



State of Tennessee

PUBLIC CHAPTER NO. 170

SENATE BILL NO. 414

By Yarbrow, Robinson, Akbari, Campbell, Rose

Substituted for: House Bill No. 973

By Dixie, Love, Harris, McKenzie, Parkinson, Camper, Hardaway, Hakeem, Shaw, Towns, Miller, Chism, Lamar, Cooper, Cepicky, Tim Hicks, Moody, Weaver, Warner, White, Sparks, Carringer, Clemmons

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 10, relative to advanced coursework.

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

SECTION 1. This act is known and may be cited as the "SEM Advancement Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Academic acceleration policy" means a policy that establishes objective criteria for the enrollment of students into any available advanced English language arts, mathematics, or science courses; and

(2) "Parent" means the parent, guardian, or person who has custody of the child, or individual who has caregiving authority under § 49-6-3001.

(b) By the 2021-2022 school year, a local board of education or public charter school governing body shall develop and adopt an academic acceleration policy for the enrollment of students in grades seven through twelve (7-12) into any available advanced English language arts, mathematics, or science courses.

(c) The objective criteria in an academic acceleration policy developed and adopted pursuant to subsection (b) must include, but is not limited to:

(1) A student's performance on the most recent Tennessee comprehensive assessment program (TCAP) assessment; and

(2) A student's grades in the student's English language arts, mathematics, or science courses.

(d) A local board of education or public charter school governing body may incorporate additional criteria into an academic acceleration policy developed and adopted pursuant to subsection (b), which may include:

(1) A student's results on local assessments;

(2) A student's high school plan of study; and

(3) Student self-nomination.

(e)(1) An LEA or public charter school shall notify the parent of a student eligible to enroll in an advanced course, pursuant to the LEA's or public charter school's academic acceleration policy, of the student's eligibility to enroll in the advanced course.

(2) The notice required under subdivision (e)(1) must:

(A) Be provided in writing;

(B) Inform the student's parent that once enrolled, the student must remain enrolled in the advanced course unless the parent requests, in writing, that the parent's student be removed from the course; and

(C) Provide a date by which the student's parent must submit a written request to the LEA or public charter school to remove the student from the advanced course.

(f) An LEA or public charter school shall not remove a student who is enrolled in an advanced course, pursuant to the LEA's or public charter school's academic acceleration policy, unless:

(1) The student's parent timely submits a request in writing to the LEA or public charter school requesting that the parent's student be removed from the course; or

(2) After no less than thirty (30) days of instruction, the student's teacher in an advanced course determines that, based on the student's performance in the course, the student should be removed from the course and placed in an alternate course. If a teacher determines that a student should be removed from an advanced course pursuant to this subdivision (f)(2), then the student's teacher may submit a request to the principal, or the principal's designee, to remove the student from the advanced course. The principal, or the principal's designee, shall review a removal request made by a teacher pursuant to this subdivision (f)(2), and must either grant or deny the teacher's request.

(g)(1) By October 1, 2022, and each October 1 thereafter, the department of education shall submit a report to the education committees of the senate and the house of representatives containing:

(A) Data collected by the department on the number and demographics of students qualified under this section to enroll in advanced English language arts, mathematics, or science courses in grades seven through twelve (7-12) compared with the numbers and demographics of students not enrolled in advanced English language arts, mathematics, or science courses; and

(B) Information on the type and format of the advanced courses offered by each LEA and public charter school and any feedback received from LEAs and public charter schools on the implementation of this section.

(2) The department shall post the report described under this subsection (g) on the department's website.


(3) Disclosure under this subsection (g) must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g); § 10-7-504; the Data Accessibility, Transparency and Accountability Act, compiled in chapter 1, part 7 of this title; and all other relevant privacy laws.

(h) The state board of education is authorized to promulgate rules to effectuate the purposes of this act, including objective criteria for enrollment in available advanced English language arts, mathematics, or science courses that local boards of education or public charter school governing bodies must use to develop the policy required under subsection (b). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

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


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PASSED: April 1, 2021


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 20th day of April 2021


BILL LEE, GOVERNOR