



STATE OF TENNESSEE  
**DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT**  
ADULT EDUCATION DIVISION  
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**ADULT EDUCATION POLICY – SERVICES FOR MINORS**

**Effective Date: August 05, 2020**

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**SUMMARY OF REVISIONS**

1. Added requirement for 17-year-olds utilizing the *HiSET Exam from Home* option to send recommendation form to TDLWD (see Section 5, "HiSET Recommendation Form & Test Center Staff").

**AUDIENCE**

- Local Adult Education program directors and staff
- Tennessee Department of Education (TDOE) Office of Accountability, Assessment, & Data Governance
- Local school superintendents
- Local boards of education and attendance officers
- HiSET\* test center staff

**EXECUTIVE SUMMARY**

This policy consolidates and describes the various rules and laws concerning school attendance requirements for sixteen (16) and seventeen (17) year old minors, and it explains the process for a student's parent/guardian, Adult Education programs, and local school systems to appropriately serve minors and stay in compliance with the relevant rules and laws.

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\*HiSET is a registered trademark of Educational Testing Service (ETS).

**ROLES AND RESPONSIBILITIES**

Title	Role or Responsibility
Local Adult Education Program Staff	Verify minor student is eligible to enroll and has signed parent/guardian approval form, <sup>1</sup> and keep form in student records. Contact local school system to inform of minor student enrollment and discuss progress report processes.
Local Board of Education	Establish progress report processes with local Adult Education staff, and enforce attendance requirements.
Local School Superintendent	As appropriate, sign HiSET recommendation form allowing a student who is seventeen (17) years of age to take the HiSET exam. <sup>2</sup>
HiSET Test Center Staff	Ensure test-takers who are seventeen (17) years of age have signed recommendation form.

**POLICY**

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<sup>1</sup> See example *Approval* form appended to this policy.

<sup>2</sup> See example *HiSET Recommendation* form appended to this policy.

## 1. School Attendance

Tennessee law requires children ages six (6) through seventeen (17), inclusive, who reside within the State to attend public or nonpublic school, unless the individual:

- A. Already has a secondary school diploma or equivalent;
- B. Is enrolled and making satisfactory progress in a State-approved Adult Education program leading to the attainment of a high school equivalency diploma; or
- C. Is seventeen (17) years old and enrolled in a home school.<sup>3</sup>

## 2. Adult Education Enrollment

To satisfy compulsory school attendance requirements, minors may enroll in a State-approved Adult Education program leading to the attainment of a high school equivalency diploma, in lieu of a regular high school diploma. This option is only to be used for individuals with justifiable circumstances and *must not* be used to circumvent participation in the regular high school program.<sup>4</sup>

State-approved Adult Education programs are those that are (1) funded through grants administered by the TDLWD Adult Education Division, (2) established as “adult high schools” within local school systems, or (3) other programs that have received State approval.

The TDLWD grants are established through the Workforce Innovation and Opportunity Act (WIOA), Title II, the Adult Education and Family Literacy Act (AEFLA). The TDLWD Adult Education Division administers and oversees these grants across the State. To be eligible for Adult Education services under WIOA, an individual must be at least sixteen (16) years of age, and must not be enrolled or required to be enrolled in secondary school under State law.<sup>5</sup> This requires that a minor, who is at least sixteen (16), must first be officially withdrawn from school enrollment (including public, private, church-related, or home school) by their parent, guardian, or legal custodian before they may enroll in Adult Education.

The parent, guardian, or legal custodian must sign an approval form certifying that the child has been withdrawn and allowing for the child’s enrollment in Adult Education (see example *Approval* form appended to this policy<sup>6</sup>). Adult Education staff must require this completed form at the time of enrollment, and must keep a copy of the form with the student’s records.

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<sup>3</sup> See [Tenn. Code Ann. § 49-6-3001\(c\)\(1-2\)](#)

<sup>4</sup> See [Tenn. Comp. R. & Regs. 0520-01-03-.06\(5\)\(c\)](#)

<sup>5</sup> See [WIOA Title II § 203\(4\)\(A-B\)](#)

<sup>6</sup> Use of this specific form is not required; however, Adult Education providers must attain the required information in an official, written capacity.

### 3. Accountability for Student Progress

Pursuant to the State’s compulsory attendance laws, any State-approved Adult Education institution or organization that enrolls a child who is under eighteen (18) years of age must provide a report to the local board of education at least three (3) times each year relative to the child’s progress.<sup>7</sup>

As part of the intake process when enrolling a minor student, Adult Education staff must contact the local school system where the student resides in order to inform the school system of the student’s enrollment. Further, Adult Education and school system staff should establish a process for how, when, and in what format to send and receive the required progress reports.

The school system is ultimately responsible for ensuring this process is in place and adhered to. The sole responsibility and authority for the enforcement of the compulsory attendance laws is placed in the local board of education and its designated employees and officers.<sup>8</sup> If the local board of education determines the student is not making satisfactory progress, then the child shall be subject to the regular school attendance requirements.<sup>9</sup>

### 4. High School Equivalency Diploma and HiSET

In order to attain a high school equivalency diploma, as issued by TDLWD, an individual must pass the HiSET exam. State Board of Education rules state that an individual must be eighteen (18) years of age before being eligible to take the HiSET. However, a seventeen (17) year old may be allowed to take the exam upon recommendation of the local school superintendent. This recommendation must come in the form of a document signed by the superintendent (see example *HiSET Recommendation* form appended to this policy<sup>10</sup>). The superintendent may require written documentation from the student to support this recommendation.<sup>11</sup>

Students who earn a high school equivalency diploma will not count as graduates in the local school district’s graduation rate—the equivalency diploma does not count as a diploma for state and federal reporting and accountability purposes.<sup>12</sup>

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<sup>7</sup> See [Tenn. Code Ann. § 49-6-3001\(c\)\(2\)\(B\)](#)

<sup>8</sup> See [Tenn. Code Ann. § 49-6-3006\(a\)](#)

<sup>9</sup> See [Tenn. Code Ann. § 49-6-3001\(c\)\(2\)\(B\)](#)

<sup>10</sup> Use of this specific form is not required; however, school superintendents must provide the required information in an official, written capacity.

<sup>11</sup> See [Tenn. Comp. R. & Regs. 0520-01-03-.06\(5\)\(c\)](#)

<sup>12</sup> See [20 U.S. Code § 7801\(43\)\(B\)](#)

## 5. HiSET Recommendation Form & Test Center Staff

A seventeen (17) year old test-taker must present a copy of an official *HiSET Recommendation* form, signed by the local school superintendent, to the test center staff *each time* the test-taker sits for any part of the HiSET exam. Before administering the exam to a test-taker, test center staff must verify the individual's age via a government-issued ID. If the individual is under seventeen (17), they must not be allowed to take the exam. If the individual is seventeen (17), test center staff must verify that the individual has a recommendation form signed by the superintendent. The form should then be returned to the test-taker for potential future use.

If the 17-year-old test-taker wants to utilize the *HiSET Exam from Home* option, the completed *HiSET Recommendation* form must be submitted to TDLWD. TDLWD can then work with ETS to grant the test-taker access to the exam registration. The test-taker or a designee must send the completed recommendation form via email attachment to Laura Chartier, TDLWD AE director of academic services, at [laura.chartier@tn.gov](mailto:laura.chartier@tn.gov). Note: *HiSET Exam from Home* proctors do not verify the recommendation form.

## GOVERNANCE

To ensure local Adult Education program compliance with this policy, TDLWD will conduct both in-person and remote monitoring of Adult Education student enrollment records as part of its regular monitoring practices.

## CONTACT

For any questions related to this policy, please contact LaToya Newson, Adult Education Assistant Administrator, at [latoya.newson@tn.gov](mailto:latoya.newson@tn.gov) or (615) 741-7055.



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Jay Baker, Interim Assistant Commissioner of Adult Education

## Approval for Minor Student Enrollment in Adult Education

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Student Full Legal Name (Last, First, Middle)

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Date of Birth

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Current Address (Street, City, State, Zip)

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Name of Last School Attended and Location (City, State)

**By signing below, I certify that the above-named child, who is in my custody, is at least sixteen (16) years of age, and has been officially withdrawn from school enrollment (including public, private, church-related, or home school). I approve for this child to be enrolled in an Adult Education program and to pursue a high school equivalency diploma in lieu of a regular high school diploma. I acknowledge that this child shall only be allowed to take the HiSET<sup>®</sup> exam if they are seventeen (17) years of age and has written approval from the local school superintendent.**

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Signature of Parent, Guardian, or Legal Custodian

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Date

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Print Name

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Phone Number

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Email Address

## HiSET® Recommendation for 17-Year-Old Student

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Student Full Legal Name (Last, First, Middle)

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Date of Birth

**By signing below, in compliance with the rules of the Tennessee State Board of Education, I hereby recommend the above-named student to take the HiSET® exam in pursuit of a high school equivalency diploma, in lieu of a regular high school diploma, conditioned upon the student being at least seventeen (17) years of age.**

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Superintendent Signature

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Date

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Print Name

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School System