

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-01-03
MINIMUM REQUIREMENTS FOR THE APPROVAL
OF PUBLIC SCHOOLS**

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0520-01-03-.01 APPROVAL OF SCHOOLS.

(1) Inspections of Schools.

The Department of Education shall make periodic inspections of the schools under its control. These inspections shall be made to determine the extent to which local school systems operate in compliance with State Board of Education rules and regulations and to verify the information received on reports from local school officials.

(2) Approval Classifications for School Systems.

Each school system shall be classified as approved or non-approved. School systems classified as non-approved by the Commissioner of Education shall receive a written explanation of the reasons for such classification and shall be afforded the opportunity to respond. The Commissioner's notification shall include a time by which corrective action shall be completed by the school system. If such corrective action is not taken within the time specified, the Commissioner shall impose sanctions on the school system which may include withholding part or all of state school funding to the non-approved system.

(3) Reports on School System Compliance with the Rules and Regulations.

The Department of Education shall make an annual report to the State Board of Education regarding each school system's compliance with the rules and regulations. The report shall include the approval status of each local school system, deficiencies identified by school in the approval process, an assessment of action needed to attain approval, local school system response, and sanctions imposed upon systems which do not comply.

(4) Reports on Waivers Granted by the Commissioner of Education.

The Department of Education shall post to its website any waiver of rules, regulations or policies granted by the Department within five (5) business days of the commissioner's approval. The waivers shall include the name of the system requesting the waiver and an explanation of the waiver requested.

(Rule 0520-01-03-.01, continued)

(5) Internal Audit.

The Department of Education shall maintain an internal audit function which shall assist the Department in the inspection of schools. Internal audit reports shall be presented to the commissioner and the State Board of Education.

Authority: T.C.A. § 49-1-302. **Administrative History:** Original rule certified June 10, 1974. Amendment filed July 15, 1976; effective August 16, 1976. Amendment filed February 28, 1978; effective March 30, 1978. Amendment filed October 1, 1985; effective October 31, 1985. Amendment filed May 28, 1986; effective June 27, 1986. Repeal and new rule filed March 16, 1992; effective June 29, 1992.

0520-01-03-.02 ORGANIZATION OF SCHOOLS.

(1) Length of School Day for Students.

(a) The minimum length of the school day for students shall be six and one-half (6½) hours.

(b) School systems may provide for professional development during the school day under one of the following options:

1. School systems. School systems which elect to extend the school day to at least seven (7) hours for the purpose of meeting instructional time requirements missed due to dangerous or extreme weather conditions may allocate a portion of that extension for the purpose of faculty professional development, M-team meetings, S-team meetings, parent/teacher conferences, or other similar meetings, as permitted in T.C.A. § 49-6-3004(e)(1), under the following conditions:

(i) Prior to the beginning of the school year, the school system shall designate how many days shall be allocated for dangerous or extreme weather conditions and how many shall be allocated for student dismissals for faculty professional development, M-team meetings, S-team meetings, parent/teacher conferences, or other similar meetings. The total number of days shall not exceed thirteen (13).

(ii) Faculty professional development shall be consistent with standards and guidelines established by the State Board of Education.

(iii) School systems shall submit their plans for the allocation of excess time to the commissioner for approval.

2. Schools. School systems may adopt policies providing for individual schools to have school days of at least seven (7) hours in order to accumulate instructional time to be used for periodic early student dismissals for the purpose of faculty professional development. The following conditions shall apply to school systems exercising this option:

(i) Early dismissals shall not exceed the equivalent of thirteen (13) days and shall not exceed three and one-half (3½) hours in any week.

(ii) Students shall attend school 180 days.

(Rule 0520-01-03-.02, continued)

- (iii) Faculty professional development shall be consistent with standards and guidelines established by the State Board of Education.
- (c) The length of the kindergarten day shall not be less than four (4) hours. Double sessions in any kindergarten program may be permitted so long as both sessions meet all legal requirements for kindergarten programs.

Authority: T.C.A. §§ 49-1-302 and 49-6-3004. **Administrative History:** Original rule certified June 10, 1974. 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 and new rule filed October 15, 1979; effective January 8, 1980. Amendment filed April 14, 1980; effective May 28, 1980. Amendment filed November 13, 1981; effective March 16, 1982. Amendment filed April 13, 1982; effective May 28, 1982. Repeal and new rule filed April 18, 1983; effective May 18, 1983. Amendment filed January 6, 1984; effective April 15, 1984. Amendment filed August 20, 1984; effective November 13, 1984. Amendment filed October 3, 1985; effective January 14, 1986. Amendment filed March 25, 1986; effective June 14, 1986. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed July 10, 1986; effective October 29, 1986. Amendment filed October 29, 1986; effective December 13, 1986. Amendment filed July 22, 1987; effective October 28, 1987. Amendment filed November 18, 1987; effective February 28, 1988. Amendment filed July 21, 1988; effective October 29, 1988. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed November 3, 1993; effective March 30, 1994. Amendment filed March 14, 1995; effective July 28, 1995. Amendment filed April 29, 1996; effective August 28, 1996.

0520-01-03-.03 ADMINISTRATION OF SCHOOLS.

- (1) Teacher Assignment. Teachers shall be on duty at least seven (7) hours per day and such additional time as the administrative organization requires.
- (2) Salaries and Licensure for all Licensed Personnel.
 - (a) The employment standards and licensure requirements established by the State Board of Education shall be applicable to all licensed personnel employed by a local board of education without regard to the source of financial support.
 - (b) A salary schedule applicable to all licensed personnel shall be approved by the local board of education.
- (3) Class Size for Grades Kindergarten through Twelve (12).
 - (a) Local boards of education shall have policies providing for class sizes in grades kindergarten through twelve (12) in accordance with the following:

Grade Level	Average Class Size	Maximum Class Size
K-3	20	25
4-6	25	30
7-12	30	35
Career and Technical Education	20	25

- (b) The average class size for a grade level unit (such as the unit K-3) shall not exceed the stated average, although individual classes within that grade level unit may exceed the average.

(Rule 0520-01-03-.03, continued)

- (c) No class shall exceed the prescribed maximum size.
 - (d) The average class size and the maximum class size shall be based on regular classroom teaching positions, exclusive of principal, assistant principal, counselor, elementary art, elementary music, elementary physical education, librarian, special education, or other specialized positions.
 - (e) Class size limits may be exceeded in such areas as typewriting and instrumental and vocal music classes, provided that the effectiveness of the instructional program in these areas is not impaired.
 - (f) Local school systems shall not establish split-grade classes for the purpose of complying with the provisions of the class size averages and maximums. However, these provisions do not prevent school systems from using multi-aged classes.
 - (g) Local boards of education must approve the establishment of any split-grade classes for any purpose.
 - (h) The average class size specified for the grade levels involved in split-grade classes will be the maximum size allowed in such classes.
- (4) Planning Time.
- (a) Local boards of education shall provide full-time classroom teachers in grades kindergarten through twelve (12) with individual duty-free planning periods during the established instructional day.
 - (b) Individual planning time shall consist of two and one-half (2½) hours each week during which teachers have no other assigned duties or responsibilities other than planning for instruction. The two and one-half (2½) hours may be divided on a daily or other basis.
 - (c) Individual duty-free planning time shall not occur during any period that teachers are entitled to duty-free lunch.
 - (d) Any school system which is providing an individual duty-free planning period by extending the school day by thirty (30) minutes as of the beginning of the 2000-01 school year may continue such practice and satisfy the planning time requirements.
 - (e) The director of schools shall report annually to the Department of Education regarding compliance with the individual duty-free planning time requirement.
- (5) Duty Free Lunch Period. In schools providing a lunch period for students, all teachers shall be provided each day with a lunch period during which they shall not have assigned duties. The lunch period for each teacher shall be at least the same amount of time as that allowed for students.
- (6) Summer Schools.
- (a) Summer schools shall be under the control and management of the local board of education having jurisdiction.
 - (b) The following shall be required for grades nine through twelve (9-12):
 1. State academic standards shall be used for all courses.

(Rule 0520-01-03-.03, continued)

2. Summer school teachers shall be licensed and hold endorsements in the subject areas in which they are teaching.
 3. Any course work successfully completed in an approved summer school is fully transferable to any other approved school.
- (7) Student Evaluation in Grades Kindergarten through Grade Eight (8).
- (a) The student evaluation program for grades kindergarten through grade eight (8) shall consist of the following:
 1. A criterion-referenced test will be administered in subjects and grade levels in accordance with policy of the State Board of Education.
 2. Based on achievement data from the benchmark years three (3), five (5), and eight (8), there shall be a research-based intervention initiated by the local education agency for students scoring below proficient in reading, language, and mathematics on the criterion referenced portion of the state achievement test. The intervention shall occur during the year following the benchmark assessment data. The Department of Education shall assist systems in the identification of effective intervention programs. Evidence of compliance with this requirement shall become a component of the school improvement plan.
 3. An assessment of writing in grades five (5) and eight (8).
 - (b) State mandated student testing programs shall be undertaken in accordance with procedures published by the Department of Education. Local school systems shall develop local policies regarding security of test administration, consistent with Department of Education guidelines.
 - (c) The Department of Education shall annually report to the State Board of Education the number and percentage of students scoring in the below achievement level, but have been promoted to the next grade level by school system. The data shall be disaggregated by subgroups similar to those required for federal reporting.
 - (d) LEAs shall use the Response to Instruction and Intervention (RTI²). 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 general education 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, then the student may require special education interventions.
- (8) Admission and Enrollment of Students.
- (a) Children entering kindergarten shall be five (5) years of age on or before August 15. However, a child does not have to enroll in school at five (5) years of age, but enrollment must occur no later than the beginning of the academic year following the child's sixth (6th) birthday.
 - (b) Any transfer student applying for admission who was legally enrolled in an approved kindergarten in another state and who will be five (5) years of age no later than December 31 of the current school year, shall be enrolled.

(Rule 0520-01-03-.03, continued)

- (c) A child must attend school until his/her eighteenth (18th) birthday, unless:
 - 1. He or she has received a diploma or other certificate of completion of high school;
 - 2. He or she is enrolled and making satisfactory progress in a course of instruction leading to a High School Equivalency Diploma; or
 - 3. He or she is enrolled in a home school and has reached their seventeenth (17th) birthday.

- (9) Students Transferring From One School to Another.
 - (a) Students may transfer among public schools or among Category I, II, or III private schools (see Chapter 0520-07-02), 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.
 - (b) Principals shall allow credit for work transferred from other schools only when substantiated by official transcripts. Students transferring from schools that are not approved by the State Board of Education or by comparable agencies shall be allowed credit only when they have passed comprehensive written examinations approved, administered, and graded by the principal. Student scores from a recognized standardized test may substitute for the required comprehensive written examinations.
 - (c) The examination administered to students in grades one through eight (1-8) shall cover only the last grade completed.
 - (d) 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 subjects of more than one (1) unit need cover only the last unit completed. A student transferring from one school to another may count for graduation one-half ($\frac{1}{2}$) unit of credit in courses for which a minimum of one (1) unit is required only if the course is not offered in the school to which he or she is transferring.
 - (e) The principal 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 institution. The parent or guardian of the student will be notified that the transcript is being sent.
 - (f) Local boards of education may admit pupils from outside their respective local school systems at any time.
 - (g) Local boards of education may arrange for the transfer of students residing within their systems to other school systems by establishing agreements with other local boards of education for the admission or transfer of students from one school system to another.
 - (h) The receiving board of education may set a time before or during the school year after which it will not accept transfer students. The receiving board of education may charge the non-resident student tuition to attend.
 - (i) If a local board of education otherwise permits non-resident students to transfer into its schools, it may not discriminate against any students solely on the grounds of their race, sex, national origin or disability, nor may it charge such students a tuition over and above the usual tuition for non-disabled persons.

(Rule 0520-01-03-.03, continued)

(10) Public Virtual Schools.

- (a) Public virtual schools must comply with all applicable State Board of Education policies and rules and regulations.
- (b) Public virtual schools shall:
 - 1. Be approved by the local board of education;
 - 2. Use technology to deliver a significant portion of instruction to its students via the Internet in a virtual or remote setting;
 - 3. Review and provide access to a sequential curriculum that meets or exceeds the curriculum standards adopted by the State Board of Education;
 - 4. Meet the equivalent of the 180 days of instruction and six and one-half (6½) hours per day per academic year pursuant to T.C.A. § 49-6-3004;
 - 5. Monitor participation and progress to ensure students meet participation requirements and make progress toward successful completion of courses;
 - 6. Administer all state tests required of public school students to students enrolled in a virtual school in a proctored environment consistent with state test administration guidelines;
 - 7. Be evaluated annually and report the extent to which the school demonstrates increases in student achievement, along with academic, fiscal, and operational performance;
 - 8. Ensure that students with special needs, including students with disabilities and limited English proficiency are not excluded from enrolling and participating, further, the public virtual school is responsible for providing the services in the student's Individualized Education Program (IEP);
 - 9. Ensure that all teachers employed to provide services to the students are endorsed in their grade or course and qualified to teach in Tennessee;
 - 10. Ensure access to instructional materials, access to technology such as a computer and printer that may be necessary for participation in the program, and access to an Internet connection used for school work; and
 - 11. Meet class size standards established by T.C.A. § 49-1-104. An individual virtual school may increase the enrollment in virtual classes by up to twenty-five percent (25%) over the class size standards established by T.C.A. § 49-1-104 if the school demonstrates student achievement growth at a level of "at expectations" or greater, as represented by the Tennessee Value-Added Assessment System (TVAAS) in the prior year.
- (d) Public virtual schools must comply with all compulsory attendance requirements including monitoring and reporting as required in T.C.A. § 49-6-3007.
 - 1. The district establishing the public virtual school is required to report truancy to the juvenile court having jurisdiction over that student.

(Rule 0520-01-03-.03, continued)

2. On or before August 1 of each year, the public virtual school shall notify all LEAs of the enrollment of students residing within the LEA's jurisdiction. LEAs shall be notified within two (2) weeks when changes occur relative to students residing within the LEA's jurisdiction.
3. Once a non-resident student has been accepted and enrolled in a public virtual school, it shall be the responsibility of the LEA that has established the public virtual school to maintain enrollment of that student until such a time as the student is withdrawn by the parent or guardian. If the student is withdrawn by the parent or guardian, the public virtual school shall send transcripts and other student records to the receiving school in a timely manner.

(11) Records and Reports.

- (a) A cumulative record provided to teachers by local school systems shall be kept up to date for each student, kindergarten through grade twelve (12), and shall remain as local school property.
- (b) Each school shall provide for the storage and safekeeping of all records and reports.
- (c) The maintenance, use, dissemination and confidentiality of information in school records and reports shall be governed by written policies of the local board of education.

(12) School Fees.

- (a) No fees or tuitions shall be required of any student as a condition of attending public schools or using its equipment while receiving educational training. All school fees must be authorized by the local board of education. Local board policy will determine activities during the school day and supplies that are required for participation in courses offered for credit or grade for which the board authorizes the requesting of fees.
- (b) The following school fees may be requested from but not required of any student, regardless of financial status (including eligibility for free or reduced price lunch):
 1. Fees for activities that occur during regular school hours (the required 180 instructional days), including field trips, any portion of which fall within the school day; or for activities outside regular school hours if required for credit or grade;
 2. Fees for activities and supplies required to participate in all courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit in accordance with local board policies; and
 3. Refundable security deposits collected by a school for use of school property for courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit in accordance with local board policies.
- (c) LEAs shall establish a process by which to waive the following school fees for students eligible for free or reduced price school lunches:
 1. Fees or tuition applicable to courses taken for credit or grade during the summer by a student; except that non-resident students regularly enrolled in another school system may be required to pay fees or tuition for such summer courses; and

(Rule 0520-01-03-.03, continued)

2. Fees required for graduation ceremonies.
- (d) Fee waiver process for students eligible for free or reduced price lunch. At the beginning of the school year, at the time of enrollment, and/or at the time of requesting school fees, all students and their parents or legal guardians shall be given clear and prominent written notice of authorized fees that may be requested, and notice of the fee waiver process.
1. The parent or legal guardian of a student shall be given the opportunity to pay all or any portion of the school fee if they desire. However, if the parent chooses not to pay a fee, the child may not be prevented from participating in the activity or course for which the fee is being requested.
 2. Local education agencies shall provide written notice to parents or legal guardians of approval or denial of requests for fee waivers. Any denial shall contain the specific grounds for denial and shall afford the parent or legal guardian the opportunity for a personal meeting with the appropriate school personnel to discuss the validity of the denial.
 3. Local education agencies shall keep copies of any forms, notices and/or instructions used by schools in the waiver of fees and shall keep records of any denials, appeals of denials, and resolution of such appeals.
- (e) LEAs are authorized to require payment of the following fees by all affected students:
1. Fines imposed on all students for late-returned library books; parking or other traffic fines imposed for abuse of parking privileges on school property; or reasonable charges for lost or destroyed textbooks, library books, workbooks or any other property of the school;
 2. Debts incurred pursuant to section (14) of this rule, Withholding of Student Grades for Debts Owed to the School;
 3. Refundable security deposits collected by a school for use of school property for participation in extracurricular activities;
 4. Costs for extracurricular activities occurring outside the regular school day including sports, optional trips, clubs or social events; and
 5. Non-resident tuition charged of all students attending a school system other than the one serving their place of residence.
- (13) Withholding of Student Grades for Debts Owed to the School.
- (a) Local education agencies are authorized to withhold all grade cards, diplomas, certificates of progress or transcripts of a student who has taken property that belongs to a local education agency, or has incurred a debt to a school, until such student makes restitution in full. Unpaid school fees, as defined above, may not be considered debts owed to the school.
 - (b) No student shall be sanctioned under the provisions of this rule when the student is deemed to be without fault for the debt owed to the local education agency or the school.

(Rule 0520-01-03-.03, continued)

- (c) Nothing in this subparagraph authorizes any local education agency to limit the rights of parents to have access to their children's educational records pursuant to the Family Educational Rights and Privacy Act.
 - (d) Local education agencies shall afford the student and/or the student's parent the opportunity to appear and be heard if such student and/or the parent disputes the debt, the amount of the debt, or the application of sanctions.
- (14) School Board, District School Improvement Planning.
- (a) School Board Improvement Plan. Each local board of education shall develop, maintain, and implement a long-range strategic plan that addresses at least a five (5)-year period of time. The plan shall be updated every two (2) years and include a mission statement, goals, objectives and strategies, and address the State Board of Education master plan.
 - (b) District and School Improvement Plan. Each local board of education shall have each school under its jurisdiction develop, maintain, and implement a school improvement plan. The plan shall be updated every two (2) years and include areas such as curriculum, instruction, professional development, and community partnerships, and address the long-range strategic plan of the local board of education.
- (15) Multi-Hazard Emergency Operations Plans.
- (a) Each local school system shall have a multi-hazard emergency operations plan to include, but not be limited to, fire, tornado, earthquake, flood, bomb threat, and armed intrusion.
 - (b) Each school shall practice emergency safety procedures.
 - (c) Each local education agency having jurisdiction that lies entirely or partially within 100 miles of the New Madrid Fault Line shall implement earthquake preparedness drills in each of the schools administered by such local education agency. The Guidebook for Developing a School Earthquake Safety Program published by the Federal Emergency Management Agency shall serve as the model plan for local education agencies to consider when adopting plans for earthquake preparedness drills. Affected local education agencies shall review and consider the entire guidebook to assure that their schools provide the optimal safety conditions for their students.
 - (d) Each school administered by a local education agency having jurisdiction that lies entirely or partially within 100 miles of the New Madrid Fault Line shall conduct at least two earthquake preparedness drills every school year. A record of the earthquake preparedness drills, including the time and date, shall be kept in the respective schools and shall be made available upon request by the Department of Education.
 - (e) Each school that utilizes a two-way communication system shall ensure teachers and other personnel are properly and adequately trained on the use of the system.
 - (f) Alternate schools must maintain a two-way communication system.

Authority: T.C.A. §§ 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(c) and (c)(1), 49-6-3003, 49-6-3005(a) and (a)(4), 49-6-3104, 49-6-3105, 49-6-6201, and Sections 30, 78 through 80, and 88 of Chapter 535 of the Public Acts of 1992. **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.

(Rule 0520-01-03-.03, continued)

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 to rule 0520-01-03-.03 (4) filed May 22, 2015; effective August 20, 2015.

0520-01-03-.04 REPEALED.

Authority: T.C.A. §§ 49-1-302, 49-5-5103, and 49-5-5202. **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 9, 1980. Amendment filed April 14, 1980; effective May 28, 1980. Amendment filed November 13, 1981; effective December 28, 1981. Amendment filed June 24, 1984; effective July 27, 1984. Amendment filed June 28, 1984; effective July 28, 1984. Amendment filed June 28, 1984; effective September 11, 1984. Amendment filed August 20, 1984; effective November 13, 1984. Amendment filed January 31, 1985; effective April 16, 1985. Amendment filed June 24, 1985; effective September 13, 1985. Amendment filed September 30, 1985; effective December 14, 1985. Amendment filed December 31, 1985; effective March 17, 1986. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed July 10, 1986; effective October 29, 1986. Amendment filed October 29, 1986; effective December 13, 1986. Amendment filed October, 15, 1986; effective January 27, 1987. Amendment filed April 24, 1987; effective June 8, 1987. Amendment filed April 18, 1988; effective July 27, 1988. Amendment filed May 13, 1988; effective August 29, 1988. Amendment filed November 22, 1988; effective February 28, 1989. Amendment filed October 31, 1989; effective January 29, 1990. Amendment filed October 12, 1990; effective January 29, 1991. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Repealed October 14, 2016.

0520-01-03-.05 STATE ACADEMIC STANDARDS.

- (1) Academic Standards.
 - (a) The State Board of Education shall adopt academic standards for each subject area, grades kindergarten through twelve (12). The standards shall specify learning expectations and include performance indicators. The approved standards shall be the basis for planning instructional programs in each local school system.
 - (b) Adopted textbooks shall be aligned with state academic standards.
 - (c) Instruction in grades kindergarten through twelve (12) in issues of current concern such as character education, environmental education, economic education, career education, family life education, substance use and abuse, AIDS education, sexual abuse prevention, cardiopulmonary resuscitation, and safety shall be incorporated in appropriate subject areas and grade levels.

(Rule 0520-01-03-.05, continued)

- (2) Experimental Projects and Special Courses.
 - (a) Local school systems may offer special courses not listed in 0520-01-03-.06 that have been approved by the Department of Education. Each course must be approved in advance each year by the Department of Education. Each special course approved by the Department shall be recommended to that state board for an approval period of three (3) or six (6) years.
- (3) Grading and Promotion.
 - (a) Each school shall evaluate and report in writing to the parent(s) or legal guardian(s) each student's progress in each subject, at least every nine (9) weeks, in accordance with the school system's evaluation plan. A parent or legal guardian will sign or otherwise acknowledge the report and return it to the teacher. Local school systems may choose not to require parental acknowledgement of the grade report for students in grades seven through twelve (7-12). If parental acknowledgement is not required, schools must publish annually the dates and method of reporting student progress and must provide ample opportunities for parents to notify the school of any concerns.
 - (b) Local school systems shall develop and implement grading, promotion, and retention policies for grades kindergarten through eight (K-8). The policies shall be communicated annually to students and parents.
 - (c) Local school systems shall use the state board adopted uniform grading system for students enrolled in grades nine through twelve (9-12) for reporting student grades for the determination of eligibility for HOPE scholarships.
- (4) Reserved.

Authority: T.C.A. §§ 37-1-603, 49-1-204, 49-1-302, 49-1-304, 49-1-404, 49-6-101, 49-6-209(d), 49-6-407, 49-6-1003, 49-6-1005, 49-6-1006, 49-6-1007, 49-6-1008, 49-6-1202, 49-6-1203, 49-6-1204, 49-6-1205, 49-6-1302, 49-6-2202, 49-6-2203, and 49-6-3001(c)(3)(A). **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 October 3, 1985; effective January 14, 1986. Amendment filed January 17, 1986; effective April 15, 1986. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed August 26, 1986; effective November 29, 1986. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed April 28, 1992; effective July 29, 1992. Amendment filed September 1, 1992; effective December 29, 1992. Amendment filed January 21, 1994; effective May 31, 1994. Amendment filed April 29, 1996; effective August 28, 1996. Amendment filed January 14, 1997; effective May 30, 1997. Amendment filed April 27, 1998; effective August 28, 1998. Amendment filed July 13, 1998; effective November 27, 1998. Amendment filed November 18, 1999; effective March 30, 1999. Amendment filed April 28, 2000; effective August 28, 2000. Amendment filed October 31, 2002; effective February 28, 2003. Amendment filed March 31, 2003; effective July 29, 2003. Amendment filed June 30, 2003; effective October 28, 2003. Amendment filed June 30, 2005; effective October 28, 2005. Amendments filed December 28, 2005; effective April 28, 2006. Amendments filed September 6, 2013; effective February 28, 2014. Amendment filed April 6, 2015; effective July 5, 2015.

0520-01-03-.06 GRADUATION.

- (1) Graduation Requirements - All students will have access to a rigorous education that will prepare them for success in postsecondary and the workforce. All coursework should be aligned to the Tennessee Academic Standards for that subject and course.

(Rule 0520-01-03-.06, continued)

(a) High School Diploma.

1. The following twenty-two (22) credits shall be required for graduation:

English language arts	4 credits
Mathematics	4 credits
Science	3 credits
Social Studies	3 credits
Physical Education and Wellness	1.5 credits
Personal Finance	0.5 credit
Elective Focus	3 credits
Foreign Language	2 credits
Fine Arts	1 credit

2. To earn a regular high school diploma, students must (1) earn the prescribed twenty-two (22)-credit minimum, (2) complete the ACT, SAT, or other eleventh (11th) grade assessment as determined by the commissioner of education, and (3) have a satisfactory record of attendance and discipline.

3. 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.

4. A special education diploma may be awarded at the end of their fourth (4th) year of high school to students with disabilities who have (1) not met the requirements for a regular high school diploma, (2) have satisfactorily completed an IEP, and (3) have satisfactory records of attendance and conduct. Students who obtain the special education diploma may continue to work toward a regular high school diploma through the end of the school year in which they turn twenty-two (22) years old.

5. An occupational diploma may be awarded at the end of their fourth (4th) year of high school to students with disabilities who (1) have not met the requirements for a regular high school diploma, (2) have satisfactorily completed an IEP, (3) have satisfactory records of attendance and conduct, (4) have completed the occupational diploma Skills, Knowledge, and Experience Mastery Assessment (SKEMA) created by the Department of Education, and (5) have completed two (2) years of paid or non-paid work experience. The determination that an occupational diploma is the goal for a student with a disability will be made at the conclusion of the student's tenth (10th) grade year or two (2) academic years prior to the expected graduation date. Students who obtain the occupational diploma may continue to work toward the high school diploma through the end of the school year in which they turn twenty-two (22) years old.

6. An alternate academic diploma may be awarded to students with significant cognitive disabilities at the end of their fourth (4th) year of high school who have: (1) participated in the high school alternate assessments, (2) earned the prescribed twenty-two (22) credit minimum, (3) received special education services or supports and made satisfactory progress on an IEP, (4) have satisfactory records of attendance and conduct, and (5) have completed a transition assessment(s) that measures, at a minimum, preparedness for postsecondary education and training; employment; independent living; and community involvement. The required credits may be earned either through the state-approved standards or through alternate

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academic diploma modified course requirements approved by the State Board. A student who earns an alternate academic diploma shall continue to be eligible for special education services under IDEA until he or she receives a regular high school diploma or through the school year in which the student turns twenty-two (22).

7. All full-time students in grades nine through twelve (9-12) shall be enrolled each semester in subjects that produce a minimum of five (5) units of credit for graduation per year. Students with hardships and gifted students may appeal this requirement to the Director of Schools and then to the local board of education.
8. Students must complete four (4) credits of English, including English I, English II, English III, and English IV.
9. Students must complete four (4) credits of mathematics including Algebra I and II, Geometry or the equivalent Integrated Math I, II, and III, and another mathematics course beyond Algebra I or Integrated Math I. Students must be enrolled in a mathematics course each school year. Students who complete any of the required math credits prior to the ninth (9th) grade may receive graduation credit for that coursework; however, those students are still required to enroll in math during each high school year.
10. Students with a qualifying disability who have deficits in mathematics as documented in the individualized education program (IEP) shall be required to achieve at least Algebra I and Geometry (or the equivalent Integrated Math I and Integrated Math II). 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.
11. Students must complete three (3) credits of Science. Students must complete Biology, Chemistry or Physics, and a third lab science. Students with a qualifying disability as documented in the IEP 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.
12. Students must complete three (3) credits of Social Studies. The content of the social studies courses will be consistent with Tennessee Academic Standards and with admissions requirements of Tennessee public institutions of higher education. Required courses include United States History and Geography, World History and Geography, Economics, and United States Government and Civics.
13. Students must complete one-half ($\frac{1}{2}$) credit in Personal Finance. Three (3) years of JROTC may be substituted for one-half ($\frac{1}{2}$) credit of Personal Finance if the JROTC instructor attends the Personal Finance training.
14. Students must complete one (1) credit in wellness. The wellness courses will integrate concepts from health, physical fitness, and wellness and may be taught by a team of teachers from one (1) or more teaching areas, including health, physical education, family and nutrition sciences, and health sciences education. Participation in marching band and interscholastic athletics may not be substituted for this aspect of the graduation requirements. Credit earned in two (2) years of JROTC may be substituted provided the local system has complied with requirements of the State Board of Education.

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Credit for basic training may be substituted, upon the choice of the student, for the required credit in lifetime wellness and credit in one (1) elective course or for credit in two (2) elective courses.

15. Students must complete one-half ($\frac{1}{2}$) credit in physical education. This requirement may be met by substituting a documented and equivalent time of physical activity in marching band, JROTC, cheerleading, interscholastic athletics, school sponsored intramural athletics, and other areas approved by the local board of education.
16. Students must complete two (2) credits of the same Foreign Language. The credit requirement for foreign language may be waived by the local school district for students, under certain circumstances, to expand and enhance the elective focus.
17. Students must complete one (1) credit in Fine Arts. The credit requirement for fine arts may be waived by the local school district for students, under certain circumstances, to expand and enhance the elective focus.
18. Students must complete three (3) credits in an elective focus. All students will pursue a focused program of study designed to prepare them for the workforce and postsecondary study. The elective focus may be CTE, science and math, humanities, fine arts, AP/IB, or other areas approved by the local board of education. Students completing a CTE elective focus must complete three (3) credits in the same CTE career cluster or state-approved program of study.
19. Every candidate for graduation must have received a full year of computer education at some point during the candidate's educational career pursuant to T.C.A. § 49-6-1010.

(b) Examinations.

1. End of Course examinations will be given in English I, English II, English III, Algebra I, Geometry, Algebra II, Integrated Math I, Integrated Math II, Integrated Math III, U.S. History, Biology I, Chemistry, and Physics, upon development. Students are not required to pass any one (1) examination, but instead students must achieve a passing score for the course in accordance with the State Board of Education's Uniform Grading Policy.
2. The Department of Education shall provide raw score data from the End of Course (EOC) examinations to each local education agency (LEA) for the purpose of including student scores on the EOC examinations into a student's final grade for the course. The weight of the EOC examination on the student's final average shall be ten percent (10%) in the 2016-2017 school year, fifteen percent (15%) in the 2017-2018 school year; and shall be determined by the LEA from a range of not less than fifteen percent (15%) and not more than twenty-five percent (25%) in the 2018-2019 school year and thereafter.

Each LEA must establish a local board policy that details the methodology used and the required weighting for incorporating students' scores on EOC examinations into final report card grades.

Results of individual student performance from all administered EOC examinations will be provided to LEAS in time to facilitate the inclusion of these results as part of the students' grade. If an LEA does not receive its students' EOC examination scores at least (5) instructional days before the scheduled end of the

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course, then the LEA may choose not to include its students' EOC examination scores in the students' final average.

3. As a strategy for assessing student readiness for postsecondary education, every public school student shall take either the ACT, SAT, or other eleventh (11th) grade assessment as determined by the commissioner.
 4. All LEAs shall implement a project-based assessment in civics at least once in grades nine through twelve (9-12) pursuant to T.C.A. § 49-6-1028.
 5. Beginning January 1, 2017, students must participate in the United States civics test during the candidate's high school career pursuant to T.C.A. § 49-6-408.
- (c) 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).
- (d) 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.
- (2) 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.
- (3) Work-Based Learning Experiences.
- (a) Students will have access to a system of structured work-based learning (WBL) experiences that allows them to apply classroom theories to practical problems and to explore career options.
 - (b) The state board's Work-Based Learning Framework will govern all WBL experiences. The Department of Education will provide school systems with a Work-Based Learning Policy Guide and a Work-Based Learning Implementation Guide to address training requirements, program expectations, and legal requirements. These documents will be reviewed annually by the Department of Education and will be updated as necessary for dissemination to school systems.
- (4) Enrollment in College Level Courses.
- (a) Local education agencies 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.
 - (b) 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 high school principal, counseling staff, and the partnering postsecondary institution. The written agreement shall include a review by the principal of the postsecondary

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coursework and verification that it is appropriate to substitute for any remaining graduation requirements for the student. Written agreements submitted by the student and the parents must be placed on file in the office of the principal.

- (c) A qualified student enrolled in high school may enroll in a postsecondary institution and take college-level courses, which are taught at the high school, postsecondary institution, or online by postsecondary faculty or credentialed adjunct faculty. Students who take and pass dual enrollment courses at a postsecondary institution shall have their postsecondary credits accepted by their local high school for credit as a substitution for an aligned graduation requirement course, including general education and elective focus courses. State funds to the local school system shall not be diminished because of the student's participation.
 - (d) 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.
- (5) The High School Equivalency Testing (HiSET) Program and the Issuance of Equivalency Diplomas.
- (a) The testing program is operated in accordance with the HiSET manual of the Education Testing Service and the rules established by the Department of Labor and Workforce Development.
 - (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 the testing session.
 - (c) 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 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) 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).

Authority: T.C.A. §§ 49-1-302, 49-1-302(a)(2) and (13), 49-6-101, 49-6-201, 49-6-3001(c) and (c)(1), 49-6-3003, 49-6-3005(a) and (a)(4), 49-6-3104, 49-6-3105, 49-6-6001(g), 49-6-6201, and Sections 30, 78 through 80, 88 of Chapter 535 of the Public Acts of 1992, and Public Chapter 448 (2013).

Administrative History: Original rule certified June 10, 1974. Amendment filed July 18, 1974; effective August 17, 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 April 14, 1980; effective May 28, 1980. Amendment filed April 13, 1982; effective May 28, 1982. Amendment filed September 28, 1982; effective December 15, 1982. Amendment filed January 19, 1983; effective April 18, 1983. Amendment filed September 28, 1983; effective December 14, 1983. Amendment filed January 6, 1984; effective April 15, 1984. Amendment filed June 28, 1984; effective July 28, 1984. Amendment filed June 28, 1984; effective

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September 11, 1984. Amendment filed May 12, 1985; effective August 13, 1985. Amendment filed October 3, 1985; effective January 14, 1986. Amendment filed March 25, 1986; effective June 14, 1986. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed July 10, 1987; effective October 28, 1987. Amendment filed July 22, 1987; effective October 28, 1987. Amendment filed September 20, 1987; effective December 29, 1987. Amendment filed November 18, 1987; effective February 28, 1988. Amendment filed April 18, 1988; effective July 27, 1988. Amendment filed May 13, 1988; effective August 29, 1988. Amendment filed October 18, 1988; effective January 29, 1989. Amendment filed November 22, 1988; effective February 28, 1989. Amendment filed November 16, 1989; effective February 28, 1990. Amendment filed June 5, 1990; effective September 26, 1990. Amendment filed October 12, 1990; effective January 29, 1991. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed June 24, 1992; effective September 28, 1992. Amendment filed July 21, 1992; effective October 28, 1992. Amendment filed September 1, 1992; effective December 29, 1992. Amendment filed April 14, 1993; effective July 28, 1993. Amendment filed August 10, 1993; effective December 29, 1993. Amendment filed October 28, 1993; effective March 1, 1994. Amendment filed January 21, 1994; effective May 31, 1994. Amendment filed January 31, 1995; effective May 31, 1995. Amendment filed March 27, 1995; effective July 28, 1995. Amendment filed May 31, 1996; effective September 27, 1996. Amendment filed April 27, 1998; effective August 28, 1998. Amendment filed July 13, 1998; effective November 27, 1998. Amendment filed November 18, 1999; effective March 30, 1999. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed November 30, 1999; effective March 29, 2000. Amendment filed April 28, 2000; effective August 28, 2000. Amendment filed July 31, 2000; effective November 28, 2000. Amendment filed October 31, 2000; effective February 28, 2001. Amendment filed August 31, 2001; effective December 28, 2001. Amendment filed December 31, 2001; effective April 30, 2002. Amendment filed March 28, 2002; effective July 29, 2002. Amendment filed October 31, 2002; effective February 28, 2003. Amendment filed March 31, 2003; effective July 29, 2003. Amendment filed June 30, 2003; effective October 28, 2003. Amendment filed August 30, 2004; effective December 29, 2004. Amendments filed May 19, 2005; effective September 28, 2005. Amendments filed June 30, 2005; effective October 28, 2005. Amendment filed June 19, 2007; effective October 26, 2007. Amendments filed September 6, 2007; effective January 28, 2008. Repeal and new rule filed June 11, 2008; effective October 28, 2008. Amendment filed July 17, 2009; effective December 29, 2009. Amendment filed February 24, 2010; effective July 29, 2010. Amendment filed February 6, 2013; effective July 29, 2013. Amendment filed June 18, 2013; effective November 28, 2013. Amendments filed September 6, 2013; effective February 28, 2014. Amendments filed October 7, 2013; to be effective March 31, 2014. However, the State Board of Education filed a withdrawal of the rule. Amendments filed November 27, 2013; effective April 30, 2014. Amendment filed May 8, 2014; effective October 29, 2014. Amendment filed October 13, 2015; effective January 11, 2015. Amendment to rule 0520-01-03-.06 (1)(b) filed May 22, 2015; effective August 20, 2015. Amendment to rule 0520-01-03-.06 (3) filed May 22, 2015; effective August 20, 2015. Amendments filed December 30, 2015; effective March 29, 2016.

0520-01-03-.07 LIBRARY INFORMATION CENTER

- (1) School Library Information Center.
 - (a) All school libraries shall serve as resources for students, teachers, and community members to strengthen student learning. School library information specialists shall work collaboratively with classroom teachers and school administrators to integrate both curricular concepts and information skills that assist research and other learning activities. The collection and the services of the library shall adequately support the curricular priorities within the school.
 - (b) School libraries shall provide an environment that allows efficient access to resources, including both print and electronic. Schools must be organized to allow the library

(Rule 0520-01-03-.07, continued)

program to operate a flexible schedule that allows students and teachers to access resources at the point of need.

- (c) School libraries shall provide parents and community members access to resources, so that the school library information center serves as a community resource.
- (2) Library Information Center Personnel.
- (a) Elementary/Middle Schools. Schools including grades kindergarten through eight (K-8) or any combination thereof shall provide library information personnel as follows:
 - 1. A school having a current average daily membership of 550 or more students shall have a full-time library information specialist with endorsement as a library information specialist.
 - 2. A school with a current average daily membership of 400 to 549 students shall have a half-time library information specialist with endorsement as a library information specialist. During the time that the library is open during regular school hours and the library information specialist is not present, staff member(s) shall be designated to provide supervision to students in the library.
 - 3. In a school with fewer than 400 students, a faculty member shall serve as a library information coordinator. If the library information coordinator is not present during the time that the library is open during regular school hours, staff member(s) shall be designated to provide supervision to students in the library.
 - 4. It is optimal to have the library open outside the regularly scheduled school day and if library personnel specialist or coordinator is not present, appropriate supervision shall be provided to the students in the library.
 - (b) High Schools. Schools including any high school grade shall provide library information personnel as follows:
 - 1. A school with a current average daily membership of 1,500 or more students shall have two (2) full-time library information specialists, each with endorsement as a library information specialist.
 - 2. A school with a current average daily membership of more than 300 but less than 1,500 students shall have a full-time library information specialist with endorsement as a library information specialist.
 - 3. A school with a current average daily membership of fewer than 300 students shall have a half-time library information specialist. During the time that the library is open during regular school hours and the library information specialist is not present, staff member(s) shall be designated to provide supervision to students in the library.
 - 4. It is optimal to have the library open outside the regularly scheduled school day and if the library information specialist is not present, appropriate supervision shall be provided to the students in the library.
- (3) Library Information Center Collection.

(Rule 0520-01-03-.07, continued)

The three (3) levels of collection standards for Tennessee school libraries are: Basic, Standard, and Exemplary. The criteria by which school library collections are evaluated are listed below:

(a) Item Count.

Basic collection - Contains a minimum of twelve (12) items per student in Average Daily Membership (ADM);

Standard collection - Contains fifteen (15) items per student in ADM; and

Exemplary collection - Contains eighteen (18) items per students in ADM.

(b) Collection Compilation.

1. Pamphlets, textbooks, class sets, periodicals, out-of-date items, and items in poor physical condition shall neither be counted nor reported in the total collection. No more than five (5) copies of the same print title may be counted to meet standards for a minimum number of items per student.
2. Digital resources should be accessible through a school library webpage or Online Public Access Catalog (OPAC) and may comprise fifty percent (50%) of the collection.
3. The library shall provide access to the virtual library administered by the Tennessee State Library and Archives and the library personnel should receive training. These resources may count for up to twenty percent (20%) of the overall collection or, in schools in which the librarian has received official training within the last five (5) years, they may count for up to thirty percent (30%) of the overall collection.
4. The collection shall include access to a current, complete encyclopedia in any format. In secondary schools, the collection shall also include an unabridged dictionary, one (1) foreign language dictionary in the native language of ESL students in attendance at the school, a local newspaper, and one (1) daily newspaper presenting news on both state and national levels. For digital materials, only full text should be counted in the total.
5. The collection should include a balance of fiction and nonfiction with an appropriate level of text complexity. The resources in the collection should be chosen to: complement and augment the most recently adopted curriculum standards, be a motivational springboard for student research, and encourage self-expression and curiosity by offering a variety of recreational reading material.

(c) Age.

Collections meeting the compilation standards are evaluated based on age of the collection as measured in years from the current year:

Basic collection – sixteen (16) years and older;

Standard collection – fifteen (15) years; and

Exemplary collection – fourteen (14) years or less.

(Rule 0520-01-03-.07, continued)

- (d) Technology - Access to Digital Materials.
 - 1. Workstations with internet access in the library information center are sufficient to provide access for students. The number of workstations should be no less than the maximum average class size allowable by the state. A workstation may be a desktop, laptop, tablet or similar device, but devices available for checkout should not be counted in the total.
 - 2. School libraries should be equipped with instructional technology, including, but not limited to, LCD projector, screen and/or interactive smart board, document camera, computer, etc., and provide user training for such devices.
 - 3. Separate computers must be maintained for both the library management system/circulation and for the library personnel.

Authority: T.C.A. §§ 49-1-302 and 49-3-305. **Administrative History:** Original rule certified June 10, 1974. Amendment filed June 30, 1985; 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.

0520-01-03-.08 PUPIL PERSONNEL SERVICES

- (1) Each local board of education shall develop standards and policies for:
 - (a) Attendance Services
 - (b) Guidance Services
 - (c) School Psychological Services
 - (d) School Social Work Services
 - (e) School Health Services
- (2) The school health services program shall include but not be limited to the following:
 - (a) Each local school system shall have a written policy providing for a physical examination of every child entering school for the first time. A doctor of medicine, osteopathic physician, physician assistant, certified nurse practitioner, or a properly trained public health nurse shall perform this examination. No child shall be admitted to school without proof of immunization except those who are exempt by statute as provided in T.C.A. § 49-6-5001.
 - (b) Each local school system shall have a written policy providing for a physical examination of every student participating in interscholastic athletics. A doctor of medicine, osteopathic physician, physician assistant, or certified nurse practitioner shall perform this examination.

(Rule 0520-01-03-.08, continued)

- (c) Each local school system shall have a written policy for excluding pupils with communicable diseases and for readmitting them following recovery. In the case of diseases (listed in Regulations Governing Communicable Diseases in Tennessee: Tennessee Department of Health) the policy shall be in accordance with the recommendations of the Department of Health as approved by the commissioner of education.
- (d) Each local school system shall have a written policy for handling drug/alcohol problems that may arise in the schools.
- (e) Each local school system shall develop procedures for reporting suspected cases of child abuse and neglect as provided in T.C.A. § 37-1-403.
- (f) After an offer of employment has been made to an applicant and prior to the commencement of the employment duties, each employee shall present a physician's certificate showing a satisfactory health record. Employees shall present a certificate thereafter at intervals determined by the Department of Health and approved by the commissioner of education. The provisions of this subsection shall be administered in a manner consistent with the Americans with Disabilities Act (42 U.S.C.A. § 12101 *et. seq*) and the associated regulations (29 C.F.R. Part 1630 *et. seq*).
- (g) HIV, HIV-Related Illness, and AIDS.
 - 1. All children with HIV, HIV-related illness, and AIDS infection who enroll in the public school systems of Tennessee shall attend and participate in educational programs appropriate to meet medical and educational needs.
 - 2. Each local school system shall:
 - (i) Develop a comprehensive local AIDS plan that addresses appropriate education programs, confidentiality, liability, personnel, safety, curriculum, education, communications and public relations. The plan will be developed in conjunction with public health officials based upon guidelines approved by the State Board of Education.
 - (ii) Include in the AIDS plan education/training programs for all school personnel, parents, and board members; and cooperate with other community organizations and state agencies in AIDS education for all citizens.
 - (iii) Include in the AIDS plan a policy for personnel with HIV, HIV-related illness and AIDS infection. Employment conditions will be determined on a case-by-case basis. The review of individual cases will involve at a minimum the superintendent or designee, the employee's physician, and a public health official.
 - 3. Information including names, records, reports, and/or correspondence and any other identifying information on HIV, HIV-related illness and AIDS infection status for any individual child or adult shall be maintained in confidence.
 - 4. Local school systems and school personnel shall implement for all children and adults the universal precautions as defined by the State Department of Health for handling blood and other body fluids. Information about universal precautions and

(Rule 0520-01-03-.08, continued)

related safety procedures shall be distributed by the State Department of Education to all school systems and school personnel in Tennessee.

- * HIV, HIV-related illness, and AIDS infection are the three terms used to denote the three medically diagnosed stages of the infection caused by Human Immunodeficiency Virus. (AIDS - Acquired Immune Deficiency Syndrome; ARC - AIDS Related Complex; and HIV Infection - Human Immunodeficiency Virus antibodies detected in blood.)

Authority: T.C.A. §§ 49-1-302, 49-1-302(a)(2) and (13). **Administrative History:** Original rule certified June 10, 1974. Amendment filed October 3, 1974; effective November 2, 1974. Amendment filed June 30, 1975; effective July 30, 1975. Amendment filed January 15, 1976; effective April 15, 1976. 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 April 14, 1980; effective May 28, 1980. Amendment filed October 1, 1985; effective January 14, 1986. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed July 10, 1986; effective October 29, 1986. Amendment filed July 22, 1987; effective October 28, 1987. Amendment filed October 18, 1988; effective January 29, 1989. Amendment filed November 16, 1989; effective February 28, 1990. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed October 11, 1995; effective February 28, 1996. Amendment filed April 29, 1996; effective August 28, 1996. Amendment filed November 30, 1999; effective March 29, 2000. Amendment filed April 30, 2001; effective August 28, 2001. Amendment filed April 17, 2006; effective August 28, 2006. Amendment to rule 0520-01-03-.08 filed June 11, 2008; to become effective October 28, 2008; was withdrawn August 4, 2008.

0520-01-03-.09 SPECIAL EDUCATION PROGRAMS AND SERVICES

See Rule 0520-01-09.

Authority: T.C.A. § 49-10-101 et seq. **Administrative History:** Original rule filed June 10, 1974. Amendment filed October 3, 1974; effective November 2, 1974. Amendment filed June 30, 1975; effective July 30, 1975. Amendment filed January 15, 1976; effective April 15, 1976. 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 April 14, 1980; effective May 28, 1980. Amendment filed June 27, 1984; effective July 27, 1984. Amendment filed May 12, 1985; effective August 13, 1985. Amendment filed October 1, 1985; effective January 14, 1986. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed July 10, 1986; effective October 29, 1986. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Repealed and new rule filed August 18 1993; effective December 29, 1993. Amendment filed June 21, 1995; effective October 27, 1995. Amendment filed August 7, 1995; effective December 29, 1995. (For Requirement H, see Chapter 0520-01-09, per Tennessee State Board of Education letter dated April 29, 1999.)

0520-01-03-.10 WAIVERS.

- (1) The commissioner of education is authorized to grant waivers to a school that does not comply with these rules and regulations only when requested by action of the local board of education.
- (2) For limitation on the commissioner's authority to waive rules and regulations, see T.C.A. §§ 49-1-104 and 49-1-203.

Authority: T.C.A. §§ 49-1-203 and 49-1-302. **Administrative History:** Original rule certified June 10, 1974. Amendment filed January 9, 1979; effective February 23, 1979. Amendment filed October 15, 1979; effective January 8, 1980. Amendment filed November 13, 1981; effective March 16, 1982.

(Rule 0520-01-03-.10, continued)

Amendment filed April 13, 1982; effective May 28, 1982. Amendment filed April 12, 1983; effective May 12, 1983. Amendment filed May 7, 1985; effective June 6, 1985. Amendment filed May 28, 1986; effective June 27, 1986. Amendment filed August 26, 1986; effective November 29, 1986. Amendment filed December 30, 1986; effective March 31, 1987. Amendment filed May 21, 1987; effective August 29, 1989. Amendment filed April 18, 1988; effective July 27, 1988. Amendment filed January 23, 1989; effective March 9, 1989. Amendment filed November 16, 1989; effective February 28, 1990. Repeal and new rule filed March 16, 1992; effective June 29, 1992.

0520-01-03-.11 THROUGH 0520-01-03-.13 REPEALED.

Authority: T.C.A. §§ 49-1-103 and 49-1-302. **Administrative History:** (For history prior to June, 1992, see pages iii-ix). Repeal filed March 16, 1992; effective June 29, 1992.