

SENATE BILL 1471

By Barnes

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

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

SECTION 1. Tennessee Code Annotated, Section 49-6-3004, is amended by deleting subsection (f) and substituting instead the following:

(f)

(1) Beginning with the 2011-2012 school year and every year thereafter, LEAs and all schools receiving any funds from the state shall commence the school year no earlier than the fourth Monday in August, unless the LEA's board of education votes by a majority of its membership to establish a year-round calendar for all or any of the schools within its jurisdiction in accordance with the department of education attendance policies.

(2) Local education agencies that have averaged more than ten (10) days of canceled school due to inclement weather during the past five (5) years may request a waiver from the department to establish a school year that begins earlier. If the waiver is granted, the number of days an LEA may start prior to the fourth Monday in August shall be equal to the number of average number days canceled due to inclement whether in the past five (5) years plus an additional five (5) days. The department shall ensure that school choice options will be available to students in the early start district no later than fourteen (14) days before the first day of school. If the district cannot prove that annual yearly progress reports will be available for such school choice options, the department shall deny the request for waiver.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 1, Part 6, is amended by adding the following as a new section:

(a) The department shall create and publish a timeline that will allow the state to meet the federal school choice notification requirements, specifically relating to providing students who attend a school required to offer school choice with a minimum of fourteen (14) days before the first day of school to make school choice decisions.

(b) Schools currently operating under a year-round school calendar or a modified school calendar shall be required to apply to the department for a waiver of the application of the timeline required by this section. Before granting any requested waiver, the department shall ensure that a school will not be required to offer school choice in the school year for which the waiver is requested. Waivers shall be valid for one (1) school year. If a school fails to make adequate yearly progress in the year prior to the school year for which the waiver is being requested the department shall deny the waiver request.

(c) No school shall schedule an open house event less than seven (7) days after students have received notice of school assignments.

(d) Students shall not be prevented from taking part in clubs, teams, or organizations due to exercise of school choice options. Student athletes shall not be penalized for not attending summer practices or training if the students were eligible for school choice due to a school's failure to make adequate yearly progress.

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