

SENATE BILL 376

By Campbell

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to the education of students in  
kindergarten through grade three.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by  
adding the following as a new section:

(a) Notwithstanding § 49-1-104, beginning with the 2021-2022 school year, the maximum class size for any of the grades kindergarten through three (K-3) shall not exceed twenty (20) students, and the average size of any K-3 grade level unit shall not exceed fifteen (15) students, in a school in which fifty percent (50%) or more of the school's third grade students were not reading on grade level by the end of the immediately preceding school year, as determined by the department of education.

(b) The department shall identify each school in which fifty percent (50%) or more of the school's third grade students were not reading on grade level by the end of the immediately preceding school year by July 1, 2021, for the 2021-2022 school year, and by July 1 of each year thereafter for subsequent school years.

(c) Notwithstanding chapter 3, part 3 of this title, beginning with the 2021-2022 fiscal year, the basic education program (BEP) must fund one (1) full-time classroom teaching position for each fifteen (15) K-3 students enrolled in each school identified by the department as having met the criteria outlined in subsection (b) for the immediately preceding school year. Each LEA shall apportion any increase in funding generated for teaching positions pursuant to this section to each school located within the geographic boundaries of the LEA identified by the department pursuant to subsection (b). Each

school that receives an increase in funding pursuant to this subsection (c) shall use the funds to employ additional K-3 teachers to provide additional support to K-3 students.

SECTION 2. The state board of education shall promulgate rules necessary to effectuate this act, including, but not limited to, rules to proscribe the methods and measures that the department must use to identify schools in which fifty percent (50%) or more of the schools' third grade students were not reading on grade level by the end of the immediately preceding school year. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.