

HOUSE BILL 865

By Brooks K

AN ACT to amend Tennessee Code Annotated, Title 49
and Title 55, relative to suspension of students.

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

SECTION 1. Tennessee Code Annotated, Section 55-50-303(a), is amended by adding the following language as a new, appropriately designated subdivision:

() To any person eighteen (18) years of age or younger who has been suspended from school for a total of ten (10) or more days, consecutively or nonconsecutively, in any school year. Such person shall be ineligible for a license until the person reaches eighteen (18) years of age or until a period of two (2) years has elapsed from the date of the tenth day of suspension in the school year, whichever is later.

SECTION 2. Tennessee Code Annotated, Section 55-50-502(a)(1), is amended by adding the following language as a new, appropriately designated subdivision:

() Is under eighteen (18) years of age and has been suspended from school for a total of ten (10) or more days, consecutively or nonconsecutively, in any school year. The license of such licensee shall be revoked until such person reaches eighteen (18) years of age or for a period of two (2) years from the date of the tenth day of suspension in the school year, whichever is later.

SECTION 3. Tennessee Code Annotated, Section 49-6-3017, is amended by adding the following language as a new, appropriately designated subsection:

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(1) The director of schools for an LEA shall notify the department of safety when a student attending school in the LEA has been suspended from

school for a total of ten (10) or more days, consecutively or nonconsecutively, in any school year. The director shall notify the department within ten (10) days of the tenth day of suspension in the school year. Within five (5) days of the receipt of such notice, the department shall send notice to any such student who is a licensee that the licensee's license shall be suspended under the provisions of title 55, chapter 50, for a period of two (2) years or until the licensee reaches eighteen (18) years of age, whichever is later. If the student is not licensed, within five (5) days of the receipt of such notice, the department shall send notice to the student that the student is ineligible to be licensed until the student reaches eighteen (18) years of age or until a period of two (2) years has elapsed from the date of the tenth day of suspension in the school year, whichever is later.

(2) Any person who has received notice of revocation pursuant to the provisions of this subsection may request an administrative review under the procedures of §§ 55-50-511--55-50-514, except that the sole issue at any such review shall be whether by a preponderance of the evidence the person has been suspended from school for a total of ten (10) or more days, consecutively or nonconsecutively, in any school year.

SECTION 4. This act shall take effect July 1, 2009, the public welfare requiring it.