

CHAPTER NO. 832

HOUSE BILL NO. 1175

By Representatives Brown, Towns, Harry Brooks, Gresham, Maddox, Winningham, Pruitt, Langster, Ulysses Jones, John DeBerry, Hagood, Montgomery

Substituted for: Senate Bill No. 1550

By Senator Dixon

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

WHEREAS, students enrolled in public schools or school districts that have failed to make adequate progress have special needs; and

WHEREAS, "low performing schools or school districts" is an appellation of negative connotation; and

WHEREAS, "high priority schools or school districts" more correctly describes such institutions; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 49-1-601, is amended by adding between the third and fourth sentences of subsection (c) the following language:

Schools or school districts which do not achieve the required rate of progress shall be known and referred to as high priority schools or school districts.

SECTION 2. Tennessee Code Annotated, Section 49-4-212(d)(2), is amended by deleting the language "low-performing" and by substituting instead "high priority".

SECTION 3. Tennessee Code Annotated, Section 49-4-706(a)(4)(B), is amended by deleting the language "low-performing" and by substituting instead "high priority".

SECTION 4. Tennessee Code Annotated, Section 49-13-102, is amended by deleting in subdivision (a)(2) and subsection (c) the language "low performing" and by substituting instead "high priority".

SECTION 5. Tennessee Code Annotated, Section 49-1-207(a), is amended by deleting the first sentence of the subsection and by substituting instead the following:

The commissioner of education may authorize up to twenty-four (24) school systems or any part thereof to operate as innovative educational programs which emphasize school-based decision making and the creation of small learning communities.

SECTION 6. Tennessee Code Annotated, Section 49-1-207(a), is amended by deleting the following sentence:

The commissioner, subject to approval by the state board of education, may award grants to individual school systems of up to fifty thousand dollars (\$50,000), for LEAs for planning and implementation purposes.

SECTION 7. Tennessee Code Annotated, Section 49-1-207, is amended by adding the following language as new, appropriately designated subsections:

( ) No provision of this section shall be construed to impact agreements negotiated under title 49, chapter 5, part 6, the Educational Professional Negotiations Act.

( ) A school operating an innovative education program in accordance with this section is not a charter school and cannot convert to a charter school after being authorized under this section to conduct an innovative education program.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 19, 2004**

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 7<sup>th</sup> day of June 2004**

  
PHIL BREDESEN, GOVERNOR