

SENATE BILL 2268

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

(a) Notwithstanding another law to the contrary, the department of education shall annually collect the following information for each provider and nonpublic school, as defined in § 49-6-3001, that receives public funds through a scholarship, voucher, education savings account, individualized education account, or similar program created to provide parents, guardians, or students state or local funds to assist the parent, guardian, or student in paying tuition, fees, and any other approved expenses associated with the student enrolling in and attending a nonpublic school in this state:

(1) The tuition charged by the nonpublic school, including any changes to the tuition charged from the immediately preceding school year, and any financial aid offered to students by the nonpublic school;

(2) The admission policies of the nonpublic school, including any financial charges associated with application or prerequisites for admission;

(3) Demographic data for students enrolled in the nonpublic school who:

(A) Are participating in a program described in this subsection (a), disaggregated by race, income, disability status, and English language learner (ELL) status; and

- (B) Are not participating in a program described in this subsection
- (a), disaggregated by race, income, disability status, and ELL status;
 - (4) Information on the services provided by the nonpublic school for students with disabilities and for ELL students;
 - (5) Data related to applications, admissions, enrollment, and disenrollment of students seeking to use, or who are using, state aid, as well as the nonpublic school's reasons for any declined admission or disenrollment;
 - (6) For any student participating in a program described in this subsection (a), whether the student attended a public, private, or home school in the school year immediately preceding the school year in which the student began participating in the program, as well as the name of the LEA or public charter school the student previously attended, if applicable;
 - (7) For any student participating in a program described in this subsection (a), the student's performance on any assessments taken by the student while enrolled in the nonpublic school pursuant to state law;
 - (8) For any student participating in a program described in this subsection (a), the graduation and dropout rates at the nonpublic school;
 - (9) The amount of public funds received by a student who is participating in a program described in this subsection (a) that were used to pay tuition at the nonpublic school. If public funds were used to pay expenses other than tuition, the types of educational expenses for which such funds were used and the corresponding amounts of each such expense;
 - (10) The amount of private funds used to supplement the public funds received by each student enrolled in the nonpublic school who is participating in a program described in this subsection (a); and

(11) Results from any parental satisfaction survey or other information mandated for collection by the respective program's authorizing state law.

(b) The department of education shall annually report to the general assembly, no later than January 1, 2025, and by each January 1 thereafter, data collected pursuant to subsection (a) for each provider and nonpublic school participating in a program described in subsection (a). To the extent school-level reporting of student performance is limited by state or federal privacy laws, the department shall note such limitation in the school-level report and include student performance data aggregated by the LEA and statewide. The department shall also include in each annual report:

(1) The number of students participating in a program described in subsection (a), disaggregated by program;

(2) The number and identification of each nonpublic school participating in a program described in subsection (a), disaggregated by program;

(3) The number and identification of each category of nonpublic school participating in a program described in subsection (a), disaggregated by program;

(4) The aggregate amount of public funds provided for each category of nonpublic school, each nonpublic school, and each provider;

(5) The types of educational expenses for which public funds are used and the corresponding amounts for each use;

(6) An analysis of whether the state funds were sufficient for enrollment or for the provided service, and, where private funds were used, the amounts of private funds necessary for the student to enroll or use the provided service;

(7) Demographic analysis by race, income, disability status, ELL status, and school previously attended of students who applied to use public funds for enrollment in a private school through a program described in subsection (a);

(8) Demographic analysis by race, income, disability status, ELL status, and school previously attended of students who received and used public funds for enrollment in a private school through a program described in subsection (a);

(9) Demographic analysis by race, income, disability status, ELL status, and school previously attended of students who were disenrolled by a nonpublic school participating in a program described in subsection (a); and

(10) Student performance and graduation data disaggregated by school, LEA, and statewide at the lowest levels permitted in compliance with federal and state privacy laws.

(c) Each provider and nonpublic school participating in a program described in subsection (a) shall post the annual report on its website.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.