

SCHOOL CHOICE MATTERS

Tennessee Policy Report

Introduction

PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



Open Enrollment in Tennessee

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p>LIMITED</p> <p>Sending and/or receiving districts have discretion over transfers</p>	<p>Tennessee Code does allow local boards of education to admit students from outside their local school systems. Local boards may arrange for the transfer of students to schools outside their district and enter into agreements with other local boards for the admission or transfer of students from one system to another. This does not appear to be a mandatory policy.</p> <p>(Tenn. Code Ann. § 49-6-3104 Transfer of students)</p>
<p>Transfers Within Districts</p>	<p>YES</p> <p>Mandatory policy allowing students to transfer schools</p>	<p>Tennessee Code further provides that LEAs must conduct an open enrollment period of at least 30 days so that students may apply for enrollment in a school the student is not zoned to attend.</p> <ul style="list-style-type: none"> (a) Before the start of each school year, an LEA shall identify each school that, based on the school's capacities at the building, grade, class, and program levels, has space available to enroll and serve additional students. In determining available space at the class level, an LEA may use the class size averages specified in § 49-1-104. (b) <ul style="list-style-type: none"> (1) An LEA shall post the number of spaces available for enrollment in each school by grade, class, and program levels on the LEA's website at least fourteen (14) days before the beginning of the open enrollment period under subsection (c). An LEA shall not include in the number of spaces available for enrollment under this subdivision (b)(1) the number of enrollment spaces that are reserved by the LEA pursuant to subdivision (b)(2). (2) An LEA may reserve a reasonable number of enrollment spaces each school year from the number of spaces, if any, determined by the LEA to be available for enrollment for purposes of this section, to accommodate the potential enrollment of students who may relocate within the respective school

zone, students who may have a sibling enrolled at the respective school, and students who may have a parent who teaches at the respective school.

- (c) Before the start of each school year, each LEA shall conduct an open enrollment period of at least thirty (30) days during which a parent or guardian of a student residing within the LEA may apply for enrollment of the parent's or guardian's student in a school that the student is not zoned to attend. During the open enrollment period, a parent or guardian may apply for transfer to a school identified by the LEA as having space available to enroll and serve additional students.
- (d) At the end of the open enrollment period, an LEA shall approve an application for transfer if space is available for the student at the requested school. If the number of applications for transfer to a school exceeds the number of spaces available for enrollment in the school at the building, grade, class, or program level, as identified by the LEA according to subsection (b), then the LEA shall conduct a lottery to select the students who may transfer to the school.

[\(Tenn. Code Ann. § 49-2-128 Identification of schools with spaces for additional students - Open enrollment period - Application for transfer - Lottery - Responsibility for transportation\)](#)

Tennessee Code provides that students may not be “enrolled in, admitted to, or entitled or permitted to attend any public school in the local school system other than the public school to which the pupil may be assigned...” The Code goes on to provide that boards of education have discretion to prescribe general rules governing admission to schools within their jurisdiction. Tennessee does provide that local school boards may reassign children to other public schools if the child is a victim of child sexual abuse and other conditions are met.

[\(Tenn. Code Ann. § 49-6-3102 Assignments of students by local board\)](#)

Tennessee Code further provides that local boards of education have the discretion to allow parents to choose the school the student is to attend – if this is outside the area in which the student is normally zoned, the student may be required to provide personal transportation.

[\(Tenn. Code Ann. § 49-6-3104 Transfer of students\)](#)

<p>Year-round Transfer Window</p>	<p>LIMITED</p> <p>Restricted transfer window</p>	<p>Tennessee gives districts discretion to set transfer application dates “reasonably in advance of or after the opening of school” and refuse to accept transfers after the identified date.</p> <p>(Tenn. Code Ann. § 49-6-3105 Applications for transfer)</p> <p>Tennessee Code further provides that LEAs must conduct an open enrollment period of at least 30 days so that students may apply for enrollment in a school the student is not zoned to attend.</p> <p>(Tenn. Code Ann. § 49-2-128 Identification of schools with spaces for additional students - Open enrollment period - Application for transfer - Lottery - Responsibility for transportation)</p>
<p>Tuition-Free Public Schools</p>	<p>LIMITED</p> <p>Tuition can be charged</p>	<p>Tennessee Code provides that local school systems may charge tuition when a student transfers into the system.</p> <p>Note that where a student transfers into a regional school created by an LEA with a focus on science, technology, engineering, and math, the local Tennessee investment in student achievement formula school funds will follow the student to where they are transferring, and no tuition may be charged by the LEA.</p> <p>(Tenn. Code Ann. § 49-6-3104 Transfer of students)</p> <p>Tennessee Code provides that tuition and fees may generally not be charged by cities or special school districts, except to those students residing outside the city or district. The tuition charged to those students residing outside the city or district may not exceed per pupil, per annum, an amount equal to the amount of funds raised and used for school purposes, during the preceding school year, divided by the number of students in average daily attendance during the previous school year.</p> <p>Tuition and fees may be charged by any county to students who do not reside within that county. Tuition for these students is also limited; it must be reduced by any amount of funds that have been transferred by the student’s county of residence.</p> <p>(Tenn. Code Ann. § 49-6-3003 Tuition or other fees)</p>
<p>School Capacity Transparency</p>	<p>YES</p> <p>Districts must report capacity by school and grade level</p>	<p>Tennessee Code requires LEAs to report the number of spaces available for enrollment in each school by grade, class, and program levels on the LEAs website at least 14 days before the beginning of the open enrollment period.</p> <p>LEAs have the discretion to reserve a “reasonable number of enrollment spaces” each year to accommodate the potential enrollment of students who may move into the schools.</p>

		(Tenn. Code Ann. § 49-2-128 Identification of schools with spaces for additional students - Open enrollment period - Application for transfer - Lottery - Responsibility for transportation)
Transfer Data Transparency	NO No transparency in data reporting	Tennessee does not collect and report district-level open enrollment data.
Transparent Appeal Process	LIMITED Restrictive appeal process	<p>Tennessee Code allows parents who are dissatisfied with the assignment of their student to make a written request to the board for a hearing as to the reasonableness of the assignment and requesting a transfer to another school. This must be submitted within 10 days of receiving the assignment.</p> <p>(Tenn. Code Ann. § 49-6-3201 Application for hearing)</p> <p>Both parents may then appeal the final order of the board, within 30 days of the order, to the chancery court of the county where the board of education is located for a judicial review.</p> <p>(Tenn. Code Ann. § 49-6-3205 Judicial review)</p>

SOURCE CITATIONS

Statutes

- [Tenn. Code Ann. § 49-6-3003 Tuition or other fees](#)
- [Tenn. Code Ann. § 49-6-3102 Assignments of students by local board](#)
- [Tenn. Code Ann. § 49-6-3104 Transfer of students](#)
- [Tenn. Code Ann. § 49-6-3105 Applications for transfer](#)
- [Tenn. Code Ann. § 49-6-3201 Application for hearing](#)
- [Tenn. Code Ann. § 49-6-3205 Judicial review](#)



Charter Schools in Tennessee

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p>YES</p> <p>Multiple authorizers</p>	<p>The Tennessee Public Charter Schools Act of 2002 defines “authorizer” to include the following entities:</p> <ul style="list-style-type: none"> • Local board of education; • Tennessee Public Charter School Commission; or • The achievement school district, as defined in statute. Note the achievement school district oversees schools that have been identified as priority schools. <p>(Tenn. Code Ann. § 49-13-104 Chapter definitions)</p> <p>The Tennessee Public Charter School Commission is an independent state entity that serves as an appellate public charter school authorizer and the LEA for any public charter school it authorizes.</p> <p>(Tenn. Code Ann. § 49-13-105 Public charter school commission)</p> <p>If the Commission overturns a local board of education's decision to deny a public charter school application on three separate occasions within three years, then for a five-year period afterwards, a charter school sponsor may bypass the local board and apply directly to the Commission.</p> <p>(Tenn. Code Ann. § 49-13-108)</p>
<p>Charter Appeal Process</p>	<p>YES</p> <p>Independent appeals process</p>	<p>Local boards of education must approve or deny public charter school applications no later than 90 days after receipt of a completed application. If the local board fails to approve or deny the public charter school application within the 90 days established in Code, the public charter school application is to be deemed approved. A denial may be appealed to the Public Charter School Commission within 10 days after the local board’s decision.</p> <p>(Tenn. Code Ann. § 49-13-108 Approval or denial of public charter school application by public charter school authorizers)</p>

		<p>The Tennessee Public Charter School Commission has the authority to authorize public charter schools on appeal of a local board of education’s decision to deny a public charter school application. A public charter school authorized by the Commission must operate within the geographic boundaries of the local board of education that denied the approval.</p> <p>(Tenn. Code Ann. § 49-13-105 Public charter school commission)</p> <p>When the Commission receives an appeal, the Commission must hold an open meeting in the LEA in which the proposed public charter school submitted the application and conduct a de novo review of the application.</p> <p>Tennessee Code specifies that the local board of education may consider whether establishing the public charter school will have a “substantial negative fiscal impact on the LEA such that authorization of the public charter school would be contrary to the best interests of the students, LEA, or community.” If this is the basis for the decision to deny an application, the Commission must then consider the fiscal impact of the public charter school on the LEA before approving a public charter school on appeal.</p> <p>(Tenn. Code Ann. § 49-13-108 Approval or denial of public charter school application by public charter school authorizers)</p> <p>Tennessee Code provides that the local board of education denial of the application for a conversion charter school is final and not subject to appeal.</p> <p>(Tenn. Code Ann. § 49-13-106 Creation or conversion of charter schools)</p>
<p>Charter Regulatory Flexibility</p>	<p>LIMITED</p> <p>Some or no exemptions</p>	<p>Tennessee Code provides that public charter schools are subject to all federal and state laws and constitutional provisions prohibiting discrimination based on disability, race, creed, color, national origin, religion, ancestry, or need for special education services. Public charter schools must also comply with all applicable health and safety standards, regulations and laws of the US and the state.</p> <p>Charter schools are required to follow State Board rules and regulations for licensure and endorsement of employees. All teachers must hold a valid Tennessee educator license.</p> <p>Charter schools may apply to the authorizer or to the Commissioner of Education for a waiver of any State Board rule or statute that “inhibits or hinders the proposed public charter school’s ability to meet the school’s goals or comply with the school’s mission statement.”</p> <p>The following regulatory and statutory requirements may not be waived:</p> <ul style="list-style-type: none"> (1) Federal and state civil rights;

		<ul style="list-style-type: none"> (2) Federal, state, and local health and safety; (3) Federal and state public records; (4) Immunizations; (5) Possession of weapons on school grounds; (6) Background checks and fingerprinting of personnel; (7) Federal and state special education services; (8) Student due process; (9) Parental rights; (10) Federal and state student assessment and accountability; (11) Open meetings; and (12) At least the same equivalent time of instruction as required in regular public schools. <p>(Tenn. Code Ann. § 49-13-111 Compliance)</p> <p>Tennessee State Board Rules also provide that requirements relating to teacher evaluations may not be waived.</p> <p>Further, waiver requests from the requirements in the charter school statute or State Board of Education rules and regulations that are specific to charter schools are not to be considered.</p> <p>(TN State Board of Education Rule 0520-14-02 Charter School Waiver Requests)</p>
<p>Equitable Charter Funding</p>	<p>YES</p> <p>Students are funded as in a traditional district school</p>	<p>Tennessee Code requires local boards of education to allocate to charter schools the following:</p> <ul style="list-style-type: none"> (A) The total of the state and local student-generated funds for member students in the charter school for the prior year in alignment with the TISA pursuant to chapter 3, part 1 of this title; (B) The average per pupil local funds received by the district in the current school year above those required by the TISA for each member student in the charter school in the prior year; (C) The per student state and local funds received by the LEA for member students in the charter school in the current school year beyond the prior year's membership; and (D) All appropriate allocations under federal law or regulation, including IDEA and ESEA funds. <p>(Tenn. Code Ann. § 49-13-112 Allocation of state and local funds and federal funds)</p> <p>Tennessee Rules confirm student funding requirements.</p>

		(TN State Board of Education Rule 0520-14-01 Charter Schools)
Charter Facilities Funding	<p>LIMITED</p> <p>Some or no facilities funding</p>	<p>Tennessee Code provides that charter schools may use capital outlay funds to purchase, lease-purchase, or lease of real property or school facilities; construction or renovation of school facilities; purchase, lease-purchase, or lease of any tangible or intangible property; or pay debt service on any transaction authorized under this section of the law.</p> <p>An LEA having underutilized, or vacant, properties must make the properties available for use by charter schools operating in the LEA, pursuant to a lease agreement.</p> <p>(Tenn. Code Ann. § 49-13-136 Use of capital outlay funds - Contracting for goods and services - Underutilized and vacant properties)</p> <p>The Commissioner of Education is also authorized to establish a public charter school facilities program to assist charter schools in acquiring and improving property to educate students. These funds may be used for:</p> <ul style="list-style-type: none"> • purchase of property; • general capital improvements to existing and available buildings; • assistance with any costs associated with the purchase or lease of underutilized or vacant property available; and • assistance with the repayment of debt incurred for existing capital outlay projects. <p>(Tenn. Code Ann. § 49-13-144 Public charter schools facilities program)</p>
Options for High-Performing Charters	<p>LIMITED</p> <p>No opportunities for high-performing charter schools</p>	<p>Tennessee Code and Rules do not provide for favorable environments relating to the opening or expansion of charter schools as well as automatic renewals with longer-terms for renewal.</p>
Charter Zoning Exemptions	<p>LIMITED</p> <p>Less than full protections</p>	<p>Tennessee policy does not address whether charter schools have the same exemptions from local zoning and ordinances as other traditional public schools.</p>

SOURCE CITATIONS

Statutes

[Tenn. Code Ann. § 49-13-101, et al Tennessee Public Charter Schools Act of 2002](#)

Administrative Code

[TN State Board of Education Rule 0520-14-01 Charter Schools](#)

[TN State Board of Education Rule 0520-14-02 Charter School Waiver Requests](#)

Citations Group Heading

[Tennessee Department of Education, Charter Schools](#)

[Tennessee Charter School Center](#)



Private School Choice in Tennessee

POLICY	OVERALL RATING	PROGRAM OVERVIEW
<p>Universal Eligibility</p>	<p>YES</p> <p>Eligibility less than 100%</p> <p><i>Scoring is calculated based off % of all students served</i></p>	<p>LIMITED</p> <p>Education Savings Account Program Tennessee Code establishes the Tennessee Education Savings Account Pilot Program. (Tenn. Code Ann. § 49-6-2601, et al. Tennessee Education Savings Account Pilot Program)</p> <p>“Eligible student” is defined in the Code to mean a student who:</p> <ul style="list-style-type: none"> was previously enrolled in and attended a Tennessee public school for the one full school year immediately preceding the school year for which the student receives an education savings account; is eligible for the first time to enroll in a Tennessee school; received an education savings account in the previous school year; was enrolled in and attended a Tennessee for one full school year in the 2019-20, 2020-21, or 2021-22 school year; or was eligible for the first time to enroll in a Tennessee public school in the 2019-20, 2020-21, or 2021-22 school year; <p>Students must be in grades K-12 and zoned to attend a school in specific LEAs: Metro Nashville, Shelby County (Memphis), or Hamilton County (Chattanooga) school districts.</p> <p>Further, the student must be a member of a household with an annual income for the previous year that does not exceed twice the federal income eligibility guidelines for free lunch.</p> <p>(Tenn. Code Ann. § 49-6-2602 Part definitions)</p> <ul style="list-style-type: none"> Tennessee Code 49-6-2603 requires the State Board to promulgate rules to implement this law.

			<p>Tennessee Rules expand on the definition of “eligible student” to mean a Tennessee resident in grades K-12 who:</p> <ul style="list-style-type: none"> • meets one of the following enrollment requirements: (1) was previously enrolled in and attended a Tennessee public school for the one full school year immediately preceding the school year for which the student receives an ESA; (2) is eligible for the first time to enroll in a Tennessee school; or received an ESA in the previously school year. • is zoned to attend a school in Shelby County Schools, Metropolitan Nashville Public Schools, or is zoned to attend a school that was in the Achievement School District on May 24, 2019; and • is a member of a household with an annual income for the previous year that does not exceed twice the federal income eligibility guidelines for free lunch. <p>(TN State Board of Education Rule 0520-01-16-.02 Definitions)</p>
		<p>LIMITED</p>	<p>Individualized Education Account Program Tennessee Code creates the Individualized Education Account Program (IEA).</p> <p>(Tenn. Code Ann. § 49-10-1401, et al. Individualized Education Act)</p> <p>Tennessee Code limits eligibility for the Individualized Education Account Program to students with an enumerated disability that has been defined by the State Board, including:</p> <ul style="list-style-type: none"> • Autism; • Deaf-blindness; • Hearing impairments; • Intellectual disability; • Orthopedic impairments; • Traumatic brain injury; • Visual impairments; • Developmental delay; • Multiple disabilities; or • A specific learning disability.

			<p>Further, students must have an active individualized education program (IEP) with one of the disabilities identified in statute as the primary or secondary disability in effect at the time the department receives the request for participation in the program.</p> <p>Students must also meet one of the following requirements:</p> <ul style="list-style-type: none"> • Previously enrolled in and attended a Tennessee public school for one full school year immediately preceding the school year in which the student receives an IEA; • Is enrolling in a Tennessee school for the first time; or • Received an IEA in the previous school year. <p>(Tenn. Code Ann. § 49-6-2602 Part definitions)</p> <ul style="list-style-type: none"> • Tennessee has promulgated rules to implement this law. <p>Tennessee Rules confirm these requirements.</p>
		<p>YES</p>	<p>Education Freedom Scholarship Program Tennessee Code establishes the Education Freedom Scholarship Program. (Tenn. Code Ann. § 49-6-3501, et al.)</p> <p>“Eligible student” is defined as “a resident of this state who is entitled to attend a public school,” unless currently enrolled in a home school or church-related school. There are no barriers to entering the program based on household income, location, or student disability status. A student’s application can be denied, however, if “lawful presence in the United States” cannot be established.</p> <p>(Tenn. Code Ann. § 49-6-3502, § 49-6-3511)</p>

<p>Comparable Student Funding</p>	<p>LIMITED</p> <p>Funding below 90%</p> <p><i>Scoring is calculated based off program with largest number of students (Education Savings Account)</i></p>	<p>LIMITED</p>	<p>Education Savings Account Program</p> <p>Tennessee Code requires the maximum annual amount a participating student may receive must be “equal to the amount representing the per pupil state and local funds generated and required through the TISA for the LEA in which the participating student resides but must not exceed the combined statewide average of required state and local TISA allocations per pupil.</p> <p>(Tenn. Code Ann. § 49-6-2605 Funding calculations - School improvement fund - Allowable uses of ESA funds - Participating schools - Administration of program)</p> <ul style="list-style-type: none"> • Tennessee Code 49-6-2603 requires the State Board to promulgate rules to implement this law. <p>Tennessee Rules confirm these requirements.</p> <p>EdChoice notes the following:</p> <p>82% maximum value as a percentage of public school per-student spending.</p> <p>(EdChoice, The ABCs of School Choice: Tennessee (2024 Edition))</p>
		<p>LIMITED</p>	<p>Individualized Education Account Program</p> <p>Tennessee Code provides that the maximum amount that students may receive is equal to the “amount representing the total funding allocation that the student generates under the Tennessee investment in student achievement formula (TISA).”</p> <p>(Tenn. Code Ann. § 49-10-1405 Administration of IEA program by department)</p> <ul style="list-style-type: none"> • Tennessee has promulgated rules to implement this law. <p>Tennessee Rules are silent on this topic.</p> <p>EdChoice notes a 66% average base account value as a percentage of public school per-student spending.</p> <p>(EdChoice, The ABCs of School Choice: Tennessee (2024 Edition))</p>

		<p>LIMITED</p>	<p>Education Freedom Scholarship Program An Education Freedom Scholarship is funded solely by the state at a rate equivalent to the uniform base dollar amount of a public school student’s base allocation, an amount that is just over \$7,000 in the 2025-26 school year. (Tenn. Code Ann. § 49-6-3505)</p>
<p>Uncapped Student Access</p>	<p>LIMITED</p> <p>Funding or enrollment cap</p> <p><i>Scoring is calculated based off program with largest number of students (Education Savings Account)</i></p>	<p>LIMITED</p>	<p>Education Savings Account Program Tennessee Code creates an enrollment cap, which increases every year for the first five years (beginning with 5,000 the first year). For the fifth year, and each school year after, the enrollment cap is set to 15,000 students.</p> <p>If the number of program applications received exceeds the maximum number of students that may participate, the Department will select students for participation through an enrollment lottery process. Students who participated in the program the previous year will receive an enrollment preference and will not enter an enrollment lottery. If a lottery is used, the following enrollment preference will apply:</p> <ul style="list-style-type: none"> • Students who have a sibling participating in the program; • Students zoned to attend a priority school as defined by the state’s accountability system; • Students eligible for direct certification under federal law; and • All other eligible students. <p>(Tenn. Code Ann. § 49-6-2604 Procedures to determine student eligibility - Application form - Application process - Approval process - Number of participating students)</p> <ul style="list-style-type: none"> • Tennessee Code 49-6-2603 requires the State Board to promulgate rules to implement this law. <p>Tennessee Rules are silent on enrollment caps.</p>
		<p>YES</p>	<p>Individualized Education Account Program Tennessee Code does not address enrollment or funding caps.</p>

		<p>LIMITED</p>	<p>Education Freedom Scholarship Program The program is capped at 20,000 participants for the 2025-26 school year, divided into two equal-sized tranches: one for students with a disability or those under the income threshold three times greater than eligibility for free or reduced lunch programming and another for all eligible K-12 students. For all future years, funding priorities are set based on student household income and prior public school enrollment. Any year in which 75% of the cap is met, the cap increases by 5,000 students for the following year.</p> <p>(Tenn. Code Ann. § 49-6-3504)</p>
<p>Extended Application Window</p>	<p>LIMITED</p> <p>Application period or periods</p> <p><i>Scoring is calculated based off program with largest number of students (Education Savings Account)</i></p>	<p>LIMITED</p>	<p>Education Savings Account Program Tennessee Code requires the Department of Education to establish an application process that provides a timeline, before the start of the school year, when a parent or student over the age of 18, must apply to participate in the program.</p> <p>(Tenn. Code Ann. § 49-6-2604 Procedures to determine student eligibility - Application form - Application process - Approval process - Number of participating students)</p> <p>The Tennessee Department of Education has established the following deadlines for the 2024-2025 school year:</p> <ul style="list-style-type: none"> For fall, applications open on February 1, 2024. The application priority deadline is May 1, 2024, and the final application due date is August 1, 2024. <p>For winter, applications open on August 2, 2024. There is no application priority deadline, and the final applications are due by January 2, 2025.</p> <p>(TN Department of Education, Tennessee Education Savings Account (ESA) Program)</p>
		<p>LIMITED</p>	<p>Individualized Education Account Program Tennessee Code specifically requires the Department to establish application timelines that “maximize student and school participation.”</p> <p>(Tenn. Code Ann. § 49-10-1405 Administration of IEA program by department)</p> <p>The Tennessee Department of Education has established the 2024 new student application timeline as follows: February 15-April 15, 2024.</p>

			<p>(TN Department of Education, Individualized Education Account (IEA) Program)</p> <hr/> <p>LIMITED</p> <p>Education Freedom Scholarship Program Education Freedom Scholarship rules authorize the Department of Education to establish application windows for the program.</p> <p>(Rules of the State Board of Education, 0520-01-24-.02)</p> <p>The Tennessee Department of Education established the following deadlines for the 2025-26 school year: May 15-June 13, 2025.</p> <p>(Tennessee Education Freedom Scholarship Program)</p>
<p>Student Testing Options</p>	<p>YES</p> <p><i>Scoring is calculated based off program with largest number of students (Education Savings Account)</i></p>	<p>LIMITED</p>	<p>Education Savings Account Program Tennessee Code requires participating students in grades 3-11 to annually be administered the Tennessee comprehensive assessment program (TCAP) for math and English language arts, or successor tests that have been approved by the State Board for math and English language arts.</p> <p>For students participating full-time in a participating school, the participating school must administer the assessments. If a student is not enrolled full-time, the parent must ensure the participating student is annually administered the required tests.</p> <p>(Tenn. Code Ann. § 49-6-2606 Annual administration of TCAP tests for math and English language arts - Report of graduation - Parental satisfaction survey - Annual report - Audit)</p> <ul style="list-style-type: none"> • Tennessee Code 49-6-2603 requires the State Board to promulgate rules to implement this law. <p>Tennessee Rules confirm these requirements.</p>

		<p>YES</p>	<p>Individualized Education Account Program Tennessee Code provides that parents are responsible for ensuring that students are administered either a nationally norm-referenced test identified by the department or the Tennessee comprehensive assessment program (TCAP) tests or any future replacements of the TCAP tests.</p> <p>These tests must measure learning in math and English language arts.</p> <p>Note that students with disabilities that participate in the alternate assessment are exempt from this requirement.</p> <p>(Tenn. Code Ann. § 49-10-1403 Parental agreement for participation in individualized education account (IEA) program - Requirements)</p>
		<p>YES</p>	<p>Education Freedom Scholarship Program Tennessee Code requires participating EFS students in grades 3-11 to annually be administered either:</p> <ul style="list-style-type: none"> • A nationally standardized achievement test that is aligned to the respective private school's instructional plan, as determined by state board rules; or • The Tennessee comprehensive assessment program (TCAP) tests for math and English language arts. <p>"In order to assess academic performance, the department shall annually select a statistical sample of recipients enrolled in private schools in any of the grades three through eight (3-8) who were administered TCAP tests for the prior school year." Each year on June 30, results of the research are to be reported to the legislative committees that oversee K-12 education.</p> <p>(Tenn. Code Ann. § 49-6-3507, TN State Board of Education Rule 0520-01-24-.10 Private Schools)</p>

<p>School Autonomy</p>	<p>YES</p> <p><i>Scoring is calculated based off program with largest number of students (Education Savings Account)</i></p>	<p>YES</p>	<p>Education Savings Account Program Tennessee Code requires participating schools to:</p> <ul style="list-style-type: none"> • Comply with all state and federal health and safety laws applicable to nonpublic schools; • Ensure that the participating school will not discriminate against participating students or applicants based on race, color, or national origin; • Comply with a state statute that prohibits employees from engaging in conduct that advocates the overthrow of the American form of government or is a member of a political party subscribing to a political faith that advocates the overthrow of the American form of government; • Conduct criminal background checks on employees; and • Exclude from employment any person not permitted to work in a nonpublic school, pursuant to state law, and any person who might reasonably pose a threat to the safety of students. <p>(Tenn. Code Ann. § 49-6-2607 Use of ESA funds - Separate ESAs - Receipts for expenses - Requirements for participating schools)</p> <p>Tennessee Code further provides that the creation of an ESA program “does not expand the regulatory authority of this state, the officers of this state, or an LEA to impose any additional regulation of participating schools or providers beyond the rules and regulations necessary to enforce the requirements of the program.”</p> <p>Further, participating school have “maximum freedom” to provide for the education of participating students without governmental control and participating schools are not required to “alter its creed, practices, admissions policies, or curriculum in order to accept participating students, other than as is necessary to comply with the requirements of the program.”</p> <p>(Tenn. Code Ann. § 49-6-2609 Participating school or provider not state agent - No expansion of regulatory authority)</p> <ul style="list-style-type: none"> • Tennessee Code 49-6-2603 requires the State Board to promulgate rules to implement this law. <p>Tennessee Rules are silent on this issue.</p>
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		<p>YES</p>	<p>Individualized Education Account Program Tennessee Code specifically addresses the autonomy of participating schools. This code section provides as follows:</p> <ul style="list-style-type: none"> (a) A participating school is autonomous and not an agent of the state or federal government. (b) Neither the department nor any other state agency may regulate in any way the educational program of a participating nonpublic school or education provider that accepts funds from the parent of a participating student. (c) The creation of the IEA program does not expand the regulatory authority of the state, its officers, or any LEA to impose any additional regulation of nonpublic schools or education providers beyond those necessary to enforce the requirements of the program. (d) Participating nonpublic schools and education providers shall be given the maximum freedom to provide for the educational needs of their students without governmental control. Nonpublic schools and other education providers shall not have to alter their creed, practices, admissions policies, or curriculum to accept participating students. <p>(Tenn. Code Ann. § 49-10-1406 Autonomy of participating schools)</p> <p>Tennessee Code requires participating schools to:</p> <ul style="list-style-type: none"> • Comply with all state and federal health and safety laws applicable to nonpublic schools; • Ensure that the participating school will not discriminate against participating students or applicants based on race, color, or national origin; • Conduct criminal background checks on employees; and exclude from employment any person not permitted to work in a nonpublic school, pursuant to state law, and any person who might reasonably pose a threat to the safety of students. <p>(Tenn. Code Ann. § 49-10-1404 Requirements for participating schools - Penalties for noncompliance)</p>
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		<p>YES</p>	<p>Education Freedom Scholarship Program "(a) A private school that enrolls recipients is autonomous and not an agent of this state.</p> <p>(b) The creation of the education freedom scholarship program does not expand the regulatory authority of this state, the officers of this state, or the authority of any LEA to impose any additional rules, regulations, or requirements on private schools that enroll recipients beyond the rules narrowly tailored to enforce the requirements of the program.</p> <p>(c) Private schools that enroll recipients must have the maximum freedom to provide for the educational needs of recipients without governmental control. A private school that enrolls recipients is not required to alter its creed, practices, admission policies, hiring policies, or curriculum in order to accept recipients."</p> <p>(Tenn. Code Ann. § 49-6-3508, TN State Board of Education Rule 0520-01-24-.10 Private Schools)</p>
<p>Accessible School Participation</p>	<p>LIMITED</p> <p>Accreditation requirement</p> <p><i>Scoring is calculated based off program with largest number of students (Education Savings Account)</i></p>	<p>LIMITED</p>	<p>Education Savings Account Program A "participating school" is defined to mean a private school, as defined in Code Section 49-6-3001(c)(3)(A)(iii), that meets the requirements established by the Department of Education and State Board for a Category I, II, or III private school, and that seeks to enroll eligible students.</p> <p>(Tenn. Code Ann. § 49-6-2602 Part definitions)</p> <p>Tennessee Rules define Category I schools to be ones approved individually by the Department of Education. Category II schools are those approved by an agency whose ability to accredit schools in Tennessee is approved by the State Board. Category III schools are regionally accredited by a regional accrediting agency identified in State Board Policy.</p> <p>(TN State Board of Education Rule 0520-07-02 Non-Public School Approval Process)</p> <p>Tennessee Code further defines "private school" to mean a "school accredited by, or a member of, an organization or association approved by the state board of education as an organization accrediting or setting academic requirements in schools, or that has been approved by the</p>

			<p>state, or is in the future approved by the commissioner in accordance with rules promulgated by the state board of education.</p> <p>(Tenn. Code Ann. § 49-6-3001 School age - Entrance - Attendance - Withdrawal)</p> <ul style="list-style-type: none"> Tennessee Code 49-6-2603 requires the State Board to promulgate rules to implement this law. <p>Tennessee Rules for the Education Savings Accounts confirm these requirements.</p>
		<p>YES</p>	<p>Individualized Education Account Program</p> <p>Tennessee Code defines “participating school” to mean a nonpublic school that meets the requirements established in statute and seeks to enroll eligible students.</p> <p>(Tenn. Code Ann. § 49-10-1402 Part Definitions)</p> <p>There is nothing in statute or rule that requires participating schools to be accredited.</p>
		<p>LIMITED</p>	<p>Education Freedom Scholarship Program</p> <p>A participating private school shall be located in the state of Tennessee and comply with the definition in Code Section 49-6-3001(c)(3)(A)(iii), that meets the requirements established by the Department of Education and State Board for a Category I, II, or III private school, and is approved by the commissioner of education.</p> <p>(Tenn. Code Ann. § 49-6-3502)</p> <p>Tennessee Rules define Category I schools to be ones approved individually by the Department of Education. Category II schools are those approved by an agency whose ability to accredit schools in Tennessee is approved by the State Board. Category III schools are regionally accredited by a regional accrediting agency identified in State Board Policy.</p> <p>(TN State Board of Education Rule 0520-07-02 Non-Public School Approval Process)</p> <p>Tennessee Code further defines “private school” to mean a “school accredited by, or a member of, an organization or association approved by the state board of education as an organization accrediting or setting academic requirements in schools, or that has been approved by the state, or is in the future approved by the commissioner in accordance with rules promulgated by the state board of education.</p>

[\(Tenn. Code Ann. § 49-6-3001 School age - Entrance - Attendance - Withdrawal\)](#)

ESAs and Parent-Directed Spending

Freedom to Customize

LIMITED

Must attend private school, or spending options limited

Score is based off the largest ESA program (Education Savings Account)

LIMITED

Education Savings Account Program

Tennessee Code establishes the Tennessee Education Savings Account Pilot Program.

[\(Tenn. Code Ann. § 49-6-2601, et al. Tennessee Education Savings Account Pilot Program\)](#)

Tennessee Code provides that funds deposited in a participating student’s ESA must use the funds for the following expenses:

- Tuition or fees at a participating school;
- Textbooks required by a participating school;
- Tutoring services provided by a tutor or tutoring facility that meets certain requirements;
- Fees for transportation to and from a participating school or educational provider paid to a fee-for service transportation provider;
- Fees for early postsecondary opportunity courses and examinations required for college admission;
- Computer hardware, technological devices, or other technology fees approved by the department, if it is used for the student’s educational needs and is purchased through a participating school, private school, or provider;
- School uniforms, if required;
- Tuition and fees at an eligible postsecondary institution;
- Textbooks required by an eligible postsecondary institution;
- Educational therapy services provided by therapists that meet the requirements established by the department and the state board;
- Fees for the management of the ESA by a private or nonprofit financial management organization, as approved by the Department – these may not exceed 2% of the funds deposited in a participating student’s ESA in a fiscal year.

While granting a considerable range of qualified spending options, the program also requires students to be enrolled in a participating private school.

			<p>(Tenn. Code Ann. § 49-6-2603 Eligibility to participate in education savings account program - Participation by student)</p> <p>Additionally, Tennessee Code requires the use of ESA funds to be preapproved by the Department.</p> <p>(Tenn. Code Ann. § 49-6-2607 Use of ESA funds - Separate ESAs - Receipts for expenses - Requirements for participating schools)</p> <p>Note: The only expense that is not provided for in Tennessee Code for these funds is for virtual learning.</p>
		<p>YES</p>	<p>Individualized Education Account Program Tennessee Code creates the Individualized Education Account Program (IEA).</p> <p>(Tenn. Code Ann. § 49-10-1401, et al. Individualized Education Act)</p> <p>Tennessee Code specifies that funds may be used for the following expenses:</p> <ul style="list-style-type: none"> • Tuition or fees at a participating school; • Textbooks required by a participating school; • Tutoring services provided by a tutor or tutoring facility that meets the requirements set by the Department and the State Board; • Payment for purchase of curriculum, including any supplemental materials required; • Fees for transportation paid to a fee-for-service transportation provider; • Tuition or fees for a nonpublic online learning program or course that meets the requirements set by the Department and the State Board; • Fees for nationally standardized norm-referenced achievement tests, Advanced Placement examinations, or any examinations related to college or university admission; • Contributions to a Coverdell education savings account; • Educational therapies or services provided by therapists that meet the requirements set by the Department and State Board; • Services provided under a contract with a public school; • Tuition or fees at an eligible postsecondary institution; • Textbooks required for courses at an eligible postsecondary institution;

			<ul style="list-style-type: none"> • Fees for the management of the IEA by private financial management firms; • Computer hardware or other technological devices approved by the Department or a licensed treating physician; and • Contributions to an achieving a better life experience account, in accordance with the ABLÉ Act. <p>(Tenn. Code Ann. § 49-10-1403 Parental agreement for participation in individualized education account (IEA) program - Requirements)</p>
		<p>LIMITED</p>	<p>Education Freedom Scholarship Program Tennessee Code establishes the Education Freedom Scholarship Program. (Tenn. Code Ann. § 49-6-3501, et al.)</p> <p>Funds deposited in a participating student’s EFS may be used for any of the following expenses:</p> <ol style="list-style-type: none"> (1) Tuition and fees required by the private school in which the recipient is enrolled; (2) Textbooks, curricula, instructional materials, and uniforms required by the private school in which the recipient is enrolled; (3) Tutoring services provided by a tutor or tutoring facility that meets the requirements established by the department; (4) Fees for transportation to and from the private school in which the recipient is enrolled, paid to a fee-for-service transportation provider that meets the requirements established by the department; (5) Computer hardware, technological devices, and other technology fees that meet the requirements established by the department and that are used for the recipient's educational needs; (6) Tuition, fees, textbooks, curricula, and instructional materials for summer academic programs and specialized afterschool academic programs that meet the requirements established by the department, not including afterschool childcare;

			<p>(7) Fees for early postsecondary opportunity courses or examinations, entrance examinations required for postsecondary admission, and industry credentials as approved by the department; and</p> <p>(8) Educational therapy services provided by therapists who meet the requirements established by the department.</p> <p>To receive a scholarship, an eligible student must be enrolled in a private school. Scholarship funds must first be used to pay the recipient's tuition and fees, before paying for additional expenses.</p> <p>(Tenn. Code Ann. § 49-6-3502, § 49-6-3505; TN State Board of Education Rule 0520-01-24-.07 Use of Funds)</p>
<p>Freedom to Access</p>	<p>YES</p> <p><i>Score is based off the largest ESA program (Education Savings Account)</i></p>	<p>YES</p>	<p>Education Savings Account Program Students participating in the Education Savings Account Program may use funds for tuition or fees at a participating school.</p> <p>(Tenn. Code Ann. § 49-6-2603 Eligibility to participate in education savings account program - Participation by student)</p> <p>“Participating school” is defined to mean a private school.</p> <p>(Tenn. Code Ann. § 49-6-2602 Part definitions)</p>
		<p>YES</p>	<p>Individualized Education Account Program Students participating in the IEA Program may use funds for tuition or fees at a participating school.</p> <p>(Tenn. Code Ann. § 49-10-1403 Parental agreement for participation in individualized education account (IEA) program - Requirements)</p> <p>“Participating school” is defined to mean a private school.</p> <p>(Tenn. Code Ann. § 49-10-1402 Part definitions)</p>

		YES	<p>Education Freedom Scholarship Program Students participating in the Education Freedom Scholarship Program may use funds for tuition or fees at a participating private school.</p> <p>(Tenn. Code Ann. § 49-6-3505, TN State Board of Education Rule 0520-01-24-.07 Use of Funds)</p>
Carry-Over Funding	YES <i>Score is based off the largest ESA program (Education Savings Account)</i>	YES	<p>Education Savings Account Program Tennessee Code specifies that students continue to participate in the program unless the student is suspended or terminated from participating in the program until certain events happen, for purposes of continuity of educational attainment.</p> <p>Account Holders are not required to spend the entire sum each year, however, a minimum amount of fifty percent (50%) of the funds must be used each year on approved expenses for the benefit of the student enrolled in the Program." If less than 50 percent is spent in a given year, the Department will deduct the difference from the following year's account payments.</p> <p>(Tenn. Code Ann. § 49-6-2603 Eligibility to participate in education savings account program - Participation by student)</p> <p>TN Comp Rules and Regs 0520-01-16-.06</p>
		YES	<p>Individualized Education Account Program Tennessee Code provides that, for purposes of continuity of educational attainment, students who enroll in a program continue to remain eligible until the student returns to a public school; graduates from high school; or reaches 22 years of age for the next school year, whichever occurs first.</p> <p>After graduation, students may retain the remaining funds to be used to attend or take courses from an eligible postsecondary institution.</p> <p>(Tenn. Code Ann. § 49-10-1403 Parental agreement for participation in individualized education account (IEA) program - Requirements)</p> <ul style="list-style-type: none"> Tennessee has promulgated rules to implement this law. <p>Tennessee Rules provides that account holders are not required to spend the entire amount received each year. Parents must spend a portion of the funds each year on approved expenses</p>

		for the student's benefit. Overall spending must equal 50% of the annual award by the deadline for submission. (TN State Board of Education Rule 0520-01-11-.04 Term of the IEA)
	YES	Education Freedom Scholarship Program A recipient's Education Freedom Scholarship account remains open, and all available scholarship funds remain in the recipient's scholarship account, from one school year to another, unless and until the student graduates or otherwise completes their K-12 education, transfers back to a public school, voluntarily withdraws from the program, or is disqualified for violating specific requirements. (Tenn. Code Ann. § 49-6-3506 , TN State Board of Education Rule 0520-01-24-.08 Term of the EFS)

Tax Credits

Full Tax Credit	N/A No Tax Credit Program	Tennessee does not have an education tax credit program.
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SOURCE CITATIONS

<p>Statutes</p> <p>Tenn. Code Ann. § 49-6-2601, et al. Tennessee Education Savings Account Pilot Program</p> <p>Tenn. Code Ann. § 49-10-1401, et al. Individualized Education Act</p>	<p>Administrative Code</p> <p>TN State Board of Education Rule 0520-01-16 Education Savings Accounts</p> <p>TN State Board of Education Rule 0520-01-16-.02 Definitions</p> <p>TN State Board of Education Rule 0520-07-02 Non-Public School Approval Process</p>	<p>State Department of Education</p> <p>TN Department of Education, Tennessee Education Savings Account (ESA) Program</p> <p>TN Department of Education, Individualized Education Account (IEA) Program</p>
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Homeschooling in Tennessee

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p>YES</p> <p>No permission required</p>	<p>Tennessee Code provides that children between the ages of 6 and 17 must attend a public or nonpublic school, except in certain enumerated circumstances. Code defines “nonpublic school” to include students who are participating in a homeschool program.</p> <p>(Tenn. Code Ann. § 49-6-3001 School age - Entrance - Attendance - Withdrawal)</p> <p>“Home school” is defined in Tennessee Code to mean a “school conducted or directed by a parent or parents or a legal guardian or guardians for their own children”</p> <p>(Tenn. Code Ann. § 49-6-3050 Home schools)</p> <p>Tennessee Code does not require parents to receive permission from a local school board or other administrative body to start homeschooling.</p>
<p>No Extra Homeschool Notifications</p>	<p>NO</p> <p>Annual notification</p>	<p>Tennessee Code requires parents to provide annual notice to the local director of schools before each school year begins of their intent to home school their student.</p> <p>This notice must include the names, number, ages, and grade levels of the children to be homeschooled, the school location, the proposed curriculum, the proposed hours of instruction, and the parent-teacher's qualifications.</p> <p>Parents must maintain attendance records, which must be submitted to the director of schools at the end of each school year.</p> <p>(Tenn. Code Ann. § 49-6-3050 Home schools)</p>

<p>No Certification to Homeschool</p>	<p>YES No certification requirement</p>	<p>Parents who teach their children must possess a high school diploma or high school equivalency credential, approved by the State Board. Tennessee Code does not require homeschool parents to possess a teacher certification.</p> <p>(Tenn. Code Ann. § 49-6-3050 Home schools)</p>
<p>Flexible Assessment Options</p>	<p>NO Standardized testing required</p>	<p>Homeschool students must be administered, by the Commissioner of Education or by a professional testing service that is approved by the LEA, the same State Board-approved secure standardized tests required of public school students in grades 5, 7, and 9.</p> <p>The tests administered by the Commissioner must be the same tests that are administered to public school students in the public school that the home school students would otherwise be attending. Tests administered by the Commissioner must be administered without charge.</p> <p>Tests administered by a professional testing service must be administered within 30 days of the statewide test date. These tests will be administered at the expense of the parent-teacher.</p> <p>The results of all tests must be provided to the parent-teacher, the director of schools and the State Board.</p> <p>(Tenn. Code Ann. § 49-6-3050 Home schools)</p>

SOURCE CITATIONS

Statutes

[Tenn. Code Ann. § 49-6-3001 School age - Entrance - Attendance - Withdrawal](#)

[Tenn. Code Ann. § 49-6-3050 Home schools](#)

State Department of Education

[Tennessee Department of Education, Home School](#)

POLICY ENHANCERS



Part-time Enrollment in Tennessee

POLICY	RATING	POLICY OVERVIEW
Resident Course Access	<p>NO</p> <p>No policy</p>	<p>Tennessee Code does not provide for part-time enrollment.</p>
Nonresident Course Access	<p>NO</p> <p>No program</p>	<p>Tennessee Code does not provide for part-time enrollment in courses outside a student’s district of residence.</p>
Virtual Course Access	<p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>Tennessee Code provides that participation in a virtual education program by a student is at the discretion of the LEA in which the student is enrolled or zoned to attend.</p> <p>(Tenn. Code Ann. § 49-16-105 Construction of chapter)</p> <ul style="list-style-type: none"> Tennessee Code 49-16-102 provides that the State Board must develop policies and guidelines for the operation of virtual education programs, including those operated by the Department of Education. <p>Tennessee Code provides that virtual schools may be established by an LEA.</p> <p>(Tenn. Code Ann. § 49-16-204 Establishment of public school - Resources)</p> <p>Tennessee Code makes clear that any student who is eligible to enroll in a public school may enroll in a virtual school – either as a full-time student or part-time student.</p> <p>(Tenn. Code Ann. § 49-16-211 Enrollment)</p>

		<p>The Tennessee Department of Education maintains an updated list of virtual schools in the state on the Virtual School page.</p>
<p>Extracurricular Access</p>	<p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>Homeschool Students</p> <p>Tennessee Code provides that if any public schools are members of an organization or association that regulates interscholastic athletic competition, and if the organization or association establishes or maintains eligibility requirements for home school students wishing to participate in interscholastic athletics at a member school, the LEA must allow homeschool students to participate, if they satisfy the eligibility requirements established by the organization or association. The Tennessee Secondary School Athletic Association permits homeschool students to participate in athletics programs in public schools.</p> <p>(Tenn. Code Ann. § 49-6-3050 Home schools; TN Dept of Education, Frequently Asked Questions for Home School)</p> <p>Virtual School Students</p> <p>SB 690 (2025) similarly requires school districts to give resident students enrolled in virtual schools the same opportunity to participate in interscholastic athletics.</p> <p>Private School Students</p> <p>Unable to confirm whether public schools must provide access to athletics and other extracurricular activities to nonpublic school students.</p>

SOURCE CITATIONS

Statutes	State Department of Education	Other Resources
<p>Tenn. Code Ann. § 49-6-3050 Home schools</p> <p>Tenn. Code Ann. § 49-16-105 Construction of chapter (Chapter 16 Virtual Education)</p> <p>Tenn. Code Ann. § 49-16-204 Establishment of public school - Resources</p> <p>Tenn. Code Ann. § 49-16-211 Enrollment</p>	<p>TN Dept of Education, Frequently Asked Questions for Home School</p>	<p>TSSAA, Home School Rule & Participation</p>



Learn Everywhere in Tennessee

POLICY	RATING	POLICY OVERVIEW
Provider Qualification Standard	<p>NO</p> <p>No program</p>	Tennessee has not established a Learn Everywhere program.
Course Credit Standard	<p>NO</p> <p>No program</p>	
Core Course Opportunities	<p>NO</p> <p>No program</p>	
Central State List	<p>NO</p> <p>No program</p>	



Transportation in Tennessee

POLICY	RATING	POLICY OVERVIEW
<p>Open Enrollment Transit</p>	<p>NO</p>	<p>Tennessee Code provides that local boards of education have the discretion to allow parents to choose the school the student is to attend – if this is outside the area in which the student is normally zoned, the student may be required to provide personal transportation.</p> <p>(Tenn. Code Ann. § 49-6-3104 Transfer of students)</p> <p>Other sections of Tennessee Code confirm this – Tennessee Code 49-2-128 also provides that parents are responsible for transportation</p>
<p>Fair Transportation Access</p>	<p>NO</p>	<p>Charter School Students Charter schools in Tennessee have the discretion to provide transportation for students, which may be done unilaterally by the charter school or by an agreement with an LEA.</p> <p>Charter schools are not required to provide or pay for transportation for students who reside outside the geographic boundaries of the LEA in which the charter school is located.</p> <p>(Tenn. Code Ann. § 49-13-114 Transportation)</p> <p>Private School Students Private schools are not required to provide transportation for students. If private schools do choose to provide transportation, they must meet all transportation requirements for public schools.</p> <p>(TN Dept of Education Memo, Student Transportation Vehicles and Licensure Requirements for Non-Public Schools (2023))</p>

<p>Vehicle Flexibility</p>	<p>LIMITED</p> <p>Only for student activities, or other restrictive conditions</p>	<p>Tennessee State Board Rules provide that all school buses must meet the Tennessee Minimum School Bus Standards approved by the State Board and all applicable federal motor vehicle safety standards.</p> <p>These Rules specifically prohibit the use of 15-passenger vans to transport students.</p> <p>Tennessee does provide flexibility for the transportation of students to and from interscholastic athletic or other interscholastic or school sponsored activities – the state allows for van-type equipment, designed to transport no fewer than 7 nor more than 9 students.</p> <p>(TN State Board of Education Rule 0520-01-05-.02 Minimum Standards for School Buses)</p>
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SOURCE CITATIONS

Statutes	Administrative Code	State Department of Education
<p>Tenn. Code Ann. § 49-6-3104 Transfer of students</p> <p>Tenn. Code Ann. § 49-13-114 Transportation</p>	<p>TN State Board of Education Rule 0520-01-05-.02 Minimum Standards for School Buses</p>	<p>TN Dept of Education Memo, Student Transportation Vehicles and Licensure Requirements for Non-Public Schools (2023)</p>

*Note: Tennessee uses Lexis Nexis for the Tennessee Code, which is available here: <https://www.lexisnexis.com/hottopics/tncode/>

