



CAPITOL REPORT:

ESA/voucher lawsuit, caption bills, charter commission, and tax cuts

(Remember to wear **RED** every Wednesday, during [Civication](#) and to the [Rally for Our Schools](#) Monday, March 16).

February 10, 2020

Last week was the bill filing deadline, which meant a flurry of proposed legislation was filed in both chambers. While there are still a large number of “caption bills,” a clearer picture of the major fights this session is beginning to emerge.

Last week also saw the long-awaited filing of a lawsuit by Metro Nashville and Shelby County governments challenging the legality of the ESA voucher program. The suit alleges the law violates the state constitution by targeting only those two counties. A suit employing similar logic caused a law in 2012 to be struck down that had tried to create the municipal governments in Shelby County, and the legislature was forced to pass a bill the next year that had statewide application. People on all sides of the voucher law will be anxiously watching as the chancery court in Nashville hears the case.

There was also extensive discussion in both chambers during the confirmation hearings for the governor’s nominees for the new statewide charter commission. It is clear there is bipartisan concern about an unelected body in Nashville overturning the will of a locally elected school board and forcing an unwanted charter school open. Time will tell how frequently the commission uses this authority.

Among the themes emerging with bills being filed is a desire by some to pass tax cuts. The governor announced a plan to cut the professional privilege tax during his State of the State address last week. Other proposals seek to cut the food tax, business tax, and to make it more difficult to raise local property taxes. Until the state gets out of the bottom ten in school funding, any efforts to shrink the money coming into the state will be opposed.

Here is a summary of bills of interest this week:

Tuesday, 2/11

House CTI Subcommittee- Noon- HHRIV

- HB1687/SB1735 (Cepicky/Hensley)- OPPOSE- Requires SBE to abolish science and social studies standards in grades K-2.

- HB1688/SB1739- OPPOSE- Deletes requirement that PE be taught by a licensed teacher with a PE endorsement or a PE specialist. Deletes reporting requirements. Requires an LEA to integrate at least two 25 minute periods of physical activity into the school day.
- HB18/SB338 (Reedy/Gresham)- OPPOSE- Expands the IEA voucher program to include students who attended a private school or homeschool.
- HB1826/SB1946 (Haston/Hensley)- SUPPORT- Requires LEAs to develop and make available to LEAs formative assessment question banks that align with summative assessments required by the state.

House K-12 Subcommittee- 4:30PM- HHRIII

- HB1975/SB2262 (Moody/Gresham)- MONITOR- Adds to the list of offenses for which, upon conviction, the SBE shall revoke a teaching license.
- HB1617/SB1616 (Dixie/Haile)- OPPOSE- Reduces from 14 days to 3 days the period of time after an LEA makes an initial offer of employment to a person for a teaching position that the person has to accept that offer.

Wednesday, 2/12

House Education- 9AM- HHRI

- HB1679/SB1816 (Haston/Hensley)- SUPPORT- Requires TDOE to compile annually a list of courses that may be substituted for certain HS course requirements.
- HB1587/SB1644 (Clemmons/Kyle)- SUPPORT- Authorizes LEAs to develop and implement a “Stop the Bleed” program.

Senate Education- 2:30PM- SHRI

- SB1755/HB1671 (Haile/Lamberth)- DEFERRED- Allows a superintendent to determine whether a suspended or expelled student should be required to attend an alternative program.

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