

HOUSE BILL 1955

By DeBerry

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to charter schools.

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

SECTION 1. Tennessee Code Annotated, Section 49-1-614(k), is amended by deleting subdivision (3) and substituting instead the following:

(3) Notwithstanding subdivision (k)(1) or any other provision to the contrary, the commissioner may remove a school that is directly operated by the ASD from the jurisdiction of the ASD at any time. The commissioner shall not remove a school that is operated as a charter school through authorization by the ASD pursuant to § 49-13-106 from the jurisdiction of the ASD until the expiration of the charter agreement.

SECTION 2. Tennessee Code Annotated, Section 49-13-128, is amended by deleting subsection (d) and substituting instead the following:

(d) Beginning with the 2020-2021 school year, if the achievement school district (ASD) authorizes a public charter school under § 49-1-614, then the ASD must receive an annual authorizer fee that is a percentage of the public charter school's per pupil state and local funding as allocated under § 49-13-112. The annual authorizer fee must be the lesser of three percent (3%) of the annual per student state and local allocations or thirty-five thousand dollars (\$35,000) per school.

SECTION 3. Tennessee Code Annotated, Section 49-1-614(f), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) The ASD shall not charge a public charter school authorized by the ASD pursuant to § 49-13-106 rent to lease, access, or use any school building, facilities, or

property that is otherwise part of the school, and that was recognized as part of the facilities or assets of the school, prior to the school's placement in the ASD. The ASD shall grant a public charter school authorized by the ASD pursuant to § 49-13-106 full access, at no cost, to any additional facilities that were available to the school or to the school's students, faculty, and staff prior to the school's placement in the ASD.

SECTION 4. Tennessee Code Annotated, Section 49-1-614, is amended by adding the following as a new subsection:

The ASD shall adopt for all public charter schools it authorizes pursuant to § 49-13-106, the quality public charter school authorizing standards approved and adopted by the state board of education pursuant to § 49-13-108.

SECTION 5. Nothing in this act shall be construed to abridge or impair a contract or agreement executed before the effective date of this act. Any such contract or agreement shall remain in full force and effect until the expiration of the contract or agreement.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.