



# State of Tennessee

## PUBLIC CHAPTER NO. 1005

### SENATE BILL NO. 191

By Lundberg

Substituted for: House Bill No. 390

By Cepicky, Moody, Haston

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, Section 49-6-818(a)(2), is amended by deleting the language ", bullet-resistant or".

SECTION 2. Tennessee Code Annotated, Section 49-6-407(c), is amended by designating the existing language as subdivision (1) and adding the following new subdivision:

(2) An LEA shall not create a local grading policy or procedure that establishes a minimum grade above zero (0) that a student may earn for coursework.

SECTION 3. Tennessee Code Annotated, Section 49-5-108(a), is amended by adding the following as a new subdivision:

(3) Professional licenses issued by the state board of education must be valid for a period of no less than eight (8) years. This subdivision (a)(3) does not prohibit the state board from establishing professional development requirements that must be met by an educator who holds a professional license during the licensure period as a condition of the educator retaining the educator's license for the licensure period.

SECTION 4. Tennessee Code Annotated, Section 49-1-613, is amended by deleting the word "annual" in subsection (a) and by adding the following as a new subsection (c):

(c) The department shall not require a school or LEA to submit the school's or LEA's school improvement plan to the department for approval more than once every three (3) years.

SECTION 5. Tennessee Code Annotated, Section 49-1-228, is amended by adding the following as a new subsection:

(i) Notwithstanding subsection (a), student achievement, student growth, or any other student data that serves as an indicator of performance for a student who enrolls in, or transfers to, a public school on or after December 31 must not be used to assign a letter grade to the receiving school for purposes of this section. The data described in this subsection (i) may be used to assign a letter grade to the school in which the student was enrolled prior to December 31 of the respective school year.

SECTION 6. Tennessee Code Annotated, Section 49-1-602, is amended by adding the following as new subsections:

(f) Notwithstanding another law to the contrary, the state board of education shall not include in the performance goals and measures for a public school or LEA, the student achievement, student growth, or any other student data that serves as an indicator of performance for a student who enrolls in, or transfers to, the public school or LEA on or after December 31. The data described in this subsection (f) may be included in the performance goals and measures for the public school or LEA in which the student was enrolled prior to December 31 of the respective school year, if applicable.

(g)(1) Notwithstanding another law to the contrary, the state board shall not include in the performance goals and measures for a public school or LEA, the number of students enrolled in the public school or LEA who have been identified by the public school, LEA, or department of education as chronically absent due to the student's receipt of medical treatment for a chronic illness or other health-related issue. The LEA's director of schools or the director of the public charter school shall notify the department in writing of each student enrolled in the LEA or public charter school who is chronically absent due to the student's receipt of medical treatment for a chronic illness or other health-related issue.

(2) Subdivision (g)(1) does not prohibit the department from collecting data on students who are chronically absent from a public school or LEA in this state, or from reporting such data on the state report card or as otherwise required by the Every Student Succeeds Act (20 U.S.C. § 6301 et seq.).

(3)(A) Each LEA and public charter school shall develop, adopt, and implement an intervention policy for students who are chronically absent and submit the policy to the department for approval. An intervention policy adopted pursuant to this subdivision (g)(3) must describe:

(i) How chronically absent students will be identified;

(ii) What documentation the LEA or public charter school will require from parents, guardians, or students to determine whether an absence from school is excused or unexcused;

(iii) How the academic progress of chronically absent students will be monitored by the LEA or public charter school;

(iv) How the LEA or public charter school will regularly communicate with parents and guardians of chronically absent students, which must include, at a minimum, conducting meetings or conferences at established intervals with a parent or guardian of a chronically absent student and recording the attendance of each school official and parent or guardian at each meeting; and

(v) Other intervention methods, including any available community resources, identified by the LEA or public charter school to assist parents and guardians of chronically absent students in addressing the factors that may be causing or contributing to the student's absence from school.

(B) The department shall not require an LEA or public charter school to submit its intervention policy to the department more than once every three (3) years.

(4) For purposes of this subsection (g), "chronically absent" means that a student has been absent from school for eighteen (18) or more school days of the respective school year.

SECTION 7. The department of education shall, no later than January 1, 2025, submit a request to the United States department of education to amend this state's Every Student Succeeds Act (ESSA) plan for purposes of implementing Sections 4-6 of this act.

SECTION 8.

(a) Section 2 of this act takes effect upon becoming a law, the public welfare requiring it, and applies to the 2024-2025 school year and each school year thereafter.

(b) Section 3 of this act takes effect July 1, 2024, the public welfare requiring it.


(c) Sections 4-6 of this act take effect on the thirtieth day immediately following the date on which the United States department of education approves the amendment to this state's Every Student Succeeds Act (ESSA) plan submitted pursuant to Section 7 of this act, the public welfare requiring it. The commissioner of education shall notify the executive secretary of the Tennessee Code Commission in writing of the date on which the United States department of education approved the amendment. If the United States department of education does not approve the amendment, then Sections 4-6 of this act have no effect.

(d) All other sections of this act take effect upon becoming a law, the public welfare requiring it.


SENATE BILL NO. 191

PASSED: April 25, 2024

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 28<sup>th</sup> day of May 2024

  
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BILL LEE, GOVERNOR