



State of Tennessee

PUBLIC CHAPTER NO. 1032

SENATE BILL NO. 2299

By Pody

Substituted for: House Bill No. 2312

By Griffey, Cepicky, Ragan, Moody

AN ACT to amend Tennessee Code Annotated, Title 49, relative to the general assembly.

WHEREAS, State assessments reflect the quality of classroom instruction provided to students in Tennessee; and

WHEREAS, members of the General Assembly should have the opportunity to review all State assessment materials to evaluate the instruction provided to students; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following as a new section:

(a) An LEA or the department of education shall provide any testing materials or proposed testing materials that are in the LEA's or department of education's possession to a member of the general assembly upon the member's request to inspect and review the materials.

(b) The state board of education shall promulgate rules to protect the integrity and confidentiality of materials that are disclosed pursuant to this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(c) The release of assessment information pursuant to this section shall not include:

(1) Items required by the department to validate future administrations of the assessments;

(2) Items that are being field tested for future administrations of the assessments;

(3) Passages, content, or related items if the release would be in violation of copyright infringement laws; or

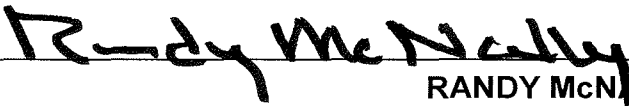
(4) Items that would that impact the validity, reliability, or cost of administering the assessment or proposed assessment.

(d) The release of information pursuant to this section must comply with the Data Accessibility, Transparency and Accountability Act, compiled in chapter 1, part 7 of this title; the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g); and § 10-7-504.


SECTION 2. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2022, the public welfare requiring it.

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PASSED: April 25, 2022



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of May 2022



BILL LEE, GOVERNOR