1.
    - 1. Early admission into college may be considered for a twelfth (12th) grade student who has at least a 3.5 grade point average and a minimum ACT composite score of twenty-five (25) (or equivalent SAT score). A student must have written endorsement from the principal, counseling staff and the participating institution of higher learning. Written agreements completed by the student and the parents must be placed on file in the office of the principal.
    - 2. The freshman course work taken at the participating institution will substitute for the courses which the student needed for graduation from high school. The high school principal will determine appropriateness of the content of these courses prior to the student's enrollment in college.
    - 3. A student will be awarded credit for the senior year after having successfully completed the freshman year in college.
  - (b) Option #2.

1. A qualified student enrolled in the eleventh (11th) or twelfth (12th) grades may enroll in college level courses which are conducted at an institution of higher education. The student may receive high school credit for participating in such courses in accordance with the policy of the local board of education. State funds to the local school system shall not be diminished because of the student's participation.
- (c) Option #3.
1. Local boards of education may adopt policies providing for college level courses to be conducted during the school day on the high school campus. Such courses must be taught by licensed teachers or bona fide college instructors approved by the local school system and the postsecondary institution. These courses are to be considered a part of the school program, with content and instruction subject to the supervision of the principal of the school and the local board of education. Dual credit (high school and college) may be offered under this option.
- (6) The General Educational Development (GED) Testing Program and the Issuance of Equivalency Diplomas.
- (a) The testing program is operated in accordance with the GED manual of the national GED office and rules established by the Department of Education.
  - (b) 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 a testing session.
  - (c) A candidate must be eighteen (18) years of age before being eligible to take the GED test. A (17) year old may be allowed to take the examination upon the recommendation of the local school superintendent. The superintendent 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.
  - (d) In order to pass, the average standard score on the GED test shall not be less than forty-five (45) and no score on any one (1) component of the test battery shall be less than thirty-five (35).

Authority: T.C.A. § 49-1-302.

The proposed rules set out herein were properly filed in the Department of State on the 11th day of June, 2008, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28th day of September, 2008. (FS 06-15-08; DBID 2900)