

SENATE BILL 1605

By Dickerson

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 13, relative to student information.

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

SECTION 1. Tennessee Code Annotated, Section 49-13-132, is amended by deleting the section and substituting instead the following:

(a)

(1) To effectuate § 49-13-113, a chartering authority or public charter school approved to operate one (1) or more schools in the district may, from January 1 to March 1 of each year, request a list of eligible student names, ages, addresses, dates of attendance, and grade levels completed in accordance with § 10-7-504 and the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) from an LEA or another chartering authority or public charter school approved to operate one (1) or more schools in the district.

(2) An LEA may, from January 1 to March 1 of each year, request a list of eligible student names, ages, addresses, dates of attendance, and grade levels completed in accordance with § 10-7-504 and the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) from a chartering authority or a public charter school approved to operate one (1) or more schools in the district.

(b) For purposes of this section, "eligible student" means a student:

(1) Qualified for promotion to a grade level served by the entity requesting student information pursuant to this section; and

(2) Zoned to attend a school operated by the entity requesting student information pursuant to this section, or zoned to attend a school authorized by

the chartering authority requesting student information pursuant to subdivision (a)(1) based on the LEA's geographic zoning policies.

(c) If a request for eligible student information is made pursuant to this section, the LEA, chartering authority, or public charter school approved to operate one (1) or more schools in the district must provide the requested information at no cost within thirty (30) days of receiving the request.

(d) Eligible student information received pursuant to this section shall not be released by the receiving entity to outside parties without prior written consent from the eligible student or the eligible student's parent or legal guardian.

(e)

(1) An LEA, chartering authority, or public charter school approved to operate one (1) or more schools in the district shall not release eligible student information for any student who submits written notification to the school in which they are currently enrolled instructing the school to withhold the release of their information under this section. Written notification must be provided to the school in which the student is enrolled before January 1 of each year. Beginning January 1 of each year, all eligible student information may be released to any entity requesting such information pursuant to this section unless the eligible student or the eligible student's parent or legal guardian has timely requested that the information be withheld pursuant to this subdivision (e)(1).

(2) Notwithstanding subdivision (e)(1), each entity receiving eligible student information pursuant to this section shall adopt and implement a policy allowing an eligible student or an eligible student's parent or legal guardian to decline to receive information from the receiving entity after expiration of the January 1 deadline established in subdivision (e)(1).

(f) An entity that has requested and received eligible student information pursuant to this section may, from February 1 to April 1 of each year, use that information to communicate with an eligible student if one (1) or more of its public

schools or public charter schools has the enrollment capacity to serve that eligible student. After April 1, no entity that has received eligible student information pursuant to this section shall communicate with an eligible student without prior written consent from the eligible student or the eligible student's parent or legal guardian.

(g) Nothing in this section shall prevent an LEA, chartering authority, or public charter school approved to operate one (1) or more schools in the district from communicating with that entity's currently enrolled students.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.