

SENATE BILL 975

By Harper

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1, Part 6; Title 49, Chapter 13 and Title 49, Chapter 6, Part 70, relative to the achievement school district.

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

SECTION 1. Tennessee Code Annotated, Section 49-1-614, is amended by deleting the section in its entirety and substituting instead:

(a) Effective at the close of the 2015–2016 school year, the achievement school district (ASD) shall be abolished as an organizational unit of the department of education.

(b) An LEA in which a school is operated by the ASD shall assume responsibility for the school and its students.

(c)

(1) Any teacher employed by the ASD who was formerly employed by the LEA may, at the discretion of the LEA, return as an employee of the LEA.

(2) The LEA, if it so chooses, may hire any licensed teacher employed by the ASD who was not formerly employed by the LEA.

(3) With the exception of the provisions protecting teachers' rights to accumulated sick leave, retirement benefits, pension, and tenure status within an LEA, § 49-5-203 shall not apply to teachers who return to the LEA as an employee of the LEA after the closure of the ASD.

(d)

(1) The LEA in which the charter school is located shall become the chartering authority for a charter school authorized by the ASD pursuant to § 49-13-104(5)(B)(iii).

(2) Upon the expiration of the charter agreement for a charter school authorized pursuant to subdivision (d)(1), the charter school shall submit its renewal application under § 49-13-121 to the LEA. The LEA shall be the chartering authority, if the LEA approves the renewal application.

(e) Any school building, facilities, property, and assets provided by the LEA for schools operated by the ASD shall be returned to the LEA.

SECTION 2. Tennessee Code Annotated, Section 49-6-7006, is amended by deleting the section in its entirety.

SECTION 3. Tennessee Code Annotated, Section 49-6-7007, is amended by deleting the section in its entirety.

SECTION 4. Tennessee Code Annotated, Section 49-6-7008, is amended by deleting the section in its entirety.

SECTION 5. Tennessee Code Annotated, Section 49-6-7009, is amended by deleting the section in its entirety.

SECTION 6. Tennessee Code Annotated, Section 49-1-602(b)(2)(C), is amended by deleting the subdivision in its entirety.

SECTION 7. Tennessee Code Annotated, Section 49-13-104(5)(B), is amended by adding the following language as a new subdivision:

(iii) Upon the dissolution of the achievement school district pursuant to § 49-1-614 for all charter schools that were authorized by the achievement school district prior to July 1, 2015.

SECTION 8. Tennessee Code Annotated, Section 49-13-104(5)(A), is amended by deleting the language “or the achievement school district as defined in § 49-1-614”.

SECTION 9. Tennessee Code Annotated, Section 49-13-106(a)(2), is amended by deleting the subdivision in its entirety.

SECTION 10. Tennessee Code Annotated, Section 49-13-106(b)(1)(C), is amended by deleting the subdivision and substituting instead:

(C) In reviewing applications for newly created charter schools, the LEA shall give preference to and accept applications that demonstrate the capability to meet the needs of the following groups of students:

(i) Students who are assigned to, or were previously enrolled in, a school identified as a priority school, as defined by the state's accountability system;

(ii) Students who, in the previous school year, failed to test proficient in the subjects of reading/language arts or mathematics in grades three through eight (3–8) on the Tennessee comprehensive assessment program examinations;

(iii) Students who, in the previous school year, failed to test proficient in the subjects of reading/language arts or mathematics on the end of course assessments in grades nine through twelve (9–12); or

(iv) Students who are eligible for free or reduced price lunch;

SECTION 11. Tennessee Code Annotated, Section 49-13-122(a), is amended by deleting the language “schools authorized by the achievement school district pursuant to § 49-1-614 or to”.

SECTION 12. Tennessee Code Annotated, Section 49-13-126(b), is amended by deleting the subsection in its entirety.

SECTION 13. This act shall take effect July 1, 2015, the public welfare requiring it.