State Statutory Rights of Parents and Students

Revised October 2026

The Tennessee Department of Education (department) is required by Tenn. Code Ann. § 49-1-227 to annually compile a list of state laws related to the rights of students and their parents or legal guardians. This document includes a summary of the state laws that provide explicit rights to parents, legal guardians, or students. This list does not include all the legal protections and privileges afforded to students and their parents or guardians and does not include education program requirements. For a comprehensive list of legislative changes impacting education in Tennessee, please see the department's legislative reports. Exisiting state laws can also be accessed at Tennessee Code Unannotated – Free Public Access.

CAREER READINESS

- **Early College and Career Experiences** (Tenn. Code Ann. § 49-6-414)
  - Each school district must notify parents and students in grades 9-12 of all early college and career experiences offered by the school district for the upcoming school year.

CHARTER SCHOOLS

- **Release of Student Directory Information** (Tenn. Code Ann. § 49-13-132)
  - Charter schools or chartering authorities that receive student directory information from a local school district may not release that

information to a third party without prior written consent from the parent or eligible student.
    - Each charter school or charter authority that receives student directory information must adopt and implement a policy that allows parents or eligible students to decline to receive further information from the charter school.

- **Revocation of Charter Agreements** (Tenn. Code Ann. § 49-13-130)
    - A charter school must notify the parents or legal guardians of all students enrolled of a decision to deny renewal or revoke a charter school agreement within one calendar week of the decision.

CIVIL RIGHTS

- **Antidiscrimination in Schools** (Tenn. Code Ann. § 49-6-3109)
    - No person may be refused admission into or excluded from any public school in Tennessee due to race, creed, color, sex, or national origin.
    - No student may be assigned or compelled to attend any school due to their race, creed, color, or national origin, or for the purpose of achieving equality in attendance or increased or reduced attendance at any school of persons of one or more particular races, creeds, colors, or national origins.
    - School districts may assign students based on the parent's or legal guardian's request or authorization.

- **Bullying and Harassment** (Tenn. Code Ann. § 49-6-4503)
    - School districts must immediately inform the parent or legal guardian of a student involved in an act of harassment, intimidation, bullying, or cyber-bullying.
    - The school principal or the principal's designee must inform parents or legal guardians of the availability of counseling and support services that may be necessary.
    - School districts must investigate harassment, intimidation, bullying, or cyberbullying when a student reports that physical harm or a threat of physical harm to a student's person or property has occurred.
    - School districts must make information about the number of bullying cases brought to the attention of school officials during the previous

school year available to parents or legal guardians and report this information to the department on an annual basis.
  - Bullying and cyberbullying are criminal offenses punishable as Class A misdemeanors. (Tenn. Code Ann. § 39-17-308).
    - Law enforcement officers who have knowledge that a minor is a victim of bullying or cyberbullying must make an official report of the incident and provide the student's parent or legal guardian with information on how to obtain a copy of the report.

SPECIAL EDUCATION

- **Isolation and Restraint** (Tenn. Code Ann. § 49-10-1304)
  - Parents and legal guardians must receive either oral or written notice if school personnel use isolation or restraint on their child. This notice must be given on the same day the isolation or restraint was used.
  - School personnel shall not be liable for failure to notify parents or guardians if they made a reasonable effort to notify parents or guardians.
  - An individualized education program (IEP) team meeting must be convened within ten days of the use of a restraint if: the student's IEP does not provide for the use of a physical holding restraint generally, or for the behavior that precipitated the use of the restraint; or a physical holding restraint is used for an extended period of time, as determined by the State Board of Education.
  - An IEP team meeting must be convened within ten days of the use of an isolation if: the student's IEP does not provide for the use of an isolation generally, or for the behavior that precipitated the use of the isolation; or an isolation is used for an extended period of time, as determined by the State Board of Education.

- **IEP Team Meetings** (Tenn. Code Ann. § 49-10-103)
  - Parents and guardians must receive notification of their student's IEP team meeting at least ten (10) days before the meeting occurs. Parents and guardians must receive copies of any applicable evaluation report or draft IEP at least forty-eight (48) hours prior to the meeting.

- **Services Through Agreements** (Tenn. Code Ann. § 49-10-107)
    - Any child who is receiving special education or related services through an agreement between one school district and another to help children with disabilities, along with the child's parent or guardian, will have the same legal and civil rights the child would have if they were receiving similar education or services directly from the school district where the child is officially enrolled.

- **Private-Pay Services** (Tenn. Code Ann. § 49-10-1502)
    - A student with autism spectrum disorder or developmental delays has the right to receive private-pay services during the school day in educational settings, through a provider contracted by the student's parent or legal guardian, and to be free from discrimination, denial of educational benefits or rights, or retaliation based on the receipt of such services. A parent and legal guardian attempting to obtain private-pay services for their student during the school day have the right to utilize a local appeal process when the Local Education Agency (LEA) or public charter school disagrees with the private-pay provider or the provision of private-pay services.

VOLUNTARY EXPRESSIONS OF RELIGIOUS VIEWPOINTS

- **General Rights**
    - Students have the right to voluntarily pray in school, share their religious beliefs, talk to other students about their faith, possess and share religious books or materials, and be absent from school to observe religious holidays and practices. Participation in these activities must comply with school district policy. (Tenn. Code Ann. § 49-6-2904).
    - A school district must treat a student's voluntary expression of a religious viewpoint on a permissible subject in the same manner it treats a student's voluntary expression of a secular or other viewpoint. (Tenn. Code Ann. § 49-6-1802(a)).

  - A school district may not discriminate against the student based on their expression of a religious viewpoint. (Tenn. Code Ann. § 49-6-1802(b)).

- **Expression of Religion in Coursework and Assignments** (Tenn. Code Ann. § 49-6-1804)
  - Students have the right to express their written beliefs about religion in homework, artwork, and other written and oral assignments without discrimination based on the religious content of the student's submissions.
  - Teachers must grade these assignments based on ordinary academic standards such as quality, relevance, and any other valid academic criteria set by the school district.
  - Students may not be punished or rewarded based on whether their work contains religious content.

- **Religious Clubs** (Tenn. Code Ann. § 49-6-1805)
  - Students have the right to organize religious groups or clubs, hold "see you at the pole" gatherings, and have other religious gatherings at school to the same extent as other non-curricular activities.
    - Religious groups must be allowed to use school facilities for gatherings without being treated differently because of their religious content.
    - If other non-curricular groups are allowed to advertise or announce their meetings, a school district may not discriminate against groups that meet for prayer or other religious speech.
    - A school district may state that it does not officially sponsor the non-curricular group, but it must do so in a manner that does not show favoritism toward or against religious groups.

CURRICULUM

- **Access to Instructional Materials** (Tenn. Code Ann. § 49-6-2210)
  - Every student has the right to take home any textbook or instructional material issued to the student for the purpose of studying and completing school assignments.

- **Access to Printed Versions of Electronic Instructional Materials** (Tenn. Code Ann. § 49-6-2207)
    - A local board of education that provides electronic versions of textbooks or instructional materials must provide students reasonable access to a printed version of the electronic textbook or instructional material if the student or their parent or legal guardian submits a written request to the principal for a printed version.

- **Age-Appropriate Materials Act** (Tenn. Code Ann. § 49-6-3803)
    - School districts must establish a process for students, parents/legal guardians, and school staff to provide feedback on materials in the school's library. If a school district receives a complaint about a particular book or material in the library, and the district is unable to find a satisfactory solution to the complaint, the school board must review the material and determine whether it is suitable for the age and maturity of the students.
    - The Age-Appropriate Materials Act has been amended to prohibit certain library materials from being maintained in a school's library collection.
    - The Age-Appropriate Materials Act also provides a timeline for a local board of education or public charter school to review feedback submitted by a student, parent or legal guardian, or a school employee on the age-appropriateness of a library material.

- **Appeals for Textbook and Instructional Materials** (Tenn. Code Ann. § 49-6-2201)
    - The state textbook and instructional materials quality commission must establish a process for a student, a student's parent or legal guardian, or a school employee to challenge a local school board or public charter school governing body's decision regarding which materials to include in a school's library collection as well as the age appropriateness of the materials students can access. This process must also outline how to challenge whether the materials are suitable for or consistent with the educational mission of the school.

- **Course Access Program Courses** (Tenn. Code Ann. § 49-18-103)
    - A student may enroll in up to two course access program courses per school year so long as the student meets all the requirements for the courses. This option is available for students who are unable to enroll

in a similar course for a legitimate reason, such as a compatible course not being offered, or other circumstances preventing them from taking a similar course. School districts must inform students and their parents of their right to appeal, in writing, to the local school board or governing body of the school if the student is denied enrollment in a course access program course.

- **Credit Exams** (Tenn. Code Ann. § 49-6-6017)
  - A high school may give a student credit for a course in which the student did not enroll if the student attains a qualifying score on a test related to that course. High schools must offer these tests to all students each semester if the school has developed a test for specific courses. However, a student may only take a test once for each course in which they are seeking credit.

- **Family Life Instruction**
  - Schools must inform parents or legal guardians before teaching family life instruction (e.g., sex education). Parents and legal guardians have the right to inspect the materials being used, to discuss any concerns about family life instruction with the student's teacher, school counselor, or principal, and to make a written request declining their child's right to participate in family life instruction. Any student who is excused from any or all portions of family life instruction will not be penalized in their grades so long as the student satisfactorily completes alternative health lessons. (Tenn. Code Ann. § 49-6-1305).
  - A parent or legal guardian of a student enrolled in family life instruction may file a complaint with the director of schools if they believe a teacher, instructor, or representative of an organization providing family life instruction has not complied with these requirements. (Tenn. Code Ann. § 49-6-1306).
  - If a student is taught by someone who encourages, promotes, or demonstrates sexual activity, parents and legal guardians have the right to sue that person or organization for damages and reasonable court costs and attorney's fees. Please note that this does not apply to schoolteachers. (Tenn. Code Ann. § 49-6-1306).
  - Schools must inform parents or legal guardians before teaching sexual orientation or gender identity curriculum. Schools must provide parents and legal guardians with information about the program that

will be taught, as well as a parent or legal guardian's right to inspect the materials being used. (Tenn. Code Ann. § 49-6-1308).
    - Parents, legal guardians, or students (who are 18 or older) must agree in writing if they want the student to learn about topics pertaining to sexual orientation or gender identity in school. Parents, legal guardians, and students (who is 18 or older) can withdraw their consent at any time before the student receives instruction on sexual orientation or gender identity. If consent is withheld or withdrawn, the student is excused from participating in the curriculum and their grades will not be negatively affected. (Tenn. Code Ann. § 49-6-1308).

- **Inspection of Instructional Materials** (Tenn. Code Ann. § 49-6-7003)
    - Parents and legal guardians have the right to review all teaching materials, instructional materials, and other teaching aids used in their child's classroom.
    - Parents and legal guardians also have the right to inspect any tests that have been developed by or graded by their child's teacher.
    - School districts must make all teaching materials, including handouts, readily accessible for inspection upon request.

- **Instructional Materials in Virtual Schools** (Tenn. Code Ann. § 49-16-203)
    - For students enrolled in virtual schools, the virtual school must provide virtual school students with instructional materials and ensure these students have access to the necessary technology to complete their assignments. This includes technology such as computers, printers, and internet access. At a minimum, access to technology can be provided through a physical computer lab that is available to the student at regularly scheduled times.

- **Prohibited Concepts in Instruction** (Tenn. Code Ann. § 49-6-1019; State Board of Education Rule 0520-12-04-.07)
    - Parents and legal guardians have the right to file a complaint objecting to prohibited concepts in instruction found at Tenn. Code Ann. § 49-6-1019. The complaint must be filed within 45 calendar days of the prohibited concept being included or promoted in a course of instruction, curriculum, and instructional program, or supplemental instructional materials.

- **Promotion of Fourth Grade Students Receiving Tutoring to Fifth Grade** (Tenn. Code Ann. § 49-6-3115)
    - If a student was promoted to grade 4 through a tutoring program but has not demonstrated enough progress in grade 4 English Language Arts (ELA) on the TCAP test, the school may meet with the student's parent, ELA teacher, and principal, who will decide whether the student should be promoted to grade 5 or remain in grade 4.
    - If the majority of those attending the meeting agree to promote the student to grade 5, the student must continue receiving tutoring throughout grade 5 based on the requirements set out by the Tennessee Department of Education.

- **Released Time Courses (Religious Moral Instruction)** (Tenn. Code Ann. § 49-2-130)
    - A parent or legal guardian is entitled to request that a student be excused from school to attend a release time course in religious moral instruction for one hour per school day if certain statutory conditions are met.
    - School districts may adopt a policy allowing students to earn credit for taking an outside course during the time a student is excused from school to attend religious moral instruction, so long as the student can provide a transcript showing they completed the course from the organization that offered it. Should the school district agree to accept the credit, students can earn one elective credit for the outside courses they complete.

- **Retention of Grades K-2 Students Due to Academic or Behavioral Delay** (Tenn. Code Ann. § 49-6-314)
    - A parent or guardian of a student enrolled in grades K-2 may elect to retain their child if the student has a documented academic or behavioral delay as determined by State Board of Education Rules and the parent or guardian believes their child may benefit from being retained.

- **Scholars Summer Guide** (Tenn. Code Ann. § 49-6-306)
    - Before the last day of the school year, schools must provide all grades K-8 students with a Scholars Summer Guide. This guide must contain the following:

        - Information regarding the curriculum during the previous school year;
        - Information about the curriculum for the upcoming school year, including areas that may be challenging for students;
        - Suggestions on how students can prepare for the upcoming school year; and
        - Summer reading and assignments.
    - The Scholars Summer Guide may be personalized for each student if a teacher is familiar with the student's current academic standing and aware of any future academic challenges.

- **Third-Grade Retention** (Tenn. Code Ann. § 49-6-3115; State Board of Education Rule 0520-01-03-.16(f))
    - Beginning with the 2022-23 school year, a third-grade student who has been determined not proficient in English language arts (ELA), may not be promoted to the next grade level unless certain conditions are met.
    - If a school district or public charter school determines that a student has a significant reading deficiency, the school district or public charter school must provide parents and legal guardians information about third-grade retention and reading intervention.
    - Parents and legal guardians have the right to appeal a school district's decision to retain a student directly with the department. The State Board of Education is required to establish rules for the appeals process for students who face retention due to an "approaching" performance level on the ELA portion of the most recent Tennessee comprehensive assessment program (TCAP) test.
        - Parents and legal guardians are required to file an appeal, unless they provide written consent for a principal, guidance counselor, teacher, or other school administrator to file the appeal on their behalf.
    - School districts and public charter schools are encouraged to help parents who are seeking to appeal a retention decision by providing parents with the relevant data required to submit an appeal to the department.
    - Students and families who have experienced a catastrophic personal situation may also be eligible to file appeals with the department.
    - Any student retained in grades K-3 must be assigned a tutor for the entire upcoming school year. This tutor must comply with the department's established tutoring requirements.

DATA & RECORDS

- **Biometric Data** (Tenn. Code Ann. § 49-1-706)
    - Parents must provide written consent before a state agency or educational institution can collect any individual student biometric data. This includes student data relating to analysis of facial expressions, EEG brain wave patterns, skin conductance, galvanic skin response, heart-rate variability, pulse, blood volume, posture, and eye tracking.

- **Inspection of Childcare Programs and Records** (Tenn. Code Ann. § 49-1-1106)
    - Parents or legal guardians of children in a childcare program certified by the department must be allowed to visit the facility, inspect how their children are being cared for, and review the program's records any time their children are in the care of the program.
    - Parents or legal guardians must be allowed to access the childcare program's records unless the records are confidential or otherwise legally protected from disclosure.
    - Parents or legal guardians must not be intentionally prevented from inspecting the childcare program or its records except for when a court order restricts their access.

- **Inspection of Photographs and Video Footage on School Buses** (Tenn. Code Ann. § 49-6-2119)
    - A school district must adopt a policy for parents who request to inspect photographs or video recordings taken inside school buses that are equipped with cameras.
    - The policy must ensure these photographs or video recordings are inspected under the supervision of the director of schools (or their designee).
    - The policy must comply with the Tennessee Public Records Act (Tenn. Code Ann. § 10-7-504), the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g), and any other relevant state or federal privacy laws.
    - The policy must include information about how long the school district must retain these photographs or video recordings.

- **Inspection of Student Educational Records** (Tenn. Code Ann. § 49-1-704)
    - Parents and legal guardians have the right to inspect and review their children's education records the school maintains.
    - Parents and legal guardians have the right to request student data specific to their children.
    - School districts must provide parents and legal guardians a copy of their children's education records upon request.

- **Noncustodial Parental Access to Student Records** (Tenn. Code Ann. § 49-6-902)
    - Any parent who does not have custody of their child or has joint custody but is not the child's primary caregiver may request, in writing, school-related information such as a copy of the child's report card, notice of school attendance, names of teachers, class schedules, test scores, and any other records parents typically receive. These records may be sent directly to the noncustodial parent.

- **Political Affiliation, Religion, Voting History, Firearm Ownership** (Tenn. Code Ann. § 49-1-705)
    - Students are not obligated to provide their school or school district with data relating to their political affiliation, religion, voting history, and firearm ownership.

- **Report Cards** (Tenn. Code Ann. § 49-6-901, et seq.)
    - School districts must provide parents or legal guardians with a copy of their student's report card. In accordance with LEA or charter school policy, report cards for kindergarten through eighth grade students should include the student's universal reading screener, if administered during the current school year, and the student's dyslexia screener results, if applicable.

- **Access to Medical Records (**Tenn. Code Ann. § 36-8-103 and Tenn. Code Ann. § 68-11-304)
    - Generally, parents have the right to access and review a child's medical records, including prescription and rehabilitation records. This includes access to an unemancipated minor's medical records resulting from medical treatment provided without parental consent, unless the treating professional is required to report abuse of the

minor and believes that access to the records is reasonably likely to endanger the life or physical safety of the minor.

DISCIPLINE

- **Corporal Punishment** (Tenn. Code Ann. § 49-6-4103)
  - If a school district allows for the use of corporal punishment, any teacher or school principal may use corporal punishment in a reasonable manner against any student for good cause to maintain discipline and order within the school.
  - Prior to administering corporal punishment to a student, the school principal must document the following information in the student's educational record:
    - That they have acted to address the student's behavior;
    - That they have provided consequences to the student to address the behavior;
    - That they have consulted with the student's parent or legal guardian about the student's behavior; and
    - That they have considered the need to conduct an evaluation to determine whether the student has a disability in accordance with state and federal law (i.e., Individuals with Disabilities Education Act (20 U.S.C. § 1400 *et seq*.), state law, and State Board of Education rules).
  - School personnel are prohibited from using corporal punishment against any student who has a disability unless:
    - School district policy permits the use of corporal punishment; and
    - A parent of a child who has a disability has consented to the use of corporal punishment against their child in writing.
  - If a parent of a child who has a disability has consented to the use of corporal punishment against their child, their consent must:
    - State the type of corporal punishment that may be used; and
    - State the circumstances in which the use of corporal punishment is allowed.
  - The school principal must retain the parent's written consent on file at the school and notify the parent any time corporal punishment is used against their child.

  - The school principal must inform the parent of their right to revoke their consent to use corporal punishment at any time through written notice to the school principal.

- **Suspensions** (Tenn. Code Ann. § 49-6-3401)
  - The school principal must notify the parent or guardian within 24 hours of: (1) the period of suspension (no more than 10 days), (2) the cause for suspension, and (3) the conditions for readmission. This is not applicable for a student suspension of one day or less.
  - The school principal, principal-teacher, or assistant principal must immediately give the parent or legal guardian and the student written or actual notice if a student is suspended for more than 10 days.
  - Parents or legal guardians must be informed of their right to appeal the decision to suspend.
  - All appeals must be filed (orally or in writing) within five days after receipt of the notice. The appeal may be filed by the parent, student, or a school employee who has a teaching license upon the student's request.
  - A parent or student may request a disciplinary hearing by the local board of education or a disciplinary hearing authority appointed by the local board of education.
  - Within five days after receiving written notice of a disciplinary hearing from the disciplinary hearing authority or local board of education, a student's parent or legal guardian may request in writing that the hearing be conducted as an open meeting.

ENROLLMENT & WITHDRAWAL

- **Appeals Regarding Student Placement/Assignment to a School** (Tenn. Code Ann. § 49-6-3201)
  - Parents and legal guardians who are dissatisfied with the school in which their child has been assigned may file a written request with the local school board for a hearing before the board regarding the reasonableness of the placement. Parents may also request their child be transferred to another school.

- **Enrollment of Children of Service Members** (Tenn. Code Ann. § 49-6-3101)

  - A student who does not live in a school district may still enroll in a public school in that district if the student is a dependent child of a service member who is being relocated to Tennessee on military orders and the student will become a resident of the school district upon relocation, even if the student was not a resident of the school district during open enrollment period.
  - A student who is in the 11th or 12th grade can remain enrolled in his or her high school until the student graduates or withdraws if the student no longer resides in the school district due to the student's service member parent relocating on military orders.
  - A school district must allow a student to enroll if he or she resides within the school district at the time of enrollment due to relocation on military orders and the student's parent provides proof that they intend to reside in the zone for the school no later than one year after the student is enrolled.

- **Withdrawal and Deferral of Enrollment** (Tenn. Code Ann. § 49-6-3001)
  - A parent has the right to withdraw their child from a public school for a valid reason. Parents who have withdrawn their child from school must ensure that their child is either enrolled in a public school approved by the local board of education or in a private (non-public) school within 30 days of withdrawal.
  - A parent who believes their child is not yet ready to attend school at the designated age of mandatory attendance may defer their attendance for one (1) semester or one (1) year by applying to the principal of the public school that the child would have attended.

EVALUATION & SCREENINGS

- **Dyslexia Screening** (Tenn. Code Ann. § 49-1-229)
  - Parents may request dyslexia screening for their child.
  - School districts must notify parents and legal guardians if the dyslexia screening indicates the student has characteristics of dyslexia.
  - School districts must provide parents and legal guardians with resource materials on dyslexia.

- **Mental Health Screening** (Tenn. Code Ann. § 49-2-124)

  - Parents have the right to refuse their children being given certain medications relating to mental health or their children undergoing any mental health assessments, tests, or examinations.
  - If a school or school district plans to conduct a mental health screening, it must inform parents or legal guardians:
    - The purpose of the screening;
    - Who will conduct the screening;
    - When the screening is scheduled; and
    - How long the screening will last.

- **Student Surveys, Analyses, or Evaluations** (Tenn. Code Ann. § 49-2-211)
  - School districts must develop a policy outlining parent's and student's rights regarding the administration of student surveys, analyses, or evaluations.
  - The policy must allow parents and legal guardians to review all surveys, analyses, or evaluations before they are administered to a student.
  - School districts must obtain a parent or legal guardian's written, informed, and voluntarily signed consent before a student participates in a survey, analysis, or evaluation.
    - This consent may be obtained from the student if the student is 18 years of age or older.
  - A parent or legal guardian, or student (18 years of age or older) may withdraw their consent at any time before the student participates in the survey, analysis, or evaluation.
  - School districts must disclose the purpose of the survey, analysis, or evaluation materials, including who will have access to the results.

EXTRACURRICULAR ACTIVITIES

- **Access to Extracurricular Activities for Transfer and Homeschool Students** (Tenn. Code Ann. § 49-6-309)
  - Every public school and public charter school must offer transfer students and homeschool students who are in good academic standing equal access to the same academic and arts programs, clubs, events, and opportunities non-transfer students receive.

  - Transfer students and homeschool students are immediately eligible to participate in these activities upon enrolling or re-enrolling in a public school or public charter school. However, the public school or public charter school is not obligated to guarantee transfer students and homeschool students a place or position on any team, club, or organization. The only requirement is that transfer and homeschool students are given the same opportunity to try out or participate as non-transfer students.

- **Clubs and Organizations** (Tenn. Code Ann. § 49-6-1031)
  - Each school must notify parents and legal guardians of all clubs and organizations available to students by prominently displaying the information in the school's student handbook or other standard or policy guidebook containing the policies and procedures of the school that is distributed annually.
  - The list must include:
    - The names of the clubs and organizations (including any abbreviations or acronyms;
    - The mission and purpose of the clubs and organizations;
    - All financial requirements associated with membership in the club or organization; and
    - Notification of the option to prohibit a student from participating in any club or organization.
  - Parents or legal guardians must provide dated, written consent prior to a minor student becoming a member of a club or organization or participating in any activity of a club or organization.

- **Virtual School Students' Opportunities to Participate in Interscholastic Athletic Competitions** (Tenn. Code Ann. § 49-16-216)
  - If a public school is a member of an organization or association that regulates interscholastic athletic competition and that organization or association establishes eligibility requirements for virtual school students, then the school must permit participation in interscholastic athletics by virtual school students who satisfy the organization or association's eligibility requirements for virtual school student participation.
  - If a public school allows its students to participate in interscholastic athletic competitions, but the school is not a member of an association regulating that interscholastic athletic competition, then the school

must allow virtual school students who are zoned and eligible to attend the school the same opportunity to participate in the interscholastic athletic competition.

- **Interscholastic Athletics for Private School Students** (Tenn. Code Ann. § 49-50-808)
    - If a public school allows its students to participate in interscholastic athletic competitions and is a member of an organization or association that regulates interscholastic athletic competition, then the LEA must permit participation in interscholastic athletics by private school students who are enrolled in a private school that is not a member of the organization or association and serves fewer than 200 students in grades 6-12; satisfy the organization or association's eligibility requirements; reside within the geographic boundaries of the LEA; and are enrolled in a private school that does not offer the interscholastic athletic program that the student seeks to participate in.
    - If a public school allows its students to participate in interscholastic athletic competitions, but the school is not a member of an association regulating that interscholastic athletic competition, then the LEA must permit participation in interscholastic athletics by private school students who are enrolled in a private school that is not a member of the organization or association and that serves fewer than 200 students in grades 6-12; and are zoned to attend the public school.

- **Homeschool Students' Opportunities to Participate in Interscholastic Athletic Competitions** (Tenn. Code Ann. § 49-6-3050)
    - If a public school allows its students to participate in interscholastic athletic competitions, but the school is not a member of an association regulating that interscholastic athletic competition, then the school must allow homeschooled students who are zoned to attend the school the same opportunity to participate in the interscholastic athletic competition.

- **Proof of Vaccination for Homeschool Students** (Tenn. Code Ann. § 49-6-3050)
    - Students who are homeschooled are not required to show proof of vaccination to the local director of schools.

  - However, if a homeschooled student wants to take part in a school-sponsored activity or event, the school district may require proof that the student has undergone the necessary health checkups or services that other non-homeschooled students must undergo to participate in the activity.

- **Religious Observance and Participation in Extracurricular Athletic Events** (Tenn. Code Ann. § 49-6-1002)
  - A school district, local school board, teacher, or other school employee may not compel a student to attend a sporting event or participate in an activity related to a school sports team if the event falls on an official school holiday, an observed day of worship, or religious holiday.
  - A parent or legal guardian of a student participating in a school-sponsored athletic event who is unable to attend due to religious observance may provide written notice to the coach or event organizer at least three full school days prior to the event. Prior written notice may not be required if the absence is due to an unforeseen emergency.

- **Sudden Cardiac Arrest** (Tenn. Code Ann. § 49-6-3603)
  - Parents of students participating in, or seeking to participate in, an athletic activity must be informed of the symptoms and warning signs of sudden cardiac arrest.

HEALTH AND SAFETY

- **Drug Testing** (Tenn. Code Ann. § 49-6-4213)
  - At the time of enrollment, students must receive written notice that they are subject to drug testing while at school.
  - This notice must include information about:
    - The purpose of the drug test;
    - Steps that will be followed; and
    - Possible penalties if a student tests positive.
  - Schools must advise students of their right to refuse a drug test and the consequences of refusal.

  - Schools must notify parents or legal guardians before any drug test is given to a student.
  - If a school district has a policy allowing for random drug testing of students in extracurricular activities, it must notify the parents or legal guardians of these students before the students participate in the activity.
  - A student's parent or legal guardian must provide written consent to the random drug testing before the student can participate in the extracurricular activity.
  - If a student tests positive for drugs while in a drug testing program, the school's principal or counselor must provide the student's parent or legal guardian with information about drug and alcohol treatment programs, including inpatient, outpatient, and community-based options.

- **Families' Rights and Responsibilities Act** (Tenn. Code Ann. § 36-8-101, et seq.)
  - The "Families' Rights and Responsibilities Act" specifies certain parental rights regarding their child's upbringing, education, healthcare, and mental health.

- **Immunization and Enrollment** (Tenn. Code Ann. § 49-6-5001)
  - Children must receive vaccinations against diseases specified by the commissioner of health before they can attend any school, nursery school, kindergarten, preschool, or childcare facility.
  - It is the responsibility of parents or guardians to ensure their children are vaccinated.
  - If immunizations go against a parent or guardian's religious beliefs, the parent or guardian may file a statement with school administrators indicating their religious objection to immunization under risk of perjury.
  - Parents may not request a religious exemption waiver for vaccinations during an epidemic or when there is an immediate threat of an epidemic.
    - This does not apply to an immunization, vaccination, or injection for the SARS-CoV-2 virus or any variant of the SARS-CoV-2 virus.
  - If a child cannot be vaccinated due to medical reasons, a doctor's note excusing the child from vaccination is required to admit the child to school or school facilities. No child may be denied admission to any

school or school facility if the child has not been immunized due to medical reasons if the child has a written statement from their doctor excusing the child from immunization.
    - Unhoused children or youth may not be denied entry to school if they have not been vaccinated or they cannot provide vaccination records due to their unhoused status.

- **Lead in Drinking Water Testing** (Tenn. Code Ann. § 49-2-133)
    - Local school boards are required to develop a policy to reduce the risk of lead contamination in drinking water at public schools.
    - This policy must include regular testing of lead levels in water sources at schools built before Jan. 1, 1998.
    - The testing must use the first two hundred fifty milliliters (250 mL) of water that has been sitting in the pipes overnight as a sample.
    - If the test indicates that the lead level is equal to or more than twenty parts per billion (20 ppb), the school must immediately stop using that water source until another test confirms the lead level is below twenty parts per billion (20 ppb).
        - Within 24 hours of the test result, the school must:
            - Notify the commissioner of the Department of Environment and Conservation and the commissioner of the Department of Health;
            - Notify the local governing body; and
            - Notify the department.
        - Within five days of the test result, the school must:
            - Notify parents and guardians of students enrolled at the school based on the policy set by the school district.
        - Within 90 days of taking corrective action, the school must:
            - Retest the lead level of the drinking water source.

- **Meningococcal Disease and Influenza** (Tenn. Code Ann. § 49-6-5005)
    - At the start of each school year, school districts must provide parents and guardians with information about meningococcal disease and the importance of vaccination to prevent it.
        - This information must include what causes the disease, its symptoms, how it spreads, and where parents can learn more about the disease and get their children vaccinated.
        - School districts are not required to provide or pay for meningococcal disease vaccines.

- Similarly, at the beginning of the school year, school districts must also provide parents and guardians with information about influenza (the flu) and the benefits of getting vaccinated against it.
  - The information must include what causes the flu, its symptoms, how it spreads, and where parents can learn more about the flu and get their children vaccinated.
  - School districts are not required to provide or pay for flu vaccines.

- **Threats of Violence or Significantly Disruptive Behavior** (Tenn. Code Ann. § 49-6-2704)
  - Parents and guardians must be notified of a threat of violence or significantly disruptive behavior occurring on the grounds of or directed toward a public school in which their student is enrolled if the threat of violence or significantly disruptive behavior has been reported to a state or local law enforcement agency. Parents must receive this notification within forty-eight (48) hours of when the report is made to a state or local law enforcement agency.

- **Type 1 and Type 2 Diabetes** (Tenn. Code Ann. § 49-6-319)
  - At the start of each school year, LEAs and public charter schools that provide parents and guardians with information on immunizations, infectious diseases, medications, or other school health issues must also include the department-provided information about Type 1 and Type 2 diabetes.

- **Parental Notification of Classroom Evacuations** (Tenn. Code Ann. § 49-6-4303)
  - Parents of students who are in the classroom or instructional area at the time of a classroom evacuation must be notified of the evacuation by the end of the day an evacuation occurred.
  - In the case that the cause of the evacuation is an ongoing emergency or is otherwise under investigation by a state or local law enforcement agency, the notification must not be provided until the emergency event is resolved or the principal determines that providing the notification does not impede an ongoing investigation.

- **Student Safety Plans** (Tenn. Code Ann. § 49-6-324)

- If a student has an order of protection against another student enrolled at the same public school, the school must develop a safety plan for the student named as the petitioner in the order of protection as soon as possible, but no later than 5 days after the school receives a copy of the order of protection.
- The student safety plan must be developed by the school principal and, when reasonably practicable and appropriate, the building-level school safety team with input from the petitioner's parent or legal guardian.
- Parents of the petitioner must notify the school within 48 hours of any changes to the order of protection to allow the school to revise the student safety plan as necessary.

TESTING AND ASSESSMENT

- **State-Mandated Tests**
  - Parents and students must have access to information about state-mandated tests and tests mandated by the school district that will be administered in the upcoming school year on the school district's website. (Tenn. Code Ann. § 49-6-6007).
  - Parents must be informed of how they can gain access to their child's individual test results.
    - The department must release assessment blueprints and scoring methodology to all school districts and post this information on its website. (Tenn. Code Ann. § 49-6-6008).
  - Parents may request that their child be given additional time to take the TCAP test. (Tenn. Code Ann. § 49-6-6015).
    - The optional additional time must be used consecutively to the required time limit for each test.
    - The test administrator shall not provide optional additional time if the optional additional time would invalidate the test results.

TRANSPORTATION

- **Transportation Policy Requirements** (Tenn. Code Ann. § 49-6-2116)
    - Each local school board and charter school governing body must adopt a transportation policy relating to the safe transport of students.
    - This policy must include a procedure for students, parents, teachers, school staff, and the community to report school bus safety complaints.

MISCELLANEOUS PARENT & STUDENT RIGHTS

- **Attendance** (Tenn. Code Ann. § 49-6-3007)
    - At the start of each school year, the principal or head of a public, non-public, or church-related school must provide a written notice about attendance requirements to the parent, guardian, or person having control of a student required to attend school. This notice must include the following information:
        - A notice that a student who accumulates five days of unexcused absences during the school year is subject to the school district's progressive truancy interventions; and
        - Continued unexcused absences may result in referral to juvenile court.
    - The principal of a public school must promptly report the names of all students who have either withdrawn from school or have accumulated three days of unexcused absences to the director of schools or attendance supervisor.
    - When a student has accumulated five days of unexcused absences, the director of schools or attendance supervisor may serve (or cause to be served) upon the parent, guardian, or any other person having control of a child required to attend school a written notice that the child's attendance is required by law.

- **Child Abuse** (Tenn. Code Ann. § 49-6-1601)

  - School child abuse coordinators, teachers, school officials, and other school staff may not share any information related to suspected child abuse or child sexual abuse with the child's parent or guardian.
  - If the parent or guardian requests this information, they must be referred to the law enforcement agency conducting the investigation and the Department of Children's Services.
  - However, this rule does not apply if:
    - The notification to the parent was done in conjunction with the Department of Children's Services;
    - Federal law or regulations require this information to be disclosed; and
    - The parent being informed is not suspected of being involved in the abuse or neglect.

- **Eligibility for Individualized Education Account Programs** (Tenn. Code Ann. § 49-10-1405)
  - The department must provide parents of participating students with a written explanation of the allowable uses of Individualized Education Account Programs, the responsibilities of parents, and the duties of the department.
  - The department must implement a policy informing parents about their child's potential eligibility for participating in the Individualized Education Account Program.

- **Eligibility to Vote** (Tenn. Code Ann. § 2-2-111)
  - High schools are required to inform high school seniors of their eligibility to vote upon the student reaching the age of 18.
  - The school personnel responsible for notifying the student will not be subject to punitive measures.

- **Firearm Ownership** (Tenn. Code Ann. § 49-2-129)
  - School administrators, teachers, or any other school staff may not ask students or their parents for information about whether the student's family owns firearms.
  - School administrators, teachers, or other school staff may not require teachers or other school employees to disclose information about their firearm ownership.
  - If a student, parent, teacher, or other school staff wishes to voluntarily disclose this information, it cannot be used as a basis for punishing

the student or taking negative employment actions against the teacher or school employee.

- **Opportunity for Physical Activity and Physical Education** (Tenn. Code Ann. § 49-6-1021)
  - Elementary school students must receive a minimum of forty minutes of physical activity per full school day and middle school and high school students must receive a minimum of ninety minutes per full school week. A student shall not be withheld from participating in physical activity as a form of punishment.
  - Each elementary school student must participate in a physical education class that meets at least twice per full school week during the school year. The total physical education class time each full school week shall be no less than sixty minutes. A parent or legal guardian must provide documentation of a student's medical reason for being excused from a physical education class.

- **Parental Involvement** (Tenn. Code Ann. § 49-6-7004)
  - School districts are encouraged to communicate with parents to facilitate parental involvement in their child's education.

- **Purchase of Textbooks or Instructional Materials** (Tenn. Code Ann. § 49-3-310)
  - No local board of education or public school district can require any student or parent to purchase any textbook or instructional materials unless the student or parent damages, loses, or defaces the textbook or instructional material either willfully or through neglect.
  - Parents and students may voluntarily purchase textbooks and instructional materials.

- **Relocation of Students (Safety)** (Tenn. Code Ann. § 49-6-2802)
  - Schools must have a policy addressing a teacher's ability to relocate a student from their present location to another location for safety reasons.
  - School districts must notify parents and guardians of this policy and the underlying procedures for relocating students.

- **Tennessee School for the Deaf (and West Tennessee School for the Deaf) Deaf Mentor Pilot Project** (Tenn. Code Ann. § 49-50-1008)
    - The Tennessee School for the Deaf, together with the West Tennessee School for the Deaf, must establish a one-year deaf mentor pilot project to assist families and agencies in implementing bilingual and bicultural home-based programming for young children who are deaf, hard of hearing, or deaf-blind.
    - The pilot project must provide hearing parents of children who are deaf, hard of hearing, or deaf-blind with the option of using a deaf mentor to expose the parents' children to American Sign Language and deaf culture, allowing the children to grow and learn in a bilingual and bicultural social environment of hearing and deaf cultures instead of limiting the children's exposure to a signed or spoken English-only environment and the hearing culture of the children's families.

- **Reporting Accommodations for Affirming Gender Identity** (Tenn. Code Ann § 49-6-315)
    - If a student requests support from a school employee in affirming their gender identity, the employee must report the request to the school administrator and the student's parents.
    - A school employee may not knowingly give false or misleading information to parents about the student's gender identity or intentions to transition to a different gender.
    - A local school board or public charter school may be subject to civil litigation filed by the student's parents/legal guardians and the attorney general if the local school board or public charter school fails to comply with these requirements.

- **Mental Health Treatment of Unemancipated Minors Age 16 or Older** (Tenn. Code Ann. § 33-8-202)
    - Minors age 16 or older with "serious emotional disturbance" or "mental illness," as defined by Tenn. Code Ann. § 33-1-101, have the same rights as an adult with respect to outpatient and inpatient mental health treatment, medication decisions, confidential information, and participation in conflict resolution procedures. An outpatient facility or professional may provide treatment and rehabilitation without obtaining the consent of the minor's parent, legal guardian, or legal custodian.

- The parent, legal guardian, or legal custodian of an unemancipated minor has the right to:
  - Participate in the conflict resolution process if the parent, legal guardian, legal custodian, or treating professional believes the minor's decision to discontinue treatment will have severe adverse effects on the minor;
  - Access the minor's prescription and rehabilitation records resulting from that treatment, unless the treating professional is required to report abuse of the minor and the treating professional believes that access to the records is reasonably likely to endanger the life or physical safety of the minor; and
  - Receive notification from the treating professional if the minor communicates suicidal ideation to the treating professional and the professional determines the minor has the apparent ability to attempt suicide and is likely to attempt suicide unless prevented from doing so.

- **Use of Preferred Names, Pronouns, and Honorifics** (Tenn. Code Ann. § 49-6-5102)
  - An unemancipated minor student may be knowingly addressed or referred to by a name other than the student's legal name, a derivative thereof, a pronoun, a title, or an honorific that is inconsistent with the student's sex when a parent or legal guardian provides written consent to a teacher, employee, or contractor of a public school or LEA.
  - A student, teacher, employee, or contractor of an LEA is not required to use a preferred name of a student, teacher, employee, or contractor of the LEA if the preferred name is not the individual's legal name, derivative of their legal name, or consistent with the individual's sex.
  - A public school or LEA cannot require or subject a student, teacher, employee, or contractor to an adverse or disciplinary action for refusing to use an individual's preferred name, pronoun, or honorific if the latter is inconsistent with the individual's sex.

- **High School Students in Child Care Work Based Learning Programs** (Tenn. Code Ann. § 71-3-535)
  - A high school student older than 16 but younger than 19 may work in a child care center outside of school hours or during school hours through a work-based learning program if that student has completed

at least two courses in a program of study that falls under the education and training career cluster.