

**Tennessee Department of Education**  
**108<sup>th</sup> General Assembly/2013 Session**

<b>PUBLIC CHAPTER</b>	<b>DESCRIPTION</b>	<b>DEPT. OF EDUCATION CONTACT</b>
<p style="text-align: center;"><b>85</b></p> <p><i>Effective 4/08/13</i></p>	<p>Revises age requirement for LEA prekindergarten programs to 4 years of age on or before August 31 for the 2013-14 school year and on or before August 15 for all school years thereafter. Makes such age requirements consistent with kindergarten age requirements. Permits children who participated in a prekindergarten program, administered by an LEA or a private school, or a Head Start program during the 2012-13 or 2013-14 school years to enter kindergarten in the 2013-14 or 2014-15 school years, respectively. (S: Bell; H: Weaver) <u>SB1022/HB0839</u></p>	<p style="text-align: center;">Connie Casha</p>
<p style="text-align: center;"><b>222</b></p> <p><i>Effective 7/01/13</i></p>	<p>Provides that a principal shall have the discretion to withhold disciplinary action against any student found to have acted in self defense under a reasonable belief the student or another to whom the student was defending, was under the threat of imminent danger or serious bodily injury. (S: Tate; H: Weaver) <u>SB0113/HB0860</u></p>	<p style="text-align: center;">Christy Ballard Pat Conner</p>
<p style="text-align: center;"><b>155</b></p> <p><i>Effective 7/01/13</i></p>	<p>Provides for excused student absences for up to 10 consecutive days during the school year for visitation during a military member's deployment. (S: Gresham; H: Windle) <u>SB1161/HB0746</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>281</b></p> <p><i>Effective 4/25/13</i></p>	<p>Provides that contracts for energy-related services that include both engineering services and equipment shall be awarded on the basis of recognized competence and integrity and not be competitively bid. However, such provisions shall not prohibit the Energy Efficient Schools Council from establishing required design criteria in accordance with industry standards. (S: Hensley; H: Butt) <u>SB1270/HB1193</u></p>	<p style="text-align: center;">Christy Ballard Paul Cross</p>
<p style="text-align: center;"><b>294</b></p> <p><i>Effective 4/29/13</i></p>	<p>Authorizes each school in an LEA, including nonpublic schools, to maintain epinephrine auto-injectors in at least two unlocked, secure locations with the intent to be administered to any student believed to be having a life-threatening or anaphylactic reaction. Authorizes a physician to prescribe epinephrine auto-injectors in the name of an LEA, or nonpublic school, for such use. (S: Green; H: Sexton) <u>SB1146/HB0866</u></p>	<p style="text-align: center;">Rebecca Johns-Wommack</p>
<p style="text-align: center;"><b>214</b></p> <p><i>Effective 4/3/13</i></p>	<p>Removes obsolete career ladder provisions, but retains career ladder for those educators still eligible. Provides supplement payments for remaining career ladder educators. Establishes that an affirmative vote by a majority of the membership of the board shall be required to disburse funds to an LEA. Requires that a transfer student who is admitted to the school system shall be enrolled for one complete school year. (S: Dickerson; H: Forgety) <u>SB1291/HB1270</u></p>	<p style="text-align: center;">Christy Ballard</p>

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<p style="text-align: center;"><b>256</b></p> <p><i>Effective 4/23/13</i></p>	<p>Authorizes the governing body of any municipality that seeks to create a city school system to request that the county election commission conduct a referendum regarding the creation of a new school. (S: Norris; H: Todd) <u>SB1353/HB1288</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>292</b></p> <p><i>Effective 4/29/13</i></p>	<p>Authorizes an unlimited number of school districts in any county, provided the requirements of applicable law and the rules of the State Board of Education are met. (S:Norris; H: Lollar) <u>SB1354/HB1291</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>105</b></p> <p><i>Effective 4/11/13</i></p>	<p>Allows student growth data to comprise one hundred percent of a teacher's final evaluation score, at the discretion of the LEA and upon request of the teacher, when an individual teacher's student growth data reflects attainment of an achievement level demonstrating an effectiveness level of "above expectations" or "significantly above expectations." Establishes that for teachers without access to individual data representative of student growth, forty percent of the evaluation criteria shall be comprised of student achievement data with twenty-five percent of the overall criteria based on student growth data. Removes prohibition relative to the use of special education student data as part of a teacher's value added assessment for evaluation purposes. (S: Norris; H: H. Brooks) <u>SB0156/HB0150</u></p>	<p style="text-align: center;">Sara Heyburn Joey Hassell</p>
<p style="text-align: center;"><b>262</b></p> <p><i>Effective 4/25/13</i></p>	<p>Complies with federal requirements by requiring an LEA to obtain formal written proof that a child who has moved out-of-state has enrolled in a school or program leading to the award of a regular high school diploma, moved out of the country, or is deceased in order not to count such student as a dropout. (S: Gardenhire; H: Moody) <u>SB0158/HB0152</u></p>	<p style="text-align: center;">Erin O'Hara Emily Bell</p>
<p style="text-align: center;"><b>177</b></p> <p><i>Effective 4/23/13</i></p>	<p>Prohibits persons who contract with a school or child care program or employees of such persons from having direct contact with the school's or child care center's children or coming on the school or child care center grounds when children are present if convicted of certain offenses. (S: Gresham; H: H. Brooks) <u>SB0016/HB0237</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>225</b></p> <p><i>Effective 7/01/13</i></p>	<p>Allows a home school student to participate in interscholastic athletics at the public school to which the student would be assigned or authorized provided the student meets the academic, conduct, and health standards required of other participants. Prohibits an LEA from charging a home school student a participation fee not charged to students enrolled in the LEA's public schools who participate in the same sport. Student must register with the school the student's intent to participate in athletics prior to August 1 of the school year; applicable beginning with the 2013-2014 academic year. (S: Campfield; H: Kane) <u>SB0240/HB0222</u></p>	<p style="text-align: center;">Marcy Tidwell</p>

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<p><b>263</b> <i>Effective 7/01/13</i></p>	<p>Authorizes LEAs to continue the employment of non-tenured teachers who are not offered continued employment by a school transferring into the Achievement School District. (S: Kelsey; H: M. White) <u>SB0233/HB0221</u></p>	<p>Christy Ballard</p>
<p><b>188</b> <i>Effective 7/01/13</i></p>	<p>Requires a fire drill be conducted within the first 15 days, currently 30 days, of school operation. Establishes an intruder drill be conducted within the first 30 days of operation and includes intruder drill in the list of safety drills. (S: Massey; H: Hall) <u>SB0267/HB0137</u></p>	<p>Pat Conner</p>
<p><b>18</b> <i>Effective 3/14/13</i></p>	<p>Extends the time (to January 1, 2014) teachers who teach in multiple subject areas where end of course examinations are required, including special education teachers and alternative school teachers, have to pass the test in each content area in which they are teaching. (S: Massey; H: Gloria Johnson) <u>SB0268/HB0369</u></p>	<p>Sara Heyburn</p>
<p><b>27</b> <i>Effective 4/20/13</i></p>	<p>Extends the compact for education to June 30, 2018. (S: Bell; H: Matheny) <u>SB0325/HB0770</u></p>	<p>Emily Bell</p>
<p><b>133</b> <i>Effective 7/01/13</i></p>	<p>Extends the department of education to June 30, 2015. (S: Bell; H: Matheny) <u>SB0328/HB0769</u></p>	<p>Christy Ballard</p>
<p><b>306</b> <i>Effective 7/01/13</i></p>	<p>Requires that the commissioner's annual report include the following: (1) ACT academic achievement data including the number and percentage of students with a 21 composite score or higher and the number and percentage of students meeting the college readiness benchmark in English, mathematics, reading, and science for each LEA and high school with at least 10 students taking the exam; and (2) SAT college-bound seniors district profile for each LEA with at least 25 students taking the SAT. (S: Dickerson; H: Powell). <u>SB0531/HB0647</u></p>	<p>Erin O'Hara</p>
<p><b>305</b> <i>Effective 4/29/13</i></p>	<p>Requires that, if in any fiscal year a local government appropriates funds for education for non-recurring expenditures evidenced by a written agreement with the LEA establishing the non-recurring use of the funds, such funds be excluded from the maintenance of local funding requirement and from any apportionment requirement under the school tax component of the BEP. (S: Yager; H: Dawn White) <u>SB612/HB1156</u></p>	<p>Maryanne Durski</p>

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<p style="text-align: center;"><b>304</b></p> <p><i>Effective 7/01/13</i></p>	<p>Requires school principals to report the name of any student that has been absent five or more times from any required remedial program without adequate excuse. Only applicable to remedial programs that are offered at no cost to the parent and for which the LEA commits to providing transportation to the remedial program to qualifying students before such students are required to attend the remedial program. Requires juvenile court proceedings to occur in the same manner as required for unexcused absences from the regular school day. Establishes that parents or guardians of the child commit educational neglect if the child is found to be truant. (S: Tracy; H: Forgety). <u>SB0640/HB0285</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>301</b></p> <p><i>Effective 7/01/13</i></p>	<p>Requires each member of a public school board to make disclosure prior to voting on any matter of business that has an effect upon the employment of a relative of the member; requires the director of schools to give notice to the board each time there is intent to employ a relative of a board member or elected county or city official. Provides for certain provisions in cases where there are relatives under the same direct line of supervision. (S: Gresham.; H: Dunn) <u>SB0663/HB0449</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>273</b></p> <p><i>Effective 4/25/13</i></p>	<p>Revises provisions governing membership of the Financial Literacy Commission. (S: Bowling; H: Moody) <u>SB792/HB1042</u></p>	<p style="text-align: center;">Emily Barton</p>
<p style="text-align: center;"><b>369</b></p> <p><i>Effective 7/01/14</i></p>	<p>Requires teachers who have been dismissed as part of reduction-in-force, and have received a teaching evaluation score of three, four, or five, to be placed on a list for re-employment. Such teachers shall remain on a re-employment list until they have rejected four bona fide offers of re-employment for comparable positions within the local education agency. (S: Gresham; H: Haynes) <u>SB1149/HB1112</u></p>	<p style="text-align: center;">Christy Ballard Sara Heyburn</p>
<p style="text-align: center;"><b>411</b></p> <p><i>Effective 7/01/13</i></p>	<p>Requires each LEA to develop a policy whereby the LEA provides for an open enrollment period during which parents or guardians may choose from a list of the LEA schools with available space and request a transfer. The policy must be developed and implemented to provide an open enrollment period for the 2014-2015 school year and every school year thereafter. If the transfer is granted, the parents or guardians will responsible for transportation to the new school. The student must maintain satisfactory attendance, behavior and effort to remain in the new school. (S: Kelsey/H:Dunn) <u>SB1175/HB941</u></p>	<p style="text-align: center;">Christy Ballard</p>

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<p style="text-align: center;"><b>375</b></p> <p><i>Effective 7/01/13</i></p>	<p>Specifies disciplinary action required for a student who transmits by electronic means a credible threat to cause bodily injury or death to another student or school employee in which the transmission of such threat creates actual disruptive activity at the school. (S: Green; H: Curtis Johnson) <u>SB1215/HB1158</u></p>	<p style="text-align: center;">Pat Conner</p>
<p style="text-align: center;"><b>404</b></p> <p><i>Effective 5/14/13</i></p>	<p>Establishes initial enrollment cap for public virtual schools. Allows lifting of the cap if the school demonstrates student achievement growth at a minimum level of "at expectations" as represented by the Tennessee Value-Added Assessment System. Grants the commissioner the authority to reinstitute enrollment caps or direct the LEA to close the school when a public virtual school identified as a priority school demonstrates student growth at a level of "significantly below expectations" for three consecutive years. (S: Norris; H: Brooks, H.) <u>SB0157/HB0151</u></p>	<p style="text-align: center;">Kathleen Airhart</p>
<p style="text-align: center;"><b>442</b></p> <p><i>Effective 7/01/13</i></p>	<p>Revises provision for expulsion of a student who commits battery upon an LEA employee or school resource officer. Replaces "battery" with "aggravated assault". (S: Gresham; H: White, D.) <u>SB0264/HB0966</u></p>	<p style="text-align: center;">Christy Ballard Pat Conner</p>
<p style="text-align: center;"><b>439</b></p> <p><i>Effective 5/16/13</i></p>	<p>Requires LEAs to continue to pay full benefits including, but not limited to, health insurance to teachers who are injured by physical assault or other violent criminal acts, until the teacher is released by their physician to return to work, or is determined by their physician to be permanently disabled, whichever comes first. (S: Niceley; H: Farmer) <u>SB0302/HB0362</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>333</b></p> <p><i>Effective 5/13/13</i></p>	<p>Extends the energy efficient schools council to June 30, 2014. (S: Bell; H: Matheny.) <u>SB0334/HB0794</u></p>	<p style="text-align: center;">Paul Cross</p>
<p style="text-align: center;"><b>397</b></p> <p><i>Effective 7/01/13</i></p>	<p>Establishes that any child placed in the custody of the department of children's services shall become a resident of the county in which such child is placed by the department. Requires the board of education of each local school system to assign the student to a public school. (S: Gresham; H: DeBerry, J.) <u>SB0496/HB0243</u></p>	<p style="text-align: center;">Christy Ballard</p>

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<p style="text-align: center;"><b>395</b></p> <p><i>Effective 7/01/13</i></p>	<p>Prohibits any sign or message in support of or opposition to a referendum or initiative placed before the voters from being displayed on a sign owned by an LEA or its schools or attached to LEA-owned buildings. Prohibits audio or video messages in support of or opposition to a referendum or initiative from being dispersed using LEA or school electronic equipment or accounts. (S: Bell; H: Matlock.) <u>SB0547/HB0334</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>358</b></p> <p><i>Effective 7/01/13</i></p>	<p>School Security Act of 2013. Allows a person employed by the LEA as a faculty or staff member or a person assigned to the school to carry a firearm on school grounds if the person: is 1) authorized to carry a firearm; 2) has written authorization of the director of schools and principal; and 3) is a law enforcement officer or has certain former law enforcement officer service and is in compliance with all peace officer standards and training commission regulations, and 4) has completed 40 hours of basic training in school policing. Requires all records pertaining to the carrying of firearms on school property to be confidential and not open to the public. (S: Niceley; H: Watson, E.) <u>SB570/HB6</u></p>	<p style="text-align: center;">Mike Herrmann</p>
<p style="text-align: center;"><b>393</b></p> <p><i>Effective 5/06/13</i></p>	<p>Enacts the "High Performing School Districts Flexibility Act." Defines a "high performing school district" as any LEA in this state that satisfies a majority of certain criteria. Allows any LEA meeting a majority of the applicable criteria, by action of its local board of education, to declare itself to be a high performing school district and be eligible for additional flexibility. (S: Johnson, J.; H: Sargent) <u>SB0592/HB0210</u></p>	<p style="text-align: center;">Erin O'Hara</p>
<p style="text-align: center;"><b>351</b></p> <p><i>Effective 7/01/13</i></p>	<p>Establishes a two-year pilot project to determine whether enhanced accessibility of AP courses and examinations encourages students to pursue completion of rigorous course work and successfully pass AP examinations and career and technical certification examinations. Requires the office of research and education accountability (OREA), with the assistance of the department of education, to study the pilot project and report on the project's effectiveness to the education committees of the Senate and the House of Representatives.(S: Tracy; H: Brooks, H.) <u>SB0634/HB0705</u></p>	<p style="text-align: center;">Danielle Mezera</p>

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<p><b>274</b></p> <p><i>Effective 4/25/13</i></p>	<p>Allows the commissioner of education to post its biennial report on acceptable internet use policies on the department's web site and give notice of the posting via email, instead of submitting the report to the individual general assembly members. (S: Tate; H: Parkinson) <u>SB0857/HB1047</u></p>	<p>Christy Ballard</p>
<p><b>275</b></p> <p><i>Effective 4/25/13</i></p>	<p>Authorizes rather than requires local boards of education to grant leave to individuals who are elected to statewide office as an officer, director, trustee, or agent of a professional employees' association. (S: Gresham; H: Casada) <u>SB0866/HB0408</u></p>	<p>Sara Heyburn</p>
<p><b>383</b></p> <p><i>Effective 7/01/13</i></p>	<p>Authorizes an LEA to grant release-time to a professional employee to hold office as a representative of a local professional employees' organization. (S: Gresham; H: Ragan) <u>SB0867/HB0847</u></p>	<p>Sara Heyburn</p>
<p><b>406</b></p> <p><i>Effective 5/14/13</i></p>	<p>Requires the department of education to review all measures that are in place to prevent breaches in the security of standardized tests administered in grades K-12. Requires the department to consult with the providers of the standardized tests to determine if the providers are aware of issues with security or can recommend changes that need to be made to improve test security. Also requires the department to report its findings and recommendations for improvement. (S: Finney; H: Pitts) <u>SB0088/HB0425</u></p>	<p>Zachary Rossley</p>
<p><b>148</b></p> <p><i>Effective 1/01/14</i></p>	<p>Requires schools and community-based youth athletic organizations to adopt guidelines and policies concerning the nature, risk and symptoms of concussion and head injury. Requires coaches to complete an annual concussion recognition and head injury safety program. Requires the creation of a concussion and head injury information sheet. Establish procedures for the immediate removal of any youth athlete who shows signs and symptoms of concussion. (S: Tracy; H: Sexton) <u>SB0882/HB0867</u></p>	<p>Rebecca Johns-Wommack</p>
<p><b>422</b></p> <p><i>Effective 7/01/13</i></p>	<p>Requires state board of education to adopt an occupational diploma for students with disabilities. Requires the board to set appropriate standards and benchmarks of attendance, academic performance, and job readiness skills. (S: Hensley; H: DeBerry, J.) <u>SB0886/HB0620</u></p>	<p>Joey Hassell</p>

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<p style="text-align: center;"><b>326</b></p> <p><i>Effective 7/01/13</i></p>	<p>Makes several technical changes to the state’s charter school laws. Clarifies process for conversion of a school o a charter school. Makes provisions for charter management organizations. Removes Treasurer from the appeal process and allows the LEA to consider whether the establishment of the charter school will have a substantial negative fiscal impact such that authorization would be contrary to the best interests of the students, school district or community. (S: Gresham; H: Brooks, H.) <u>SB0205/HB0315</u></p>	<p style="text-align: center;">Rich Haglund</p>
<p style="text-align: center;"><b>381</b></p> <p><i>Effective 5/14/13</i></p>	<p>Prohibits the department of education, state board of education, local boards of education, and local education agencies from hiring or retaining any individual whom the department of children’s services has found to have committed child abuse, severe child abuse, child sexual abuse, or child neglect; provided that no individual or employee shall be reported by DCS, unless DCS has determined that the due process rights of the individual were either offered but not accepted, or were fully concluded, pursuant to DCS rules and regulations and state and federal law. Prohibits the DOE, local boards of education, and LEAs from hiring or retaining any individual whose name has been placed on the state’s vulnerable person’s registry or sex offender registry. (S: Haile; H: Odom) <u>SB922/HB1064</u></p>	<p style="text-align: center;">Christy Ballard</p>
<p style="text-align: center;"><b>345</b></p> <p><i>Effective 7/01/13</i></p>	<p>Allows retired teachers’ children who are under 24 years of age to receive a 25 percent discount at any state-operated institution of higher education; provided the parent retired with 30 years of service in Tennessee public schools or received disability retirement after a minimum of 25 years of service in Tennessee public schools. (S: Bell; H: Forgety) <u>SB0543/HB0283</u></p>	<p style="text-align: center;">Sara Heyburn</p>
<p style="text-align: center;"><b>448</b></p> <p><i>Effective 5/16/13</i></p>	<p>Enacts the “Lois M. DeBerry Alternative Diploma Act.” Authorizes the department of labor and workforce development to make recommendations to the state board of education relative to assessments that lead to the award of a high school equivalency credential. (S: Massey; H: Powers) <u>SB0105/HB0387</u></p>	<p style="text-align: center;">Emily Barton</p>
<p style="text-align: center;"><b>259</b></p> <p><i>Effective 7/01/14 (4/24/13 for rulemaking purposes)</i></p>	<p>Enacts the “Hybrid Retirement Plan for State Employees and Teachers.” Makes revisions to the state retirement plan for new employees entering the retirement system. (S: McNally; H: McManus) <u>SB1005/HB0948</u></p>	<p style="text-align: center;">Maryanne Durski</p>

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<p><b>453</b></p> <p><i>Effective 7/01/13</i></p>	<p>Makes appropriations for fiscal years beginning July 1, 2012, and July 1, 2013. (S: Norris; H: Sargent)</p> <p><u>SB0502/HB0507</u></p>	<p>John Sharp</p> <p>Stephen Smith</p>

**Bills Referred to the Department of Education or State Board of Education**

BILL #	DESCRIPTION	DEPT. OF EDUCATION CONTACT
<p><b>SB0477</b> HB0339</p>	<p>Allows students who enter the military or national guard during high school and complete basic training before high school graduation to receive credit toward graduation for basic training. <i>Referred to Department of Education for review.</i> (S: Green; H: Goins)</p>	<p>Emily Barton</p>
<p><b>SB1260</b> HB1105</p>	<p>Authorizes the department of education to create a pilot project to explore methods of providing comprehensive school safety and mental health services through LEAs. <i>Referred to Department of Education for review.</i> (S: Crowe; H: Hill, M.)</p>	<p>Mike Herrmann</p>
<p><b>SB1266</b> HB1129</p>	<p>Requires emphasis on American foundational instruments and instruction in American historical achievement. <i>Referred to Department of Education and State Board of Education for review.</i> (S: Niceley; H: Hill, T.)</p>	<p>Emily Barton</p> <p>David Sevier (State Board of Education)</p>
<p><b>SB1112</b> HB1179</p>	<p>Requires state report card to use a scale of 100 percent beginning in 2013-2014. <i>Referred to State Board of Education for review.</i> (S: Kyle; H: Towns)</p>	<p>David Sevier (State Board of Education)</p>