

HOUSE BILL 858

By Powers

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

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

SECTION 1. Tennessee Code Annotated, Section 49-1-104, is amended by deleting subsection (h) and substituting instead the following:

(h)

(1) An LEA operating a virtual school or virtual education program shall not exceed the teacher/pupil ratios established in this section.

(2) Notwithstanding subdivision (h)(1), a virtual school may exceed the maximum class sizes established in this section by up to thirty percent (30%).

(3) Notwithstanding subdivision (h)(2), a virtual school shall comply with the class size and caseload requirements for special education established by the state board of education. The chief administrator of a virtual school shall review the student caseloads for each teacher employed by the school and shall consult with each teacher when determining class size and student caseloads to ensure that the teacher can meet the needs of students, including students with disabilities, as required by the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), and the students' individualized education program (IEP), if applicable.

(4) A virtual school shall maintain accurate records and monitor compliance with maximum class size requirements.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to the 2021-2022 school year and each school year thereafter.