

HB 1729/SB2636
Amendment 013470

K12 Testing Options

- Current law **requires** independent homeschool students to take the TCAP test (T.C.A. Section 49-6-3050(b)(5)).

This proposal allows those students to take the TCAP **or** "A standardized test selected by the parent-teacher that provides nationally normed analytics."

Why is this important?

1. LEAs must accommodate independent homeschool students on testing days. This is a burden on public schools and teachers.
 2. Independent homeschool students must travel to a school on testing days and join a classroom full of students unfamiliar to them and take a test not aligned with the curriculum and instruction they have received in their homeschool.
- Current law states that "the local director of schools may require the parents to enroll the child in a public, private or church-related school" under certain conditions (T.C.A. Section 49-6-3050(b)(6)(C)(i)). This proposal removes this provision.

Why is this important?

1. This is antiquated language from the original legislation drafted in 1985. We can find no evidence that a local director has exercised this consequence.
 2. This provision removes the parents' right to direct the education of their child.
- Sections 4 through 11 of the amendment adds the Classic Learning Test or CLT to the list of approved tests and other learning tools available to Tennessee students and schools.

Why is this important?

1. The SAT and especially the ACT are integral assessments in the fabric of education in Tennessee. The CLT is becoming a popular choice for students in the Volunteer State. Fourteen Tennessee colleges and universities use the CLT for admissions and over 300 higher education institutions in the country accept CLT scores.
2. The CLT has been adopted by the state university systems in Florida, Georgia, North Carolina, Indiana and is pending in several other states. Though this legislation **does not** adopt the CLT for our state university system, it is important for Tennessee to begin providing options for our K12 students so they can prepare for the CLT if that is the test chosen by their parents.

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

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:

(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;



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

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.



**The Tennessee
HOME EDUCATION ASSOCIATION**
A Non-Profit Tax Exempt Educational Association

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HB1729

THEA POSITION

As President of the Tennessee Home Education Association on behalf of home schooling families all across Tennessee, the Board of THEA requests that you vote in favor of HB1729 as amended by Representative Slater, the prime sponsor, on March 3, 2026.

SUMMARY

THEA supports HB1729 for three reasons. First of all adding nationally normed standardized achievement tests into State law as an alternative to home schooled students being required to take the TCAP test makes Tennessee law better. TCAP is an end of course test developed by the TN DOE for public school students. This test is suitable for testing a student on the material they were just taught in their public school. End of course tests are completely different from nationally normed standardized achievement tests. THEA supports adding an alternative type of test.

The penalty section of TCS 49-6-3050 (b) (6) is draconian and needs to be removed from the law. Not only does it allow a student to be forced out of homeschooling because of failure to perform on a test they should never have to take, since the bill became law in 1985, no student has been forced out of home schooling because they did not perform well on the test. This part of the law does not practically do anything. The Amended bill removes this part of the law.

Finally, THEA supports adding the Classic Learning Test or CLT to our State law. For generations the standard for college entrance has been the ACT or SAT. This new test adds a twist to testing by returning to the standards for which those tests were developed. They are to measure the aptitude of a student to perform well in an academic environment. Colleges and Universities across the country are finding benefit in the CLT as an alternative. Multiple states now allow the use of the CLT. It is a new and healthy alternative for higher education.

BACKGROUND

In 1984 two State Judges in Tennessee declared the compulsory attendance law unconstitutionally vague and therefore invalid. Tennessee had no compulsory attendance law for the school year 1984 - 1985. This was a result of two separate court cases where home schooling families were before those judges because of home

schooling. There were a total of 5 families in court at the time. Homeschoolers were in the crosshairs of Tennessee's legal system.

Because of those court cases, the Tennessee Home Education Association was formed in January of 1984. I was elected as the first President and have served in that capacity since that time and we have been involved in each change in the law related to the freedom to homeschool.

At the time leadership in the House, the Senate, and Governor Alexander's cabinet were confident that home education would fail. Mothers and fathers would not be able to teach their children. They insisted that the law contain a means for the State to remove failing students from homeschooling, so Senator Leonard Dunavant, the prime sponsor with Commissioner Bob MacElrath demanded that the law include a provision for testing and for enforcement and that demand resulted in the current language in the TCA 49-6-3050(b)(5) and (6).

Section (6) is filled with the force of State government being able to tell a family that they can no longer homeschool a student, because they are failing. That is what was required at the time. That was two generations ago. Now the ability for homeschoolers to flourish educationally is celebrated.

As far as I know since May 1985 when Governor Alexander signed the bill into law, no homeschooled student has ever had to stop homeschooling because of Section (6) in the current law. The potential problem was never realized. As far as our current history of enforcement of this law tells us, the problem did not exist. It was a phantom problem.

Leadership of THEA at the time was confident that virtually every home educating family would sign up with a church related school. This would reduce the number of students signed up with their local superintendent and being subject to this part of the law. For decades 95% plus of the home schooling community signed up with a church related school and were therefore not under Section (5) or (6).

Home schooling families all across the state will celebrate having an alternate test they can take, a nationally normed standardized achievement test like the Stanford Achievement Test, the Iowa Test of Basic Skills, the CLT in grades below 12, and other tests of this type.

Please give an alternative to TCAP and remove the penalty for non-performance on the TCAP.

Please pass the Amended version of HB1729.

Respectfully,

J. Claiborne Thornton III, President



Introduction to the CLASSIC LEARNING TEST (CLT)

Background

The Classic Learning Test (CLT) is a college entrance exam launched in 2015 by Jeremy Tate, a former public school teacher and SAT test prep company owner who came to recognize a need for an alternative to the SAT and ACT duopoly. Similar to the other standardized exams, the CLT assesses critical reading, writing, and mathematics skills. The CLT is nevertheless unique among college entrance exams in that it is rooted in the liberal arts tradition rather than modern pedagogical trends like the Common Core. As such, CLT's mission is to reconnect knowledge and virtue by providing meaningful assessments and connections to seekers of truth, goodness, and beauty.

The CLT aims to assess not only students' achievement, but also their aptitude. It measures skills such as the ability to communicate clearly, to read complex prose, to understand metaphors, to think logically, and to solve puzzles. The test sources the majority of its reading passages from classic and historical texts that have withstood the test of time. And it is also not bound by any particular curriculum, and can be of value to students in any type of school.

The CLT was primarily used by high school graduates to earn admissions to private universities around the country. However, the CLT has expanded significantly in recent years. The company now provides a suite of tests for students in grades 3 through 12, including the CLT3-8 tests, the CLT-10 and the CLT. The lower grade tests have proven immensely valuable to parents, administrators, teachers, and students in Christian K-12 schools, the growing classical education community, as well as home school families and groups. The test is also increasingly used by public school students since the test's adoption in Florida in 2023. There lawmakers made key policy changes to enable testing choice for students at nearly every level of education, and the Florida Board of Governors approved the CLT as an admissions test for all of the state's public universities.

We look forward to discussing how testing choice can benefit students in your state as well.