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Sequence Number: 07-06-24
 Rule ID(s): 10114
 File Date: 7/8/2024
 Effective Date: 10/6/2024

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission: State Board of Education
Division: N/A
Contact Person: P. Danielle Nellis
Address: 500 James Robertson Parkway, 8th Floor
Zip: 37243
Phone: 615-483-0268
Email: Danielle.Nellis@tn.gov

Revision Type (check all that apply):

- Amendment Content based on previous emergency rule filed on _____
 New Content is identical to the emergency rule
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0520-01-03	Academic and Instructional Requirements
Rule Number	Rule Title
0520-01-03-.02	Uniform Grading System

AMENDMENT

AMEND the rules of the State Board of Education Rule section 0520-01-03-.02 Uniform Grading System, so that as amended, the revised Rule shall read:

**RULES
OF
THE STATE BOARD OF EDUCATION**

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

0520-01-03-.02 UNIFORM GRADING SYSTEM.

- (1) Until the 2022-2023 school year, LEAs shall use the following uniform grading system for students enrolled in grades nine through twelve (9-12) for purposes of application for postsecondary financial assistance administered by the Tennessee Student Assistance Corporation:

Uniform Grading System					
Grade	Percentage Range		Honors Courses	Local and Statewide Dual Credit Courses, Industry Certification-Aligned Courses, and Dual Enrollment Courses	Advanced Placement, Cambridge International, College Level Exam Program (CLEP), and International Baccalaureate Courses
A	93	100	Shall include the addition of 3 percentage points to the grades used to calculate the semester average.	Shall include the addition of 4 percentage points to the grades used to calculate the semester average.	Shall include the addition of 5 percentage points to the grades used to calculate the semester average.
B	85	92			
C	75	84			
D	70	74			
F	0	69			

- (2) Beginning with grades issued in the 2022-2023 school year and thereafter, LEAs shall use the following uniform grading system for students enrolled in grades nine through twelve (9-12) for purposes of application for postsecondary financial assistance administered by the Tennessee Student Assistance Corporation:

Uniform Grading System					
Grade	Percentage Range		Honors Courses	Local and Statewide Dual Credit Courses, and Industry Certification-Aligned Courses*.	Advanced Placement, Cambridge International, College Level Exam Program (CLEP), International Baccalaureate Courses, and Dual Enrollment Courses*.
A	90	100	Shall include the addition of 3 percentage points to the grades used to calculate the semester average.	Shall include the addition of 4 percentage points to the grades used to calculate the semester average. *Dual Enrollment Courses completed in the 2022-23 and 2023-24 school years shall include the addition of 4 percentage points to the grades used to calculate the semester average.	Shall include the addition of 5 percentage points to the grades used to calculate the semester average. *Dual Enrollment Courses completed in the 2024-25 school year and thereafter shall include the addition of 5 percentage points used to calculate the semester average.
B	80	89			
C	70	79			
D	60	69			
F	0	59			

- (3) Assigning additional quality points above 4.0 for honors courses, Advanced Placement (AP), College Level Exam Program (CLEP), International Baccalaureate (IB), Cambridge International, dual credit, dual enrollment, and Industry Certification-aligned courses is not allowed for the purpose of determining eligibility for the lottery scholarships.
- (4) LEAs must utilize the Uniform Grading System to calculate eligibility for financial assistance administered by the Tennessee Student Assistance Corporation. However, LEAs may adopt an additional local grading scale(s) for other purposes.
- (5) LEAs may adopt the Uniform Grading System for grades pre-K through eight (8) or they may adopt a local grading scale for those grades.

Authority: T.C.A. §§ 49-1-302 and 49-6-407. **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; SS-7039 (November 2022)

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. Amendments filed October 25, 2017; effective January 23, 2018. Amendments filed March 20, 2018; to have been effective June 18, 2018. However, on May 24, 2018, the Government Operations Committee filed a 5-day stay; new effective date June 23, 2018. Amendments filed January 11, 2019; effective April 11, 2019; Amendments filed August 20, 2020; effective November 18, 2020.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Jordan Mollenhour	x				
Bob Eby	x				
Ryan Holt				x	
Warren Wells	x				
Lillian Hartgrove	x				
Marsha Johnson	x				
Darrell Cobbins				x	
Larry Jensen				x	
Krissi McInturff	x				
Laurel Cox	x				
Victoria Harpool, designee for Steven Gentile, Executive Director, Tennessee Higher Education Commission Non-Voting Ex-Officio					

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the State Board of Education on 5/31/2024 and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 02/23/2024

Rulemaking Hearing(s) Conducted on: (add more dates). 04/16/2024

Date: 07/03/2024

Signature: 


Name of Officer: P. Danielle Nellis

Title of Officer: Deputy General Counsel

Agency/Board/Commission: State Board of Education

Rule Chapter Number(s): 0520-01-03

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.


 Jonathan Skrmetti
 Attorney General and Reporter
July 8, 2024
 Date

Department of State Use Only

Filed with the Department of State on: 7/8/2024

Effective on: 10/6/2024



Tre Hargett
Secretary of State

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Jul 08 2024, 4:11 pm

Secretary of State
Division of Publications

Public Hearing Comments

The Tennessee State Board of Education held a public rulemaking hearing on Rule 0520-01-03-.02 on April 16, 2024, at 500 James Robertson Parkway, Nashville, TN and via Webex. No public comments were submitted regarding this rule.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

This rule does not affect small businesses.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228, "On any rule and regulation proposed to be promulgated, the proposing agency shall state in a simple declarative sentence, without additional comments on the merits or the policy of the rule or regulation, whether the rule or regulation may have a projected financial impact on local governments. The statement shall describe the financial impact in terms of increase in expenditures or decrease in revenues."

This rule has no fiscal impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

Uniform Grading System Rule 0520-02-03-.02 establishes the statewide uniform grading scale to be used by LEAs for students enrolled in grades nine through twelve (9-12) for the purposes of application for postsecondary financial assistance administered by the Tennessee Student Assistance Corporation.

This amendment revises the percentage points used to calculate semester average grades for Dual Enrollment courses, proposing a shift from 4 percentage points to 5 percentage points, beginning with courses completed in the 2024-2025 school year. This recommendation follows input from higher education leadership suggesting that Dual Enrollment course completion should be incentivized and rewarded because such courses result in awarding of college credit.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

T.C.A. § 49-1-302 states the State Board of Education has the power adopt rules governing a uniform grading system to be implemented in all public schools in the state for purposes of calculating the cumulative grade point averages of students who are seeking financial academic assistance provided by the state.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

These rules have a direct effect on the State Board and the State Board urges adoption. These rules also have a direct effect on LEAs and students enrolled in Tennessee public schools. The State Board did not hear from any LEAs or citizens urging adoption or rejection of the rules.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

None.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

None.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

P. Danielle Nellis (State Board of Education)
Danielle.Nellis@tn.gov

Nathan James (State Board of Education)
Nathan.James@tn.gov

Jack Powers (Department of Education)
Jack.Powers@tn.gov

Robin Yeh (Department of Education)

Robin.Yeh@tn.gov

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

P. Danielle Nellis (State Board of Education)

Danielle.Nellis@tn.gov

Nathan James (State Board of Education)

Nathan.James@tn.gov

Jack Powers (Department of Education)

Jack.Powers@tn.gov

Robin Yeh (Department of Education)

Robin.Yeh@tn.gov

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

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- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.

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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. Amendments filed October 25, 2017; effective January 23, 2018. Amendments filed March 20, 2018; to have been effective June 18, 2018. However, on May 24, 2018, the Government Operations Committee filed a 5-day stay; new effective date June 23, 2018. Amendments filed January 11, 2019; effective April 11, 2019; Amendments filed August 20, 2020; effective November 18, 2020.

