

Amendment No. _____

Signature of Sponsor

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AMEND Senate Bill No. 2160

House Bill No. 2229*

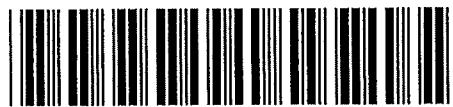
by deleting all language after the enacting clause and substituting instead the following:

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

49-6-2801. Definitions.

As used in this part:

- (1) "Department" means the department of education;
- (2) "Educator preparation provider" means a Tennessee educator preparation provider, approved by the state board, responsible for managing, operating, or coordinating programs for the preparation and licensure of teachers and other school personnel;
- (3) "Foundational literacy skills" means a method of teaching students to read using systematic phonics instruction, with a focus on phonemic awareness, phonics, vocabulary development, fluency, and oral language, and when taught with knowledge-based reading comprehension, enables students to develop the skills required to meet the Tennessee English language arts standards, as adopted by the state board;
- (4) "Reading diagnostic" means a uniform tool that screens and monitors a student's progress in the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and oral language;
- (5) "Significant reading deficiency" means the results of a student's reading diagnostic test do not meet the minimum skill levels of reading competency, as defined by the department of education, in the areas of



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phonemic awareness, phonics, vocabulary development, reading fluency, and oral language for the student's grade level; and

(6) "State board" means the state board of education.

49-6-2802. Literacy instruction.

(a) Notwithstanding § 49-1-314, each LEA is responsible for implementing instructional programs based on the English language arts standards adopted by the state board that include foundational literacy skills for teaching students in grades kindergarten through two (K-2) to read. The department may review the instructional programming used by each LEA to teach reading to students in grades kindergarten through two (K-2) to verify that the instructional programming is based on foundational literacy skills.

(b)

(1) To ensure that all textbooks and instructional materials used to teach students to read are based on foundational literacy skills, LEAs shall provide students in grades kindergarten through two (K-2) with textbooks and instructional materials from the list of textbooks and instructional materials approved for adoption by the state board as outlined in § 49-6-2202, unless:

(A) A waiver is granted pursuant to § 49-6-2206; or

(B) The LEA:

(i) Is using a research-based or evidence-based curriculum;

(ii) Has demonstrated growth at a level of "above expectations" or greater on the Tennessee comprehensive assessment program (TCAP) tests administered in fourth grade, as represented by the Tennessee Value-Added Assessment System (TVAAS), developed pursuant to chapter 1, part 6 of this title, for each of the previous two (2) school years; and

(iii) Continues to demonstrate growth that is "above expectations" or greater for three (3) consecutive school years.

(2) Subject to available funding, the department may issue grants to LEAs to provide funding for the purchase and utilization of textbooks and instructional materials to assist LEAs in implementing subsection (a) and this subsection (b).

(c) Notwithstanding § 49-6-6002(a) or any other law to the contrary, LEAs shall administer to students in grades kindergarten through two (K-2) a reading diagnostic to benchmark literacy skills and growth. LEAs must utilize the reading diagnostic selected and provided by the department. The reading diagnostic shall not be used for state accountability purposes. The reading diagnostic must be administered three (3) times each school year during the administration windows set by the department. An LEA shall administer the reading diagnostic to a student in the third grade who has a significant reading deficiency, as measured by the results of the last reading diagnostic administered to the student in second grade. LEAs may use additional assessments to enhance reading proficiency. An LEA that seeks to implement additional literacy assessments to students must submit written notification to the department.

(d) LEAs must submit the results of the reading diagnostic required under subsection (c) to the department, in a manner specified by the department. All student information must be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), § 10-7-504, and all other relevant state and federal privacy laws.

(e) A student with a significant reading deficiency, as measured by the most recently administered reading diagnostic, must be provided with additional instructional supports that address the student's academic needs and the student's significant reading deficiency. A student in the third grade shall not be promoted to the next grade level unless the student has shown a basic understanding of curriculum and ability to perform the skills required in the subject of reading as demonstrated by the student's

grades or standardized test results; provided, however, that a student may be promoted if the student participates in a reading intervention program that is based on foundational literacy skills before the beginning of the next school year. Nothing in this subsection (e) supersedes an LEA's obligations to comply with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), or Section 504 of the Rehabilitation Act (29 U.S.C. § 794), with regard to students with disabilities.

(f) LEAs may request an exemption from subsections (a) and (b) if the percentage of third-grade students who are enrolled in the LEA and proficient in English language arts, as measured by the Tennessee comprehensive assessment program (TCAP) tests:

- (1) Is at least fifteen (15) percentage points above the state average;
- (2) Is more than fifty-five percent (55%) at each school; and
- (3) Is at least fifteen (15) percentage points above the percentage of the statewide peer group in reading proficiency for each student group referenced in the state's accountability model.

(g) For each school year, the department shall publish a list of the LEAs that are eligible for the exemption described in subsection (f).

(h) Nothing in this section shall be interpreted to require the use of instructional materials based on the common core state standards, or to re-establish the common core state standards replaced under § 49-1-310.

49-6-2803. Educator preparation programs.

(a) By August 1, 2021:

(1) Educator preparation providers must provide teaching candidates seeking a license or endorsement authorizing the candidate to teach students in any of the grades kindergarten through two (K-2) with training and instruction on:

(A) How to teach students to read based on foundational literacy skills;

(B) How to differentiate instruction for teaching students with advanced reading skills and students with significant reading deficiencies;

(C) Dyslexia identification and providing effective instruction for teaching students with dyslexia using appropriate scientific research and brain-based multisensory intervention methods and strategies in alignment with the training required in § 49-6-3004(c)(1)(A);

(D) How to implement reading instruction using high-quality instructional materials;

(E) Behavior management, trauma-informed principles and practices for the classroom, and other developmentally appropriate supports to ensure students can effectively access literacy instruction; and

(F) How to understand and use student reading data; and

(2) The state board, in consultation with the department, shall promulgate revisions to the current state board rules regarding educator preparation providers to effectuate the provisions of this section.

(b) Effective August 1, 2022:

(1) A candidate seeking a teaching license or endorsement that authorizes the candidate to teach students in grades kindergarten through two (K-2) must provide a certificate documenting passage of a Tennessee reading instruction test developed or identified by the department, and approved by the state board, that tests the candidate's knowledge of foundational literacy skills before receiving the teacher license or endorsement. The department shall recommend the score that constitutes passage of the Tennessee reading instruction test required under this subdivision (b)(1) to the state board for approval. The Tennessee reading instruction test shall not constitute any additional cost for applicants for a teacher license;

(2) An instructor for an educator preparation provider who teaches coursework related to reading instruction in any program that includes candidates who are seeking a teacher license or endorsement that will authorize the candidate to teach students in any of the grades kindergarten through two (K-2) must have an active Tennessee teacher license, unless the licensure requirement is waived by the commissioner, or the commissioner's designee. If the instructor does not have a teacher license, or the instructor's teacher license has expired, then the instructor must provide documentation of the instructor's passage of the Tennessee reading instruction test required in subdivision (b)(1), or successfully participate in the professional development outlined in § 49-6-2805(b)(2) and (b)(3), within the instructor's first year of employment at no cost to the educator preparation provider;

(3) An educator preparation provider with an instructional leadership specialty area program must include instruction on foundational literacy skills;

(4) Subject to available funding, the department may issue competitive grants to educator preparation providers to assist in the implementation of this section; and

(5) Notwithstanding subdivision (b)(1):

(A) Candidates enrolled in a state-board-approved post-baccalaureate educator preparation program who hold an initial license and have demonstrated content knowledge in accordance with state board rules and policies must document the candidate's passage of a Tennessee reading instruction test, or must earn a literacy certificate pursuant to § 49-6-2805(b), prior to the renewal or advancement of the candidate's initial license; and

(B) Applicants for an initial Tennessee teacher or instructional leader license who possess an active professional-level license in a state that has a reciprocal agreement with the state board pursuant to § 49-5-

109 must document the applicant's passage of a Tennessee reading instruction test, or must earn a literacy certificate pursuant to § 49-6-2805(b), prior to the renewal or advancement of the applicant's initial license.

(c) By July 1, 2023, the department, in partnership with the state board and the Tennessee higher education commission, shall provide a report to the chairs of the education committees of the senate and house of representatives regarding the implementation of this section.

(d)

(1) No later than December 31, 2020, for purposes of consolidating existing information for the general assembly, the department shall submit a review of the following:

(A) A landscape analysis of literacy in Tennessee, including current practices, student achievement, instructional programming, and remediation services provided in schools and LEAs randomly selected through an audit model;

(B) A landscape analysis of literacy instruction, including instructional programming and pedagogical practices utilized by educator preparation providers; and

(C) A joint analysis with the Tennessee higher education commission regarding affordability of educator preparation providers, including tuition affordability and net-tuition affordability for future educators, costs relative to peer institutions in other states, student loan and debt burden of educator preparation provider graduates, an assessment of financial barriers that may prevent postsecondary students and career changers from pursuing teaching as a profession, and the ability to reduce the costs of offering educator preparation and credentials.

(2) Educator preparation providers approved by the state board must participate in the review.

(3) By March 1, 2021, the results of the review must be reported to the commissioner and provided to the state board and the chairs of the education committees of the senate and house of representatives. The results of the review must be posted on the department's website.

49-6-2804. Accountability.

(a) By June 30, 2021, the department shall convene an advisory group of stakeholders to advise the department on the meaningful integration of third-grade reading proficiency into the performance goals and measures established pursuant to § 49-1-602 for schools and LEAs.

(b) In consultation with the advisory group convened under subsection (a), the department shall review changes to the accountability performance designations required by § 49-1-602 for schools and LEAs serving students in any of the grades kindergarten through three (K-3) regarding the weight attributed to the third-grade reading proficiency levels demonstrated by student performance on the Tennessee comprehensive assessment program (TCAP) tests, or successor tests approved by the state board. Upon completing the review, if the department, after consultation with the advisory group, believes that revisions to the accountability performance designations under § 49-1-602 are warranted, then the department shall submit the revisions to the state board for approval and to the United States department of education, if required.

49-6-2805. Professional development and support.

(a) As used in this section, "literacy instructor" means any person who provides literacy instruction to public school students in any of the grades pre-kindergarten through five (pre-K-5), including classroom teachers, instructional coaches, and paraprofessionals.

(b)

(1) By June 30, 2022, the department shall provide two (2) separate literacy-related trainings that are required for all literacy instructors serving students in any of the grades pre-kindergarten through five (pre-K-5). The trainings may be provided at the regional or local level, as determined by the department.

(2) The first training required under this subsection (b) must focus on instruction on foundational literacy skills.

(3) The second training required under this subsection (b) must focus on the implementation of programmatic and instructional materials concerning literacy. The training must address how to teach the identified reading programs, as well as the instructional materials required for implementation.

(c) At the conclusion of the training required in subsection (b), a literacy instructor earns a literacy certificate upon demonstrating proficiency in the topics of the training, or upon demonstrating proficiency on the Tennessee reading instruction test provided pursuant to § 49-6-2803(b)(1). The literacy certificate must be based on the level of mastery demonstrated, as determined by the department. For a licensed teacher who is a literacy instructor and does not earn the literacy certificate, a mentor teacher who has earned the literacy certificate must be assigned by the school or LEA to support the teacher. Subject to available funding, the mentor teacher may receive a stipend as outlined by the department. A literacy instructor who does not earn the literacy certificate after participating in the training required under subsection (b) may be required to participate in the training the following year.

(d) A literacy instructor who demonstrates prior training in, and implementation of, a reading program based on foundational literacy skills, may, in lieu of participating in the training required in subsection (b), take the Tennessee reading instruction test provided pursuant to § 49-6-2803(b)(1), or participate in an abbreviated version of the trainings listed in subsection (b), as determined by the department.

(e) An LEA may apply for and receive literacy-related implementation and coaching support from service providers approved by the department. Implementation and coaching support must be awarded through a competitive grant process established by the department. LEAs shall cooperate with the service provider to measure teacher implementation and student achievement. The department shall not award a grant under this subsection (e) for a term of more than three (3) years. Implementation and coaching support must gradually decrease over the term of the grant. After the term of the grant expires, all training must be conducted through educator preparation providers and verified through educator credentialing processes and exams.

49-6-2806. Procurement of goods and services.

Any good or service that is selected, approved, or procured by the department to effectuate this part, for which state funds are expended, shall be conducted competitively and in compliance with all state laws and administrative rules regarding the procurement of goods and services by state agencies, including §§ 12-3-101 – 12-3-104.

49-6-2807. Rule promulgation.

The state board may promulgate rules pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to effectuate this part.

SECTION 2. Tennessee Code Annotated, Section 49-6-3115, is amended by deleting the section.

SECTION 3. The headings in this act are for reference purposes only and do not constitute part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication that contains this act.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.



March 9, 2020

SUMMARY OF ORIGINAL BILL: Establishes the following:

Literacy Instruction: Requires a local education agency (LEA) that enrolls students in any of the grades kindergarten through two (K-2) to provide students in grades (K-2) the instruction necessary for the students to develop the reading skills required to meet the Tennessee academic standards and the developmental expectations for the student's respective grade level. Requires the Department of Education (DOE) to approve the instructional programming and services that must be used to provide evidence-based and scientifically-based systematic phonics instruction. Requires an LEA to provide students in K-2 knowledge-based English language arts elementary curricula. Requires DOE to administer a common reading diagnostic to benchmark literacy skills and growth. Requires an LEA to administer the diagnostic to any student in the third-grade who is reading below grade level. Requires DOE to establish three administration windows each school year for the administration of the diagnostics. Requires LEAs to submit the results of the common reading diagnostic to DOE. Requires DOE to provide additional instructional support to a student reading below grade level.

Educator Preparation Programs: Establishes requirements for educator preparation programs. Requires DOE to develop additional guidance on requirements for educator preparation programs. Requires DOE and the State Board of Education (SBE) to develop a policy for approving educator preparation programs. Requires DOE, in partnership with SBE and the Tennessee Higher Education Commission (THEC), to provide a report to the Chairs of the Education Committees of the Senate and the House of Representatives on the implementation of this section by July 1, 2023. Requires DOE to complete a study of literacy in Tennessee, including current practices, student achievement, and instructional programming by December 31, 2020. Requires DOE and THEC to provide a report on the findings of the study to the Chairs of the Education Committees of the Senate and the House of Representatives by March 1, 2021.

State Accountability Model: Requires DOE to convene an advisory group of stakeholders to advise the Department on the integration of third-grade reading proficiency into the performance goals and measures by June 30, 2020. Requires DOE, in consultation with the advisory group, to review changes to the accountability performance designations for students in grades K-3 regarding the weight attributed to the third-grade reading proficiency levels demonstrated by student performance on TCAP tests. Requires DOE to submit any revisions to the SBE for approval and to the United States Department of Education, if required.

Professional Development and Support: Establishes criteria for literacy training for educators. Requires DOE to provide two separate literacy-related trainings that are required for all

educators serving students in grades kindergarten through five (K-5) by June 30, 2022. Authorizes an LEA to apply for and receive literacy-related implementation and coaching support from service providers approved by DOE. Requires implementation and coaching support to be awarded through a competitive grant process established by DOE. Limits the term of the grant award to three years.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$48,633,900/FY20-21
\$11,133,900/FY21-22 and Subsequent Years

The Governor’s proposed budget for FY20-21, on page B-88, recognizes a one-time increase in state expenditures to the General Fund of \$37,500,000, and a recurring increase in state expenditures to the General Fund in the amount of \$11,250,000, for a total of \$48,750,000 in FY20-21.

SUMMARY OF AMENDMENT (016456): Deletes all language after the enacting clause and rewrites the bill to establish the following:

Literacy Instruction: Requires each local education agency (LEA) to be responsible for implementing instructional programs based on the English language arts standards adopted by SBE that include the science of reading when teaching students in grades kindergarten through two (K-2) to read. Authorizes DOE to conduct reviews of the instructional programming used by each LEA to teach reading to students in grades K-2 to verify that the instructional programming is based on the science of reading. Requires LEAs to provide students in grades K-2, textbooks and instructional materials from the list of textbooks and instructional materials approved for adoption by SBE unless a waiver is granted, or the LEA meets certain curriculum and student growth requirements. Requires LEAs to administer a common reading diagnostic selected by DOE to benchmark literacy skills and growth. Prohibits the reading diagnostic to be used for state accountability purposes. Requires an LEA to administer the diagnostic to any student in the third-grade who has a significant reading deficiency. Authorizes DOE to issue grants to LEAs to provide funding for the purchase of textbooks and materials. Requires LEAs to administer a reading diagnostic three times each school year during the administration windows set by DOE. Requires LEAs to submit the results of the common reading diagnostic to DOE. Prohibits a student in the third grade from being promoted to the next grade level unless the student has shown a basic understanding of curriculum and ability to perform the skills required in the subject of reading. However, authorizes a student to be promoted if the student participates in a reading intervention program before the beginning of the next school year.

Educator Preparation Programs: Establishes requirements for educator preparation programs. Authorizes DOE to develop additional policies for educator preparation providers. Requires DOE and SBE to promulgate revisions to the current state board rules regarding the approval of

educator preparation providers. Requires DOE, in partnership with SBE and the Tennessee Higher Education Commission (THEC), to provide a report to the Chairs of the Education Committees of the Senate and the House of Representatives on the implementation of this section by July 1, 2023. Requires DOE to complete a study of literacy in Tennessee, including current practices, student achievement, and instructional programming by December 31, 2020. Requires DOE and THEC to provide a report on the findings of the study to the Chairs of the Education Committees of the Senate and the House of Representatives by March 1, 2021.

State Accountability Model: Requires DOE to convene an advisory group of stakeholders to advise the Department on the integration of third-grade reading proficiency into the performance goals and measures by June 30, 2020. Requires DOE, in consultation with the advisory group, to review changes to the accountability performance designations for students in grades K-3 regarding the weight attributed to the third-grade reading proficiency levels demonstrated by student performance on TCAP tests. Requires DOE to submit any revisions to the SBE for approval and to the United States Department of Education, if required.

Professional Development and Support: Establishes criteria for literacy training for educators. Requires DOE to provide two separate literacy-related trainings that are required for all educators serving students in grades kindergarten through five (K-5) by June 30, 2022. Authorizes an LEA to apply for and receive literacy-related implementation and coaching support from service providers approved by DOE. Requires implementation and coaching support to be awarded through a competitive grant process established by DOE. Limits the term of the grant award to three years.

Procurement of Goods and Services: Requires that goods and services selected, approved, or procured by DOE and mandated for use by LEAs to be acquired through a competitive bidding process.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- It is estimated that the following elements of the proposed legislation will have one-time costs in FY20-21:
 - \$31,400,000 for initial literacy training;
 - \$10,000,000 for initial implementation support;
 - \$3,950,000 for literacy diagnostic and online support, teacher professional development modules, and foundational skill curriculum;
 - \$2,000,000 for an educator certification test; and
 - \$1,000,000 for initial development of family resources guide.

- DOE will require three additional positions to handle the additional workload created by the proposed legislation.
- One Education Consultant 4 position at a starting salary point will have a recurring cost of \$76,630 (\$60,084 salary + \$16,546 benefits) in FY20-21 and subsequent years.
- Two Education Consultant 3 position at a starting salary point will have a recurring cost of \$152,308 [(\$59,676 salary + \$16,478 benefits) x 2] in FY20-21 and subsequent years.
- Travel costs for the three additional positions are estimated to have a recurring cost of \$55,000; the total recurring increase in state expenditures for positions and travel is estimated to be \$283,938 (\$76,630 + \$152,308 + \$55,000) in FY20-21 and subsequent years.
- It is estimated that the following elements of the proposed legislation will have recurring costs beginning in FY21-22 and subsequent years:
 - \$6,750,000 for ongoing implementation support;
 - \$2,000,000 for ongoing professional development trainings and educator stipends;
 - \$850,000 for updates to online resources available to all educators;
 - \$750,000 for ongoing support of the literacy diagnostic;
 - \$200,000 for annual updates to the foundational skills curriculum;
 - \$200,000 for annual updates to family resource guides; and
 - \$100,000 for annual program evaluation.
- The total one time increase in state expenditures is estimated to be \$48,633,938 (\$31,400,000 + \$10,000,000 + \$3,950,000 + \$2,000,000 + \$1,000,000 + \$283,938) in FY20-21.
- The total recurring increase in state expenditures is estimated to be \$11,133,938 (\$6,750,000 + \$2,000,000 + \$850,000 + \$750,000 + \$200,000 + \$200,000 + \$100,000 + \$283,938) in FY21-22 and subsequent years.
- The Governor's proposed budget for FY20-21 includes \$48,750,000 in funding for FY20-21 and \$11,250,000 in FY21-22 and subsequent years.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2160

House Bill No. 2229*

by adding the following as a new subdivision (4) in § 49-6-2805(b) in the amendatory language of Section 1:

(4)

(A) A literacy-related training required for a literacy instructor that is provided at the local level must be scheduled during the regular school term as in-service or professional development training, as provided in § 49-6-3004.

(B) A literacy-related training required for a literacy instructor that is provided outside the regular school term must be offered on multiple dates and at multiples times. The department shall allow a literacy instructor to select the date and time of the training that is most appropriate for the literacy instructor.

(C) The department shall provide compensation to each literacy instructor who receives literacy-related training outside the regular school term at the literacy instructor's daily rate of pay for each day that the literacy instructor is required to attend the literacy-related training. The compensation required under this subdivision (b)(4)(C) must be received by the literacy instructor no later than thirty (30) days after the literacy instructor completes the required training.



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March 16, 2020

SUMMARY OF ORIGINAL BILL: Establishes the following:

Literacy Instruction: Requires a local education agency (LEA) that enrolls students in any of the grades kindergarten through two (K-2) to provide students in grades (K-2) the instruction necessary for the students to develop the reading skills required to meet the Tennessee academic standards and the developmental expectations for the student's respective grade level. Requires the Department of Education (DOE) to approve the instructional programming and services that must be used to provide evidence-based and scientifically-based systematic phonics instruction. Requires an LEA to provide students in K-2 knowledge-based English language arts elementary curricula. Requires DOE to administer a common reading diagnostic to benchmark literacy skills and growth. Requires an LEA to administer the diagnostic to any student in the third-grade who is reading below grade level. Requires DOE to establish three administration windows each school year for the administration of the diagnostics. Requires LEAs to submit the results of the common reading diagnostic to DOE. Requires DOE to provide additional instructional support to a student reading below grade level.

Educator Preparation Programs: Establishes requirements for educator preparation programs. Requires DOE to develop additional guidance on requirements for educator preparation programs. Requires DOE and the State Board of Education (SBE) to develop a policy for approving educator preparation programs. Requires DOE, in partnership with SBE and the Tennessee Higher Education Commission (THEC), to provide a report to the Chairs of the Education Committees of the Senate and the House of Representatives on the implementation of this section by July 1, 2023. Requires DOE to complete a study of literacy in Tennessee, including current practices, student achievement, and instructional programming by December 31, 2020. Requires DOE and THEC to provide a report on the findings of the study to the Chairs of the Education Committees of the Senate and the House of Representatives by March 1, 2021.

State Accountability Model: Requires DOE to convene an advisory group of stakeholders to advise the Department on the integration of third-grade reading proficiency into the performance goals and measures by June 30, 2020. Requires DOE, in consultation with the advisory group, to review changes to the accountability performance designations for students in grades K-3 regarding the weight attributed to the third-grade reading proficiency levels demonstrated by student performance on TCAP tests. Requires DOE to submit any revisions to the SBE for approval and to the United States Department of Education, if required.

Professional Development and Support: Establishes criteria for literacy training for educators. Requires DOE to provide two separate literacy-related trainings that are required for all

educators serving students in grades kindergarten through five (K-5) by June 30, 2022. Authorizes an LEA to apply for and receive literacy-related implementation and coaching support from service providers approved by DOE. Requires implementation and coaching support to be awarded through a competitive grant process established by DOE. Limits the term of the grant award to three years.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$48,633,900/FY20-21
\$11,133,900/FY21-22 and Subsequent Years

The Governor’s proposed budget for FY20-21, on page B-88, recognizes a one-time increase in state expenditures to the General Fund of \$37,500,000, and a recurring increase in state expenditures to the General Fund in the amount of \$11,250,000, for a total of \$48,750,000 in FY20-21.

SUMMARY OF AMENDMENT (016958): Adds language to the original bill to require that literacy-related training required for a literacy instructor provided at the local level to be scheduled during the regular school term as in-service or professional development training. Requires a literacy-related training that is provided outside the regular school term to be offered on multiple dates and times. Requires DOE to allow a literacy instructor to select the date and time of the training. Requires DOE to provide compensation to each literacy instructor who receives literacy-related training outside the regular school term at the literacy instructor’s daily rate of pay for each day the literacy instructor is required to attend the literacy-related training. Requires the compensation to be received by the literacy instructor within 30 days after completion of the required training.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- It is estimated that the following elements of the proposed legislation will have one-time costs in FY20-21:
 - \$31,400,000 for initial literacy training;
 - \$10,000,000 for initial implementation support;
 - \$3,950,000 for literacy diagnostic and online support, teacher professional development modules, and foundational skill curriculum;
 - \$2,000,000 for an educator certification test; and
 - \$1,000,000 for initial development of family resources guide.

- DOE will require three additional positions to handle the additional workload created by the proposed legislation.
- One Education Consultant 4 position at a starting salary point will have a recurring cost of \$76,630 (\$60,084 salary + \$16,546 benefits) in FY20-21 and subsequent years.
- Two Education Consultant 3 position at a starting salary point will have a recurring cost of \$152,308 [(\$59,676 salary + \$16,478 benefits) x 2] in FY20-21 and subsequent years.
- Travel costs for the two additional positions are estimated to have a recurring cost of \$55,000; the total recurring increase in state expenditures for positions and travel is estimated to be \$283,938 (\$76,630 + \$152,308 + \$55,000) in FY20-21 and subsequent years.
- It is estimated that the following elements of the proposed legislation will have recurring costs beginning in FY21-22 and subsequent years:
 - \$6,750,000 for ongoing implementation support;
 - \$2,000,000 for ongoing professional development trainings and educator stipends;
 - \$850,000 for updates to online resources available to all educators;
 - \$750,000 for ongoing support of the literacy diagnostic;
 - \$200,000 for annual updates to the foundational skills curriculum;
 - \$200,000 for annual updates to family resource guides; and
 - \$100,000 for annual program evaluation.
- The total one time increase in state expenditures is estimated to be \$48,633,938 (\$31,400,000 + \$10,000,000 + \$3,950,000 + \$2,000,000 + \$1,000,000 + \$283,938) in FY20-21.
- The total recurring increase in state expenditures is estimated to be \$11,133,938 (\$6,750,000 + \$2,000,000 + \$850,000 + \$750,000 + \$200,000 + \$200,000 + \$100,000 + \$283,938) in FY21-22 and subsequent years.
- The Governor's proposed budget for FY20-21 includes \$48,750,000 in funding for FY20-21 and \$11,250,000 in FY21-22 and subsequent years.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

Amendment No. _____
Scott Lipscomb
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2160

House Bill No. 2229*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-901, is amended by deleting the section and substituting instead the following:

This part shall be known and may be cited as the "Tennessee Literacy Success Act."

SECTION 2. Tennessee Code Annotated, Section 49-1-902, is amended by designating the existing language as subsection (b) and adding the following language as a new subsection (a):

(a) The general assembly finds and declares that:

- (1) A literate society is key to maintaining a free society;
- (2) There is a need to improve literacy rates across the state;
- (3) In 2019, Tennessee's third grade English language arts proficiency rate was thirty-six and nine-tenths percent (36.9%); and
- (4) In 2019, Tennessee's eighth grade English language arts proficiency rate was twenty-seven and one-tenth percent (27.1%).

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 1, Part 9, is amended by adding the following as new sections:

49-1-903.

As used in this part:

- (1) "Department" means the department of education;
- (2) "Educator preparation provider" means a Tennessee educator preparation provider, approved by the state board, responsible for managing,



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operating, or coordinating programs for the preparation and licensure of teachers and other school personnel;

(3) "Parent" means the parent, guardian, person who has custody of the child, or individual who has caregiving authority under § 49-6-3001;

(4) "Significant reading deficiency" means that the results of a student's universal reading screener or locally adopted reading screener do not meet proficiency, as determined by the state board, in the areas of phonemic awareness, phonics, vocabulary, fluency, and comprehension;

(5) "State board" means the state board of education;

(6) "Systematic foundational skills instruction" means an evidence-based method of teaching students to read that includes the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension that enables students to develop the reading skills required to meet the Tennessee academic standards; and

(7) "Universal reading screener" means a uniform tool that screens and monitors a student's progress in the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension.

49-1-905.

(a) Each LEA shall ensure that the instructional programming, intended to meet the English language arts standards adopted by the state board, for students in grades kindergarten through three (K-3), is based on the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension.

(b) Each LEA shall use a universal reading screener approved by the department, or a comparable alternative reading screener approved by the state board and adopted by the LEA. The universal reading screener approved by the department must be provided at no cost to LEAs. The universal reading screener or a locally adopted reading screener must not be used for student promotion, teacher evaluation, or school or district accountability. An LEA shall administer a reading screener to students

in grades kindergarten through two (K-2) three (3) times each school year during the administration windows set by the department. The administration window for the first reading screener administered to students must occur within the first thirty (30) days of the school year. An LEA shall administer a reading screener to a student in the third grade who has a significant reading deficiency, as demonstrated by the student's performance on the last reading screener administered to the student in second grade.

(c) A student in grades kindergarten through two (K-2) who exhibits, at any time, a significant reading deficiency, as demonstrated by the student's performance on a reading screener, or who exhibits, at any time, a reading skill deficiency, as demonstrated by the student's performance on a locally administered formative or interim assessment or through teacher observation, must be provided with intensive, supplemental instructional supports that address the student's significant reading deficiency or reading skill deficiency immediately following the identification of the student's significant reading deficiency or reading skill deficiency. The additional instructional supports must include an individual reading plan, which must include, at a minimum, the following:

- (1) The student's specific reading skill deficiencies identified using the data derived from the reading screener, using the data derived from a locally administered formative or interim assessment, or through teacher observation;
- (2) Goals and benchmarks for the student's growth;
- (3) How the student's progress will be monitored and evaluated;
- (4) The type of additional instructional services and interventions that the student will receive;
- (5) The evidence-based reading instructional programming that the teacher will use to provide reading instruction that addresses the areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension;
- (6) The strategies that the student's parent is encouraged to use in assisting the student to achieve reading competency;

(7) Any additional services that the teacher deems available and appropriate to accelerate the student's reading skill development; and

(8) Effective instructional strategies and appropriate teaching methodologies necessary to assist the student in becoming:

(A) A successful reader;

(B) Able to read at or above the student's grade level; and

(C) Ready for promotion to the next grade level.

(d) Immediately upon determining that a student in grades kindergarten through two (K-2) has a significant reading deficiency, the LEA shall notify the student's parent in writing of the determination and shall provide the student's parent with a copy of the student's individual reading plan. The LEA shall provide the student's parent with quarterly progress reports until the student demonstrates reading proficiency.

(e)

(1) A student in the third grade shall not be promoted to the next grade level unless the student has shown a basic understanding of the curriculum and ability to perform the skills required in the subject of reading, as demonstrated by the student's grades or standardized test results; provided, however, that student may be promoted if:

(A) The student participates in an evidence-based reading intervention program before the beginning of the next school year; or

(B) The student is an English language learner and has received less than two (2) years of instruction in English.

(2) This subsection (e) does not supersede an LEA's obligations to comply with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.) or Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

(f) This section must not be interpreted to require the use of instructional materials based on the common core standards, or to re-establish the common core state standards replaced under § 49-1-310.

49-1-906.

(a) Subject to available funding, the state board, with administrative support from the department, shall establish and administer a literacy skills grant program.

(b) The state board shall establish criteria for an LEA to qualify for a literacy skills grant. To qualify for a literacy skills grant, an LEA must, at a minimum:

(1) Implement an instructional program for English language arts in grades kindergarten through three (K-3) that includes systematic foundational skills instruction;

(2) Ensure all textbooks and instructional materials used to teach students to read include systematic foundational skills instruction, reflect practices shown to have a positive effect on student achievement, and include documentation of a rigorous research approach;

(3) Submit the results of the reading screener required under § 49-1-905(b) to the department;

(4) Ensure all teachers in grades kindergarten through three (K-3) who provide reading instruction to students participate in a literacy-related training provided by the department or by a provider approved by the state board; and

(5) Receive literacy-related implementation and coaching support from service providers approved by the state board.

(c) By July 1, 2023, the department, in partnership with the state board and the Tennessee higher education commission, shall provide a report to the chairs of the education committees of the senate and the house of representatives regarding the implementation of this section.

(d)

(1) By December 31, 2020, for purposes of consolidating existing information for the general assembly, the department shall conduct a review of the following:

(A) A landscape analysis of literacy in this state, including current practices, student achievement, instructional programming, and remediation services;

(B) A landscape analysis of literacy instruction, including instructional programming and pedagogical practices utilized by educator preparation providers; and

(C) A joint analysis with the Tennessee higher education commission regarding affordability of educator preparation providers, including tuition affordability and net-tuition affordability for future educators, costs relative to peer institutions in other states, student loan and debt burden of educator preparation provider graduates, an assessment of financial barriers that may prevent postsecondary students and career changers from pursuing teaching as a profession, and the ability to reduce the costs of offering educator preparation and credentials.

(2) Educator preparation providers approved by the state board must participate in the review.

(3) By March 1, 2021, the results of the review must be reported to the commissioner and provided to the state board and the chairs of the education committees of the senate and the house of representatives. The results of the review must be posted on the department's website.

(4) All student information must be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), § 10-7-504, and all other relevant state and federal privacy laws.

49-1-908.

The department shall procure any good or service selected or approved by the department to effectuate this part competitively and in compliance with all state laws and administrative rules regarding the procurement of goods and services by state agencies,

including §§ 12-3-101 – 12-3-104. Contracts for the procurement of any good or service selected or approved by the department to effectuate this part are subject to review by the fiscal review committee of the general assembly.

SECTION 4. Tennessee Code Annotated, Title 49, Chapter 5, Part 56, is amended by adding the following as a new section:

(a) Educator preparation providers must provide candidates seeking licensure to teach in grades kindergarten through three (K-3) with training and instruction on:

(1) How to effectively teach the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(2) How to differentiate instruction for teaching students with advanced reading skills and students with significant reading deficiencies;

(3) Dyslexia identification and providing effective instruction for teaching students with dyslexia using appropriate scientific research and brain-based multisensory intervention methods and strategies in alignment with the training required in § 49-6-3004(c)(1)(A);

(4) How to implement reading instruction using high-quality instructional materials;

(5) Behavior management, trauma-informed principles and practices for the classroom, and other developmentally appropriate supports to ensure that students can effectively access literacy instruction; and

(6) How to understand and use student reading data.

(b)

(1) Effective August 1, 2022, a candidate seeking a teaching license or endorsement that authorizes the candidate to teach students in grades kindergarten through three (K-3) must provide a certificate documenting passage of a Tennessee reading instruction test developed or identified by the state board that tests the candidate's knowledge of systematic foundational skills instruction.

(2) Subject to available funding, the test developed or identified by the state board pursuant to this section must be provided at no cost to the candidate.

(c) The state board, in consultation with the department, shall promulgate revisions to the state board rules regarding the approval of educator preparation providers and rules regarding educator licensure to effectuate this section.

SECTION 5. Tennessee Code Annotated, Section 49-6-3115, is amended by deleting the section.

SECTION 6. The state board may promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.



April 8, 2020

SUMMARY OF ORIGINAL BILL: Establishes the following:

Literacy Instruction: Requires a local education agency (LEA) that enrolls students in any of the grades kindergarten through two (K-2) to provide students in grades (K-2) the instruction necessary for the students to develop the reading skills required to meet the Tennessee academic standards and the developmental expectations for the student's respective grade level. Requires the Department of Education (DOE) to approve the instructional programming and services that must be used to provide evidence-based and scientifically-based systematic phonics instruction. Requires an LEA to provide students in K-2 knowledge-based English language arts elementary curricula. Requires DOE to administer a common reading diagnostic to benchmark literacy skills and growth. Requires an LEA to administer the diagnostic to any student in the third-grade who is reading below grade level. Requires DOE to establish three administration windows each school year for the administration of the diagnostics. Requires LEAs to submit the results of the common reading diagnostic to DOE. Requires DOE to provide additional instructional support to a student reading below grade level.

Educator Preparation Programs: Establishes requirements for educator preparation programs. Requires DOE to develop additional guidance on requirements for educator preparation programs. Requires DOE and the State Board of Education (SBE) to develop a policy for approving educator preparation programs. Requires DOE, in partnership with SBE and the Tennessee Higher Education Commission (THEC), to provide a report to the Chairs of the Education Committees of the Senate and the House of Representatives on the implementation of this section by July 1, 2023. Requires DOE to complete a study of literacy in Tennessee, including current practices, student achievement, and instructional programming by December 31, 2020. Requires DOE and THEC to provide a report on the findings of the study to the Chairs of the Education Committees of the Senate and the House of Representatives by March 1, 2021.

State Accountability Model: Requires DOE to convene an advisory group of stakeholders to advise the Department on the integration of third-grade reading proficiency into the performance goals and measures by June 30, 2020. Requires DOE, in consultation with the advisory group, to review changes to the accountability performance designations for students in grades K-3 regarding the weight attributed to the third-grade reading proficiency levels demonstrated by student performance on TCAP tests. Requires DOE to submit any revisions to the SBE for approval and to the United States Department of Education, if required.

Professional Development and Support: Establishes criteria for literacy training for educators. Requires DOE to provide two separate literacy-related trainings that are required for all

educators serving students in grades kindergarten through five (K-5) by June 30, 2022. Authorizes an LEA to apply for and receive literacy-related implementation and coaching support from service providers approved by DOE. Requires implementation and coaching support to be awarded through a competitive grant process established by DOE. Limits the term of the grant award to three years.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$48,633,900/FY20-21
\$11,133,900/FY21-22 and Subsequent Years

The Governor’s proposed budget for FY20-21, on page B-88, recognizes a one-time increase in state expenditures to the General Fund of \$37,500,000, and a recurring increase in state expenditures to the General Fund in the amount of \$11,250,000, for a total of \$48,750,000 in FY20-21.

SUMMARY OF AMENDMENT (017200): Deletes all language after the enacting clause. Creates the Tennessee Literacy Success Act. Requires a local education agency (LEA) that enrolls students in any of the grades kindergarten through three (K-3) to ensure that instructional programming intended to meet the English language arts standards adopted by the SBE is based on the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension.

Requires each LEA to use a universal reading screener approved by DOE or alternative reading screener approved by SBE. Requires the universal reading screener approved by DOE to be provided at no cost. Requires an LEA to administer a reading screener to students in grades K-2 three times each school year during the administration windows set by DOE. Requires the administration window for the first reading screener to occur within the first 30 days of the school year. Requires a LEA to administer a reading screener to a student in third grade who has a significant reading deficiency based on the student’s performance on the reading screener administered in the second grade. Requires an LEA to provide intensive instructional support for any student in K-2 who at any time demonstrates a significant reading deficiency. Requires the instructional support to include an individual reading plan and establishes minimum requirements for individual reading plans. Requires an LEA to notify the parents of a student who is determined to have a significant reading deficiency and to provide the student’s parents with quarterly progress reports. Prohibits a student in the third grade from being promoted to the next grade unless the student demonstrates a basic understanding of the curriculum and the necessary reading skills as indicated by the student’s grades or standardized test results. Authorizes a student who lacks the requisite knowledge and skills for the next grade level to be promoted if the student participates in an evidence-based reading intervention program or the student is an English language learner and has received less than two years of English instruction.

Requires SBE, subject to available funding and with administrative support from DOE to administer a literacy skills grant program. Requires SBE to establish criteria for an LEA to qualify for a literacy skills grant and establishes minimum requirements for the literacy skills grant. Requires DOE, in partnership with SBE and the Tennessee Higher Education Committee (THEC), to provide a report to the Chairs of the Education Committees of the Senate and the House of Representatives on the literacy skills grant program by July 1st, 2023. Requires DOE to complete a review of literacy in Tennessee, including current practices, student achievement, and instructional programming; and in a joint analysis with THEC, the affordability of educator preparation providers by December 31, 2020. Requires DOE to provide a report on the results of the review to the Chairs of the Education Committees of the Senate and the House of Representatives by March 1, 2021.

Requires educator preparation providers to provide candidates seeking licensure to teach in K-3 with training and instruction on certain teaching areas. Requires a candidate seeking a teaching license or endorsement that authorizes the candidate to teach in grades K-3 to provide a certificate documenting passage of a Tennessee reading instruction test developed by SBE. Requires the test to be provided to the candidate at no cost if funding is available. Requires SBE, in consultation with DOE, to promulgate revisions to SBE rules regarding the approval of educator preparation providers and rules regarding educator licensure.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Increase State Expenditures – \$36,533,900/FY20-21
\$4,133,900/FY21-22 and Subsequent Years**

**Increase Local Expenditures –
\$24,250,000/FY20-21/Permissive
\$14,250,000/FY21-22 and Subsequent Years/Permissive
\$336,061,500/FY20-21 and Subsequent Years***

Assumptions for the bill as amended:

- It is estimated that the following elements of the proposed legislation will have one-time state costs in FY20-21:
 - \$31,400,000 for initial training; and
 - \$1,000,000 for a universal reading screener development.
- It is estimated that the following elements of the proposed legislation will have recurring state costs beginning in FY20-21 and subsequent years:
 - \$750,000 for a universal reading screener;
 - \$2,000,000 for ongoing training;
 - \$1,000,000 for an educator preparation certification test; and
 - \$100,000 for reporting requirements.

- SBE will require 3 additional full-time positions and 1 one full-time administrative position to administer the literacy grant program. It is estimated that the positions will have the following costs:
 - \$64,218 (\$49,440 salary + \$14,778 benefits) for one SBE Analyst 2 position at a starting salary point;
 - \$122,950 (\$47,088 salary + \$14,387 benefits x 2) for 2 SBE analyst 1 positions at a starting salary point;
 - \$51,750 (\$38,748 + \$13,002 benefits) for 1 SBE administrative assistant; and
 - \$45,000 for travel for all four positions.
- The total costs for additional SBE positions is estimated to be \$283,918 (\$64,218 + \$122,950 + \$51,750 + \$45,000) in FY20-21 and subsequent years.
- The total one-time increase in state expenditures in FY20-21 is estimated to be \$36,533,918 (\$31,400,000 + \$1,000,000 + \$750,000, + \$2,000,000 + \$1,000,000 + \$100,000 + 283,918) in FY20-21.
- The total recurring increase in state expenditures is estimated to be \$4,133,918 (\$750,000 + \$2,000,000 + \$1,000,000 + \$100,000 + \$283,918) beginning in FY21-22 and subsequent years.

Local Impact Assumptions:

- It is estimated that the following elements of the proposed legislation will have permissive local costs in FY20-21:
 - \$10,000,000 in one-time costs for the purchase of aligned textbooks and instructional materials.
 - \$14,250,000 in recurring costs for coaching and implementation support for the literacy grant (\$15,000 x 950 schools);
- It is estimated that approximately 75,000, or 66 percent, of students in each grade K-2 have reading deficiencies; thus, the requirements of the proposed legislation will apply to an estimated 148,500 students (75,000 x 3 x 66%).
- It is estimated that the following elements of the proposed legislation will have mandatory recurring local costs beginning in FY20-21:
 - \$1,336,500 for quarterly reports (\$2.25 x 4x per year x 148,500);
 - \$7,425,000 for generating individual reading plans (\$50/hr. x 1hr. per plan x 148,500);
 - \$59,400,000 for monitoring progress (\$50/hr. x 1 hr. per month x 8 months x 148,500);
 - \$267,300,000 for support services (\$60/hr. x 1 hr. per week x 30 weeks x 148,500); and
 - \$600,000 for the platform or service to generate and maintain individual reading plans.
- The total permissive increase in local expenditures is estimated to be \$24,250,000 (\$14,250,000 +10,000,000) in FY20-21.
- The total mandatory recurring increase in local expenditures is estimated to be \$336,061,500 (\$1,336,500, + \$7,425,000 + \$59,400,000 + \$267,300,000 + 600,000) in FY20-21.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

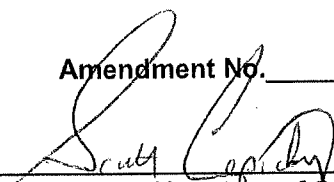
CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/alh

Amendment No. _____


Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2160

House Bill No. 2229*

by deleting all language after the enacting clause and substituting instead the following:

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This part shall be known and may be cited as the "Tennessee Literacy Success Act."

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 - (3) In 2019, Tennessee's third grade English language arts proficiency rate was thirty-six and nine-tenths percent (36.9%); and
 - (4) In 2019, Tennessee's eighth grade English language arts proficiency rate was twenty-seven and one-tenth percent (27.1%).

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As used in this part:

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- (2) "Educator preparation provider" means a Tennessee educator preparation provider, approved by the state board, responsible for managing,



operating, or coordinating programs for the preparation and licensure of teachers and other school personnel;

(3) "Parent" means the parent, guardian, person who has custody of the child, or individual who has caregiving authority under § 49-6-3001;

(4) "Significant reading deficiency" means that the results of a student's universal reading screener or locally adopted reading screener do not meet proficiency, as determined by the state board, in the areas of phonemic awareness, phonics, vocabulary, fluency, and comprehension;

(5) "State board" means the state board of education;

(6) "Systematic foundational skills instruction" means an evidence-based method of teaching students to read that includes the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension that enables students to develop the reading skills required to meet the Tennessee academic standards; and

(7) "Universal reading screener" means a uniform tool that screens and monitors a student's progress in the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension.

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(a) Each LEA shall ensure that the instructional programming, intended to meet the English language arts standards adopted by the state board, for students in grades kindergarten through three (K-3), is based on the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension.

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in grades kindergarten through two (K-2) three (3) times each school year during the administration windows set by the department. The administration window for the first reading screener administered to students must occur within the first thirty (30) days of the school year. An LEA shall administer a reading screener to a student in the third grade who has a significant reading deficiency, as demonstrated by the student's performance on the last reading screener administered to the student in second grade.

(c) A student in grades kindergarten through two (K-2) who exhibits, at any time, a significant reading deficiency, as demonstrated by the student's performance on a reading screener, or who exhibits, at any time, a reading skill deficiency, as demonstrated by the student's performance on a locally administered formative or interim assessment or through teacher observation, must be provided with intensive, supplemental instructional supports that address the student's significant reading deficiency or reading skill deficiency immediately following the identification of the student's significant reading deficiency or reading skill deficiency.

(d) Immediately upon determining that a student in grades kindergarten through two (K-2) has a significant reading deficiency, the LEA shall notify the student's parent in writing of the determination.

(e)

(1) A student in the third grade shall not be promoted to the next grade level unless the student has shown a basic understanding of the curriculum and ability to perform the skills required in the subject of reading, as demonstrated by the student's grades or standardized test results; provided, however, that student may be promoted if:

(A) The student participates in an evidence-based reading intervention program before the beginning of the next school year; or

(B) The student is an English language learner and has received less than two (2) years of instruction in English.

(2) This subsection (e) does not supersede an LEA's obligations to comply with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.) or Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

(f) This section must not be interpreted to require the use of instructional materials based on the common core standards, or to re-establish the common core state standards replaced under § 49-1-310.

49-1-906.

(a) Subject to available funding, the state board, with administrative support from the department, shall establish and administer a literacy skills grant program.

(b) The state board shall establish criteria for an LEA to qualify for a literacy skills grant. To qualify for a literacy skills grant, an LEA must, at a minimum:

(1) Implement an instructional program for English language arts in grades kindergarten through three (K-3) that includes systematic foundational skills instruction;

(2) Ensure all textbooks and instructional materials used to teach students to read include systematic foundational skills instruction, reflect practices shown to have a positive effect on student achievement, and include documentation of a rigorous research approach;

(3) Submit the results of the reading screener required under § 49-1-905(b) to the department;

(4) Ensure all teachers in grades kindergarten through three (K-3) who provide reading instruction to students participate in a literacy-related training provided by the department or by a provider approved by the state board; and

(5) Receive literacy-related implementation and coaching support from service providers approved by the state board.

(c) By July 1, 2023, the department, in partnership with the state board and the Tennessee higher education commission, shall provide a report to the chairs of the

education committees of the senate and the house of representatives regarding the implementation of this section.

(d)

(1) By December 31, 2020, for purposes of consolidating existing information for the general assembly, the department shall conduct a review of the following:

(A) A landscape analysis of literacy in this state, including current practices, student achievement, instructional programming, and remediation services;

(B) A landscape analysis of literacy instruction, including instructional programming and pedagogical practices utilized by educator preparation providers; and

(C) A joint analysis with the Tennessee higher education commission regarding affordability of educator preparation providers, including tuition affordability and net-tuition affordability for future educators, costs relative to peer institutions in other states, student loan and debt burden of educator preparation provider graduates, an assessment of financial barriers that may prevent postsecondary students and career changers from pursuing teaching as a profession, and the ability to reduce the costs of offering educator preparation and credentials.

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(3) By March 1, 2021, the results of the review must be reported to the commissioner and provided to the state board and the chairs of the education committees of the senate and the house of representatives. The results of the review must be posted on the department's website.

(4) All student information must be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), § 10-7-504, and all other relevant state and federal privacy laws.

49-1-908.

The department shall procure any good or service selected or approved by the department to effectuate this part competitively and in compliance with all state laws and administrative rules regarding the procurement of goods and services by state agencies, including §§ 12-3-101 – 12-3-104. Contracts for the procurement of any good or service selected or approved by the department to effectuate this part are subject to review by the fiscal review committee of the general assembly.

SECTION 4. Tennessee Code Annotated, Title 49, Chapter 5, Part 56, is amended by adding the following as a new section:

(a) Educator preparation providers must provide candidates seeking licensure to teach in grades kindergarten through three (K-3) with training and instruction on:

(1) How to effectively teach the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(2) How to differentiate instruction for teaching students with advanced reading skills and students with significant reading deficiencies;

(3) Dyslexia identification and providing effective instruction for teaching students with dyslexia using appropriate scientific research and brain-based multisensory intervention methods and strategies in alignment with the training required in § 49-6-3004(c)(1)(A);

(4) How to implement reading instruction using high-quality instructional materials;

(5) Behavior management, trauma-informed principles and practices for the classroom, and other developmentally appropriate supports to ensure that students can effectively access literacy instruction; and

(6) How to understand and use student reading data.

(b)

(1) Effective August 1, 2022, a candidate seeking a teaching license or endorsement that authorizes the candidate to teach students in grades kindergarten through three (K-3) must provide a certificate documenting passage of a Tennessee reading instruction test developed or identified by the state board that tests the candidate's knowledge of systematic foundational skills instruction.

(2) Subject to available funding, the test developed or identified by the state board pursuant to this section must be provided at no cost to the candidate.

(c) The state board, in consultation with the department, shall promulgate revisions to the state board rules regarding the approval of educator preparation providers and rules regarding educator licensure to effectuate this section.

SECTION 5. Tennessee Code Annotated, Section 49-6-3115, is amended by deleting the section.

SECTION 6. The state board may promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.



**CORRECTED
FISCAL MEMORANDUM**

HB 2229 - SB 2160

May 26, 2020

SUMMARY OF ORIGINAL BILL: Establishes the following:

Literacy Instruction: Requires a local education agency (LEA) that enrolls students in any of the grades kindergarten through two (K-2) to provide students in grades (K-2) the instruction necessary for the students to develop the reading skills required to meet the Tennessee academic standards and the developmental expectations for the student's respective grade level. Requires the Department of Education (DOE) to approve the instructional programming and services that must be used to provide evidence-based and scientifically-based systematic phonics instruction. Requires an LEA to provide students in K-2 knowledge-based English language arts elementary curricula. Requires DOE to administer a common reading diagnostic to benchmark literacy skills and growth. Requires an LEA to administer the diagnostic to any student in the third-grade who is reading below grade level. Requires DOE to establish three administration windows each school year for the administration of the diagnostics. Requires LEAs to submit the results of the common reading diagnostic to DOE. Requires DOE to provide additional instructional support to a student reading below grade level.

Educator Preparation Programs: Establishes requirements for educator preparation programs. Requires DOE to develop additional guidance on requirements for educator preparation programs. Requires DOE and the State Board of Education (SBE) to develop a policy for approving educator preparation programs. Requires DOE, in partnership with SBE and the Tennessee Higher Education Commission (THEC), to provide a report to the Chairs of the Education Committees of the Senate and the House of Representatives on the implementation of this section by July 1, 2023. Requires DOE to complete a study of literacy in Tennessee, including current practices, student achievement, and instructional programming by December 31, 2020. Requires DOE and THEC to provide a report on the findings of the study to the Chairs of the Education Committees of the Senate and the House of Representatives by March 1, 2021.

State Accountability Model: Requires DOE to convene an advisory group of stakeholders to advise the Department on the integration of third-grade reading proficiency into the performance goals and measures by June 30, 2020. Requires DOE, in consultation with the advisory group, to review changes to the accountability performance designations for students in grades K-3 regarding the weight attributed to the third-grade reading proficiency levels demonstrated by student performance on TCAP tests. Requires DOE to submit any revisions to the SBE for approval and to the United States Department of Education, if required.

Professional Development and Support: Establishes criteria for literacy training for educators. Requires DOE to provide two separate literacy-related trainings that are required for all educators serving students in grades kindergarten through five (K-5) by June 30, 2022. Authorizes an LEA to apply for and receive literacy-related implementation and coaching support from service providers approved by DOE. Requires implementation and coaching support to be awarded through a competitive grant process established by DOE. Limits the term of the grant award to three years.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$48,633,900/FY20-21
\$11,133,900/FY21-22 and Subsequent Years

The Governor's proposed budget for FY20-21, on page B-88, recognizes a one-time increase in state expenditures to the General Fund of \$37,500,000, and a recurring increase in state expenditures to the General Fund in the amount of \$11,250,000, for a total of \$48,750,000 in FY20-21.

SUMMARY OF AMENDMENT (017557): Deletes all language after the enacting clause. Creates the Tennessee Literacy Success Act. Requires a local education agency (LEA) that enrolls students in any of the grades kindergarten through three (K-3) to ensure that instructional programming intended to meet the English language arts standards adopted by the SBE is based on the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension.

Requires each LEA to use a universal reading screener approved by DOE or alternative reading screener approved by SBE. Requires the universal reading screener approved by DOE to be provided at no cost. Requires an LEA to administer a reading screener to students in grades K-2 three times each school year during the administration windows set by DOE. Requires the administration window for the first reading screener to occur within the first 30 days of the school year. Requires a LEA to administer a reading screener to a student in third grade who has a significant reading deficiency based on the student's performance on the reading screener administered in the second grade. Requires an LEA to provide intensive instructional support for any student in K-2 who at any time demonstrates a significant reading deficiency. Prohibits a student in the third grade from being promoted to the next grade unless the student demonstrates a basic understanding of the curriculum and the necessary reading skills as indicated by the student's grades or standardized test results. Authorizes a student who lacks the requisite knowledge and skills for the next grade level to be promoted if the student participates in an evidence-based reading intervention program or the student is an English language learner and has received less than two years of English instruction.

Requires SBE, subject to available funding and with administrative support from DOE to administer a literacy skills grant program. Requires SBE to establish criteria for an LEA to qualify for a literacy skills grant and establishes minimum requirements for the literacy skills

grant. Requires DOE, in partnership with SBE and the Tennessee Higher Education Committee (THEC), to provide a report to the Chairs of the Education Committees of the Senate and the House of Representatives on the literacy skills grant program by July 1st, 2023. Requires DOE to complete a review of literacy in Tennessee, including current practices, student achievement, and instructional programming; and in a joint analysis with THEC, the affordability of educator preparation providers by December 31, 2020. Requires DOE to provide a report on the results of the review to the Chairs of the Education Committees of the Senate and the House of Representatives by March 1, 2021.

Requires educator preparation providers to provide candidates seeking licensure to teach in K-3 with training and instruction on certain teaching areas. Requires a candidate seeking a teaching license or endorsement that authorizes the candidate to teach in grades K-3 to provide a certificate documenting passage of a Tennessee reading instruction test developed by SBE. Requires the test to be provided to the candidate at no cost if funding is available. Requires SBE, in consultation with DOE, to promulgate revisions to SBE rules regarding the approval of educator preparation providers and rules regarding educator licensure.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

On May 22, 2020, a fiscal memorandum was issued with the following fiscal impact:

*Increase State Expenditures – \$36,533,900/FY20-21
\$4,133,900/FY21-22 and Subsequent Years*

*Increase Local Expenditures –
\$24,250,000/FY20-21/Permissive
\$14,250,000/FY21-22 and Subsequent Years/Permissive
\$326,700,000/FY20-21 and Subsequent Years**

Based on further analysis, this impact was determined to be in error. The corrected fiscal impact is as follows:

(CORRECTED)

**Increase State Expenditures – \$36,533,900/FY20-21
\$4,133,900/FY21-22 and Subsequent Years**

**Increase Local Expenditures –
\$24,250,000/FY20-21/Permissive
\$14,250,000/FY21-22 and Subsequent Years/Permissive**

Corrected Assumptions for the bill as amended:

- It is estimated that the following elements of the proposed legislation will have one-time state costs in FY20-21:
 - \$31,400,000 for initial training; and

- \$1,000,000 for a universal reading screener development.
- It is estimated that the following elements of the proposed legislation will have recurring state costs beginning in FY20-21 and subsequent years:
 - \$750,000 for a universal reading screener;
 - \$2,000,000 for ongoing training;
 - \$1,000,000 for an educator preparation certification test; and
 - \$100,000 for reporting requirements.
- SBE will require 3 additional full-time positions and 1 one full-time administrative position to administer the literacy grant program. It is estimated that the positions will have the following costs:
 - \$64,218 (\$49,440 salary + \$14,778 benefits) for one SBE Analyst 2 position at a starting salary point;
 - \$122,950 (\$47,088 salary + \$14,387 benefits x 2) for 2 SBE analyst 1 positions at a starting salary point;
 - \$51,750 (\$38,748 + \$13,002 benefits) for 1 SBE administrative assistant; and
 - \$45,000 for travel for all four positions.
- The total costs for additional SBE positions is estimated to be \$283,918 (\$64,218 + \$122,950 + \$51,750 + \$45,000) in FY20-21 and subsequent years.
- The total one-time increase in state expenditures in FY20-21 is estimated to be \$36,533,918 (\$31,400,000 + \$1,000,000 + \$750,000, + \$2,000,000 + \$1,000,000 + \$100,000 + 283,918) in FY20-21.
- The total recurring increase in state expenditures is estimated to be \$4,133,918 (\$750,000 + \$2,000,000 + \$1,000,000 + \$100,000 + \$283,918) beginning in FY21-22 and subsequent years.

Local Impact Assumptions:

- It is estimated that the following elements of the proposed legislation will have permissive local costs in FY20-21:
 - \$10,000,000 in one-time costs for the purchase of aligned textbooks and instructional materials.
 - \$14,250,000 in recurring costs for coaching and implementation support for the literacy grant (\$15,000 x 950 schools);
- It is estimated that approximately 75,000, or 66 percent, of students in each grade K-2 have reading deficiencies; thus, the requirements of the proposed legislation will apply to an estimated 148,500 students (75,000 x 3 x 66%).
- It is assumed that the intensive supplemental instructional support required by the proposed legislation can be accommodated using current staff and resources of the LEAs.
- The total permissive increase in local expenditures is estimated to be \$24,250,000 (\$14,250,000 + \$10,000,000) in FY20-21.
- A recurring permissive increase in local expenditures of \$14,250,000 in FY21-22 and subsequent years.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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Clerk _____
Comm. Amdt. _____

Amendment No. _____

Mary Feltz

Signature of Sponsor

AMEND Senate Bill No. 2633

House Bill No. 2589*

by inserting the following section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 12-3-1212, is amended by adding the following language at the end of the section:

For purposes of this section, counties that have adopted the County Financial Management System of 1981, the County Purchasing Law of 1957, or that are similarly centralized for purchasing under a private act, are deemed to have a full-time purchasing agent.



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March 10, 2020

SUMMARY OF ORIGINAL BILL: Changes, from \$10,000 to \$25,000, the amount for which a local board of education or governing body of a public charter school must make purchases or expenditures by competitive bids if an LEA chooses not to follow the local governing body's purchasing procedures. Requires the amounts for purchases and expenditures that must be made by competitive bids to be increased each year by the greater of two percent or the rate of inflation beginning in FY20-21. Requires the resulting amount to be rounded to the nearest one hundred dollars. Requires the Comptroller of the Treasury (COT) to calculate the amount of the required increase and notify the Department of Education (DOE) of the increase. Requires DOE to post the increase and increased amount on DOE's website.

FISCAL IMPACT OF ORIGINAL BILL:

Decrease Local Expenditures - Exceeds \$5,700/FY20-21 and Subsequent Years

SUMMARY OF AMENDMENT (015992): Adds language to the original bill such that the only substantive change is to establish that counties that have adopted the County Financial Management System of 1981, the County Purchasing Law of 1957, or that are similarly centralized for purchasing under a private act, are deemed to have a full-time purchasing agent.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Local boards of education and governing bodies of public charter schools are currently required to make procurement through competitive bids for purchases or expenditures at \$10,000 or greater.
- Adjusting the threshold for competitive bids does not change the process that is already in place and will not require any additional resources; therefore, any impact to the operations of local boards of education or local governing bodies of public charter schools is estimated to be not significant.

- Competitive bids of \$10,000 or more are required to be solicited through advertisement in a newspaper of general circulation. Increasing that threshold will lead to fewer required newspaper advertisements.
- Based on responses to the 2017 Local Government Survey conducted by the Fiscal Review Committee staff, participating local government officials reported the average cost for a newspaper notification is \$114.
- The total decrease in required newspaper publications is unknown but reasonably estimated to exceed 50 statewide per year.
- A total recurring decrease in local government expenditures exceeding \$5,700 ($\114×50) beginning in FY20-21.
- No significant impact to DOE or COT.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2486

House Bill No. 2112*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following new section:

(a) There is created a study committee on the future of collegiate athletics in Tennessee composed of fifteen (15) members as follows:

(1) An athletic director, or the athletic director's designee, of each of the following universities:

- (A) University of Tennessee, Knoxville;
- (B) Vanderbilt University;
- (C) Middle Tennessee State University;
- (D) University of Memphis; and
- (E) Tennessee State University;

(2) Two (2) former collegiate athletes, one (1) to be appointed by the speaker of the senate and one (1) to be appointed by the speaker of the house of representatives;

(3) Two (2) members of the general assembly, one (1) to be appointed by the speaker of the senate and one (1) to be appointed by the speaker of the house of representatives;

(4) A representative from an athletic department of a college or university in Tennessee participating in the football championship subdivision who is appointed by the speaker of the house of representatives;



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(5) A school administrator from a college or university in Tennessee responsible for collegiate admission who is appointed by the speaker of the senate;

(6) The general counsel of a college or university in Tennessee who is appointed by the speaker of the house of representatives;

(7) Two (2) collegiate coaches, one (1) to be appointed by the speaker of the senate and one (1) to be appointed by the speaker of the house of representatives; and

(8) A representative of the governor's office who is appointed by the governor.

(b) The members of the general assembly will serve as co-chairs of the committee.

(c) The chairs will call the first meeting of the committee no later than August 31, 2020. The committee shall conduct additional meetings at the call of the chairs.

(d) A vacancy on the committee must be filled for the balance of the unexpired term in the same manner as the original appointment.

(e) Eight (8) members of the committee constitute a quorum for the purposes of voting and conducting the business of the committee.

(f) The members of the committee are not entitled to per diem or travel expenses for attending meetings or carrying out their duties under this section.

(g) The mission of the committee is to review the current state of collegiate athletics in Tennessee and survey the current landscape across the country with respect to collegiate athletics for the purpose of:

(1) Making recommendations to the general assembly as to best practices in protecting student athletes;

(2) Being responsive to national and regional changes to insure that collegiate athletes, colleges, and universities in this state are not at a competitive disadvantage.

(h) The committee will produce and submit a report to each member of the general assembly no later than February 1, 2021.

(i) This section is repealed on May 1, 2021.

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

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2112 - SB 2486

March 9, 2020

SUMMARY OF ORIGINAL BILL: Requires each institution governed by the Tennessee Board of Regents (TBR) or a state university board to make the grievance procedure for its support staff employees available on its website.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016579): Deletes all language after the enacting clause. Creates a study committee, composed of 15 members, to review the current state of collegiate athletics in Tennessee and across the country in order to make recommendations to the General Assembly on best practices in protecting student athletes, and to ensure that colleges, universities, and collegiate athletes are not at a competitive disadvantage. Requires the committee to submit a report on its work to each member of the General Assembly no later than February 1, 2021.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – \$1,400/FY20-21

Assumptions for the bill as amended:

- The committee will consist of two legislative members and 13 non-legislative members, for a total of 15 members.
- It is assumed the committee will meet three times, and that all 15 members will attend all three meetings.
- Legislative members of the committee are to be reimbursed as members of the General Assembly and paid for attending legislative meetings; other members shall not receive compensation for service or reimbursement for travel expenses.
- It is assumed the General Assembly will be in session at the time of one committee meeting.
- Legislative members will receive per diem of \$240 per day for two committee meetings.
- The average mileage reimbursement per legislative member for each meeting is estimated to be \$110 (\$0.47 x 234 miles).

- The cost per legislative member for each meeting is estimated to be \$350 (\$240 per diem + \$110 mileage).
- The one-time increase in state expenditures as a result of this legislation is estimated to be \$1,400 (2 members x \$350 x 2 meetings) in FY20-21.
- Any increase in state expenditures to administer the committee is estimated to be not significant.
- Any increase in state expenditures for the committee to compile and submit the final report will not be significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/jpj

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 2503

House Bill No. 2601*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-7-1601, is amended by deleting the language "and Accountability Act" and substituting instead the language "and Tennessee Responsible Borrowing Initiative Act".

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 16, is amended by adding the following as a new section:

(a) Beginning in the 2021-2022 academic year, each institution operated by the board of regents, each state university, and each campus in the University of Tennessee system shall provide each student with a detailed and completed current-year federal college financing plan. The plan must be provided to students at least once with the student's notice of financial aid eligibility. An institution may substitute a personalized and detailed institution-specific alternative to the federal college financing plan, if the institution's alternative provides, at a minimum, the following information:

- (1) The total cost of attendance;
- (2) The total amount per year of grants and scholarships awarded to the student, including awards from the institution, state programs, and federal programs;
- (3) The estimated total net cost, based on the institution's cost of attendance, to the student for one (1) year of attendance at the institution, after deducting amounts awarded to the student through grants and scholarships;
- (4) The total amount per year of actual student loans and estimated work study funds for which the student is eligible, accompanied by the amount of each



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federal, state, or institutional loan by loan type and program origin, and the estimated amount of work study funds from each federal, state, or institutional work study option; and

(5) Information and resources available to the student relative to financial aid planning and loan repayment calculations.

(b) When a student is finalizing acceptance of a financial aid package, the institution shall clearly provide to the student:

(1) The estimated unmet financial need accompanied by the total amount per year of eligible student loans; and

(2) A statement on the importance of responsible student borrowing.

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

it.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2601 - SB 2503

March 2, 2020

SUMMARY OF ORIGINAL BILL: Renames the Tuition Transparency and Accountability Act to the Tuition Transparency and Responsible Borrowing Initiative Act.

Requires all public institutions of higher education (institutions) to provide every student a notice of financial aid eligibility to include a detailed and completed current-year federal or institution-specific college financing plan.

Requires each institution to provide a student who is finalizing acceptance of a financial aid package, the net cost of the student's attendance in a prominent and highly visible manner and an interactive student loan scenario calculator that demonstrates repayment levels.

Requires each institution to provide additional financial aid information, including links to appropriate financial aid tools and resources, as determined by the Tennessee Higher Education Commission.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$5,600/FY20-21/Tennessee Board of Regents
\$33,600/FY20-21/Locally Governed Institutions
\$5,600/FY20-21/University of Tennessee

SUMMARY OF AMENDMENT (015405): Deletes and replaces all language after the enacting clause such that the only substantive change is to require institutions to provide students with the estimated unmet financial need accompanied by the total amount per year of eligible student loans and a statement on the importance of responsible student borrowing when a student is finalizing acceptance of a financial aid package, as opposed to an interactive student loan scenario calculator.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumption for the bill as amended:

- Any increase in administrative expenditures to the institutions for providing the required college financing plan and additional financial aid information is assumed to be absorbed within existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jpj

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 2339

House Bill No. 1839*

by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) Each governing board of a public institution of higher education shall submit a report to the comptroller of the treasury by October 1, 2020, and by October 1 of each year thereafter, detailing for the most recent full fiscal year, each individual who:

(1) Worked for or performed research at a public institution of higher education governed by the governing board at any point during the most recent fiscal year pursuant to an exchange or visitor visa; and

(2) Whose work or research was funded wholly or in part by a foreign entity.

(b) Each governing board submitting a report pursuant to subsection (a) shall not include an individual in the report who was enrolled as a student at a public institution of higher education during the most recent fiscal year.

(c) The comptroller shall compile the data submitted pursuant to subsection (a), and submit a cumulative report of the data to the governor and each member of the general assembly. The comptroller shall post the cumulative report to the comptroller's website.

(d) As used in this section:

(1) "Exchange or visitor visa" means a nonimmigrant visa for a person who enters the United States temporarily for business or to participate in an approved exchange visitor program, and includes J-1 visas, B-1 visas, or a valid



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Electronic System for Travel Authorization (ESTA), if traveling without a visa under the Visa Waiver Program; and

(2) "Foreign entity" means a foreign nation, a political subdivision of a foreign nation, or an organization sponsored, operated, or funded by a foreign nation.

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



March 7, 2020

SUMMARY OF ORIGINAL BILL: Prohibits a governing board of a public institution of higher education (institution) from contracting or affiliating with a foreign nation, a political subdivision of a foreign nation, or an organization sponsored, operated, or funded by a foreign nation to provide or establish a program of instruction or learning center. Establishes that any contract or agreement executed before the effective date of this legislation shall remain in full force and effect until the expiration of the contract or agreement.

FISCAL IMPACT OF ORIGINAL BILL:

Other fiscal impact – Passage of the proposed legislation could decrease funding for several programs at public institutions of higher education. However, due to multiple unknown factors, a precise fiscal impact cannot be reasonably quantified.

SUMMARY OF AMENDMENT (015865): Deletes all language after the enacting clause. Requires each governing board of a public institution of higher education (institution) to submit a report to the Comptroller of the Treasury (COT) by October 1, 2020, and October 1 of each year thereafter, detailing: (1) each individual who worked for or performed research at its institution at any point during the most recent fiscal year pursuant to an exchange or visitor visa; and (2) whose work or research was funded wholly or in part by a foreign entity. Excludes individuals who were enrolled as a student at an institution during the most recent fiscal year.

Requires COT to compile the data into a cumulative report and submit it the Governor and each member of the General Assembly, as well as post it to the COT's website.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Any costs to the institutions to submit the report is assumed to be absorbed within existing resources; therefore, any fiscal impact to state government is estimated to be not significant.
- COT will compile and submit the required report utilizing existing resources; therefore any fiscal impact to state government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jpj

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Amendment No. _____
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Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2339

House Bill No. 1839*

by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) Each governing board of a public institution of higher education shall submit a report to the Tennessee higher education commission by October 1, 2020, and by October 1 of each year thereafter, detailing for the most recent fiscal year, each individual:

(1) Who worked for or performed research at a public institution of higher education governed by the governing board at any point during the most recent fiscal year pursuant to an exchange or visitor visa; and

(2) Whose work or research was funded wholly or in part by a foreign entity.

(b) Each governing board submitting a report pursuant to subsection (a) shall not include an individual in the report who was enrolled as a student at a public institution of higher education during the most recent fiscal year.

(c) The commission shall compile the data submitted pursuant to subsection (a), and submit an aggregate report of the data to the governor and to each member of the general assembly. The commission shall post the aggregate report to the commission's website.

(d) As used in this section:

(1) "Exchange or visitor visa" means a nonimmigrant visa for a person who enters the United States temporarily for business or to participate in an



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approved exchange visitor program, and includes J-1 visas, B-1 visas, or a valid Electronic System for Travel Authorization (ESTA), if traveling without a visa under the Visa Waiver Program; and

(2) "Foreign entity" means a foreign nation, a political subdivision of a foreign nation, or an organization sponsored, operated, or funded by a foreign nation.

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

it.



March 10, 2020

SUMMARY OF ORIGINAL BILL: Prohibits a governing board of a public institution of higher education (institution) from contracting or affiliating with a foreign nation, a political subdivision of a foreign nation, or an organization sponsored, operated, or funded by a foreign nation to provide or establish a program of instruction or learning center. Establishes that any contract or agreement executed before the effective date of this legislation shall remain in full force and effect until the expiration of the contract or agreement.

FISCAL IMPACT OF ORIGINAL BILL:

Other fiscal impact – Passage of the proposed legislation could decrease funding for several programs at public institutions of higher education. However, due to multiple unknown factors, a precise fiscal impact cannot be reasonably quantified.

SUMMARY OF AMENDMENT (016741): Deletes all language after the enacting clause. Requires each governing board of a public institution of higher education (institution) to submit a report to the Tennessee Higher Education Commission (THEC) by October 1, 2020, and October 1 of each year thereafter, detailing: (1) each individual who worked for or performed research at its institution at any point during the most recent fiscal year pursuant to an exchange or visitor visa; and (2) whose work or research was funded wholly or in part by a foreign entity. Excludes individuals who were enrolled as a student at an institution during the most recent fiscal year.

Requires THEC to compile the data into an aggregate report and submit to the Governor and each member of the General Assembly, as well as post it to the THEC's website.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Any costs to the institutions to submit the report is assumed to be absorbed within existing resources; therefore, any fiscal impact to state government is estimated to be not significant.
- THEC will compile and submit the required report utilizing existing resources; therefore any fiscal impact to state government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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Comm. Amdt. _____

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2805

House Bill No. 2872*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 61, is amended by adding the following language as a new section:

(a)

(1) Each local board of education shall adopt a policy requiring the LEA's schools to develop plans to provide mental and behavioral health services to students with adverse childhood experiences (ACEs), as defined in § 49-1-230. If a school employee finds that a student has one (1) or more ACEs, then the school employee shall report the finding to the school principal or the school counselor. Within ten (10) days of the report, the school principal or the school counselor shall confer with the student's parent and shall refer, with the parent's consent, the student to a school mental health counselor. If the school principal or the school counselor fails to refer a student to a school mental health counselor within ten (10) days of the report, then the director of schools or the director's designee shall confer with the student's parent and shall refer, with the parent's consent, the student to a community-based behavioral health provider within fifteen (15) days of the expiration of the ten-day period. An LEA, school, LEA employee, or school employee shall not be liable for the cost of any counseling or other mental health services provided to a student, regardless of whether the student received the services pursuant to a referral under this subdivision (a)(1).



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(2) Notwithstanding subdivision (a)(1), if a school employee has knowledge or reasonable cause to suspect that a student at the school is a victim of child abuse or child sexual abuse, then the school employee shall act in accordance with the requirements of § 37-1-403, § 37-1-605, or § 49-6-1601.

(b) As used in this section:

(1) "Parent" means a parent, guardian, person who has custody of the child, or an individual who has caregiving authority under § 49-6-3001; and

(2) "School mental health counselor" means any of the persons listed in § 49-2-124(c)(1)-(9) who may perform an evaluation for psychiatric diagnosis or treatment.

SECTION 2. Tennessee Code Annotated, Section 49-1-230, is amended by adding the following as a new subsection:

Each LEA shall conduct at least one (1) ACEs training seminar for parents and community-based partners annually. At a minimum, the seminars shall address the topics listed in subsection (b).

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2872 - SB 2805

March 10, 2020

SUMMARY OF ORIGINAL BILL: Authorizes a local education agency (LEA) to offer an adverse childhood experiences (ACEs) training program partially or wholly online.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015926): Deletes all language after the enacting clause. Requires each local board of education to adopt a policy requiring the LEA's schools to develop plans to provide mental and behavioral health services to students with ACEs. Requires a school employee to report to the school principal or counselor if it is found that a student has one or more ACEs. Requires the school principal or counselor to confer with the student's parent within 10 days of the report, and refer, with the parent's consent, the student to a school mental health counselor. Requires the director of schools or the director's designee to confer with a student's parent and, with the parent's consent, refer the student to a community-based health provider within 15 days if a school principal or counselor fails to refer a student to a mental health counselor within 10 days of receiving the ACEs report. Prohibits an LEA, school, LEA employee, or other school employee from being liable for the cost of any counseling or other mental health services provided to a student. Requires each LEA to conduct at least one ACEs training seminar for parents and community-based partners.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Each local board of education will be able to adopt a policy requiring an LEA's schools to develop plans to provide mental and behavioral health services to students with ACEs within existing resources.
- Schools will refer students who require mental and behavioral health services to existing school mental health counselors or providers outside of the school system; employees will not be liable for any costs incurred by these services and such actions will not significantly impact local government expenditures.

- Current law, pursuant to Tenn. Code Ann. § 49-1-230(b), requires the DOE to develop a training program on ACEs for school leaders and teachers.
- In addition, and pursuant to Tenn. Code Ann. § 49-1-230(c), an LEA may develop its own ACEs training program to make available to the LEA's school personnel.
- LEAs will be able to conduct at least one ACEs training seminar for parents and community-based partners from one of these two options using existing resources.
- Any impact to DOE is estimated to be not significant for the legislation does not place any additional requirements on the Department.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2209*

House Bill No. 2761

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-1016, is amended by deleting the section and substituting instead the following:

(a) The department of education and the department of safety, in conjunction with the Tennessee wildlife resources agency (TWRA), shall determine the earliest grade in which it is appropriate for students to begin receiving instruction on firearm safety. In determining the earliest appropriate grade for instruction on firearm safety, the departments shall study all relevant data and risk factors, including, but not limited to, the earliest age at which incidents of injury involving firearms are reported and the earliest age at which children are susceptible to harm from found firearms.

(b) Beginning with the 2021-2022 school year, each LEA and public charter school shall annually provide students with age-appropriate and grade-appropriate instruction on firearm safety. The instruction must begin with the earliest appropriate grade, as determined by the departments under subsection (a), and must continue in each subsequent grade through grade twelve (12).

(c) The instruction required under subsection (b) must:

(1) Teach students:

(A) How to avoid injury if the student finds a firearm;

(B) To never touch a found firearm; and

(C) To immediately notify an adult of the location of a found

firearm;



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(2) Be viewpoint neutral on political topics, such as gun rights, gun violence, and the second amendment to the United States constitution;

(3) Be provided in one (1) fifteen-minute period; and

(4) Not include the use or presence of live ammunition, live fire, or live firearms.

(d)

(1) The department of education and the department of safety, in conjunction with the Tennessee wildlife resources agency (TWRA), shall develop or approve a curriculum or program of instruction on firearm safety that meets the requirements of this section and that LEAs and public charter schools are required to implement for purposes of providing the instruction required under subsection (b). The department shall not approve a curriculum or program of instruction if the curriculum, program of instruction, or any of the instructional materials used as part of the curriculum or program of instruction bear a brand or organizational affiliation.

(2) The instruction required under subsection (b) may be provided in a classroom setting, through the viewing of a video, or through the review of online resources or materials, as determined by the department of education.

(3) Each LEA and public charter school shall determine how best to incorporate the instruction required under subsection (b) into the school year.

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

it.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2209 - HB 2761

March 9, 2020

SUMMARY OF ORIGINAL BILL: Authorizes a school to post the course curriculum and any course materials related to a noncompulsory gun safety class or program for students in elementary school to the school's or local education agency's (LEA's) website.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016583): Deletes all language after the enacting clause. Requires the Department of Education (DOE) and the Department of Safety (DOS), in conjunction with the Tennessee Wildlife Resources Agency (TWRA), to determine the earliest appropriate grade for students to begin receiving instruction on firearm safety. Requires DOE, DOS, and TWRA to study all relevant data and risk factors related to children and injuries involving firearms. Requires each local education agency (LEA) and public charter school to annually provide instruction on firearm safety for students in the earliest appropriate grade through grade 12 beginning in the 2021-22 school year. Establishes teaching requirements and topics required to be included in the instruction. Requires DOE, SOS, and TWRA to develop and approve a curriculum or program of instruction on firearm safety. Prohibits DOE from approving curriculum or a program of instruction, including any instructional materials, that bears a brand or organizational affiliation. Authorizes an LEA to provide the instruction in a classroom setting, through the viewing of a video, or through the review of online materials.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- DOE, DOS, and TWRA will be able to comply with the proposed legislation within existing resources.
- LEAs and public charter schools will be able to utilize free materials and instructional programs on firearm safety readily found on the internet to provide the annual instruction.

- LEAs and public charter schools will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.
- No significant impact to state or local operations.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

Amendment No. 3


Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2209*

House Bill No. 2761

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-1016, is amended by deleting the section and substituting instead the following:

(a) The department of education and the department of safety, in conjunction with the Tennessee wildlife resources agency (TWRA), shall determine the earliest grade in which it is appropriate for students to begin receiving instruction on firearm safety. In determining the earliest appropriate grade for instruction on firearm safety, the departments shall study all relevant data and risk factors, including, but not limited to, the earliest age at which incidents of injury involving firearms are reported and the earliest age at which children are susceptible to harm from found firearms.

(b) Beginning with the 2021-2022 school year, each LEA and public charter school shall annually provide students with age-appropriate and grade-appropriate instruction on firearm safety. The instruction must begin with the earliest appropriate grade, as determined by the departments under subsection (a), and must continue in each subsequent grade through grade twelve (12).

(c) The instruction required under subsection (b) must:

(1) Teach students:

- (A) How to avoid injury if the student finds a firearm;
- (B) To never touch a found firearm; and
- (C) To immediately notify an adult of the location of a found firearm;



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(2) Be viewpoint neutral on political topics, such as gun rights, gun violence, and the second amendment to the United States constitution;

(3) Be provided in one (1) fifteen-minute period; and

(4) Not include the use or presence of live ammunition, live fire, or live firearms.

(d)

(1) The department of education and the department of safety, in conjunction with the TWRA, shall develop or approve a curriculum or program of instruction on firearm safety that meets the requirements of this section and that LEAs and public charter schools are required to implement for purposes of providing the instruction required under subsection (b). The departments shall not approve a curriculum or program of instruction if the curriculum, program of instruction, or any of the instructional materials used as part of the curriculum or program of instruction bear a brand or organizational affiliation.

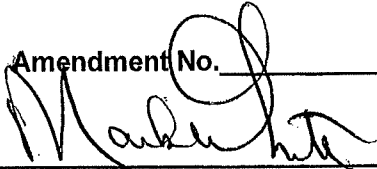
(2) The instruction required under subsection (b) may be provided in a classroom setting, through the viewing of a video, or through the review of online resources or materials, as determined by the department of education.

(3) Each LEA and public charter school shall determine how best to incorporate the instruction required under subsection (b) into the school year.

SECTION 2. Tennessee Code Annotated, Section 49-6-805, is amended by deleting subdivision (7) and substituting instead the following:

(7) Policies and procedures for annual school safety training for all students, teachers, and other school personnel. The fifteen-minute period of instruction on firearm safety required under § 49-6-1016 must be credited toward the annual school safety training required by the state-level safety team's template for district-wide school safety plans and building-level school safety plans for all students, teachers, and other school personnel who receive or provide the instruction; and

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

Amendment No. _____


Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2784*

House Bill No. 2462

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3001(c)(4), is amended by designating the existing language as subdivision (A) and adding the following as a new subdivision (B):

(B) Notwithstanding subdivision (c)(4)(A), a parent or guardian of a student who has accumulated five (5) or more days of unexcused absences during the school year, and who is subject to the LEA's progressive truancy interventions in § 49-6-3007:

(i) May withdraw the student from school during the school year if the withdrawal occurs in the first thirty (30) days of a school semester; and

(ii) Shall not withdraw the student from school at any time other than the first thirty (30) days of a school semester unless:

(a) The student's place of residence changes;

(b) The student is seeking to withdraw for transfer to another school or LEA pursuant to a local board of education's open enrollment policy or out-of-district transfer policy; or

(c) The director of schools and the student's parent or guardian determine that withdrawing from school is in the student's best interest.



SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.



March 10, 2020

SUMMARY OF ORIGINAL BILL: Authorizes a parent or guardian of a student who has accumulated five or more days of unexcused absences during the school year, and who is subject to the local education agency's (LEA's) progressive truancy intervention, to withdraw the student from school if the withdrawal occurs in the first month of a school semester. Prohibits parents or guardians of a student from withdrawing the student during a month other than the first month of a school semester unless certain criteria are met.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016688): Deletes all language after the enacting clause and rewrites the bill such that the only substantive change is to replace, "month" with "30 days", for purposes of establishing the deadline for student withdrawals from school under certain circumstances.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed legislation authorizes students who have accumulated five or more days of unexcused absences and who are subject to an LEA's progressive truancy intervention to be withdrawn from school under certain timing restrictions and criteria relating to change-of-residence and school transfers.
- Student enrollment is measured by average daily membership (ADM) and is the primary driver of funds generated by the BEP for the following fiscal year, the funding formula through which state education dollars are generated and distributed to Tennessee schools.
- The extent to which the proposed legislation may increase student withdrawals and transfers and subsequently affect BEP funding allocations cannot be accurately

estimated; therefore, a precise impact to state and local government cannot be determined with reasonable certainty but is estimated to be not significant.

- Total BEP funding will not be impacted as a result of the proposed legislation; therefore, no significant impact to state expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 2088*

House Bill No. 2461

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-1601, is amended by deleting the section and substituting instead the following:

(a) Notwithstanding § 37-5-107 or § 37-1-612, if a school teacher, school official, or other school personnel has knowledge or reasonable cause to suspect that a child who attends the school may be a victim of child abuse or child sexual abuse sufficient to require reporting pursuant to § 37-1-403 or § 37-1-605, then the school teacher, school official, or other school personnel must follow the procedures outlined in subsection (d).

(b) Each LEA and each public charter school shall ensure that all school officials and other school personnel annually complete the child abuse training program required in § 37-1-408.

(c) Each LEA and each public charter school shall designate a child abuse coordinator and an alternate child abuse coordinator for each school within the LEA or public charter school. The designation of an alternative child abuse coordinator is not required when only one (1) adult is employed by or responsible for the care of children at a school. The child abuse coordinator and the alternate child abuse coordinator must:

(1) Have access to an area providing privacy and access to a telephone for reporting suspected child abuse and child sexual abuse;

(2) Receive training in regard to:

- (A) Mandatory reporting;
- (B) Multidisciplinary protocols;
- (C) Advocacy centers;



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(D) The importance of limited interviews; and

(E) Signs, symptoms, or suspicions of child abuse;

(3) Be available for school personnel to share information about suspected child abuse and child sexual abuse;

(4) Assist school personnel in reporting suspected child abuse and child sexual abuse to law enforcement and to the department of children's services;

(5) Serve as a liaison between the school, the department, and law enforcement in child abuse and child sexual abuse investigations;

(6) Assist law enforcement and department personnel by sharing available information regarding suspected child abuse and child sexual abuse, and by providing a private area within the school for law enforcement and department personnel to meet with the child and the reporting school personnel as a group or individually if required; and

(7) Maintain confidential files in accordance with §§ 37-5-107 and 37-1-612 regarding all reported suspicions of child abuse and child sexual abuse.

(d)

(1)

(A) If a child voluntarily discloses information about possible abuse to a school teacher, school official, or other school personnel, then the child must be provided a quiet and private place to speak and the person receiving the information must listen openly and speak at the child's level in a positive, non-judgmental tone.

(B) The person receiving the information from the child must:

(i) Allow the child to say what happened in the child's own words;

(ii) Avoid conducting an investigation by asking the child detailed questions;

(iii) Make every effort to write down the child's exact words;

(iv) Refrain from making any statements to the child about the alleged abuse, the alleged abuser, or the consequences of the child reporting the alleged abuse; and

(v) Immediately notify the school child abuse coordinator and report the information to the department and law enforcement.

(2) School teachers, school officials, and other school personnel should be observant of any bruising, injury, markings, or other unusual behavior that may be the result of child abuse or neglect, and immediately report any suspicions to the school's child abuse coordinator. Photographs of any bruising, injury, or markings must not be taken by any school child abuse coordinator, teacher, official, or other school personnel. Upon receiving a report of suspicion of child abuse or child sexual abuse, the child abuse coordinator must, along with the reporting school personnel who obtained the information from the child, report any suspected child abuse or child sexual abuse to law enforcement and the department.

(3) If a third party informs a school teacher, school official, or other school personnel of a reasonable suspicion that a child at the school may be the victim of child abuse or child sexual abuse, then the school teacher, school official, or other school personnel must:

(A) Encourage the third party to report the suspicion to the department and law enforcement;

(B) Notify the school's child abuse coordinator; and

(C) Report all information received from the third party to the department and law enforcement.

(4) School teachers, school officials, and other school personnel must maintain confidentiality of all information regarding any child abuse or child

sexual abuse report made pursuant to this section and all information regarding the suspected child abuse or child sexual abuse must be maintained by the school child abuse coordinator in a confidential file separate from the child's educational file.

(5) School child abuse coordinators, school teachers, school officials, and other school personnel shall not provide any information relevant to the suspected child abuse or child sexual abuse to the child's parent or guardian, and must refer any questions from the child's parent or guardian to the investigating law enforcement agency and the department.

(e) For purposes of this section, "school" means any public or privately operated child care agency, as defined in § 71-3-501; child care program, as defined in § 49-1-1102; preschool; nursery school; kindergarten; elementary school; or secondary school.

(f) Each LEA and public charter school shall publish the requirements of this section in the LEA's and public charter school's policies and procedures manual.

SECTION 2. Tennessee Code Annotated, Section 37-1-403, is amended by deleting subdivisions (i)(2), (i)(3), and (i)(4) and substituting instead the following:

(2) Notwithstanding § 37-5-107 or § 37-1-612, if a school teacher, school official, or other school personnel has knowledge or reasonable cause to suspect that a child who attends the school may be a victim of child abuse or child sexual abuse sufficient to require reporting pursuant to this section, then the school teacher, school official, or other school personnel must follow the procedures outlined in § 49-6-1601.

(3) For purposes of this subsection (i), "school" means any public or privately operated child care agency, as defined in § 71-3-501; child care program, as defined in § 49-1-1102; preschool; nursery school; kindergarten; elementary school; or secondary school.

SECTION 3. Tennessee Code Annotated, Section 37-1-605, is amended by deleting subsection (d) and substituting instead the following:

(1) Notwithstanding § 37-5-107 or § 37-1-612, if a school teacher, school official, or other school personnel has knowledge or reasonable cause to suspect that a child who attends the school may be a victim of child abuse or child sexual abuse sufficient to require reporting pursuant to this section, then the school teacher, school official, or other school personnel must follow the procedures outlined in § 49-6-1601.

(2) For purposes of this subsection (d), "school" means any public or privately operated child care agency, as defined in § 71-3-501; child care program, as defined in § 49-1-1102; preschool; nursery school; kindergarten; elementary school; or secondary school.

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2088 - HB 2461

March 2, 2020

SUMMARY OF ORIGINAL BILL: Requires each local education agency (LEA) and public charter school to designate a child abuse coordinator and an alternate child abuse coordinator for each school within the LEA and public charter school. Requires each LEA and each public charter school to ensure all school officials and other school personnel annually complete the child abuse training program. Establishes procedures for personnel to adhere to following the disclosure, discovery, or suspicion of child abuse or child sexual abuse.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015807): Deletes all language after the enacting clause and rewrites the bill such that the only substantive changes are to specify that a designated coordinator is not required in certain circumstances and to revise the guidelines for how school personnel and officials handle child abuse or child sexual abuse disclosures.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- LEAs and public charter schools will be able to comply with the proposed legislation within existing resources.
- LEAs and public charter schools will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.
- No significant impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1735

House Bill No. 1687*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-314, is amended by deleting the section and substituting instead the following:

Each LEA is responsible for developing and implementing the instructional programs under the state standards adopted by the state board that:

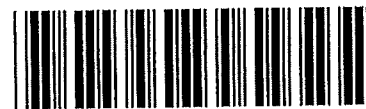
- (1) Best fit the LEA's students' educational needs;
- (2) Achieve levels of proficiency or advanced mastery;
- (3) Vigorously promote individual teacher creativity and autonomy; and
- (4) Incorporate science and social studies concepts into the English

language arts instruction for students in kindergarten through grade two (K-2).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.



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TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1687 - SB 1735

February 15, 2020

SUMMARY OF ORIGINAL BILL: Requires the State Board of Education (SBE) to abolish all academic standards for science and social studies for students in kindergarten through grade two (K-2). Authorizes the subjects of science and social studies to be incorporated into the curriculum aligned with the academic standards for English language arts for students in K-2.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$320,100/FY20-21

Decrease State Expenditures – \$106,700/Each FY21-22 through FY23-24

SUMMARY OF AMENDMENT (014847): Deletes all language after the enacting clause. Establishes that local education agencies (LEAs) are responsible for developing and implementing the instructional programs under the state standards adopted by SBE that meet certain student and teacher goals and incorporate science and social studies concepts into the English language arts for students in K-2.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- LEAs will be able to comply with the proposed legislation within existing resources.
- LEAs will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.
- No significant impact to state or local operations.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 1739

House Bill No. 1688*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-1021, is amended by deleting subsection (a) and substituting instead the following:

(a) Each LEA shall integrate:

(1) For students in kindergarten through grade two (K-2), a minimum of two (2) fifteen-minute periods of physical activity into each school day;

(2) For elementary school students other than students in kindergarten through grade two (K-2), a minimum of one hundred thirty (130) minutes of physical activity into each school week; and

(3) For middle and high school students, a minimum of ninety (90) minutes of physical activity into each school week.

SECTION 2. Tennessee Code Annotated, Section 49-6-1021(b), is amended by deleting the language "subdivision (a)(1)" and substituting instead "subdivision (a)(2)".

SECTION 3. Tennessee Code Annotated, Section 49-6-1021(d), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision:

(2) One (1) of the two (2) periods of physical activity required for each school day under subdivision (a)(1) for students in kindergarten through grade two (K-2) may be satisfied by the students' participation in a physical education class, if the class meets for a minimum of fifteen (15) minutes. An LEA shall not replace a physical education class for students in kindergarten through grade two (K-2) with a period of physical activity under subdivision (a)(1).



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SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1688 - SB 1739

February 22, 2020

SUMMARY OF ORIGINAL BILL: Requires Local Education Agencies (LEAs) to increase the total amount of physical activity required for students from 130 minutes for elementary students and 90 minutes for middle and high school students each school week to two 25-minute periods of physical activity each day for each school. Removes the requirement for LEAs to have physical education classes taught by a licensed teacher with an endorsement in physical education or by a specialist in physical education. Removes the requirement for the Office of Coordinated School Health in the Department of Education to provide an annual report on physical activity.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015065): Deletes all language after the enacting clause. Requires a minimum of two 15-minute periods of physical activity during each school day for students in kindergarten through grade two (K-2). Authorizes that one of the two periods of physical activity required for each school day for students in K-2 may be satisfied by the student's participation in a physical education class. Prohibits an LEA from replacing a physical education class for students in K-2 with a period of physical activity in this section.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The amended bill will require two 15-minute periods of physical activity for students in K-2 that will require adult supervision, but does not stipulate that licensed and certified physical education teachers must oversee the activity periods.
- It is assumed that LEAs will be able to comply with the proposed legislation using existing staff and resources; therefore, any fiscal impact is considered not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive style with a large, prominent "K" and "C".

Krista Lee Carsner, Executive Director

/alh

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Amendment No. _____



Signature of Sponsor

AMEND Senate Bill No. 1739

House Bill No. 1688*

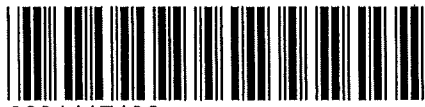
by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-1021, is amended by deleting subsection (b) and substituting instead the following:

(1) Physical activity may include walking, jumping rope, playing volleyball, or other forms of physical activity that promote fitness and well-being; however, walking to and from class is not considered physical activity for purposes of this section.

(2) To satisfy the requirements of subdivision (a)(1), an LEA shall offer elementary students at least one (1) fifteen-minute period of physical activity per day. An LEA shall allow a teacher in any of the grades kindergarten through two (K-2) to provide the teacher's students with two (2) fifteen-minute periods of physical activity per day. If a teacher provides the teacher's students with two (2) fifteen-minute periods of physical activity per day pursuant to this subdivision (b)(2), then the teacher shall notify the school principal of the additional physical activity time.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.



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016337

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1688 - SB 1739

March 10, 2020

SUMMARY OF ORIGINAL BILL: Requires Local Education Agencies (LEAs) to increase the total amount of physical activity required for students from 130 minutes for elementary students and 90 minutes for middle and high school students each school week to two 25-minute periods of physical activity each day for each school. Removes the requirement for LEAs to have physical education classes taught by a licensed teacher with an endorsement in physical education or by a specialist in physical education. Removes the requirement for the Office of Coordinated School Health in the Department of Education to provide an annual report on physical activity.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016337): Deletes all language after the enacting clause. Requires an LEA to allow a teacher in any of the grades kindergarten through two (K-2) to provide the teacher's students with two 15-minute periods of physical activity per day. Requires a teacher to notify the school principal if a teacher provides the teacher's students' with two 15-minute periods of physical activity per day.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- LEAs will be able to comply with the proposed legislation using existing staff and resources; therefore, any fiscal impact is considered not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 1736

House Bill No. 1689*

by deleting all language after the caption and substituting instead the following:

WHEREAS, girls who compete in interscholastic athletic activities strive to improve their performance in their particular field of competition in order to experience the personal satisfaction of victory, gain opportunities to participate in state and regional events, gain access to opportunities to be recruited and offered athletic scholarships by colleges, and more; and

WHEREAS, it is unfortunate for some girls that those dreams, goals, and opportunities for participation, recruitment, and scholarships can be directly and negatively affected by new school policies permitting boys who are male in every biological respect to compete in girls' athletic competitions if they claim a female gender identity; and

WHEREAS, allowing boys to compete in girls' athletic competitions discriminates against girls by regularly resulting in boys displacing girls in competitive events and excluding specific and identifiable girls from opportunities to compete at higher levels and from public recognition critical to college recruiting and scholarship opportunities that should go to those outstanding female athletes; and

WHEREAS, studies show that boys, on average, can be physically stronger than girls, having more skeletal muscle mass than girls and more upper-body and lower-body strength, which can result in injury to girls if girls participate in contact sports with boys; and

WHEREAS, the State has a legitimate government interest and concern in ensuring that children attending public schools have athletic opportunities that can potentially lead to academic scholarships and in ensuring that interscholastic athletic programs in public schools are conducted in a manner that would prevent undue injury to participants in such programs; now, therefore,



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015456

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following new section:

(a) A student's gender for purposes of participation in a public middle school or high school interscholastic athletic activity or event must be determined by the student's sex at the time of the student's birth, as indicated on the student's original birth certificate. If a birth certificate provided by a student pursuant to this subsection (a) does not appear to be the student's original birth certificate or does not indicate the student's sex upon birth, then the student must provide other evidence indicating the student's sex at the time of birth. The student or the student's parent or guardian must pay any costs associated with providing the evidence required under this subsection (a).

(b) The state board of education, each local board of education, and each governing body of a public charter school shall adopt and enforce policies to ensure compliance with subsection (a) in the public schools governed by the respective entity.

(c) As used in this section:

(1) "High school" means a school in which any combination of grades nine through twelve (9-12) are taught; and

(2) "Middle school" means a school in which any combination of grades five through eight (5-8) are taught.

(d) This section does not apply to students in any grade kindergarten through four (K-4).

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1689 - SB 1736

March 9, 2020

SUMMARY OF ORIGINAL BILL: Requires each public school that serves any combination of grades five through twelve and that provides interscholastic sports or athletic events for the school's students, to require each student to verify that the student is of the respective sex before the student may participate in the interscholastic sport or athletic event. Authorizes a student to verify the student's sex by providing the school with a birth certificate or the results of a DNA test. Prohibits a school from accepting a birth certificate that has been revised, altered, or amended with respect to the student's sex or that does not designate the student as male or female. Prohibits a school from allowing a student to participate in a single-sex interscholastic sport or athletic event if a student fails to verify the student's sex or if the public school determines that the student is not of the respective sex.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – A violation or failure to comply with federal regulations may jeopardize recurring federal funding for education.

SUMMARY OF AMENDMENT (015456): Deletes all language after the caption. Requires that a student's gender, for purposes of participation in a public middle school or high school interscholastic athletic activity, must be determined by the student's sex at the time of birth, as indicated on the student's original birth certificate. Requires a student to provide other evidence indicating the student's sex at the time of birth if the student's original birth certificate does not appear to be the original or does not indicate the student's sex. Requires the student or student's parent to pay any costs associated with providing evidence required in this section. Requires the State Board of Education (SBE), each local board of education, and each governing body of a public charter school to adopt and enforce policies to ensure compliance with this section. Excludes students in kindergarten through grade four from the requirements of this section.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- The proposed legislation requires a student's gender be determined by the student's biological sex as indicated on the student's original birth certificate for the purposes of participating in an interscholastic athletic activity.
- Title IX of the Education Amendments of 1972 prohibits a person, on the basis of sex, from being excluded from participation in, to be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics offered by a recipient, and no recipient shall provide any such athletics separately on such basis.
- Pursuant to 34 C.F.R. Part 106 a school may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.
- Requiring athletes to participate with and compete against other athletes based on the biological sex may exclude certain genders from participation in specific sports.
- A school may use a student's original birth certificate for the basis of determining a student's gender for the purposes participating in an athletic activity and remain in compliance with federal law; in which case there would be no significant impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

Amendment No. _____
Scott Capron

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1738

House Bill No. 1691*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-201(b), is amended by deleting subdivision (3) and substituting instead the following:

- (3) Children entering kindergarten must be five (5) years of age on or before:
- (A) August 15 for the 2020-2021 school year;
 - (B) July 21 for the 2021-2022 school year;
 - (C) June 26 for the 2022-2023 school year; and
 - (D) June 1 for the 2023-2024 school year and each school year

thereafter;

SECTION 2. Tennessee Code Annotated, Section 49-6-3001(a), is amended by deleting the subsection and substituting instead the following:

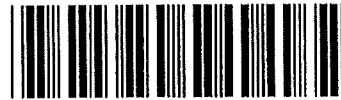
- (a) The public schools are free to all persons residing within the state who are above five (5) years of age or who will become five (5) years of age on or before:
- (1) August 15 for the 2020-2021 school year;
 - (2) July 21 for the 2021-2022 school year;
 - (3) June 26 for the 2022-2023 school year; and
 - (4) June 1 for the 2023-2024 school year and each school year

thereafter.

SECTION 3. Tennessee Code Annotated, Section 49-6-3001(b)(1), is amended by deleting the language "on or before August 31 for the 2013-2014 school year and on or before



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August 15 for all school years thereafter" and substituting instead the language "on or before the date provided for the respective school year in subsection (a)".

SECTION 4. Tennessee Code Annotated, Section 49-6-3001(b)(2), is amended by deleting subdivision (B) and substituting instead the following:

(B) Notwithstanding subdivision (b)(2)(A), if the director of schools finds through evaluation and testing, at the request of the parent or legal guardian, that a child is sufficiently mature emotionally and academically, then the child may be permitted to enter kindergarten if the child is five (5) years of age on or before:

- (i) September 30 for the 2020-2021 and 2021-2022 school years;
- (ii) August 31 for the 2022-2023 school year; and
- (iii) July 31 for the 2023-2024 school year and each school year

thereafter.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.



February 25, 2020

SUMMARY OF ORIGINAL BILL: Changes, from August 15th to June 1st, the date by which children entering kindergarten must be five years of age each year. Changes from August 15th to June 1st the date by which a person must be five years of age in this state to be eligible for free public school for the 2021-22 school year and subsequent years. Changes, from September 30th to July 31st, the date by which a child who is five years of age may enter kindergarten if the director of schools, through evaluation and testing, finds that the child is sufficiently mature emotionally and academically.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – The proposed legislation may impact student enrollment in kindergarten classrooms throughout the state, which may shift the amount of funds generated by the Basic Education Program (BEP) from FY22-23 to FY23-24.

Actual expenditures will decrease in FY21-22 due to decreased enrollment; these expenditures will shift to FY22-23. Due to multiple unknown factors the precise impact to state and local expenditures cannot reasonably be determined.

SUMMARY OF AMENDMENT (015066): Deletes all language after the enacting clause and rewrites the bill such that the only substantive changes are to: 1) require that children entering kindergarten must be five years of age on or before the following dates: August 15th in 2020-21; July 21st in 2021-22; June 26th in 2022-23; and June 1st in 2023-24 and each school year thereafter; 2) requires public schools to be free to all persons residing in the state who are five years of age on or before the following dates: August 15th in 2020-21; July 21st in 2021-22; June 26th in 2022-23; and June 1st in 2023-24 and each school year thereafter; and 3) authorizes a director of schools, through evaluation and testing, to find that if a child is sufficiently mature emotionally and academically, a child may enter kindergarten who is five years of age on or before the following dates: September 30th in 2020-21 and 2021-22; August 31st in 2022-23; and July 31st 2023-24 and each school year thereafter.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – The proposed legislation may impact student enrollment in kindergarten classrooms throughout the state, which may shift the amount of funds generated by the Basic Education Program (BEP) forward by one year beginning in FY22-23 and ending in FY24-25.

Actual expenditures will decrease in FY21-22 through FY23-24 due to decreased enrollment relative to current law. The overall net impact on funding and expenditures from FY21-22 through FY25-26 will be not significant.

Assumptions for the bill as amended:

- The proposed legislation may decrease enrollment for kindergarten students in the 2021-22 school year and increase enrollment in the 2022-23 school year; however, that number is expected to be offset in subsequent years such that the impact to kindergarten class size will not be significant.
- The proposed legislation may increase the number of voluntary pre-kindergarten (VPK) classrooms needed to serve children with summer birthdates that are not eligible to enroll in kindergarten.
- Tennessee Code Annotated § 49-6-107 requires that VPK programs are subject to annual appropriations. However, because additional funding has not been appropriated to expand the VPK program, enrollment would continue to limit the number of students that can be served.
- Student enrollment is measured by average daily membership (ADM) and is the primary driver of funds generated by the BEP for the following fiscal year, the funding formula through which state education dollars are generated and distributed to Tennessee schools.
- Decreasing enrollment in FY21-22, FY22-23, and FY23-24 and increasing enrollment in FY24-25 may lead to a shift in funding forward one year beginning in FY22-23 and ending in FY24-25; the net impact over the entire period is not significant.

School Year	5 Years of Age By	Change in Funding Based on ADM	Enrollment Change From Prior Year	Change in Funding
2020-21	August 15 th	2019-20	None	None
2021-22	July 21 st	2020-21	Decrease	None
2022-23	June 26 th	2021-22	Decrease	Increase
2023-24	June 1 st	2022-23	Decrease	Increase
2024-25	June 1 st	2023-24	Increase	Increase
2025-26	June 1 st	2024-25	None	Decrease
2026-27	June 1 st	2025-26	None	None

- Actual expenditures will decrease in FY21-22 through FY23-24 due to decreased enrollment; these expenditures will shift forward one year until FY24-25. Due to multiple unknown factors, including the extent and distribution of kindergarten enrollment changes across schools the precise impact to state and local expenditures cannot reasonably be determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/alh

Scott Cepicky

Amendment No. _____
Scott Cepicky
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1738

House Bill No. 1691*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-201(b), is amended by deleting subdivision (3) and substituting instead the following:

- (3) Children entering kindergarten must be five (5) years of age on or before:
 - (A) August 15 for the 2020-2021 school year;
 - (B) July 21 for the 2021-2022 school year;
 - (C) June 26 for the 2022-2023 school year; and
 - (D) June 1 for the 2023-2024 school year and each school year

thereafter;

SECTION 2. Tennessee Code Annotated, Section 49-6-3001(a), is amended by deleting the subsection and substituting instead the following:

(a) The public schools are free to all persons residing within the state who are above five (5) years of age or who will become five (5) years of age on or before:

- (1) August 15 for the 2020-2021 school year;
- (2) July 21 for the 2021-2022 school year;
- (3) June 26 for the 2022-2023 school year; and
- (4) June 1 for the 2023-2024 school year and each school year

thereafter.

SECTION 3. Tennessee Code Annotated, Section 49-6-3001(b)(1), is amended by deleting the language "on or before August 31 for the 2013-2014 school year and on or before August 15 for all school years thereafter" and substituting instead the language "on or before the date provided for the respective school year in subsection (a)".



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SECTION 4. Tennessee Code Annotated, Section 49-6-3001(b)(2), is amended by deleting subdivision (B) and substituting instead the following:

(B) Notwithstanding subdivision (b)(2)(A), if the director of schools finds through evaluation and testing, at the request of the parent or legal guardian, that a child is sufficiently mature emotionally and academically, then the child may be permitted to enter kindergarten if the child is five (5) years of age on or before:

- (i) September 30 for the 2020-2021 and 2021-2022 school years;
- (ii) August 31 for the 2022-2023 school year; and
- (iii) July 31 for the 2023-2024 school year and each school year

thereafter.

SECTION 5. Notwithstanding § 49-6-201(b) or § 49-6-3001(a) or (b), children who participate in an LEA-administered pre-kindergarten program; a pre-kindergarten program administered by a private school, as defined by § 49-6-3001(c)(3)(A)(iii); or a Head Start program in a Head Start classroom, as defined by 42 U.S.C. § 9832 during the 2020-2021, 2021-2022, or 2022-2023 school years may enter kindergarten in the 2021-2022, 2022-2023, or 2023-2024 school years; provided, that such children must be five (5) years of age on or before August 15, 2021 for the 2021-2022 school year, July 21, 2022 for the 2022-2023 school year, and June 26, 2023 for the 2023-2024 school year.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1691 - SB 1738

March 3, 2020

SUMMARY OF ORIGINAL BILL: Changes, from August 15th to June 1st, the date by which children entering kindergarten must be five years of age each year. Changes from August 15th to June 1st the date by which a person must be five years of age in this state to be eligible for free public school for the 2021-22 school year and subsequent years. Changes, from September 30th to July 31st, the date by which a child who is five years of age may enter kindergarten if the director of schools, through evaluation and testing, finds that the child is sufficiently mature emotionally and academically.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – The proposed legislation may impact student enrollment in kindergarten classrooms throughout the state, which may shift the amount of funds generated by the Basic Education Program (BEP) from FY22-23 to FY23-24.

Actual expenditures will decrease in FY21-22 due to decreased enrollment; these expenditures will shift to FY22-23. Due to multiple unknown factors the precise impact to state and local expenditures cannot reasonably be determined.

SUMMARY OF AMENDMENT (015885): Deletes all language after the enacting clause and rewrites the bill such that the only substantive changes are to: 1) require that children entering kindergarten must be five years of age on or before the following dates: August 15th in 2020-21; July 21st in 2021-22; June 26th in 2022-23; and June 1st in 2023-24 and each school year thereafter; 2) requires public schools to be free to all persons residing in the state who are five years of age on or before the following dates: August 15th in 2020-21; July 21st in 2021-22; June 26th in 2022-23; and June 1st in 2023-24 and each school year thereafter; and 3) authorizes a director of schools, through evaluation and testing, to find that if a child is sufficiently mature emotionally and academically, a child may enter kindergarten who is five years of age on or before the following dates: September 30th in 2020-21 and 2021-22; August 31st in 2022-23; and July 31st 2023-24 and each school year thereafter. Authorizes children who participate in a pre-kindergarten program administered by an LEA, private school or head to start during the 2020-21, 2021-22, or 2022-23 school years to enter kindergarten in the 2021-22, 2022-23, or 2023-24 school years provide that they are five years of age by the required dates.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – The proposed legislation may impact student enrollment in kindergarten classrooms throughout the state, which may shift the amount of funds generated by the Basic Education Program (BEP) forward by one year beginning in FY22-23 and ending in FY24-25.

Actual expenditures will decrease in FY21-22 through FY23-24 due to decreased enrollment relative to current law. The overall net impact on funding and expenditures from FY21-22 through FY25-26 will be not significant.

Assumptions for the bill as amended:

- The proposed legislation may decrease enrollment for kindergarten students in the 2021-22 school year and increase enrollment in the 2022-23 school year; however, that number is expected to be offset in subsequent years such that the impact to kindergarten class size will not be significant.
- The proposed legislation may increase the number of voluntary pre-kindergarten (VPK) classrooms needed to serve children with summer birthdates that are not eligible to enroll in kindergarten.
- Tennessee Code Annotated § 49-6-107 requires that VPK programs are subject to annual appropriations. However, because additional funding has not been appropriated to expand the VPK program, enrollment would continue to limit the number of students that can be served.
- Student enrollment is measured by average daily membership (ADM) and is the primary driver of funds generated by the BEP for the following fiscal year, the funding formula through which state education dollars are generated and distributed to Tennessee schools.
- Decreasing enrollment in FY21-22, FY22-23, and FY23-24 and increasing enrollment in FY24-25 may lead to a shift in funding forward one year beginning in FY22-23 and ending in FY24-25; the net impact over the entire period is not significant.

School Year	5 Years of Age By	Change in Funding Based on ADM	Enrollment Change From Prior Year	Change in Funding
2020-21	August 15 th	2019-20	None	None
2021-22	July 21 st	2020-21	Decrease	None
2022-23	June 26 th	2021-22	Decrease	Increase
2023-24	June 1 st	2022-23	Decrease	Increase
2024-25	June 1 st	2023-24	Increase	Increase
2025-26	June 1 st	2024-25	None	Decrease
2026-27	June 1 st	2025-26	None	None

- Actual expenditures will decrease in FY21-22 through FY23-24 due to decreased enrollment; these expenditures will shift forward one year until FY24-25. Due to multiple unknown factors, including the extent and distribution of kindergarten enrollment changes across schools the precise impact to state and local expenditures cannot reasonably be determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2568

House Bill No. 2440*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

The instruction provided to a student who is identified for intervention through the response to instruction and intervention (RTI²) framework developed by the department of education must be determined by the student's LEA, based on the individual student's needs. This section does not prohibit the department from using universal screeners or other assessments to measure student performance throughout the school year or at designated benchmarks.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.



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TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2440 - SB 2568

March 9, 2020

SUMMARY OF ORIGINAL BILL: Establishes a reporting date of January 15 of each year for the Tennessee Board of Regents (TBR), each state university (LGIs) board, and the Board of Trustees of the University of Tennessee (UT) to submit their report summarizing grievance activities of the previous year to the Education Committees of the Senate and House of Representatives.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016548): Deletes all language after the enacting clause. Requires a local education agency (LEA) to determine the instruction provided to a student who is identified for intervention through the response to instruction and intervention (RTI²) framework developed by the Department of Education (DOE) based on the student's needs.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- LEAs will be able to comply with the proposed legislation within existing resources.
- LEAs will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.
- No significant impact on state or local operations.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/alh

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2252

House Bill No. 2134*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Teacher's Discipline Act."

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

49-6-3701.

(a) A teacher is authorized to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom, and to hold students in the teacher's charge strictly accountable for any disorderly conduct in school.

(b) Each student discipline policy or code of conduct adopted by a local board of education or public charter school governing body pursuant to § 49-6-4002, must include a provision authorizing teachers to enforce the student discipline policy or code of conduct and to hold students accountable for any disorderly conduct in school, on school buses, or at school-sponsored events.

49-6-3702.

(a)

(1) Each local board of education and each public charter school governing body shall adopt a complete policy regarding a teacher's ability to relocate a student from the student's present location to another location for the student's safety or for the safety of others.



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(2) The use of reasonable or justifiable force, as defined in §§ 39-11-603, 39-11-609, 39-11-610, 39-11-612, 39-11-613, 39-11-614, 39-11-621, and 39-11-622, if required to accomplish this task due to the unwillingness of the student to cooperate, is allowed. If steps beyond the use of reasonable or justifiable force are required, then the student shall be allowed to remain in place until such a time as local law enforcement officers or school resource officers can be summoned to relocate the student or take the student into custody until such a time as a parent or guardian can retrieve the student.

(3) The policy required under this subsection (a) must authorize teachers to intervene in a physical altercation between two (2) or more students, or between a student and an LEA employee or public charter school employee, as applicable, using reasonable or justifiable force upon a student, if necessary, to end the altercation by relocating the student to another location.

(b) The policy required under subsection (a) must:

(1) Be in effect on school property, as well as at official school-sponsored events, including, but not limited to, sporting events and approved field trips that take place away from the local school property; and

(2) Cover teachers who are directly responsible for the student's education, and other LEA employees or public charter school employees, as applicable, who interact with students on a professional basis. The LEA employees or public charter school employees described in this subdivision (b)(2) include, but are not limited to, administrators, teachers, school support staff, bus drivers, cafeteria workers, and school resource officers while the employee is acting within the scope of the employee's assigned duties.

(c) The policy required under subsection (a) must require a teacher to file a brief report with the principal detailing the situation that required the relocation of the student. The report must be kept either in a student discipline file, in which case the report does

not become a part of the student's permanent record, or it must be filed in the student's permanent record, if the student's behavior violated the applicable zero tolerance policy. After the teacher files the report required under this subsection (c), the student is subject to additional disciplinary action that may include suspension or expulsion from the school. The principal or the principal's designee must notify the teacher involved of the actions taken to address the behavior of the relocated student.

(d) Each principal shall fully support the authority of every teacher in the principal's school to relocate under this section.

(e) Each school principal shall implement the policies and procedures of the local board of education or public charter school governing body, as applicable, relating to the authority of every teacher to relocate a student and shall disseminate such policies and procedures to the students, faculty, staff, and parents or guardians of students.

(f) The policy required under subsection (a) must comply with all state and federal laws, including the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), and Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

49-6-3703.

In order to manage student behavior, to ensure the safety of all students in the teacher's classroom and school, and to ensure students the opportunity to learn in an orderly and disciplined classroom, a teacher may refer a student to the principal or the principal's designee. When a teacher disciplines a student by issuing a written referral for the student's behavior, the referral must be returned to the teacher with a notation of the action taken. The referral must be kept in a student discipline file, and shall not become a part of the student's permanent record. If an LEA or school has adopted an electronic system of making disciplinary referrals instead of using written referrals, then the teacher making the referral must be notified of the action taken, but the notification may be made either electronically or in writing. The principal or the principal's designee

must respond to a teacher's disciplinary referral of a student by employing appropriate discipline management techniques that are consistent with the LEA's or school's policy. The director of schools, or the director's designee, must review the LEA's or school's discipline policies, practices, and data annually and recommend any necessary revisions to discipline policies to the local board of education or the public charter school governing body, as applicable, for adoption.

49-6-3704.

(a) A teacher may submit a written request to the principal, or the principal's designee, to remove a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the class or with the ability of the student's classmates to learn, if the student's behavior is in violation of the LEA's or school's student discipline policy or code of conduct. The written request must include documentation that the teacher has previously:

- (1) Taken action to address the student's disruptive behavior;
- (2) Provided consequences for the student's disruptive behavior;
- (3) Conducted an oral conference either by a documented telephone conversation or an in-person discussion with the student's parent or guardian regarding the student's disruptive behavior;
- (4) Provided an opportunity for school counseling or other support services deemed appropriate to address the student's disruptive behavior;
- (5) Developed and implemented a plan to improve the student's behavior in a conference with the student; and
- (6) Issued a disciplinary referral under § 49-6-3703 to address the student's disruptive behavior.

(b) The principal or the principal's designee must give the student oral or written notice of the grounds for the teacher's request to remove the student from the teacher's classroom and, if the student denies engaging in the conduct, then the principal or the

principal's designee must explain what caused the teacher to submit a request to the principal or the principal's designee to remove the student from the teacher's classroom, and give the student an opportunity to explain the situation. If the student's account is deemed to be valid, albeit different from the teacher's account, and changes the principal's, or the principal's designee's, perspective of the incident, then the principal or the principal's designee must render a decision regarding the student's placement.

(c) Principals and their designees shall respect the professional judgment of a teacher requesting to remove a student from the teacher's classroom under subsection (a) and shall take any action consistent with the student discipline policy or code of conduct adopted pursuant to § 49-6-4002 in response to the request, which may include:

(1) Assigning the student to another appropriate classroom for a specified period of time, or for the remainder of the student's assignment to the class from which the student was removed under subsection (a);

(2) Assigning the student to in-school suspension for a specified period of time, in compliance with § 49-6-3401;

(3) Remanding the student to an alternative school or to an alternative education program for a specified period of time, in compliance with §§ 49-6-3401 and 49-6-3402;

(4) Suspending the student pursuant to § 49-6-3401;

(5) Requiring the parents or guardians of a student who is removed from a teacher's classroom and assigned to another appropriate classroom under subdivision (c)(1) to participate in conferences before the student is permitted to return to the classroom from which the student was removed; or

(6) Denying the teacher's request to remove a student from the teacher's classroom and offer appropriate supports for the teacher to address the student's disruptive behavior.

(d) Any action taken by a principal, or the principal's designee, in response to a teacher's request to remove a student from the teacher's classroom must comply with all applicable policies of the local board of education or the public charter school governing body, as applicable, the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), the constitutions of the United States and Tennessee, and all applicable federal and state civil rights laws.

(e) Principals or their designees must notify law enforcement, as appropriate, when implementing this section, and in compliance with §§ 49-6-4209 and 49-6-4301.

(f)

(1) A local board of education or public charter school governing body shall establish an appeal process for a teacher to file an appeal when the teacher's request to remove a student from the teacher's classroom is denied. Each local board of education and public charter school governing body shall establish an appeals committee composed of two (2) teachers, one (1) administrator, and a guidance counselor from the school in which the appeal originated. The teacher who filed the appeal shall not serve on the committee.

(2) A teacher shall not be terminated, demoted, harassed, or otherwise retaliated against for filing a request for a student to be removed from the teacher's classroom, or for appealing a decision to deny the teacher's request to remove a student pursuant to this subsection (f).

(g) If a teacher abuses or overuses the student removal process provided in this section, then the principal or the principal's designee must address the abuse or overuse with the teacher in compliance with the local board's or public charter school governing body's policy, as applicable, and may require the teacher to complete additional professional development to improve the teacher's classroom management skills.

(h) To assist local boards of education and public charter school governing bodies in determining the effectiveness of discipline policies and classroom supports

provided to teachers to help address student behavior, each school shall annually report to the director of schools or to the head of the public charter school, as applicable, by July 1, 2021, and by each July 1 thereafter, the number of requests submitted by the school's teachers during the immediately preceding school year to remove a student from the teacher's classroom pursuant to subsection (a). The report must document the actions taken by the teacher's principal, or the principal's designee, in response to each request for a student's removal. Each director of schools must compile the data provided in each school's report and issue a district-wide report to the local board of education by August 1 immediately following the July 1 deadline for school reports.

(i) The commissioner of education may review the school and district-wide reports required under subsection (h) and provide training and other resources to schools and LEAs to address any needs identified through the commissioner's review.

(j) On or before February 1, 2022, and on or before February 1 of each year thereafter, the commissioner shall report to the governor and the general assembly on the implementation of, and compliance with, this part.

SECTION 2. Tennessee Code Annotated, Section 49-6-4102, is amended by deleting subsection (a).

SECTION 3. Tennessee Code Annotated, Section 49-6-4008, is amended by deleting the section.

SECTION 4. Tennessee Code Annotated, Section 49-6-4106, is amended by deleting the section.

SECTION 5. Tennessee Code Annotated, Section 49-6-4002(d), is amended by deleting subdivision (9) and substituting instead the following:

(9) Disobedient, violent, abusive, uncontrollable, or disruptive student conduct on school property, on school buses, and at school-sponsored events;

SECTION 6. Tennessee Code Annotated, Section 49-5-209(b)(5), is amended by deleting the language "§ 49-6-4008" and substituting instead the language "§ 49-6-3702".

SECTION 7. This act shall take effect January 1, 2021, the public welfare requiring it.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2134 - SB 2252

March 10, 2020

SUMMARY OF ORIGINAL BILL: Creates the Teacher's Discipline Act. Authorizes a teacher to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Authorizes a teacher to remove a student from the classroom whose behavior interferes with the learning process, violates the student code of conduct, or poses a safety threat. Establishes the process for a student's removal and return to the classroom. Requires local education agencies (LEAs) to provide for the establishment of placement review committees at each school. Establishes the composition, role, and procedures of the placement review committee during the consideration of returning a student to the classroom.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016587): Deletes all language after the enacting clause. Creates the Teacher's Discipline Act. Authorizes a teacher to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Requires local boards of education and public charter school governing bodies to include in each student discipline policy, a provision authorizing teachers to enforce the student discipline policy or code of conduct. Requires local boards of education and public charter school governing bodies to adopt a policy authorizing a teacher's ability to relocate a student to another location for the student's safety or for the safety of others. Establishes that the use of force authorized under current law is allowed by teachers under certain conditions. Authorizes a teacher to submit a written request to the principal, or the principal's designee, to remove a student who interferes with the learning process or other disruptive behavior. Authorizes principals and their designees to take certain actions in response to a teacher's request for student removal.

Requires a local board of education or public charter school governing body to establish an appeals process for a teacher to file an appeal when a teacher's request to remove a student has been denied. Requires each school to annually report the number of student removal requests filed by a teacher in the immediately preceding school year. Requires each director of schools to compile the data provided in each school's report and issue a district-wide report to the local board of education each year. Authorizes the Commissioner of the Department of Education (DOE) to review the school and district-wide reports and provide training and resources as needed. Requires the Commissioner of DOE to report to the Governor and the General Assembly on the implementation and compliance with this section by February 1, 2022, and by February 1st of each year thereafter.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

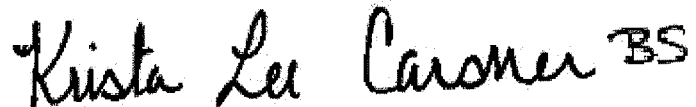
Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Local boards of education, public charter school governing bodies, schools, and DOE will be able to comply with the requirements of the proposed legislation within existing resources.
- Local boards of education, public charter school governing bodies, schools, and DOE will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.
- No impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 2252

House Bill No. 2134*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Teacher's Discipline Act."

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

49-6-3701.

(a) A teacher is authorized to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom, and to hold students in the teacher's charge strictly accountable for any disorderly conduct in school.

(b) Each student discipline policy or code of conduct adopted by a local board of education or public charter school governing body pursuant to § 49-6-4002, must include a provision authorizing teachers to enforce the student discipline policy or code of conduct and to hold students accountable for any disorderly conduct in school, on school buses, or at school-sponsored events.

49-6-3702.

(a)

(1) Each local board of education and each public charter school governing body shall adopt a complete policy regarding a teacher's ability to relocate a student from the student's present location to another location for the student's safety or for the safety of others.



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(2) The use of reasonable or justifiable force, as defined in §§ 39-11-603, 39-11-609, 39-11-610, 39-11-612, 39-11-613, 39-11-614, 39-11-621, and 39-11-622, if required to accomplish this task due to the unwillingness of the student to cooperate, is allowed. If steps beyond the use of reasonable or justifiable force are required, then the student shall be allowed to remain in place until such a time as local law enforcement officers or school resource officers can be summoned to relocate the student or take the student into custody until such a time as a parent or guardian can retrieve the student.

(3) The policy required under this subsection (a) must authorize teachers to intervene in a physical altercation between two (2) or more students, or between a student and an LEA employee or public charter school employee, as applicable, using reasonable or justifiable force upon a student, if necessary, to end the altercation by relocating the student to another location.

(b) The policy required under subsection (a) must:

(1) Be in effect on school property, as well as at official school-sponsored events, including, but not limited to, sporting events and approved field trips that take place away from the local school property; and

(2) Cover teachers who are directly responsible for the student's education, and other LEA employees or public charter school employees, as applicable, who interact with students on a professional basis. The LEA employees or public charter school employees described in this subdivision (b)(2) include, but are not limited to, administrators, teachers, school support staff, bus drivers, cafeteria workers, and school resource officers while the employee is acting within the scope of the employee's assigned duties.

(c) The policy required under subsection (a) must require a teacher to file a brief report with the principal detailing the situation that required the relocation of the student. The report must be kept either in a student discipline file, in which case the report does

not become a part of the student's permanent record, or it must be filed in the student's permanent record, if the student's behavior violated the applicable zero tolerance policy. After the teacher files the report required under this subsection (c), the student is subject to additional disciplinary action that may include suspension or expulsion from the school. The principal or the principal's designee must notify the teacher involved of the actions taken to address the behavior of the relocated student.

(d) Each principal shall fully support the authority of every teacher in the principal's school to relocate under this section.

(e) Each school principal shall implement the policies and procedures of the local board of education or public charter school governing body, as applicable, relating to the authority of every teacher to relocate a student and shall disseminate such policies and procedures to the students, faculty, staff, and parents or guardians of students.

(f) The policy required under subsection (a) must comply with all state and federal laws, including the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), and Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

49-6-3703.

In order to manage student behavior, to ensure the safety of all students in the teacher's classroom and school, and to ensure students the opportunity to learn in an orderly and disciplined classroom, a teacher may refer a student to the principal or the principal's designee. When a teacher disciplines a student by issuing a written referral for the student's behavior, the referral must be returned to the teacher with a notation of the action taken. The referral must be kept in a student discipline file, and shall not become a part of the student's permanent record. If an LEA or school has adopted an electronic system of making disciplinary referrals instead of using written referrals, then the teacher making the referral must be notified of the action taken, but the notification may be made either electronically or in writing. The principal or the principal's designee

must respond to a teacher's disciplinary referral of a student by employing appropriate discipline management techniques that are consistent with the LEA's or school's policy. The director of schools, or the director's designee, must review the LEA's or school's discipline policies, practices, and data annually and recommend any necessary revisions to discipline policies to the local board of education or the public charter school governing body, as applicable, for adoption.

49-6-3704.

(a) A teacher may submit a written request to the principal, or the principal's designee, to remove a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the class or with the ability of the student's classmates to learn, if the student's behavior is in violation of the LEA's or school's student discipline policy or code of conduct. The written request must include documentation that the teacher has previously:

- (1) Taken action to address the student's disruptive behavior;
- (2) Provided consequences for the student's disruptive behavior;
- (3) Conducted an oral conference either by a documented telephone conversation or an in-person discussion with the student's parent or guardian regarding the student's disruptive behavior;
- (4) Provided an opportunity for school counseling or other support services deemed appropriate to address the student's disruptive behavior;
- (5) Developed and implemented a plan to improve the student's behavior in a conference with the student; and
- (6) Issued a disciplinary referral under § 49-6-3703 to address the student's disruptive behavior.

(b) Principals and their designees shall respect the professional judgment of a teacher requesting to remove a student from the teacher's classroom under subsection

(a) and may take any action consistent with the student discipline policy or code of conduct adopted pursuant to § 49-6-4002 in response to the request, which may include:

(1) Assigning the student to another appropriate classroom for a specified period of time, or for the remainder of the student's assignment to the class from which the student was removed under subsection (a);

(2) Assigning the student to in-school suspension for a specified period of time, in compliance with § 49-6-3401;

(3) Remanding the student to an alternative school or to an alternative education program for a specified period of time, in compliance with §§ 49-6-3401 and 49-6-3402;

(4) Suspending the student pursuant to § 49-6-3401;

(5) Requiring the parents or guardians of a student who is removed from a teacher's classroom and assigned to another appropriate classroom under subdivision (b)(1) to participate in conferences before the student is permitted to return to the classroom from which the student was removed; or

(6) Denying the teacher's request to remove a student from the teacher's classroom and offer appropriate supports for the teacher to address the student's disruptive behavior.

(c) Any action taken by a principal, or the principal's designee, in response to a teacher's request to remove a student from the teacher's classroom must comply with all applicable policies of the local board of education or the public charter school governing body, as applicable, the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), the constitutions of the United States and Tennessee, and all applicable federal and state civil rights laws.

(d) Principals or their designees must notify law enforcement, as appropriate, when implementing this section, and in compliance with §§ 49-6-4209 and 49-6-4301.

(e) A local board of education or public charter school governing body may establish an appeal process for a teacher to file an appeal when the teacher's request to remove a student from the teacher's classroom is denied. A teacher shall not be terminated, demoted, harassed, or otherwise retaliated against for filing a request for a student to be removed from the teacher's classroom, or for appealing a decision to deny the teacher's request to remove a student pursuant to this subsection (e).

(f) If a teacher abuses or overuses the student removal process provided in this section, then the principal or the principal's designee must address the abuse or overuse with the teacher in compliance with the local board's or public charter school governing body's policy, as applicable, and may require the teacher to complete additional professional development to improve the teacher's classroom management skills.

(g) To assist local boards of education and public charter school governing bodies in determining the effectiveness of discipline policies and classroom supports provided to teachers to help address student behavior, each school shall annually report to the director of schools or to the head of the public charter school, as applicable, by July 1, 2021, and by each July 1 thereafter, the number of requests submitted by the school's teachers during the immediately preceding school year to remove a student from the teacher's classroom pursuant to subsection (a). The report must document the actions taken by the teacher's principal, or the principal's designee, in response to each request for a student's removal. Each director of schools must compile the data provided in each school's report and issue a district-wide report to the local board of education by August 1 immediately following the July 1 deadline for school reports.

(h) The commissioner may review the school and district-wide reports required under subsection (g) and provide training and other resources to schools and LEAs to address any needs identified by the commissioner as part of the review.

SECTION 2. Tennessee Code Annotated, Section 49-6-4102, is amended by deleting subsection (a).

SECTION 3. Tennessee Code Annotated, Section 49-6-4008, is amended by deleting the section.

SECTION 4. Tennessee Code Annotated, Section 49-6-4106, is amended by deleting the section.

SECTION 5. Tennessee Code Annotated, Section 49-6-4002(d), is amended by deleting subdivision (9) and substituting instead the following:

(9) Disobedient, violent, abusive, uncontrollable, or disruptive student conduct on school property, on school buses, and at school-sponsored events;

SECTION 6. Tennessee Code Annotated, Section 49-5-209(b)(5), is amended by deleting the language "§ 49-6-4008" and substituting instead the language "§ 49-6-3702".

SECTION 7. This act shall take effect January 1, 2021, the public welfare requiring it.



March 10, 2020

SUMMARY OF ORIGINAL BILL: Creates the Teacher's Discipline Act. Authorizes a teacher to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Authorizes a teacher to remove a student from the classroom whose behavior interferes with the learning process, violates the student code of conduct, or poses a safety threat. Establishes the process for a student's removal and return to the classroom. Requires local education agencies (LEAs) to provide for the establishment of placement review committees at each school. Establishes the composition, role, and procedures of the placement review committee during the consideration of returning a student to the classroom.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016726): Deletes all language after the enacting clause. Creates the Teacher's Discipline Act. Authorizes a teacher to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Requires local boards of education and public charter school governing bodies to include in each student discipline policy, a provision authorizing teachers to enforce the student discipline policy or code of conduct. Requires local boards of education and public charter school governing bodies to adopt a policy authorizing a teacher's ability to relocate a student to another location for the student's safety or for the safety of others. Establishes that the use of force authorized under current law is allowed by teachers under certain conditions. Authorizes a teacher to submit a written request to the principal, or the principal's designee, to remove a student who interferes with the learning process or other disruptive behavior. Authorizes principals and their designees to take certain actions in response to a teacher's request for student removal.

Requires a local board of education or public charter school governing body to establish an appeals process for a teacher to file an appeal when a teacher's request to remove a student has been denied. Requires each school to annually report the number of student removal requests filed by a teacher in the immediately preceding school year. Requires each director of schools to compile the data provided in each school's report and issue a district-wide report to the local board of education each year. Authorizes the Commissioner of the Department of Education (DOE) to review the school and district-wide reports and provide training and resources as needed.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:


Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Local boards of education, public charter school governing bodies, schools, and DOE will be able to comply with the requirements of the proposed legislation within existing resources.
- Local boards of education, public charter school governing bodies, schools, and DOE will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.
- No impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Krista Lee Carsner BS in black ink.

Krista Lee Carsner, Executive Director

/alh

Amendment No. _____
[Signature]
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2252

House Bill No. 2134*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Teacher's Discipline Act."

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

49-6-3701.

(a) A teacher is authorized to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom, and to hold students in the teacher's charge strictly accountable for any disorderly conduct in school.

(b) Each student discipline policy or code of conduct adopted by a local board of education or public charter school governing body pursuant to § 49-6-4002, must include a provision authorizing teachers and administrators to enforce the student discipline policy or code of conduct and to hold students accountable for any disorderly conduct in school, on school buses, or at school-sponsored events.

49-6-3702.

(a)

(1) Each local board of education and each public charter school governing body shall adopt a complete policy regarding a teacher's ability to relocate a student from the student's present location to another location for the student's safety or for the safety of others.



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(2) The use of reasonable or justifiable force, as defined in §§ 39-11-603, 39-11-609, 39-11-610, 39-11-612, 39-11-613, 39-11-614, 39-11-621, and 39-11-622, if required to accomplish this task due to the unwillingness of the student to cooperate, is allowed. If steps beyond the use of reasonable or justifiable force are required, then the student shall be allowed to remain in place until such a time as local law enforcement officers or school resource officers can be summoned to relocate the student or take the student into custody until such a time as a parent or guardian can retrieve the student.

(3) The policy required under this subsection (a) must authorize teachers to intervene in a physical altercation between two (2) or more students, or between a student and an LEA employee or public charter school employee, as applicable, using reasonable or justifiable force upon a student, if necessary, to end the altercation by relocating the student to another location.

(b) The policy required under subsection (a) must:

(1) Be in effect on school property, as well as at official school-sponsored events, including, but not limited to, sporting events and approved field trips that take place away from the local school property; and

(2) Cover teachers who are directly responsible for the student's education, and other LEA employees or public charter school employees, as applicable, who interact with students on a professional basis. The LEA employees or public charter school employees described in this subdivision (b)(2) include, but are not limited to, administrators, teachers, school support staff, bus drivers, cafeteria workers, and school resource officers while the employee is acting within the scope of the employee's assigned duties.

(c) The policy required under subsection (a) must require a teacher to file a brief report with the principal detailing the situation that required the relocation of the student. The report must be kept either in a student discipline file, in which case the report does

not become a part of the student's permanent record, or it must be filed in the student's permanent record, if the student's behavior violated the applicable zero tolerance policy. After the teacher files the report required under this subsection (c), the student is subject to additional disciplinary action that may include suspension or expulsion from the school. The principal or the principal's designee must notify the teacher involved of the actions taken to address the behavior of the relocated student.

(d) Each principal shall fully support the authority of every teacher in the principal's school to relocate under this section.

(e) Each school principal shall implement the policies and procedures of the local board of education or public charter school governing body, as applicable, relating to the authority of every teacher to relocate a student and shall disseminate such policies and procedures to the students, faculty, staff, and parents or guardians of students.

(f) The policy required under subsection (a) must comply with all state and federal laws, including the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), and Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

49-6-3703.

In order to manage student behavior, to ensure the safety of all students in the teacher's classroom and school, and to ensure students the opportunity to learn in an orderly and disciplined classroom, a teacher may refer a student to the principal or the principal's designee. When a teacher disciplines a student by issuing a written referral for the student's behavior, the referral must be returned to the teacher with a notation of the action taken. The referral must be kept in a student discipline file, and shall not become a part of the student's permanent record. If an LEA or school has adopted an electronic system of making disciplinary referrals instead of using written referrals, then the teacher making the referral must be notified of the action taken, but the notification may be made either electronically or in writing. The principal or the principal's designee

must respond to a teacher's disciplinary referral of a student by employing appropriate discipline management techniques that are consistent with the LEA's or school's policy. The director of schools, or the director's designee, must review the LEA's or school's discipline policies, practices, and data annually and recommend any necessary revisions to discipline policies to the local board of education or the public charter school governing body, as applicable, for adoption.

49-6-3704.

(a) A teacher may submit a written request to the principal, or the principal's designee, to remove a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the class or with the ability of the student's classmates to learn, if the student's behavior is in violation of the LEA's or school's student discipline policy or code of conduct. The written request must include documentation that the teacher has previously:

- (1) Taken action to address the student's disruptive behavior;
- (2) Provided consequences for the student's disruptive behavior;
- (3) Conducted an oral conference either by a documented telephone conversation or an in-person discussion with the student's parent or guardian regarding the student's disruptive behavior;
- (4) Provided an opportunity for school counseling or other support services deemed appropriate to address the student's disruptive behavior;
- (5) Developed and implemented a plan to improve the student's behavior in a conference with the student; and
- (6) Issued a disciplinary referral under § 49-6-3703 to address the student's disruptive behavior.

(b) The principal or the principal's designee must give the student oral or written notice of the grounds for the teacher's request to remove the student from the teacher's classroom and, if the student denies engaging in the conduct, then the principal or the

principal's designee must explain what caused the teacher to submit a request to the principal or the principal's designee to remove the student from the teacher's classroom, and give the student an opportunity to explain the situation. If the student's account is deemed to be valid, albeit different from the teacher's account, and changes the principal's, or the principal's designee's, perspective of the incident, then the principal or the principal's designee must render a decision regarding the student's placement.

(c) Principals and their designees shall respect the professional judgment of a teacher requesting to remove a student from the teacher's classroom under subsection (a) and shall take an action consistent with the student discipline policy or code of conduct adopted pursuant to § 49-6-4002 in response to the request, which may include:

(1) Assigning the student to another appropriate classroom for a specified period of time, or for the remainder of the student's assignment to the class from which the student was removed under subsection (a);

(2) Assigning the student to in-school suspension for a specified period of time, in compliance with § 49-6-3401;

(3) Remanding the student to an alternative school or to an alternative education program for a specified period of time, in compliance with §§ 49-6-3401 and 49-6-3402;

(4) Suspending the student pursuant to § 49-6-3401;

(5) Requiring the parents or guardians of a student who is removed from a teacher's classroom and assigned to another appropriate classroom under subdivision (c)(1) to participate in conferences before the student is permitted to return to the classroom from which the student was removed; or

(6) Denying the teacher's request to remove a student from the teacher's classroom and offer appropriate supports for the teacher to address the student's disruptive behavior.

(d) Any action taken by a principal, or the principal's designee, in response to a teacher's request to remove a student from the teacher's classroom must comply with all applicable policies of the local board of education or the public charter school governing body, as applicable, the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), the constitutions of the United States and Tennessee, and all applicable federal and state civil rights laws.

(e) Principals or their designees must notify law enforcement, as appropriate, when implementing this section, and in compliance with §§ 49-6-4209 and 49-6-4301.

(f)

(1) A local board of education or public charter school governing body shall establish an appeal process for a teacher to file an appeal when the teacher's request to remove a student from the teacher's classroom is denied pursuant to subdivision (c)(6). An appeal process established under this subdivision (f)(1) must authorize a teacher to file an appeal with the director of schools, or the director's designee, when the teacher's request to remove a student from the teacher's classroom is denied pursuant to subdivision (c)(6).

(2) A teacher shall not be terminated, demoted, harassed, or otherwise retaliated against for filing a request for a student to be removed from the teacher's classroom, or for appealing a decision to deny the teacher's request to remove a student pursuant to this subsection (f).

(g) If a teacher abuses or overuses the student removal process provided in this section, then the principal or the principal's designee must address the abuse or overuse with the teacher in compliance with the local board's or public charter school governing body's policy, as applicable, and may require the teacher to complete additional professional development to improve the teacher's classroom management skills.

(h) To assist local boards of education and public charter school governing bodies in determining the effectiveness of discipline policies and classroom supports

provided to teachers to help address student behavior, each school shall annually report to the director of schools or to the head of the public charter school, as applicable, by July 1, 2021, and by each July 1 thereafter, the number of requests submitted by the school's teachers during the immediately preceding school year to remove a student from the teacher's classroom pursuant to subsection (a). The report must document the actions taken by the teacher's principal, or the principal's designee, in response to each request for a student's removal. Each director of schools must compile the data provided in each school's report and issue a district-wide report to the local board of education by August 1 immediately following the July 1 deadline for school reports.

(i) The commissioner of education may review the school and district-wide reports required under subsection (h) and provide training and other resources to schools and LEAs to address any needs identified through the commissioner's review.

(j) On or before February 1, 2022, and on or before February 1 of each year thereafter, the commissioner shall report to the governor and the general assembly on the implementation of, and compliance with, this part.

SECTION 3. Tennessee Code Annotated, Section 49-6-4102, is amended by deleting subsection (a).

SECTION 4. Tennessee Code Annotated, Section 49-6-4008, is amended by deleting the section.

SECTION 5. Tennessee Code Annotated, Section 49-6-4106, is amended by deleting the section.

SECTION 6. Tennessee Code Annotated, Section 49-6-4002(d), is amended by deleting subdivision (9) and substituting instead the following:

(9) Disobedient, violent, abusive, uncontrollable, or disruptive student conduct on school property, on school buses, and at school-sponsored events;

SECTION 7. Tennessee Code Annotated, Section 49-5-209(b)(5), is amended by deleting the language "§ 49-6-4008" and substituting instead the language "§ 49-6-3702".

SECTION 8. This act shall take effect January 1, 2021, the public welfare requiring it.



April 8, 2020

SUMMARY OF ORIGINAL BILL: Creates the Teacher's Discipline Act. Authorizes a teacher to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Authorizes a teacher to remove a student from the classroom whose behavior interferes with the learning process, violates the student code of conduct, or poses a safety threat. Establishes the process for a student's removal and return to the classroom. Requires local education agencies (LEAs) to provide for the establishment of placement review committees at each school. Establishes the composition, role, and procedures of the placement review committee during the consideration of returning a student to the classroom.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016961): Deletes all language after the enacting clause. Creates the Teacher's Discipline Act. Authorizes a teacher to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Requires local boards of education and public charter school governing bodies to include in each student discipline policy, a provision authorizing teachers and administrators to enforce the student discipline policy or code of conduct. Requires local boards of education and public charter school governing bodies to adopt a policy authorizing a teacher's ability to relocate a student to another location for the student's safety or for the safety of others. Establishes that the use of force authorized under current law is allowed by teachers under certain conditions. Authorizes a teacher to submit a written request to the principal, or the principal's designee, to remove a student who interferes with the learning process or other disruptive behavior. Authorizes principals and their designees to take certain actions in response to a teacher's request for student removal.

Requires a local board of education or public charter school governing body to establish an appeals process for a teacher to file an appeal when a teacher's request to remove a student has been denied. Requires each school to annually report the number of student removal requests filed by a teacher in the immediately preceding school year. Requires each director of schools to compile the data provided in each school's report and issue a district-wide report to the local board of education each year. Authorizes the Commissioner of the Department of Education (DOE) to review the school and district-wide reports and provide training and resources as needed. Requires the Commissioner of DOE to report to the Governor and the General

Assembly on the implementation and compliance with this section by February 1, 2022, and by February 1st of each year thereafter.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Local boards of education, public charter school governing bodies, schools, and DOE will be able to comply with the requirements of the proposed legislation within existing resources.
- Local boards of education, public charter school governing bodies, schools, and DOE will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.
- No impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/alh

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2560

House Bill No. 2595*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following as a new section:

(a) An LEA shall include instruction in media literacy skills in the LEA's instructional programs.

(b) The department of education is encouraged to post links to recommended resources for media literacy education to the department's website.

(c) As used in this section, "media literacy" means the use or creation of media, digital products, and communication technology of all kinds and the ability to access, analyze, evaluate, and create all forms of communication encompassing the foundational skills of digital citizenship and internet safety, including the norms of appropriate, responsible, ethical, and healthy behavior and cyberbullying prevention.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2021-2022 school year and each school year thereafter.



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015359

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2595 - SB 2560

February 24, 2020

SUMMARY OF ORIGINAL BILL: Requires a local education agency (LEA) to include instruction on media literacy skills in a character education curriculum approved by the Department of Education (DOE). Encourages DOE to post links to recommended resources for media literacy education to DOE's website.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015359): Deletes all language after the enacting clause. Requires an LEA to include instruction on media literacy skills in the LEA's instructional programs. Encourages DOE to post links to recommended resources for media literacy education to DOE's website. The Act applies to the 2021-2022 school year and each school year thereafter.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- LEAs and DOE will use currently available resources without a significant increase in state or local expenditures.
- LEAs and DOE will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

/alh