

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-07-01
NON-PUBLIC SCHOOLS ADMINISTRATIVE RULES**

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0520-07-01-.01 CREATION OF THE ADVISORY COUNCIL FOR NON-PUBLIC SCHOOLS.

- (1) The Commissioner of Education (“Commissioner”) shall appoint a nine (9) member Advisory Council for Non- Public Schools to advise the Department of Education (“Department”) on policies relating to non-public school administration.
- (2) The term of each council member shall be for three (3) years, and members may be re-appointed. If a member resigns their position, the Commissioner shall appoint a new member to serve for the remainder of the unexpired term.

Authority: T.C.A. § 49-1-201, 49-1-302, 49-50-801, and 49-6-3001. **Administrative History:** Original rule filed April 24, 1987; effective June 8, 1987. Repealed and new rule filed March 16, 1992; effective June 29, 1992. Amendments filed March 24, 2017; effective June 22, 2017.

0520-07-01-.02 REPOSITORY FOR PERMANENT RECORDS.

- (1) Category I, II, III, and V private schools and Category IV church-related schools (defined in State Board Rules Chapter 0520-07-02) which cease operation shall place their student academic and attendance records with the local public school district where the school was located. Schools which merge, consolidate, or undergo change of ownership may deposit their records with the continuing school rather than the local public school district. Category II, III and IV schools shall also send a copy of student academic and attendance records to the school’s accrediting or membership agency, if required by the agency. These records may be maintained electronically.
- (2) Category I, II, III, and V private schools and Category IV church-related schools which cease operation shall notify the Director of Schools of the public school district where the school was located and the Department utilizing the closing form provided by the Department.
- (3) Category I, II, III, and V private schools and Category IV church-related schools which cease operation shall give adequate public notice of the location of student records, by publicizing the name and address of the receiver of records in a local newspaper, on the school’s website (if applicable), and by sending written communication by electronic or post mail to all parents of enrolled students, with a copy submitted to the Department. This notice shall be given at least thirty (30) days prior to the school’s last day in operation.

Authority: T.C.A. § 49-1-201, 49-1-302, 49-50-801, and 49-6-3001. **Administrative History:** Original rule filed April 24, 1987; effective June 8, 1987. Repealed and new rule filed March 16, 1992; effective June 29, 1992. Amendments filed March 24, 2017; effective June 22, 2017.

(Rule 0520-07-01, continued)

0520-07-01-.03 STUDENT TRANSFERS.

- (1) Students who transfer among public schools and Category I, II, or III private schools shall be granted credit for completed work.
- (2) The school which the student leaves must supply a certified transcript showing the student's record of attendance, achievement, and the units of credit earned. To be certified, a transcript must be sent by the custodian of records at the student's former school to the requesting school with a signed certification acknowledging the accuracy of the transcript. The parent or guardian of the student shall be notified by the school that the transcript is being sent. However, this rule shall not be construed as to supersede any contractual obligation of parents with the private or church-related school (e.g., withholding of grades until all tuition/fees are paid).
- (3) Local boards of education and public charter schools shall not prohibit or impede the transfer of a student from a Category IV church-related school, Category V private school, or a home school to a public school of this state. Local boards of education and public charter schools may, however, place students transferring from a Category IV church-related school, Category V private school, or home school to a public school in a grade level and confer credit for courses based upon the student's performance on a test administered by the local board or public charter school for that purpose. If a local board of education or public charter school requires a test for purposes of grade placement or conferring credit, such requirement shall be set forth in the local board of education or public charter school's policy and shall require notice to parents of a student transferring from a Category IV church-related school, Category V private school, or home school of the testing options and requirements set forth below:
 - (a) If a local board of education or public charter school administers a test to students transferring from a Category IV church-related school, Category V private school, or home school to a public school, students shall be allowed credit only when they have passed comprehensive written examinations approved, administered, and graded by the principal or designee of the public school. If requested by the parent or guardian, the LEA or public charter school shall accept student scores from a nationally standardized achievement test as a substitute for the required comprehensive written examinations in subjects covered by the nationally standardized achievement test for purposes of grade placement and conferring credit.
 - (b) The examination administered to students in grades one through eight (1-8) shall cover only the last grade completed.
 - (c) The examinations administered to students in grades nine through twelve (9-12) shall cover the individual subjects appearing on the certified transcripts. The examination for graduation requirement subjects shall only cover the last course completed by the student (for example, if a student has completed English I, II, and III, the examination shall only cover English III).
 - (d) The parent of a home school student 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.

Authority: T.C.A. §§ 49-1-201, 49-1-302, 49-50-801, 49-6-3050 and 49-6-3001. **Administrative History:** Original rule filed April 24, 1987; effective June 8, 1987. Repealed and new rule filed March 16, 1992; effective June 29, 1992. Repeal and new rule filed December 28, 2005; effective April 28, 2006. Amendments filed March 24, 2017; effective June 22, 2017.

(Rule 0520-07-01, continued)

0520-07-01-.04 REPORTING AND MONITORING REQUIREMENTS.

- (1) The Department shall develop reporting procedures for Category I, II, III, and V private schools and Category IV church-related schools and shall establish corresponding deadlines for submission of required reports to the Department.
- (2) Category I, and V private schools and Category IV church-related schools approved by the State Board pursuant to T.C.A. § 49-50-801(e)(1) and State Board rule 0520-02-.05(2) may be subject to monitoring conducted by the Department to ensure compliance with this Chapter, State Board rules Chapter 0520-07-02, and any state or federal laws applicable to the school. The Department shall develop a monitoring guidebook setting forth the monitoring process which shall be posted on the Department's website.
- (3) Monitoring of Category II and III private schools and Category IV church-related schools that are approved by an accrediting or membership agency set forth in this Rule shall be conducted by the school's accrediting or membership agency to ensure compliance with this Chapter, State Board Rules Chapter 0520-07-02, any state or federal laws applicable to the school, as well as accreditation or membership standards of the agency. However, at any time the Department may require documentation from the accrediting or membership agency regarding the monitoring of any of the agency's schools. If the Department becomes aware of potential non-compliance with this Chapter, State Board Rules Chapter 0520-07-02, and/or any state or federal laws applicable to the school, notice shall be sent to the school and the accrediting or membership agency regarding the non-compliance and shall be addressed by the accrediting or membership agency in accordance with requirements for accrediting or membership agencies set forth in State Board Rules Chapter 0520-07-02. The Department may conduct an on-site visit to a school to verify that compliance has been established, in consultation with the accrediting or membership agency.
- (4) Category II, III, and IV accrediting and membership agencies shall publish accreditation policies and lists of all accredited and/or member schools on a publicly available website. Category II, III and IV accrediting and membership agencies shall also submit an updated list of all accredited or member schools annually to the Department by the deadline established by the Department. Category II, III and IV accrediting agencies shall also notify the Department of any schools that are added or removed from the agency's list of accredited or member schools within ten (10) business days of the addition or removal.

Authority: T.C.A. §§ 49-1-201, 49-1-302, 49-50-801, and 49-6-3001. **Administrative History:**