

SENATE BILL 2338

By Kelsey

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

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

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

49-2-801. As used in this part, "parent" means the parent, guardian, person who has custody of the child or individual who has caregiving authority under § 49-6-3001.

49-2-802.

(a) Parents of students enrolled in a public school that is designated as a priority school or focus school may petition the local board of education for the conversion of the school to a charter school under § 49-13-106(b)(2) or for the restructuring the school under a transformation model or a turnaround model.

(b) A petition for restructuring the school under a transformation model or a turnaround mode shall specify which option the parents are choosing.

(c) When a parent signs the petition, the parent shall also sign a pledge pledging to participate in the education of the parent's child by attending parent/teacher conferences and other school conferences, assisting in the education of the parent's child to the best of the parent's abilities and otherwise committing to helping the parent's child to succeed. The parent shall also pledge to support and work with the local board of education in restructuring the school and to support the school after restructuring by participating in the school's voluntary participation program under § 49-6-7001 or as requested by teachers, school administrators or the school's community support council created under § 49-2-806.

49-2-803.

(a) If the parents of students enrolled in a public school petition for a school transformation model, then, at a minimum, the local board of education shall ensure that the transformation:

(1) Develops teacher and school leader effectiveness by:

(A) Continuing to use evaluations that comply with § 49-1-302(d) and are based in significant measure on student growth to improve teachers' and school leaders' performance;

(B) Identifying and rewarding school leaders, teachers, and other staff who improve student achievement outcomes and identifying and removing those who do not;

(C) Replacing the principal who led the school prior to commencement of the transformation model;

(D) Providing relevant, ongoing, high-quality job-embedded professional development; and

(E) Implementing strategies designed to recruit, place, and retain high-quality staff;

(2) Adopts comprehensive instructional reform strategies, including:

(A) Using data to identify and implement comprehensive, research-based, instructional programs that are vertically aligned from one grade to the next as well as aligned with academic standards; and

(B) Differentiating instruction to meet students' needs;

(3) Extends learning time and creates community-oriented schools by:

(A) Providing more time for students to learn core academic content by expanding the school day, the school week, or the school

year, and increasing instructional time for core academic subjects during the school day;

(B) Providing more time for teachers to collaborate;

(C) Providing more time for enrichment activities for students; and

(D) Providing ongoing mechanisms for family and community engagement.

(4) Provides operating flexibility and sustained support by:

(A) Giving the school sufficient operating flexibility, including in staffing, calendars, time, and budgeting, to implement fully a comprehensive approach to substantially improve student achievement outcomes; and

(B) Ensuring that the school receives ongoing, intensive technical assistance and related support from the LEA, the department or a designated external lead partner organization, such as a school turnaround organization or an educational management organization.

(b)

(1) If the parents of students enrolled in a public school petition for a school turnaround model, then, at a minimum, the local board of education shall ensure that the turnaround results in:

(A) Replacement of the principal and at least fifty percent (50%) of the staff;

(B) The adoption of new governance of the school; and

(C) Implementation of a new or revised instructional program.

(2) Restructuring under a school turnaround model shall incorporate:

- (A) Interventions that take into account the recruitment, placement and development of staff to ensure they meet student needs;
- (B) Schedules that increase time for both students and staff; and
- (C) Appropriate social-emotional and community-oriented services and supports.

49-2-804.

(a) Before the petition is presented to the local board of education, the petition shall be signed by parents representing fifty-one percent (51%) of the students enrolled at the school. The percentage of parents signing a petition shall be calculated on the basis of one (1) vote for each student enrolled in the school. Only one (1) parent may sign the petition for each student.

(b) Once the local board receives a petition and the pledges required under § 49-2-802(c), the local board shall have sixty (60) days to review and verify the signatures of the parents.

(c)

(1) If the signatures on the petition are verified as signatures of parents representing at least fifty-one percent (51%) of the students and there are accompanying pledges signed by parents representing at least fifty-one (51%) of the students, the local board shall proceed to restructure the school according to the parents' choice. The restructured school shall begin operation at the beginning of the school year following the receipt of the petition if the petition is filed with the local board in the months of July through December. The restructured school shall begin operation by the beginning of the second school year following the receipt of the petition if the petition is filed with the local board in the months of January through June, but the restructured school may begin

operation sooner, if the local board finds an earlier start date feasible. The local board may also implement the restructuring in stages; provided, that the restructuring is fully implemented by the required date for the school to begin operation.

(2) If, after the verification process, the petition does not contain signatures of parents representing at least fifty-one percent (51%) of the students in the school or signed pledges of parents do not accompany the petition that represents at least fifty-one percent (51%) of the students in the school, then the parents shall have thirty (30) days from the date of the determination of the insufficient number of signatures or pledges in which to submit additional signatures on the petition and additional signed pledges or both. If, after verification of any additional signatures, the parent's signatures on the petition do not represent fifty-one percent (51%) of students in the school or signed pledges of parents that represent at least fifty-one percent (51%) of the students in the school do not accompany the petition, then the school shall not be restructured, and no such petition may be submitted again until the next school year.

49-2-805.

(a) The local board shall restructure the school under the model selected by the parents in the petition.

(b) The local board shall require the director of schools to dismiss the principal and hire a new principal for the school being restructured under this part. Prior to being named principal, the new principal shall have completed training acceptable to the local board in instructional leadership. The new principal shall be specifically tasked with improving the instructional program of the school.

(c) The director of schools and the person named principal of the restructured school shall confer on the retention, dismissal or reassignment of teachers employed at the school before the restructuring and the hiring of new teachers for the restructured school.

(d) The former principal of the school and teachers not retained at the school may be transferred within the school system according to § 49-5-510. 49-2-806.

(a) If a school is restructured under this part, then the LEA shall form a community support council for the school. The council shall be composed of parents, community leaders and teachers or staff. If the school is a high school, students shall also serve on the council.

(b) The size of the council shall be determined by the local board of education based on the student population of the LEA, the school community and the school; provided, however, that:

(1) The number of parents shall not exceed nine (9). Parent members shall be elected by the parents of the school with each household with students at the school receiving one (1) vote per household. Parent members shall be parents of students at the school at the time of election. Each parent member shall serve a term of two (2) years and may be re-elected. As designated by the local board of education, one-half of the initial parent members shall serve one-year terms, and the other half shall serve two-year terms, in order to stagger the terms of office.

(2) At least two (2), but not more than three (3), community leaders shall serve on the council. The principal and the director of schools shall jointly select the community leaders to serve on the council. These members, who shall not

have children enrolled in the school, shall serve two-year terms and may be reappointed to additional terms. These members shall be appointed so that their terms are staggered.

(3) At least two (2), but not more than three (3), teachers and staff members shall serve on the council. The principal and the director of schools shall jointly select the teachers or staff members to serve on the council. These members, who shall be employed at the school, shall serve two-year terms and may be reappointed to additional terms. These members shall be appointed so that their terms are staggered.

(4) Two (2) students shall serve on a high school community support council. One of the initial appointees shall be a senior and shall serve a one-year term. The other initial appointee shall be a junior and shall serve a two-year term. Thereafter, a junior shall be appointed each year to serve a two-year term. The principal and the director of schools shall jointly select the student or students to serve on the council.

(5) If a vacancy occurs on the council, then a member shall be elected, if a parent member vacancy occurs, or appointed, if any other vacancy occurs, to fill the remainder of the term in which the vacancy occurred.

(c) The community support council shall be a volunteer organization and all members of the council shall serve without compensation.

(d) The goal and task of the community support council shall be to create opportunities for the parents, students and community to come together to strengthen and support the work of the school while improving conditions in the community. The community support council may:

(1) Provide advice and assistance to the principal and the director of schools, if requested, on the operation of the school;

(2) Solicit donations of goods, services or money for the school;

(3) Organize parent meetings to provide information on school and community events to parents and to seek parent support as pledged prior to the restructuring of the school. If a parent/teacher organization does not exist at the school, the council may establish one;

(4) Organize events, seminars and classes, such as job fairs, parenting classes, GED® classes and financial literacy classes, to meet the needs of school parents in the community;

(5) Provide opportunities for parents to show their appreciation and support for the school's teachers and staff members;

(6) Organize group meetings for parents of students assigned to or enrolled in the same class to discuss class concerns and needs. At such meetings the parents may be privately informed of the parent's student's performance followed by an in-depth coaching session conducted by teachers on how to interpret the student data based on overall classroom performance, school benchmarks and state standards;

(7) Provide opportunities for parents to volunteer at the school, with and without their children, such as school clean-up days, grounds improvement, assisting in the school library and tutoring children other than the parent's student;

(8) Involve community citizens, businesses and community groups in the school and its programs and events, in order to find additional assistance and aid for the school and its students; and

(9) Provide other events and opportunities to aid and assist the school, its students and their parents.

49-2-807.

After five (5) schools have been restructured under this part, the office of research and education accountability in the office of the comptroller shall study the effects of community support councils on the success of the restructuring. The office of research and education accountability shall report its findings and conclusions to the education committees of the house of representatives and the senate within two (2) years of the fifth restructuring of a school under this part becoming operational.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.