Office of Research and Education Accountability

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Legislative Brief

State Standardized Testing Requirements for Public, Private, and Home Schools

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April 2018

In Tennessee, K-12 students have three basic school options: public school or private school (both of which may be offered at either traditional brick and mortar sites or virtual school sites), or a home school. Funding sources for these school options vary, as do state requirements for standardized testing of students, the primary method for holding schools accountable for student progress.

It is well known that public schools, funded primarily by state and local tax dollars, are required to administer the state's standardized tests and use the results for school and district accountability. What is perhaps less well known is that some of Tennessee's private schools, funded primarily through tuition and private donations, are also required to administer state standardized tests and follow the state's academic standards. In addition, some home school students and students with disabilities enrolled in Tennessee's new Individualized Education Account (IEA) program are required to take some type of standardized test, although parents have options other than the state's test.

This brief looks at standardized testing requirements across public, private, and home schools, with a focus on how the requirements vary by school or student funding sources, as well as how the test results are used for school accountability.

Based on the most current data available, it appears that approximately 92 percent of Tennessee K-12 students – about 1 million – attend schools for which some type of standardized testing in selected grades is required by state law or rule. An estimated 87,000 students attend schools for which testing is not required, although standardized tests may still be administered.[1]

Funding, testing requirements, and how standardized tests are used for school accountability are detailed below for each school category. The number of schools and students served for each school type and category are also included based on the most current data available.

[1] Because the most current enrollment data is not from the same school year for all types of schools, these totals are estimates, although they are based primarily on reported data for each type of school. Students subject to some state standardized testing requirements include those enrolled in public schools (961,000), private Category I, II, and V schools (35,527), independent home schools (7,381), and the Individualized Education Account Program (87, which may include duplicate counts of some home school or private school students). Students not subject to state standardized testing requirements include those enrolled in private Category III schools (52,541) and Category IV schools that are not umbrella program home schools (5,000, estimated), and private Category IV umbrella home school programs (29,800, estimated).

Public Schools

Public schools include:

- traditional schools that are part of the 141 public school districts (county, city, and special school districts) statewide, and the charter schools that are authorized by those districts,
- schools with the state's Achievement School District (ASD), including both schools run directly by the ASD and the charter schools authorized by the ASD, and
- virtual schools which are operated, either directly or through contracts, by public school districts.[2]

Accountability and Testing

Accountability in K-12 education commonly consists of holding schools responsible for student learning based primarily on students' standardized test performance. Standardized test scores are used because they allow for relatively easy comparisons among schools, districts, and grade levels, and because results can be available as frequently as tests are administered, often every year.

Recent attention on publicly-funded school choice options – such as vouchers or Tennessee's Individualized Education Account program – have prompted policymakers to examine accountability for students' education in non-public school settings when public funds are being used.

Funding

Public schools are funded by public tax dollars, primarily state and local dollars appropriated under the state's funding formula, the Basic Education Program (BEP), additional local dollars above and beyond the BEP funding, and federal dollars from programs such as Title I, the Individuals with Disabilities Education Act (IDEA), and the National School Lunch Program. Public schools may also receive private funds from donations: for traditional schools these have typically been a very small portion of operating revenues; for charter schools they may be a larger portion of operating revenues.

Testing

Tennessee administers criterion-referenced tests, known as TNReady, annually to public school students in grades 3 through 8 in English language arts, math, science, and social studies.[3] Students in high school (grades 9 through 12) are required to take end-of-course assessments (which are also criterion-referenced standardized tests) in specific English, math, science, and social studies courses. In addition, all 11th grade students must take either the ACT or SAT exam.

TNReady tests are part of the Tennessee Comprehensive Assessment Program, known as TCAP, which also includes alternative assessments for students with significant cognitive disabilities receiving special education services and the optional grade 2 assessment.

[2] Districts with virtual schools include Shelby (Memphis Virtual School), Robertson (Robertson County Virtual School) Davidson (MNPS Virtual School), Wilson (Tennessee Virtual Online School), Hamilton (Hamilton County Virtual School), Bradley (Bradley County Virtual School), Union (Tennessee Virtual Academy), Washington (Virtual Learning Academy), and Bristol City (Tennessee Online Public School).

[3] Criterion-referenced tests compare students' test results against defined standards (or criteria) that students are expected to know. Tennessee's TNReady assessments (part of the Tennessee Comprehensive Assessment Program or TCAP) are criterion-referenced. When test results are compared to academic standards, determinations about students' proficiency in achieving those standards can be made. Theoretically, all students can achieve high proficiency on a criterion-referenced test.

Accountability

At public schools, test results are provided to the school district and the Tennessee Department of Education (TDOE), as well as reported publicly by school. In recent years, federal laws such as the No Child Left Behind Act and its recent replacement, the Every Student Succeeds Act, have required states to identify public schools that are failing to produce adequate education results and implement steps to make those schools more successful.

Enrollment

In school year 2015-16, the Tennessee Department of Education's annual statistical report showed:

Public schools: 1,829 schools; 961,000 students served[4]

Private Schools

The State Board of Education (SBE) has designated five categories of private schools in Tennessee, differentiated by their TDOE approval status or by the relevant school accrediting/membership agency and applicable state requirements. In general, the lower number categories are more closely regulated by the state. Categories are not exclusive and about 17 percent of schools have more than one category designation. There were 599 private schools operating in fall 2017, serving approximately 121,700 students.[5]

Funding

Private schools are primarily funded through school tuitions, paid by families and private donations from individuals and organizations. Some private schools accept federal reimbursement under the National School Lunch Program, and some private school students and teachers are eligible for federally funded services offered through the local public school district.[6]

Under the state's Individualized Education Account (IEA) program, 14 private schools are approved to accept per-pupil state and local funds for participating students with disabilities, paid out of students' IEA accounts. (See more about the IEA program in the section at the end of this brief.)

[4] Enrollment does not include pre-kindergarten students.
[5] The Tennessee Department of Education's list of non-public schools for 2017-18 includes pre-kindergarten students in its enrollment data. The enrollment data for Category IV schools overlaps with the estimated 30,000 to 35,000 students who are home schooled under church-related school umbrella programs.
[6] Eligible private school students can receive Title I services from the local public school district, although the private schools receive no direct federal funding. Parents who enroll their students with disabilities in private school once the students are identified as eligible for federal Individuals with Disabilities Education Act (IDEA) educational services are considered to have waived "free and appropriate education." Such parentally placed students in private schools generate a proportionate share of federal IDEA funds, and consultations among public and private school officials are to determine how to apply the generally limited proportional funds for private school students. Some other federally funded services, administered by local school districts, must be offered on an equitable basis to students or staff of private schools, such as Title II funds for educator professional development; Title I, Part C, funds for migrant children; Title III, Part A, funds for English Learners; and Title IV, Part A, funds for academic enrichment.

Testing

Testing requirements vary by category and are detailed below. Some categories require a nationally recognized standardized test; these are typically norm-referenced rather than criterion-referenced like the state's TNReady tests.[7] One category requires the same TNReady tests that public school students take. Although not specified for each category, many private schools offer the ACT and/or SAT tests for 11th grade students. The state's testing requirements specific to students participating in the IEA program and attending private schools are outlined separately in the IEA section at the end of this report.

Accountability

At private schools, test results are provided to the parents and teachers, but are not reported to or reviewed by TDOE, and are not required to be publicly reported. State Board rules require that test results for Category II schools be kept on file at the school for one calendar year and that results for Category V schools "be used to improve the instruction of the students."

Enrollment

Private school enrollment information reported below is from the 2017-18 Tennessee Department of Education's website listing of private schools.[8]

Category I schools are approved by the TDOE and are required to follow public school testing requirements. Thus, they administer the TNReady tests annually in grades 3-8, and the end-of-course assessments for selected high school classes.

Also included in Category I are special purpose schools (Category I-SP), which provide education for students while they receive short-term medical or transient care. These schools must also administer the state TNReady tests.

Category I and I-SP: 123 schools; 5,682 students reported[9]

Some of the largest schools in this category include:

Category	Enrollment	Grades Served	Name	Location
I	212	PreK - K	Primrose School of Nashville Midtown	Nashville
I	160	PreK - K	West Hills Baptist Church Preschool and Kindergarten	Knoxville
I-SP	252	K-12	Nicholas Hobbs Academy – Youth Villages	Bartlett

[7] Norm-referenced tests compare students' test results to other students who take the same test, and who usually are in the same grade. Test results are reported as percentages or percentile rankings that are expected to follow a bell curve, with most students' performance in the middle (at average levels) and few students scoring at the high and low ends of performance. A few examples of popular norm-referenced tests are the Iowa Test of Basic Skills, Stanford Achievement Test, and TerraNova. Theoretically, even if all students performed exceptionally well, those with the least strong performance would be ranked in the lowest percentile.
[8] The data are self-reported by the schools to the Department of Education, which verifies only Category I enrollment. Enrollments include pre-kindergarten students.
[9] Includes four Category I-SP schools that are also designated Category III or IV schools.

Category II schools are those approved by an SBE-approved accrediting agency. Because the accrediting agency's process is approved by the State Board and meets the State Board's approval criteria for graduation requirements, teacher licensure, and class size, among others, the Category II schools accredited by these agencies are considered approved by the Tennessee Department of Education. Generally, schools in this category are accredited by associations linked to religious denominations, including:

- Association of Christian Schools International,
- Association of Classical and Christian Schools,
- Catholic Diocese of Knoxville, Memphis, and Nashville
- Mississippi Private School Association,
- National Lutheran School Accreditation,
- Southern Conference of the Seventh Day Adventist,
- Tennessee Association of Christian Schools, and
- Tennessee Association of Non-public Academic Schools.

SBE rules require Category II schools to administer a nationally recognized standardized test at least once per year in grades 3 through 12 that covers reading, language arts, math, science, and social studies. The rules do not specify whether the test should be norm-referenced or criterion-referenced.

Category II: 42 schools; 2,891 students reported

Some of the largest schools in this category include:

Category	Enrollment	Grades Served	Name	Location
II	475	K-12	Providence Academy	Johnson City
II	292	K-12	Westminster Academy	Memphis

Category III schools are those approved by one of the following regional accrediting agencies:

- AdvanceEd accreditation divisions, including
  - o North Central Association Commission on Accreditation and School Improvement (NCA CASI),
  - o Northwest Accreditation Commission (NWAC), and
  - o Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI);
- Middle States Association of Colleges and Schools (MSA);
- New England Association of Schools and Colleges (NEASC);
- Western Association of Schools and Colleges (WASC);
- any accrediting association recognized by the National Association of Independent Schools Commission on Accreditation (NAIS), such as the Southern Association of Independent Schools (SAIS); and
- any accrediting association recognized by the National Council for Private School Accreditation (NCPSA).

Category III is the largest in terms of number of students served; 34 percent of all private school students attend Category III schools.

There are no state requirements for standardized testing in Category III, although many schools in this category regularly administer standardized tests, such as the Educational Records Bureau (ERB) standardized achievement tests. Although Category III accrediting agencies may require schools to measure student performance and use the results to improve teaching, they typically do not require specific standardized tests or dictate the grade levels in which to administer standardized tests.

Category III: 119 schools; 41,514 students reported

Some of the largest schools in this category include:

Category	Enrollment	Grades Served	Name	Location
III	1,365	PreK-12	Lipscomb Academy	Nashville
III	1,355	PreK-12	University School of Jackson	Jackson

Category IV schools are church-related schools, which are defined by law as those operated by a denominational, parochial, or other church organization, and which meet the statutory accrediting requirements. Schools in this category are exempt from state regulation of faculty, textbooks, and curriculum. Category IV is the largest in terms of number of schools, with almost one-third of all private schools designated as Category IV. Approximately 28 percent of private school students attend Category IV schools.

Category IV schools are required to be a member of or accredited by one of the following associations:

- Accelerated Christian Education, Inc.,
- Association of Christian Schools International (also approved as a Category II accrediting agency),
- Southern Association of Colleges and Schools (also listed as a Category III accrediting agency),
- Tennessee Alliance of Church Related Schools,
- Tennessee Association of Christian Schools (also approved by TDOE as a Category II agency),
- Tennessee Association of Church Related Schools,
- Tennessee Association of Independent Schools, or
- Tennessee Association of Non-Public Academic Schools (also approved by TDOE as a Category II accrediting agency).

The state has no standardized testing requirements for Category IV schools, although, like Category III schools, they may choose to administer standardized tests, or their membership agencies may require testing.

Category IV: 191 schools; 33,604 students reported[10]

[10] Note that about half of Category IV schools also include home school umbrella programs, as authorized under *TCA* 49-6-3050. Based on recent OREA research on home schooling in Tennessee, the student enrollments reported on this TDOE listing of private schools may, or may not, include students in the home schooling programs.

Some of the largest schools in this category include:

Category	Enrollment[11]	Grades Served	Name	Location
IV	9,003	K-12	HomeLife Academy	Jackson
IV	4,623	1-12	Gateway Christian Schools	Memphis
IV	3,601	K-12	Family Christian Academy	Old Hickory

Category V schools are those "acknowledged for operation," which are those that are not classified in one of the other four categories. The state sets no accreditation requirements for these schools; however, they must administer a nationally recognized standardized test for students annually in grades 3 through 12. These are the same testing requirements set for Category II schools.

Category V: 25 schools; 1,405 students reported

Some of the largest schools in this category include:

Category	Enrollment	Grades Served	Name	Location
V	186	PreK-8	Linden Waldorf School	Nashville
V	182	PreK-10	Clayton Bradley STEM Academy	Maryville

Multiple category schools include schools reporting more than one category designation. It is not a recognized State Board classification, but simply a result of private school categories being non-exclusive. Some multiple category schools must comply with state testing requirements. For example, if a multiple category school's classification includes a Category II designation, the school must administer a nationally recognized standardized test at least once per year in grades 3 through 12 that covers reading, language arts, math, science, and social studies.

Category II & III: 58 schools; 19,400 students reported
Category II & IV: 12 schools; 2,900 students reported
Category III & IV: 22 schools; 11,000 students reported
Category II, III, & IV: 7 schools; 3,250 students reported[12]

[11] OREA recently contacted numerous Category IV schools with umbrella home school programs, and identified a number of schools with enrollment differences between TDOE's records and enrollments provided to OREA. For 2016-17, HomeLife Academy reported to OREA an enrollment of about 15,000 versus the 9,003 in TDOE's private school listing. HomeLife Academy serves only umbrella home school students. TDOE indicates the enrollment numbers may not be up to date since they are reported by Category IV schools' membership agencies rather than directly by the schools.
[12] Schools with a Category I or I-SP and another category designation were counted only in the Category I or I-SP because their state approval status overrides other category requirements.

Some of the largest schools with multiple category designations include:

Category	Enrollment	Grades Served	Name	Location
II, III, & IV	1,468	PreK-12	Christian Academy of Knoxville	Knoxville
III & IV	1,041	K-12	Christ Presbyterian Academy	Nashville
II & III	977	K-12	Grace Christian Academy	Knoxville
II & IV	769	K-12	Faith Heritage Christian Academy	Millington

Home Schools

A home school is a school directed by parents or legal guardians for their own children. Tennessee law establishes two ways to home school: through "independent" home schools[13] or church-related umbrella schools. Under both options, the parent is the teacher and is responsible for selecting and implementing the curriculum.

Funding

Home school students do not receive any public education dollars, except for participants in the Individualized Education Account (IEA) program who choose to home school. (See the section below on the IEA program.) Any education costs are covered by students' families.

Testing and Accountability

Testing and accountability vary by the type of home school option parents choose.

Independent home school students must register with their local school district. They are required by law to take a standardized test in grades 5, 7, and 9. Parents may choose either the same TNReady tests administered to public school students or take alternative standardized tests administered by a professional testing service. All test results are required by law to be provided to the parent-teacher, the director of the local school district, and to the SBE. Students are allowed (but not required) to take Advanced Placement and PSAT/NMSQT exams[14] at any public school offering those tests. The law includes a series of interventions by the local public school directors and home school parent-teachers if an independent home school student falls below grade level on standardized tests, such as consultations with certified teachers and re-testing the following school year.

Church-related home school students must register with a private, Category IV church-related school, and their home schools are considered satellite campuses of the private school. Not all Category IV schools offer this option, but those that do may refer to it as an "umbrella program."

[13] Independent is not a term used in law, but is used in practice to differentiate from the more prevalent church-related umbrella home schools.

[14] The Advanced Placement program is administered by the College Board and allows high schools students to take college level courses taught by high school teachers. Students that score a 3 or higher on the 5-point exams at the end of each course are eligible to earn college credit for those courses at many postsecondary institutions. The PSAT/NMSQT is the Preliminary SAT/National Merit Scholarship Qualifying Test, co-sponsored by the College Board and the National Merit Scholarship Corporation. Typically administered to high school sophomores and juniors (10th and 11th grades), the test results are used to identify students eligible for National Merit Scholarships.

The law for church-related home schools states that they are to "administer or offer standardized achievement tests," which suggests that testing is an option but not required. Since these home schools are considered programs under the supervision of their associated Category IV school, which do not have state testing requirements, it would be consistent policy for church-related home schools to not have such requirements either. Private Category IV schools may choose to require testing, and home schools under their supervision would be subject to school policies. Home school parent-teachers may also choose to administer standardized tests. There are several standardized tests available for home school students, such as the Stanford Achievement Test, and the Comprehensive Test of Basic Skills.

Enrollment

In 2016-17, students in home schools totaled between 37,000 and 42,420.

Independent home schools: 7,381 students reported
Church-related umbrella program home schools: 30,000 to 35,000 estimated[15]

Individualized Education Accounts

In 2017, Tennessee established its first individualized education accounts (IEAs), which allow eligible students with disabilities, who were previously enrolled in public school and had individualized education programs (IEPs), to use the equivalent of their school district's state and local per-pupil Basic Education Program (BEP) allocation toward tuition and fees for approved private school or for other education-related approved expenses, including those associated with home schooling, such as curriculum materials.[16]

In 2017-18, 14 private schools were approved to participate in the IEA program, allowing parents to use IEA funds for those schools' tuition and fees. Parents can enroll their students in any private school and apply their IEA funds for other approved expenses, such as tutoring services, education therapies or services, contracted public school services, or contributions to accounts under specified, education-related, federal savings programs.

Funding

Under the IEA program, there is not funding for a school per se. An account is created for the student, and public funds are deposited in the account. Account holders are free to use their own private funds to supplement the public funds available.

Testing

State law requires that all students in the IEA program in grades 3 through 8 take an annual assessment in English language arts and math. The assessment may be either the state's TNReady test or one of the seven nationally norm-referenced assessments approved by TDOE, such as the TerraNova, Iowa Test of Basic Skills, or Stanford Achievement Test.[17] Participating

[15] This estimate is based on recent OREA research on home schooling in Tennessee. The estimate likely double counts an undetermined portion of students reported in the private Category IV schools' enrollment numbers, described in the private school section.
[16] Students entering kindergarten or who are new residents of Tennessee may also be eligible for the IEA program if they meet the program's IEP requirements.
[17] Seven assessments were approved as of May 2017.

private schools must administer the state TNReady tests to students in the IEA program if their parents request it. Students who, because of their disabilities, would have participated in the state's alternative assessment if they were enrolled in public school (as determined on the student's IEP upon application to the IEA program), are exempt from the IEA test requirements.

Participating students who are independently home schooled must follow testing requirements of the home school law, which would add a 9th grade assessment and social studies and science assessments in grades 5 and 7 to the IEA test requirements.

The testing exemption for students who would have taken an alternative assessment in public school does not apply to independent home school students.

Accountability

Test results required by the IEA program are reported to the parents and also to TDOE, but only for confirmation that tests were given as required. The department neither compiles nor tracks test results by school or student.

Enrollment

IEA 2017-18:	**87 students participating:** **37 in independent home schools; 50 in private schools** **(Note that private school students may include umbrella home school students; umbrella programs are extensions of Category IV private schools.)**

Summary of State Testing Requirements

The state has standardized testing requirements for all public school students, and for private school students who attend Category I, II, and V private schools. Category III (regionally accredited) and Category IV (church-related exempt) schools are not subject to state requirements for testing, but many, if not most, administer some type of standardized tests to their students. The difference in the private school testing requirements is that

- students, with the exception of those in Category I schools, do not have to take the state's TNReady tests, and can instead take any nationally standardized achievement test, and
- schools' test results are not public.

Home schooled students under the independent home school law are required to take either the state standardized test or another standardized test in selected grades, and results must be submitted to the local public school district and the State Board of Education. This differs from testing requirements for home schooled students who are enrolled in church-related umbrella school programs, which are extensions of Category IV private schools, and, despite a reference in state law to standardized testing, do not appear to be subject to state testing requirements.

Students with disabilities using public funds through the Individualized Education Account (IEA) program to attend private schools or home schools, are required to take either the state's

TNReady tests or approved national standardized tests in grades 3 through 8, but this state-required testing is only for parents' information, and is not used for school accountability. IEA participants may be subject to additional testing depending on the non-public school option they have chosen. If they are enrolled in a private Category I, II, or V school, or are independently home schooled, they must also meet the testing requirements of those options.

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