

## What Passed and What Does it Mean

### Education Laws- 110<sup>th</sup> General Assembly January – May 2017

Public Chapter	Bill Number/Effective Date	Abstract
360	HB 0174/SB 0014  Eff. May 11, 2017	<u>Teacher Bill of Rights</u> - This law created a list of rights and protections afforded to educators, including the right to be treated with civility and respect, the right to defend themselves and their students from physical harm, and the right to review all instructional materials or curriculum prior to those materials being utilized for instruction. Perhaps most notable is the right to not be required to use their personal money to appropriately equip a classroom.
389	HB 0457/SB0 401  Eff. July 1, 2017	<u>BEP Instructional Money</u> - This law amends prior law with respect to the amount of money a teacher receives to use for instructional supplies. This law requires that K-12 teachers receive \$200 for instructional supplies by October 31 of each school year so that the teacher can spend it any time during the school year.
407	HB 1196/SB 0729  Eff. July 1, 2017	<u>Educator's Protection Act</u> - The purported legislative intent of this law is to deter the filing of meritless litigation and to sanction deliberately false reports against educators. The law provides that an educator is not civilly liable for taking any action related to the control, grading, suspension, expulsion, or discipline of a student <u>unless</u> the action violates a law, rule or clearly articulated state rule or policy. Moreover, an educator is not liable for making a required report to the appropriate law enforcement agency or other official if the educator has reasonable grounds to suspect that a student is under the influence of alcohol or a controlled substance; involved in the illegal solicitation, sale, or distribution of alcohol or drugs; or involved in any other illegal activity. The law also gives immunity from punitive damages unless an educator acts with specific intent to cause harm. Finally, and most importantly, the law provides that an educator can file a civil action against an individual over the age of 18 (or against a student's parents if the student is under the age of 18), if the individual acts with specific intent to cause harm by making an accusation of criminal activity the individual knows or should know to be false against an educator. A student that is determined by a court to have made such an accusation can be subject to several disciplinary actions, including expulsion.

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152	HB 0307/SB 1195  Eff. April 17, 2017	<u>Educating Incarcerated Students</u> - This law requires the department of education to develop, and the state board to adopt, rules to ensure the education of students incarcerated in detention centers by the LEA in which the detention center is located. The rules are to provide a procedure for funding in an amount equal to the per-pupil state and local funds received by the LEA in which the student was enrolled at the time of incarceration on a prorated daily basis for the length of the student's incarceration. Finally, the department of education is required to monitor the educational services provided to incarcerated students, but it is DCS that will be required to ensure that the detention center complies with department of education rules.
387	HB 0368/SB 0379  Eff. July 1, 2017	<u>Retired Teacher Compensation</u> - A retired teacher serving as a substitute teacher is not required to continue to renew his/her license in order to continue to work as a substitute. Moreover, the compensation that an LEA pays a retired teacher (without a license) who is serving as a substitute teacher must not be less than the compensation it pays to a retired teacher (with a license) who is serving as a substitute teacher. The law only applies, however, to retired teachers who retired between July 1, 2011 and July 1, 2016.  Note: Although I do not believe it was the legislative intent to do so, this law now provides that unless a teacher retired between the dates listed, the retiree will be required to renew their license in order to serve as a substitute. Our GR folks will address this in the upcoming legislative session.
402	HB 0695/SB 0614  Eff. May 18, 2017	<u>Teacher Training Programs</u> - This law amends prior law regarding the general assembly's involvement in teacher training programs. In this amended law the general assembly reserves the authority to require teacher training institutions to have reasonable admission standards, graduation standards, and outcomes for prospective teachers to ensure that teachers are effectively prepared to positively affect student achievement. The law also requires all full-time educator preparation program faculty members to further their professional development through direct personal involvement in public schools or LEA's on an annual basis. Moreover, all preparation providers are

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		required to establish state-recognized partnerships with each local LEA where enrolled candidates will complete any aspect of clinical practice. Finally, the law provides that the state board can review educator prep programs for noncompliance with the law.
105	HB 0918/SB 0232 Eff. April 7, 2017	<u>Computer Science Endorsement</u> - Requires the state board to create an endorsement in computer science for all teachers who demonstrate sufficient content knowledge in the course material, as determined by the state board.
287	HB 0166/SB 0156 Eff. July 1, 2017	<u>Retired Substitutes</u> - This law removes the 90-day limitation on a retired member of the Tennessee consolidated retirement system working as a substitute teacher.
451	HB 0192/SB 0136 Eff. May 25, 2017	<u>Fire Drills</u> - Changes the number of fire drills that are required to be conducted in public schools. Requires that fire drills occur once every thirty school days, with two fire drills occurring during the first thirty full days of the school year.
18	HB 0720/SB 0341 Eff. July 1, 2017	<u>School Counselors</u> - Authorizes a school counselor to refer or help facilitate a referral of a parent or legal guardian’s student to a counselor or therapist for mental health assessments or services.
361	HB 0267/SB 0263 Eff. July 1, 2017	<u>Charter School Application Fee</u> - Authorizes a chartering authority to require a charter school sponsor to pay to the chartering authority an application fee of up to \$2,500 with each charter school application the charter school files. This is a \$2,000 increase over prior law.
307	HB 0310/SB 1197 Eff. July 1, 2017	<u>Tennessee High-Quality Charter Schools Act</u> -  Among other things, the law does the following:  1. Adds the term “conversion charter” as a new term in the code.  2. Allows charters to separate the data from the ASD from the rest of the charter schools in the state, to possibly skew their performance in their favor.  3. No longer requires a charter to file an annual report the constituency of students i.e., the number who were previously enrolled in priority schools, students who, in their previous school, failed to test proficient, etc.

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		<p>4. Removes the provision in the law that encouraged chartering authorities to adopt national authorizing standards for use in reviewing chartering school applications and removes the provision that required the state board to actually adopt national authorizing standards. All that is required now is for chartering authorities to adopt policies and practices for quality authorizing standards as approved by the state board.</p> <p>5. Requires a chartering authority to notify the department of education within 10 days of its approval or denial of a charter application.</p> <p>6. Beginning with the 2018-2019 school year, if a local board is a chartering authority it shall receive an annual authorizer fee. Any of those funds not used to fulfill its authorizing functions are required to be distributed to its charter schools.</p> <p>7. Rewrites the enrollment provisions and preferences for charter students.</p> <p>8. Removes the ability of a chartering authority to grant conditional approval of a charter application.</p> <p>9. Requires chartering authorizers to submit annual authorizing reports to the department of education. The report is required to include a performance report for each charter school it oversees.</p> <p>10. Requires an LEA to provide a charter school with a list of student names, ages, addresses, dates of attendance, and grade levels completed at no cost.</p> <p>11. Requires the department of education to develop a model performance framework for charters.</p> <p>12. Authorizes the commissioner of the department of education to establish a public charter schools facilities program to assist charter schools in acquiring and improving property, including assistance with any costs associated with the purchase of property and assistance with the repayment of debt incurred for existing capital</p>
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		<p>outlay projects. Also authorizes the commissioner to award grants and loans for qualifying capital projects.</p> <p>13. Requires that, upon request, an LEA must provide to chartering authorities and public charter schools that have been approved to operate one or more schools in the district, a list of student names, ages, addresses, dates of attendance, and grade levels completed. Parents can decline, however, to receive further information from the charter school.</p>
177	<p>HB 0308/SB 1198</p> <p>Eff. April 24, 2017</p>	<p><u>School Accountability</u>- This law revises various provisions regarding student accountability measures due to the implementation of the ESSA, including revising the way the state board of education and the department of education determine the performance level of a school.</p> <p>Expands the schools that will receive a priority designation, to include high schools with a graduation rate below 66%, and nay school with consistently underperforming subgroups that don't improve after targeted support. Note that this could happen to a top performing school that has underperforming subgroups.</p> <p>Provides that only priority schools may be assigned to the ASD after June 1, 2017. After that date, schools placed in the ASD shall only serve grades that the school served at the time the commissioner assigned the school to the ASD. The charter, however, may apply to the LEA to expand the grades the school serves.</p> <p>Removes the requirement that a school placed in the ASD must remain there for five years and provides that a school shall remain in the ASD until the school is no longer identified as a priority school for two consecutive cycles beginning with the 2017 priority list. No school, however, shall remain in the ASD more than ten years unless 60% of the parents petition to remain in the ASD.</p> <p>Authorizes the state board to adopt an alternate academic diploma for students with the most significant cognitive disabilities.</p>

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238	HB 0922/SB 0128 Eff. April 28, 2017	<u>Group Insurance</u> - Requires the local education insurance committee, in regard to a group insurance plan for eligible employees of local education agencies (LEAs), to provide claims data for the purpose of underwriting and premium rating, in certain circumstances; such data must be provided within 30 days of receipt of a written request for such claims data from an LEA.
376	HB 0329/SB 0034 Eff. May 18, 2017	<u>HOPE Teacher's Scholarship</u> - Amends the scholarship requirements by decreasing the amount of time that teachers are required to teach math or science in a public school in order to be eligible for a Tennessee HOPE teacher's scholarship from two years to one year.
289	HB 0322/SB 1210 Eff. July 1, 2018	<u>School Transportation Supervisor</u> - This law establishes a school transportation supervisor program for the monitoring and oversight of transportation services for local education authorities and charter schools; requires new school bus drivers to complete a training program prior to transporting students; requires a driver to be at least 25 years of age to receive an initial school bus driver license endorsement. Requires every local board of education and charter management organization to adopt a transportation policy relative to the safe transportation of students, which includes, among other things, a procedure for bus safety complaints.
22	HB 0388/SB 0598 Eff. July 1, 2017	<u>Influenza Information</u> - Requires LEAs to ensure schools provide parents and guardians with information about influenza and the effectiveness of vaccination at the beginning of each school year.
19	HB 0414/SB 0399 Eff. March 24, 2017	<u>Board of Education Duties</u> - This law makes it the duty of the state board of education to issue professional licenses upon the work done in standard teacher-training institutions, colleges and universities that must be approved by the state board of education after inspection as may be provided by the board.
313	HB 0439/SB 0733 Eff. July 1, 2017	<u>Intruder Drills</u> - Requires each school safety team to conduct at least one armed intruder drill annually.
256	HB 0448/SB 0458 Eff. July 1, 2017	<u>Student Drug Overdoses</u> - Requires the state board of education to develop guidelines for the management of students presenting with a drug overdose for which administration of an opioid antagonist may be appropriate. Authorizes LEAs to maintain opioid antagonists in schools. A school nurse, school resource officer, or other trained

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		school personnel may use the opioid antagonist to respond to a drug overdose. No liability for administering unless administration was done with intentional disregard for safety.
143	HB 0626/SB 0575  Eff. April 17, 2017	<u>Teacher Evaluation Data</u> - Requires the department of education to provide all state board of education approved teacher training programs access to annual evaluation data for teachers and principals graduating from the programs for a minimum of five years following the completion of the program. Such information shall not be made public and can be used only for the purpose of making improvements to the program.
415	HB 1379/SB 0897  Eff. May 18, 2017	<u>LEA Purchasing</u> - Adds LEAs to the provisions whereby a county, municipality, utility district, or other local government entity having centralized purchasing authority with a full-time purchasing agent is authorized, by resolution or ordinance of its governing body, to increase the threshold over which public advertisement and sealed competitive bids or proposals are required to an amount not to exceed \$25,000 for nonemergency, nonproprietary purchases.
21	HB 0565/SB 0490  Eff. March 24, 2017	<u>LEA Financial Reports</u> - Removes the requirement that the county trustee, treasurer, or other fiscal agent of an LEA annually submit a complete certified copy of the financial report of the LEA to the commissioner of education on or before July 15.
346	HB 0230/SB 1262  Eff. July 1, 2017	<u>Tax Revenues</u> - Extends by one year the manner in which liquor-by-the-drink tax proceeds are distributed to local political subdivisions.
322	HB 0240/SB 0092  Eff. May 9, 2017	<u>Textbook Advisory Committee</u> - Requires the state textbook and instructional materials quality commission to appear before sunset review committee in 2017 to address the issue of non-educators serving on textbook advisory committees.