

HOUSE BILL 1631

By Dunn

AN ACT to amend Tennessee Code Annotated, Section 49-6-3050, relative to home schools.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-3050, is amended by deleting the section in its entirety and substituting instead the following:

49-6-3050.

(a)

(1) A home school is a school conducted or directed by a parent or parents or a legal guardian or guardians for their own children. Public school facilities may be used by home school participants with the approval of the principal of the school involved at the expense, if any, of the party requesting its use. This permissive authority shall not be construed to confer any right upon the participants to use public school facilities. If approved, use shall be in accordance with rules established by the local board of education.

(2)

(A) Home schools that teach kindergarten through grade twelve (K-12), where the parents are associated with and where students are enrolled with a church-related school, as defined by § 49-50-801, that are supervised by the church-related school's director and that administer or offer standardized achievement tests, are exempt from this section.

(B) Parent-teachers, who register with an organization for conducting a home school for students in grades nine through twelve (9-

12), shall possess at least a high school diploma or general education development certificate (GED).

(3) A parent-teacher may enroll their home school student(s) grades K-12 in a church related school, as defined in § 49-50-801, and participate as a teacher in that church related school. That parent-teacher would then be subject to the requirements established by that church related school for home school teachers and exempt from the rest of the provisions of § 49-6-3050.

(b) Except for home schools operated under subdivision (a)(2)(A) or (a)(3), a parent-teacher conducting a home school shall comply with the following requirements:

(1) Provide annual notice to the local director of schools prior to beginning to conduct a home school each school year of the parent-teacher's intent to conduct a home school and, for the purpose of reporting only, submission to the director of schools of the names, number, ages and grade levels of the children to be home schooled, the location of the school, the proposed curriculum to be offered, and the qualifications of the parent-teacher relative to subdivision (b)(4). Information contained in the reports may be used only for record keeping and other purposes for which similar information on public school students may be used in accordance with guidelines, rules and regulations of the state board of education. The director of schools or the director of schools' designee shall ensure that attendance teachers are informed of parents' rights to conduct a home school pursuant to § 49-6-3001(c)(4), subsection (a) of this section and § 49-50-801 upon employment of such persons and at the beginning of each school year;

(2) Maintenance of attendance records, subject to inspection by the local director of schools at such time and place as suitable for the director of schools

and parent, and submission of these records to the director of schools at the end of each school year;

(3) Instruction for at least four (4) hours per day for the same number of instructional days as are required by state law for public schools; and

(4) Possession of a high school diploma or GED by the parent-teacher conducting classes in grades nine through twelve (9-12).

(c) In the event of the illness of a parent-teacher, or at the discretion of the parent-teacher, a tutor, having the same qualifications that would be required of a parent-teacher teaching the grade level or course, may be utilized by the parent-teacher.

(d) An LEA that has responsibility under this section because home schools are conducted within its jurisdiction shall receive a state grant for accounting and record keeping expenses. The amount of this grant shall be set annually by the commissioner and shall not exceed one hundred dollars (\$100) per home school student. The grant shall not be included in, or considered a part of, the BEP.

(e) The department of education shall provide annually to home schools with which they have contact, information about meningococcal disease and the effectiveness of vaccination against meningococcal disease at the beginning of every school year. This information shall include the causes, symptoms and the means by which meningococcal disease is spread and the places where parents and guardians may obtain additional information and vaccinations for their children. This information may be provided electronically or on the department's web site. Nothing in this subsection (e) shall be construed to require the department of education to provide or purchase vaccine against meningococcal disease.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.