

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-01-03
ACADEMIC AND INSTRUCTIONAL REQUIREMENTS**

0520-01-03-.01	Purpose	0520-01-03-.08	Repealed
0520-01-03-.02	Uniform Grading	0520-01-03-.09	Special Education Programs and Services
0520-01-03-.03	Academic Program Requirements	0520-01-03-.10	Repealed
0520-01-03-.04	Repealed	0520-01-03-.11	
0520-01-03-.05	Virtual Schools	through	
0520-01-03-.06	Graduation Requirements	0520-01-03-.13	Repealed
0520-01-03-.07	Civics	0520-01-03-.14	Summer Learning Program Requirements
		0520-01-03-.15	Universal Student Screeners and State-Adopted Benchmark Assessments

0520-01-03-.15 UNIVERSAL STUDENT SCREENERS AND STATE-ADOPTED BENCHMARK ASSESSMENTS

- (1) Definitions. As used in this rule:
- (a) "Nationally Normed" means screener scores, classifications, and score distribution percentiles are reported and calibrated using a representative National Sample.
 - (b) "National Sample" means a sample of students that represents the population of U.S. students. For the screener, a national sample consists of at least 150 students in each of at least three (3) of nine (9) US Census Bureau divisions. Part of completing the sample may include any needed statistical transformations required to achieve demographic representativeness. Such a sampling must be able to produce valid and reliable scores for classifying and identifying students.
 - (c) "Significant Reading Deficiency" means:
 - 1. For students in kindergarten through grade three (K-3), that a student's score on a Universal Reading Screener is in the 15th percentile or below on a Nationally Normed Universal Reading Screener.
 - (d) "Universal Reading Screener" means a uniform tool that screens and monitors a student's progress in foundational literacy skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension.
 - (e) "Innovative Benchmark Assessment Pilot Program" means a program established, funded, and implemented by the Department to provide the Tennessee universal math screener, the Tennessee universal reading screener, and a series of state-adopted benchmark assessments to LEAs and public charter schools to allow teachers to more frequently measure student learning and address student learning loss.
- (2) Pursuant to Section 3 of Chapter 3 of Public Acts of 2021 (1st Extraordinary Session), each LEA and public charter school shall annually administer a Universal Reading Screener to each student in kindergarten through grade three (K-3) during each of the three (3) administration windows established by the Department.

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- (3) Student performance on a Universal Reading Screener shall be used to identify students with a Significant Reading Deficiency. Any student in kindergarten through grade three (K-3) who achieves a score within the following range shall be determined to have a Significant Reading Deficiency:
- (a) A score in the 15th percentile or below on a Nationally Normed Universal Reading Screener.
- (4) Each LEA and public charter school shall indicate the chosen Universal Reading Screener option in their foundational literacy skills plan no later than June 1, 2021.
- (5) All Universal Reading Screeners shall be Nationally Normed. LEAs and public charter schools may choose from the following Universal Reading Screener options:
- (a) A Nationally Normed Tennessee Universal Reading Screener provided by the Department at no cost to LEAs and public charter schools;
- (b) A Universal Reading Screener from an approved list of Nationally Normed Universal Reading Screeners identified by the Department and approved by the State Board in State Board Policy 3.302; or
- (c) LEAs and public charter schools may request from the State Board approval to use a locally identified Universal Reading Screener. LEAs and public charter schools requesting approval from the State Board to use a locally identified Universal Reading Screener shall submit a revised foundational literacy skills plan to the Department by June 1 prior to the school year in which the LEA or public charter school wishes to use the locally identified screener. The request shall identify the Universal Reading Screener and outline evidence that the Universal Reading Screener meets the requirements identified in parts (1) through (6) below. The Department shall review each request and make recommendations to the State Board for approval by July 31 of each year. Each request shall provide proof that the Universal Reading Screener meets the following criteria:
1. Is Nationally Normed;
 2. Complies with dyslexia screening requirements established in T.C.A. § 49-1-229; and
 3. Complies with the universal screening requirements established in Tennessee's RTI² framework manual.
 4. Produces a range of scores that allows the Department to identify students with a Significant Reading Deficiency;
 5. Produces results that allow for the generation of individual growth scores for teachers as an alternative growth model and;
 6. Complies with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), T.C.A. § 10-7-504, and all other applicable state and federal privacy laws.

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- (6) Approved Universal Reading Screeners may be used by LEAs and public charter schools to comply with dyslexia screening requirements established in T.C.A. § 49-1-229 and with the universal screening requirements established in Tennessee's RTI² framework manual.
- (7) LEAs and public charter schools may need to find an alternate tool to measure reading proficiency if a student has a documented disability in an Individualized Education Program (IEP) or section 504 plan that indicates the student has a language or physical barrier to using one (1) of the approved Universal Reading Screeners outlined in paragraph (5) of this rule.
- (8) Each LEA and public charter school shall submit the results of each Universal Reading Screener administered to students to the Department. All student information must be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), T.C.A. § 10-7-504, and all other applicable state and federal privacy laws.
- (9) LEAs and public charter schools may choose to administer a Universal Reading Screener to pre-Kindergarten students.
- (10) The Department shall implement an Innovative Benchmark Assessment Pilot Program to provide the Tennessee Universal Reading Screener, the Tennessee universal math screener, and state-adopted benchmark assessments to LEAs and public charter schools to more frequently measure student learning and address student learning loss.
- (11) Pursuant to Chapter 1 of Public Acts of 2021 (1st Extraordinary Session), LEAs and public charter schools may use the state-adopted benchmark assessments, the Tennessee universal math screener, the Tennessee Universal Reading Screener, or a Universal Reading Screener approved by the State Board to identify priority students for after-school learning mini-camps, learning loss bridge camps, and summer learning camps.
 - (a) The Tennessee Universal Reading Screener and Tennessee universal math screener provided by the Department shall serve as the state-adopted benchmark assessments under the Innovative Benchmark Assessment Pilot Program for kindergarten through grade three (K-3).
 1. Any student in kindergarten through grade three (K-3) scoring in the 40th percentile or below on a Nationally Normed Universal Reading Screener or universal math screener shall be identified as a priority student, as defined in Section 1 of Chapter 1 of Public Acts of 2021 (1st Extraordinary Session).
 - (b) For grades four (4) through eight (8) the state adopted benchmark assessments under the Innovative Benchmark Assessment Pilot Program are the locally adopted benchmark assessment approved by the department for use by the LEA or public charter school. Each LEA or public charter school shall request from the Commissioner of Education approval to use locally adopted benchmark assessments as the state adopted benchmark assessment. Each request shall include:
 1. The name of each locally adopted benchmark assessment requested for use; and

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2. The performance category for each locally adopted benchmark assessment that the LEA or public charter school will use to identify priority students, as defined in Section 1 of Chapter 1 of Public Acts of 2021 (1st Extraordinary Session).

Authority: *Chapter 1 of the Public Acts of 2021 (1st Extraordinary Session), Chapter 3 of the Public Acts of 2021 (1st Extraordinary Session).* **Administrative History:**