

2016 Public Acts Relative to K-12 Education

| Chapter Number | Subject | Abstract | Bill Number |
|---------------------|---|---|------------------------|
| 529 | School Transportation | As enacted, extends the allowable number of years for a Type A school bus to be in service to 15 years. | HB0238 |
| 532 | Local Education Agencies | As enacted, authorizes the Metropolitan Nashville local board of education to conduct meetings by electronic means under the same circumstances as other local boards of education. | SB1470 |
| 575 | Teachers, Principals and School Personnel | As enacted, removes a teacher's duty to perform fire drills, intruder drills, or any other safety or emergency drills. | SB1685 |
| 578 | Schools, Home | As enacted, adds the Tennessee alliance of church related schools to the list of organizations membership in which makes a school a church related school with which homeschools may affiliate. | HB0782 |
| 620 | Education | As enacted, allows a student attending a Tennessee school for the first time rather than attending a Tennessee public school for the first time to be eligible for an individualized education account, if the student also meets other requirements; allows the department of education to remit funds to individualized education accounts at least quarterly rather than quarterly. | SB1735 |
| 622 | Education | As enacted, specifies that excluded expenditures include nonrecurring funds for priority schools in regard to provisions governing local government appropriating funds for education for nonrecurring expenditures and such funds being excluded from the maintenance of local funding requirement and from any apportionment requirement for local transportation funding. | SB1858 |
| 623 | Education | As enacted, requires the department of education to establish a model policy on suicide prevention; requires an LEA to adopt its own policy or the model policy on suicide prevention. | SB1992 |
| 627 | Students | As enacted, removes certain requirements governing remand to alternative schools and expulsion for students convicted of violent felonies. | SB2256 |
| 644 | Education, Dept. of | As enacted, requires the department to post on the department's web site all legislation enacted by the general assembly related to the rights of students and parents or legal guardians; requires the LEA to provide a link to the list on the web site of the LEA. | HB2010 |
| 660 | Education | As enacted, requires each local school board to adopt a policy on the inclusion of religion in curriculum and instructional materials; requires each LEA to create a syllabus to be made public for grades six through 12 on social studies, science, math, and English language arts courses; requires the state board to initiate a revision process for the social studies standards adopted in 2013; requires teacher training institutions to instruct candidates regarding constitutionally permissible instruction of religious content. | HB1905 |

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| 667 | Education, Curriculum | As enacted, requires the state board of education, beginning with the 2016-2017 school year, to approve appropriate computer science courses such as software engineering and computer programming that every candidate for a full high school diploma may enroll in and complete to satisfy the elective focus requirement for graduation. | HB1755 |
| 669 | Students | As enacted, requires LEAs to provide students with certain periods of physical activity depending on grade level; deletes an obsolete reporting requirement; requires the office of coordinated school health in the department of education to provide an annual report regarding this act. | HB2148 |
| 673 | Education, State Board of | As enacted, provides for an annual authorizer fee to be paid to the state board if the state board is the chartering authority of a charter school. | SB1731 |
| 677 | Education | As enacted, requires schools having automatic external defibrillators (AEDs) to have annual training in the use of AEDs and an annual CPR/AED drill for school personnel; requires students in junior high or senior high to receive training in the use of AEDs during CPR instruction and, if the school has an AED, participate in a CPR/AED drill; exempts schools operated by or under contract with the department of children's services. | SB2088 |
| 680 | Education | As enacted, requires the department of education to develop a school grading system that assigns A, B, C, D, and F letter grades to schools. | SB0300 |
| 684 | Education | As enacted, revises the investigative and reporting responsibilities of the office of research and education accountability in the office of the comptroller and makes other changes concerning the collection and reporting of data related to education. | SB1638 |
| 703 | Education | As enacted, makes certain changes to the requirements for voluntary pre-k programs. | SB1899 |
| 706 | Education, Dept. of | As enacted, requires the department to provide an annual report to the education committee of the senate and the education instruction and programs committee of the house of representatives, regarding the physical education programs and activity for each LEA. | SB1967 |
| 710 | Education | As enacted, requires referees or officiates of interscholastic athletic events to submit to a criminal background investigation and provide a fingerprint sample; exempts the referees and officiates from the criminal background investigation and requirement to provide a fingerprint sample if they have undergone a satisfactory background check as a condition of registration for work as an official for interscholastic athletic contests. | SB2118 |
| 712 | Teachers, Principals and School Personnel | As enacted, revises provisions governing the evaluation of teachers and principals. | SB2508 |

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| 722 | Public Records | As enacted, revises requirements for protecting personally identifying information in records held by governmental entities; requires the office of open records counsel to develop a model public records policy for governmental entities; makes other related changes to public records laws. | HB2082 |
| 732 | Schools, Home | As enacted, requires schools to provide notice on their web sites of the date of the school's administration of the AP and PSAT/NMSQT examinations, the availability of such examinations, and any financial assistance for low income students; requires that home school students be permitted to take the AP and PSAT/NMSQT examinations at any public school offering such examinations. | HB2190 |
| 733 | Teachers, Principals and School Personnel | As enacted, opens membership of the directors of schools association to include affiliate membership to principals and assistant principals and to system-wide supervisors; requires that membership fees be set in bylaws instead of constitution; revises other related provisions. | HB2261 |
| 752 | Lottery, Scholarships and Programs | As enacted, encourages public school teachers to be Promise scholarship mentors by crediting them with one day of in-service for volunteering as mentors; encourages retired teachers to be Promise scholarship mentors by granting them one year of eligibility for the state employee discount program for volunteering as mentors. | HB1642 |
| 754 | Education | As enacted, requires that the display of the American flag on school property and at school events conform to the requirements of federal law; requires a local board of education to permit display of the American flag, if the display conforms to the requirements of federal law. | HB1722 |
| 757 | Students | As enacted, enacts the "Student Online Personal Protection Act". | HB1931 |
| 770 | Education, Dept. of | As enacted, requires the state board of education and the department to support and encourage LEAs in the creation of communities of schools; authorizes LEAs and schools to form community consortiums with a variety of community partners to establish communities of schools; enacts other provisions relative to community schools. | SB2172 |
| 783 | Local Education Agencies | As enacted, makes various revisions to an LEA's policies on harassment, intimidation, bullying, or cyber-bullying; requires that an investigation be initiated within 48 hours and that an appropriate intervention be initiated within 20 calendar days of receipt of the report. | SB2002 |
| 802 | Education | As enacted, requires every elementary and secondary school to post the toll-free telephone number operated by the department of children's services to receive reports of child abuse or neglect in a clearly visible location in a public area that is readily accessible to students. | SB1862 |
| 807 | Education | As enacted, requires the principal of a school to allow a patriotic society the opportunity to speak with students during school hours. | SB2098 |

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| 831 | Education | As enacted, encourages public high school students to participate voluntarily in at least 10 hours of community service each semester; requires the student's public high school to recognize the student's achievement at graduation in a suitable manner in certain circumstances. | SB2165 |
| 844 | Education | As enacted, enacts the "Tennessee Student Assessment Transparency Act". | HB1537 |
| 882 | Education | As enacted, authorizes local boards of education to admit pupils from outside their respective local school systems at any time without the approval of the previous LEA; adds that in cases where an LEA has created a regional school with a specific focus on STEM, local BEP school funds will also follow the student into the LEA to which the student is transferring and no tuition may be charged by the receiving LEA; revises other related provisions. | HB1638 |
| 885 | Taxes, Alcoholic Beverages | As enacted, extends certain alternative distribution provisions concerning liquor-by-the-drink tax proceeds to local governments. | HB1691 |
| 889 | Education | As enacted, enacts the "Course Access Program Act." | HB1879 |
| 916 | Education, Dept. of | As enacted, requires the department of education, when publishing the list of priority schools, to list all schools in the state in order by success rate from the highest to the lowest; and list all schools in each county and each LEA in order by success rate from the highest to the lowest. | SB1144 |
| 928 | Charitable Solicitations | As enacted, specifies that educational institutions exempt from registering with the division of charitable solicitations, includes institutions that are approved by the local board of education, the ASD, or the state board of education; extends certain renewal of registration filings for an additional 60 days. | SB1566 |
| 930 | Scholarships and Financial Aid | As enacted, revises various provisions governing Tennessee STEP UP scholarships. | SB1584 |
| 935 | Purchasing and Procurement | As enacted, authorizes local governments to enter cooperative purchasing agreements with federal agencies; excludes certain purchases. | SB1615 |
| 943 | Lottery, Scholarships and Programs | As enacted, revises eligibility requirements for home school students and students who graduate from an ineligible high school to receive the general assembly merit scholarship. | SB1695 |
| 957 | Local Education Agencies | As enacted, requires all LEAs using the uniform grading system for lottery scholarship purposes, and another grading system based on quality points for other purposes, to award additional quality points for honors and other advanced courses uniformly. | SB1831 |
| 961 | Education | As introduced, authorizes the commissioner of education to promulgate rules to allow a 501(c)(3) nonprofit corporation to enter a school to teach kindergarten through third-grade students various subjects. | SB1864 |

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| 971 | Lottery, Scholarships and Programs | As introduced, permits a student with a documented learning disability who is unable to take 12 semester hours as required for the Tennessee Promise scholarship to be eligible for the scholarship. | SB2039 |
| 999 | Education, Dept. of | As introduced, requires the department to notify electronically each LEA when the office of research and education accountability publishes a report pertaining to pre-K-12 education in order that the LEAs may disseminate the report to licensed personnel. | SB2499 |
| 1020 | Basic Education Program (BEP) | As introduced, eliminates an obsolete provision of Tennessee Code Annotated concerning the BEP. | HB2574 |
| 1036 | School Transportation | As introduced, broadens the scope of the offense regarding a school bus driver using certain electronic devices while operating a bus with a child on board and increases the penalty for the offense. | SB1596 |
| 1049 | Education | As introduced, permits each LEA and each school board for private schools to determine whether someone with a Tennessee-issued handgun carry permit may carry a handgun while on the property of the public or private school and while traveling on school functions with students. | SB2249 |
| 1058 | Education | As introduced, requires an LEA to screen K-2 students for dyslexia with a program provided by the department of education; creates the dyslexia advisory council. | SB2635 |
| HB2087/SB2128 | County Government | As amended, creates a timeline for county LEA budget submissions to the county legislative body and creates a continuing budget provision for an LEA budget. | SB2128 |



2016 Education Legislation Explained

[Public Chapter 623](#) – This new law requires all employees of the school district to attend the annual in-service training in suicide prevention. Additionally, each district must adopt a policy on suicide prevention that contains procedures relating to suicide prevention, intervention, and postvention. Finally, the law includes a provision that removes any cause of action resulting from the implementation of the district’s policy, and does not create a specific duty of care. The law takes effect July 1, 2016.

[Public Chapter 660](#) – This new law requires districts to adopt a policy regarding the appropriate inclusion of religion in local curriculum and instructional materials. Additionally, the syllabus for grades 6-12 social studies, science, math and English language arts must be publicly available. The syllabus for each grade and subject must include a course calendar, major assignments, and procedures for access to instructional materials. The law takes effect immediately.

[Public Chapter 669](#) – This new law changes the requirements for physical activity in schools. Currently, all students are required to have 90 minutes of physical activity per week. Public Chapter 669 changes that requirement for grades K-6. Student in grades K-1 must receive at least three (3) fifteen (15) minute periods of non-structured physical activity per day. Student in grades 2-6 must receive a minimum of two (2) twenty (20) minute periods of non-structured physical activity at least four days per week. LEAs are prohibited from counting the time walking to and from class. This law takes effect July 1, 2016.

[Public Chapter 680](#) – This new law creates a school grading system that annually assigns a grade of A, B, C, D, or F to schools based on criteria developed by the department of education. The criteria must include TCAP results, TVAAS data, and any other indicator the department of education uses to determine student achievement and school performance. The state board of education is required to review the system prior to implementation. This law takes effect immediately, but grading will not begin until the 2017-2018 school year.

[Public Chapter 703](#) – This new law requires Pre-K programs to meet the standards for kindergarten readiness. Pre-K programs must also meet the criteria for a “highly qualified pre-kindergarten program” as identified by the department of education. Pre-K programs will coordinate with elementary schools within the LEA and deliver professional development to their teachers. Finally, LEAs that have pre-K programs must evaluate their pre-K teachers using the pre-k/kindergarten growth portfolio model approved by the state board of education. This law takes effect immediately.

[Public Chapter 712](#) – This new law makes additional changes to teacher evaluations, giving teachers the option to include or not include results from the 2015-16 TNReady and TCAP tests within the student growth component of their evaluation, depending on which scenario benefits them the most. Teachers will have three options for how their evaluation will be calculated: (1) Teachers can use the current framework where the assessments will only count for 10% of an evaluation; (2) Teachers can use the TNReady scores for the full 35%; or (3) Teachers can exclude TNReady data completely. Teachers in non-tested grades and subjects will also have flexibility to include or not include TNReady scores. This law takes effect immediately.

[Public Chapter 722](#) – This new law makes changes to the Open Records law. First, it requires districts to identify a “public records request coordinator” and a “records custodian” in board policy. It also requires districts to adopt a public records policy that details the following: the process for making requests or receiving copies; the process for responding to requests; and a statement of fees charged for copies and billing and payment procedures. This law takes effect immediately.

[Public Chapter 783](#) – This new law makes changes to the investigation requirements for harassment, intimidation, bullying, or cyber-bullying. Once a report is received, the principal or his/her designee must initiate an investigation within forty-eight (48) hours unless the need for additional time is appropriately documented. Appropriate intervention must be initiated within twenty (20) calendar days from the receipt of the report unless the need for more time is appropriately documented. Parents must be immediately informed if their student is involved in an act of harassment, intimidation, bullying, or cyber-bullying. Finally, the district’s policy prohibiting harassment, intimidation, bullying, or cyber-bullying must be reviewed at least once every three (3) years and any changes must be submitted to the commissioner of education. This law takes effect July 1, 2016.

[Public Chapter 844](#) – This law provides students, parents and teachers with testing transparency, and gives them access to the resources they need to improve student achievement. Beginning with the 2016-17 school year, the department of education will provide LEAs with access to student TCAP and end-of-course assessment items and the students’ answers. The LEAs can then release the information to parents and teachers so long as it does not hinder future administration of the exams. Additionally, the new law will remove the required tests for grades eight and ten. It would also give students the opportunity to retake the ACT one additional time prior to graduation if funds exist. This law takes effect July 1, 2016.

[Public Chapter 1020](#) – This law adds \$220 million in recurring funds to the Basic Education Program (BEP). This law included many of the recommendations of the BEP Review Committee. There will be an additional \$100 million for teacher salaries, funding for the 12th month of insurance, an additional \$20 million for technology funding, and removal of the early graduation district funding penalty. There will also be an additional \$50 million to address enrollment growth and inflationary costs. This law takes effect immediately.

[HB2087/SB2128](#) – This new law establishes a timeline for budget submissions for county legislative bodies and county LEAs, but also allows an alternative schedule to be established by the county legislative body with the concurrence of the county LEA. If a county LEA’s budget is not adopted by the county legislative body by August 31st of any year, then the county LEA’s budget will be equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP. However, if the county LEA’s budget is established by operation of law for three (3) consecutive years, then the local legislative body is required to provide an increase equal to three percent (3%) of the required local funding. Additionally, any budget amendment submitted by the county LEA must be acted upon by the county legislative body within forty (40) days of receipt. This bill only impacts county governments and county LEAs because budgeting procedures for municipal school districts are established by private acts, city charters, or the municipal legislative bodies. This law is waiting on the Governor’s signature and assignment of a public chapter. Some provisions of this law take effect immediately while others take effect next fiscal year.