

HOUSE BILL 1973

By Pitts

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to student personal identification numbers.

WHEREAS, over two million children of active duty military parents and guardians live with perpetual challenges presented by frequent moves, parental and sibling deployments, and a host of transitions, including reintegration and dealing with profoundly changed parents; and

WHEREAS, the well-being of these children depends heavily on a network of supportive adults who are trained to identify early signs of emotional or physical challenges;

WHEREAS, states should maintain a database for students with active duty military parents and guardians to allow for the tracking of data such as attendance, academic progress, and graduation of these students; and

WHEREAS, schools and districts will benefit by having a data entry point that identifies children of active duty military parents and guardians to help inform policy and program decisions for this student population; and

WHEREAS, states will be able to assist the Department of Defense in developing policy and education initiatives for students of active duty military parents or guardians; now, therefore,  
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-5101, is amended by designating the existing language as subsection (a) and by adding the following language as new, appropriately designated subsections:

(b) To facilitate the identification and tracking of students with active duty military parents or guardians from school to school, LEA to LEA, and state to state, and to facilitate and make more efficient the keeping of records, the personal identification

number assigned to students with active duty military parents or guardians shall be maintained in a separate electronic database that is managed by the department of education.

(c) The department shall:

(1) Create a data entry point that identifies students with active duty military parents or guardians;

(2) Disaggregate data to identify students with active duty parents and guardians and children of parents or guardians of the national guard or reserves as separate groups;

(3) Prescribe a uniform program for the collection, maintenance, and transfer of data that each LEA must adopt;

(4) Prescribe the format for the data; and

(5) Prescribe the date by which each LEA shall report the data to the department.

(d) The information collected pursuant to subsections (b) and (c) shall be utilized as cohort data as a report-only subgroup and not for the purposes of school, LEA, or teacher evaluations.

(e) The department shall establish, to the extent authorized by the Family Education Rights and Privacy Act (FERPA), compiled in 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, a mechanism for a person or entity to have different types of access to the information contained in the database, to the extent that such information is necessary for the performance of a duty or that such information may be made available without posing a threat to the confidentiality of a student.

(f) For the purposes of this subsection (e), "person or entity" includes state officers who are members of the executive or legislative branch, administrators of public schools and school districts, teachers and other educational personnel, and parents and guardians.

SECTION 2. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.