



HOUSE BILL 1729

By Slater

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3050(b)(5), is amended by deleting subdivision (A) and substituting:

(A) Ensure that if the parent-teacher's student is in any of the grades five (5), seven (7), or nine (9), that the student is administered:

(i) A standardized test selected by the parent-teacher that provides nationally normed analytics in the subjects of English language arts and mathematics, that is proctored by an individual who is not related to the student, and that is recorded by the developer of the nationally normed examination, at the expense of the parent-teacher; or

(ii) The same state board-approved standardized tests required of public school students in the same grade as the parent-teacher's student that is administered by the commissioner of education, or the commissioner's designee, or by a professional testing service approved by the LEA; provided, however, that the test for grade nine (9) is not an end-of-course examination required by the state board of education pursuant to § 49-6-6001;

SECTION 2. Tennessee Code Annotated, Section 49-6-3050(b)(5)(B), is amended by deleting subdivision (iii) and substituting:

(iii) All results from tests administered pursuant to this subdivision (b)(5) must be provided to the parent-teacher, the director of schools, and the state board of education;

SECTION 3. Tennessee Code Annotated, Section 49-6-3050(b), is amended by deleting subdivision (6) and substituting:

(6)

(A) If a home school student does not test proficient in a subject matter tested pursuant to subdivision (b)(5), as demonstrated by the student scoring a performance level rating of "approaching" in the subject matter tested on a test administered pursuant to subdivision (b)(5)(A)(ii) or by the student scoring below the fiftieth percentile, but above the twenty-fifth percentile, on the subject matter tested on a test administered pursuant to subdivision (b)(5)(A)(i), then the parent-teacher shall consult with the director of schools;

(B) If a home school student does not test proficient in the subject matter tested pursuant to subdivision (b)(5), as demonstrated by the student scoring a performance level rating of "below" in the subject matter tested on a test administered pursuant to subdivision (b)(5)(A)(ii) or by the student scoring below the twenty-fifth percentile on the subject matter tested on a test administered pursuant to subdivision (b)(5)(A)(i), then:

(i) The same test must be readministered to the student within one (1) year of the date on which the first test was administered to the student, notwithstanding the required testing schedule in subdivision (b)(5)(B), if applicable; and

(ii) The parent-teacher shall consult with a teacher licensed by the state board of education and having a certificate or endorsement in the grade level or subject matter for which the parent-teacher's student did not test proficient. The parent-teacher and consulting teacher shall design remedial coursework to help the student obtain proficiency for the

student's grade level in the respective subject area. The parent-teacher shall report the remedial coursework designed for the student pursuant to this subdivision (b)(6)(B)(ii) to the director of schools;

(C) If a home school student completes the requirements of subdivision (b)(6)(B) in the same subject matter for two (2) consecutive test administrations and the student is not diagnosed as learning disabled by a qualified medical professional, then the director of schools may require the parent of the student to enroll the student in a public, private, or church-related school, in accordance with this part, and the parent shall have all rights provided by law to respond to this requirement; and

SECTION 4. Tennessee Code Annotated, Section 49-6-3050(f), is amended by deleting the subsection and substituting:

(f)

(1) As used in this subsection (f):

(A) "Advanced course" means a college-level course administered to high school students for a particular subject area that may earn students college credit through a standardized examination that includes, but is not limited to, an advanced placement program offered by the College Board; and

(B) "Preparatory college entrance examination" means a test administered to students for the purpose of preparation for a college entrance exam that includes the:

(i) Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) administered by the College Board and National Merit Scholarship Corporation;

- (ii) Pre-ACT administered by ACT; and
- (iii) CLT10 administered by Classic Learning Initiatives, LLC.

(2) A public school that administers an advanced course or preparatory college entrance examination shall provide notice of the following on its website:

- (A) The date and time for which an advanced course or preparatory college entrance examination is offered;
- (B) The student capacity and availability of an advanced course or preparatory college entrance examination being offered; and
- (C) The availability of outside financial assistance for low-income and at-risk students to assist such students in taking an advanced course and preparatory college entrance examination.

(3) A public school shall allow a home school student to take an advanced course or preparatory college entrance examination offered by the public school if space is available.

SECTION 5. Tennessee Code Annotated, Section 49-6-6010(a)(1), is amended by adding "or Classic Learning Test (CLT)" after "SAT".

SECTION 6. Tennessee Code Annotated, Section 49-6-705(a), is amended by adding the following new subdivisions:

() "CLT" means the Classic Learning Test administered by Classic Learning Initiatives, LLC;

() "CLT10" means a college preparatory examination administered by Classic Learning Initiatives, LLC, to prepare students for the CLT;

SECTION 7. Tennessee Code Annotated, Section 49-6-705(c), is amended by deleting subdivision (1) and substituting:

(1) The purpose of the pilot after school educational programs is to increase performance for at-risk students on the ACT, SAT, or CLT examinations, in order to expand the number of students in the at-risk population eligible for lottery scholarships and to increase the abilities of students to excel in postsecondary education. The programs must serve at-risk students in grades seven through nine (7-9). The programs must prepare students to take the EXPLORE and PLAN ACT preparatory examinations, the PSAT/NMSQT preparatory examination, or the CLT10 preparatory examination and eventually to take the ACT, SAT, or CLT examinations.

SECTION 8. Tennessee Code Annotated, Section 49-6-705(d)(2), is amended by deleting subdivision (A) and substituting:

(A) Academic tutoring and skills development in subjects covered by EXPLORE, PLAN, and ACT examinations; PSAT/NMSQT and SAT examinations; or CLT10 and CLT examinations; and

SECTION 9. Tennessee Code Annotated, Section 49-2-702(a)(2), is amended by deleting subdivision (B) and substituting:

(B) Exhibits an average student ACT score of 21 or higher, or the concordant equivalent score on the SAT or Classic Learning Test (CLT) or higher; provided, that prior to an LEA using the average student ACT, SAT, or CLT score, at least thirty (30) students within the LEA or at least twenty-five percent (25%) of the graduating class, whichever is larger, took the ACT, SAT, or CLT;

SECTION 10. Tennessee Code Annotated, Section 49-1-613(a), is amended by deleting "proficiency, graduation rates, ACT or SAT scores where applicable" and substituting "proficiency; graduation rates; ACT, SAT, or Classic Learning Test (CLT) scores where applicable;".

SECTION 11. Tennessee Code Annotated, Section 49-6-8103(c)(4), is amended by deleting "either the ACT or the SAT" and substituting "the ACT, SAT, or Classic Learning Test (CLT)".

SECTION 12. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1729

White
Signature of Sponsor

AMEND Senate Bill No. 2636

House Bill No. 1729*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-3050(b)(5), is amended by deleting subdivision (A) and substituting:

(A) Ensure that if the parent-teacher's student is in any of the grades five (5), seven (7), or nine (9), that the student is administered:

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(ii) The same state board-approved standardized tests required of public school students in the same grade as the parent-teacher's student that is administered by the commissioner of education, or the commissioner's designee, or by a professional testing service approved by the LEA; provided, however, that the test for grade nine (9) is not an end-of-course examination required by the state board of education pursuant to § 49-6-6001;

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(B) "Preparatory college entrance examination" means a test administered to students for the purpose of preparation for a college entrance exam that includes the:

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(C) The availability of outside financial assistance for low-income and at-risk students to assist such students in taking an advanced course and preparatory college entrance examination.

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