

HOUSE BILL 1535

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to supplemental materials used by
teachers.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 22, is amended by adding the following as a new section:

(a) As used in this section, "supplemental materials" means a lesson plan, reading material, student worksheet, or instructional guide that a teacher uses to instruct a student on the academic standards of this state, and the lesson plan, student worksheet, or instructional guide is not created by the teacher or any other teacher within the school. "Supplemental materials" does not include any materials that are previously approved or provided by the state board of education or the department of education.

(b) A teacher may only use supplemental materials that are approved by the state board of education.

(c)

(1) A teacher or LEA may submit a request for approval to use supplemental materials to the state board of education.

(2) The state board of education shall provide at least five (5) days' notice to the public on the state board's website of the state board's review of supplemental materials. The public is authorized to provide public comment on the supplemental materials during and after the review process. Comments must be submitted to the state board by regular mail, email, or in another electronic

format determined by the state board. The state board shall review the public comments submitted when reviewing the supplemental material for approval.

(3) The state board shall review supplemental materials submitted to it and may approve the supplemental materials if the state board determines that the supplemental materials are:

(A) Aligned with the state academic standards; and

(B) Appropriate for the grade level receiving the material.

(4) Upon completion of the state board's review, the state board shall notify the teacher or LEA that submitted the request of the state board's decision to approve or deny the request.

(5) The state board shall conduct the supplemental materials review in a timely manner.

(d)

(1) The state board shall prepare a list of the approved supplemental materials so that teachers and citizens in this state may review the supplemental materials.

(2) A teacher is not required to seek additional approval to use supplemental materials that are on the approved list.

(e) In administering this section, the state board shall comply with all applicable copyright laws.

(f) This section does not apply to a teacher teaching outside of the regular school hours.

(g) The state board of education shall promulgate rules, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to effectuate the purposes of this section.

SECTION 2. Tennessee Code Annotated, Section 49-6-2202(b)(3), is amended by deleting the subdivision and substituting:

This part does not prohibit the use of or apply to supplemental instructional materials except as provided in Section 1.

SECTION 3. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2021, the public welfare requiring it.