

112th General Assembly / 2021 Session

Legislative Report

Public Chapter 34

SB 233: Hensley; HB 23: Darby
TDOE Contact: Theresa Nicholls

Requires the department to survey all LEAs, public charter schools, and state special schools to determine whether there is a sufficient number of licensed speech-language pathologists in the public schools of this state to meet student needs and report the results of the survey to the education committees of the senate and house of representatives by January 15, 2022. *Effective March 23, 2021*

Public Chapter 40

SB 228: Hensley; HB 3: Cepicky
TDOE Contact: Christy Ballard

Requires that a student's gender for purposes of participation in a public middle school or high school interscholastic athletic activity or event be determined by the student's sex at the time of the student's birth, as indicated on the student's original birth certificate. *Effective March 26, 2021*

Public Chapter 49

SB 88: Roberts; HB 308: Ragan
TDOE Contact: Eve Carney

Extends the Tennessee public charter school commission to June 30, 2023. *Effective March 29, 2021*

Public Chapter 57

SB 235: Hensley; HB 5: Cepicky
TDOE Contact: Theresa Nicholls

Requires that the instruction provided to a student who is identified for intervention through the response to instruction and intervention (RTI2) framework be determined by the student's local education agency based on the individual student's needs. *Effective March 29, 2021*

Public Chapter 77

SB 230: Hensley; HB 16: Cepicky
TDOE Contact: Christy Ballard

Enacts the "Teacher's Discipline Act," which establishes requirements and procedures for teachers to discipline students in the teachers' classrooms, including relocation of a student. *Effective January 1, 2022*

Public Chapter 96

SB 103: Kelsey; HB 225: Vaughan
TDOE Contact: Christy Ballard

Specifies that local boards of education and governing bodies of public charter schools, as applicable, have the sole authority to open or close schools during a public health emergency; authorizes the board or governing body to delegate that authority to the director of schools or school administrator, as applicable. *Effective April 7, 2021*

Public Chapter 113

SB 127: Haile; HB 1271: Garrett
TDOE Contact: Scott Indermuehle

Exempts from state and local taxation, all contributions or distributions made to, or on behalf of, participating students pursuant to any individualized education account (IEA). *Effective April 13, 2021*

Public Chapter 116

SB 203: Haile; HB 332: Alexander
TDOE Contact: Christy Ballard

Requires, subject to certain exceptions, a public school to credit a student who participates in an activity or program sponsored by 4-H as present for attendance purposes. *Effective April 13, 2021*

Public Chapter 125

SB 479: Haile; HB 533: Weaver
TDOE Contact: David Donaldson

Revises various provisions regarding initial educator licensure, advancement, and renewal, including requiring the state board, when issuing an educator license to an out-of-state educator, to issue a license that is equivalent to the license the educator possesses in another state. *Effective April 13, 2021 and July 1, 2021*

Public Chapter 134

SB 738: Johnson; HB 770: Lamberth
TDOE Contact: Theresa Nicholls

Makes various changes to the Special Education Behavioral Supports Act, including the use of isolation and physical holding restraints. *Effective July 1, 2021*

Public Chapter 146

SB 1116: White; HB 497: Rudd
TDOE Contact: Alex Spann

Increases, from four years to six years, the maximum period of time that a contractual agreement between a director of schools and a school transportation employee and between a board of education and a person owning equipment for transportation services is authorized. *Effective April 13, 2021*

Public Chapter 157

SB 20: Gilmore; HB 789 Cooper
TDOE Contact: Lori Paisley

Requires the department of health, in coordination with the department of education, to disseminate the information to students in public middle schools, junior high schools, and senior high schools in this state.
Effective April 20, 2021

Public Chapter 159

SB 76: Roberts; HB 297: RaganVj
TDOE Contact: Virginia Mayfield

Extends the state textbook and instructional materials quality commission to June 30, 2023; requires the commission to report back to the government operations committee no later than December 31, 2021, to update the committee on its progress in addressing the committee. *Effective April 20, 2021*

Public Chapter 161

SB 124: Haile; HB 475: White
TDOE Contact: Jean Luna

Permits school child abuse coordinators, school teachers, school officials, and other school personnel to provide information relevant to suspected child abuse or child sexual abuse to the child's parents when required by federal law or regulation, the parent to whom the notification is made is not alleged to be the perpetrator or in any way complicit in the abuse or neglect, and the notification is done in conjunction with the department of children's services. *Effective April 20, 2021*

Public Chapter 170

SB 414: Yarbro; HB 973: Dixie
TDOE Contact: Lisa Coons

Enacts the "SEM Advancement Act," which requires a local board of education or charter school governing body to develop and adopt a policy that establishes criteria for the enrollment of students in grades seven through 12 into available advanced English language arts, mathematics, and science courses. *Effective April 20, 2021*

Public Chapter 180

SB 596: Hensley; HB 587: Haston
TDOE Contact: Christy Ballard

Allows LEAs and private or church-related schools to use excess instructional time accumulated during the school year for serious outbreaks of illness affecting or endangering students or staff without requiring approval from the commissioner of education to do so. *Effective July 1, 2021*

Public Chapter 188

SB 109: Powers; HB 1096: Baum
TDOE Contact: Christy Ballard

Confers immunity from civil liability upon a teacher, principal, school employee, or school bus driver properly using reasonable force to correct or restrain a student or prevent bodily harm or death to another person. *Effective July 1, 2021*

Public Chapter 205

SB 769: Johnson; HB 782: Lamberth
TDOE Contact: Christy Ballard

Prohibits the state textbook and instructional materials quality commission, state board of education, and public schools from recommending, approving, or using textbooks and instructional materials and supplemental instructional materials created to align exclusively with the common core state standards or that are marketed or otherwise identified as common core textbooks or materials; provides for withholding of funds if teacher or principal intentionally violates prohibition on such textbooks and materials. *Effective April 22, 2021 and July 1, 2021*

Public Chapter 206

SB 844: Yarbro; HB 842: Thompson
TDOE Contact: Jean Luna

Requires each high school to designate an apprenticeship training program contact; requires the department of education to compile and publish a list of the apprenticeship program contacts. *Effective July 1, 2021*

Public Chapter 211

SB 1133: White; HB 528: Moody
TDOE Contact: David Donaldson

Revises provisions governing temporary teaching permits. *Effective April 22, 2021*

Public Chapter 223

SB 273: Rose; HB 206: Cochran
TDOE Contact: Christy Ballard

Revises the requirements for an LEA's progressive truancy intervention plan; requires, beginning with the 2021-2022 school year, that each progressive truancy plan adopted by an LEA include a first tier of schoolwide, truancy prevention-oriented supports for all enrolled students. *Effective July 1, 2021*

Public Chapter 229

SB 1223: Rose; HB 890: White
TDOE Contact: Christy Ballard

Authorizes an LEA to remove a student from the regular school program without assigning the student to an alternative school or alternative program if the student was suspended or expelled for certain offenses that may threaten the safety of persons attending or assigned to the regular school program and the alternative school or alternative program is located on the same grounds as the regular school program. *Effective April 22, 2021*

Public Chapter 248

SB 290: Gardenhire; HB 1363: Carter
TDOE Contact: Maryanne Durski

Defines the term "teacher" for purposes of state salary increases for licensed education personnel. *Effective July 1, 2021*

Public Chapter 250

SB 353: Gardenhire; HB 472: White

TDOE Contact: Judy Spencer

Entitles all public charter schools to participate in the state group insurance plans selected by the governing body of the public charter school in accordance with existing law; authorizes, instead of requires, teachers and other full-time permanent employees of public charter schools to participate in such plans. *Effective April 28, 2021*

Public Chapter 261

SB 636: Powers; HB 1342: Ogles

TDOE Contact: Christy Ballard

Specifies, for purposes of certain provisions governing leave, that a teacher's school or school district is not considered to be closed when teachers are required to work remotely and provide virtual instruction to students. *Effective April 28, 2021*

Public Chapter 271

SB 1240: Crowe; HB 1446: Hicks, T

TDOE Contact: Jean Luna

Directs the department to provide career and technical education opportunities for students in middle school; requires an LEA to provide students in seventh or eighth grade with information on available career and technical education programs upon administering a career aptitude assessment. *Effective April 30, 2021*

Public Chapter 272

SB 1259: Reeves; HB 1410: Baum

TDOE Contact: Lori Paisley

Enacts the "Safe Stars Act," which establishes certain health and safety requirements in regard to school youth athletic activities. *Effective July 1, 2021*

Public Chapter 274

SB 1303: Yarbro; HB 1332: Harris

TDOE Contact: Christy Ballard

Establishes certain requirements regarding student athletes who are placed in foster care. *Effective April 30, 2021*

Public Chapter 276

SB 1377: Bell; HB 795: Howell

TDOE Contact: Virginia Mayfield

Authorizes LEAs to purchase technology using state school funds for textbooks and instructional materials in a school year immediately following a textbook adoption cycle in which the state textbook and instructional materials quality commission did not list or recommend career and technical education textbooks or instructional materials; authorizes LEAs to use any remainder of such funds after the purchase of career and technical education textbooks or instructional materials to purchase technology. *Effective April 30, 2021*

Public Chapter 281

SB 1229: Rose; HB 529: Moody
TDOE Contact: Christy Ballard

Requires an LEA or public charter school to notify a student's parent or guardian prior to commencing instruction of a sexual orientation or gender identity curriculum; permits a parent or guardian to excuse the parent's or guardian's student from a sexual orientation or gender identity curriculum, and prohibits the LEA or charter school from penalizing an excused student. *Effective May 3, 2021*

Public Chapter 287

SB 337: Gilmore; HB 117: Lamar
TDOE Contact: Christy Ballard

Increases, from one time to once every three years, the required in-service training for a teacher employed by a local board of education in regard to the detection, intervention, prevention, and treatment of human trafficking in which the victim is a child. *Effective April 30, 2021*

Public Chapter 290

SB 1360: Bell; HB 487: Smith
TDOE Contact: Lori Paisley

Extends, beginning with the 2021-2022 school year, the counties within which each LEA must implement a program of family life education from counties with a pregnancy rate of 19.5 pregnancies for every 1,000 females ages 15 to 17 to all counties; requires a curriculum on sex education or human sexuality that is implemented by an LEA as a part of a human growth and development program be in conformance with the curriculum guidelines established for family life programs. *Effective April 30, 2021*

Public Chapter 299

SB 1579: Bailey; HB 1570: Cochran
TDOE Contact: Mike Hardy

Requires the commissioner of education to obtain approval from the state board of education for changes to the formula used to calculate school or LEA performance goals and measures; requires the commissioner to convene a working group before submitting a proposal to the state board to change the formula. *Effective July 1, 2021*

Public Chapter 310

SB 1125: White; HB 235: Littleton
TDOE Contact: Christy Ballard

Increases from \$10,000 or more to \$25,000 or more, the amount for which a local board of education or the governing body of a public charter school located in a county having a population of 40,000 or more must make purchases or expenditures by competitive bids. *Effective July 1, 2021*

Public Chapter 323

SB 1340: Hensley; HB 462: Cepicky
TDOE Contact: Mike Hardy

Requires the department to submit a report to the education administration committee and education instruction committee of the house on the high school graduation rate and to annually report on the state report card information related to state, LEA, and school level indicators of postsecondary readiness by graduating class. *Effective May 4, 2021*

Public Chapter 335

SB 1425: Akbari; HB 925: Ogles

TDOE Contact: Vijay Gollapudi

Adds certain cyber security-related information to the information that the state-level safety team must include in the template safety plan that LEAs must adopt as part of their comprehensive district-wide and building-level school safety plans. *Effective May 4, 2021 and July 1, 2021*

Public Chapter 341

SB 1034: Bell; HB 1513: Cochran

TDOE Contact: Lisa Coons

Enacts the "Textbook Transparency Act," which revises provisions governing textbooks and instructional materials. *Effective July 1, 2021*

Public Chapter 342

SB 1036: Bell; HB 1537: Weaver

TDOE Contact: Virginia Mayfield

Requires the department of education, upon request, to develop a proposed rubric to assist the state textbook and instructional materials quality commission in reviewing and scoring textbooks and instructional materials proposed for adoption and submit the proposed rubric to the commission for approval; enacts other related provisions. *Effective May 4, 2021*

Public Chapter 367

SB 1156: Kelsey; HB 1591: White

TDOE Contact: Christy Ballard

Requires, if an appeal of a mandatory retention in third grade based on a student's scores on the ELA portion of the student's TCAP test is filed, it must be filed by the student's parent or guardian; requires an LEA or public charter school to include information about third grade retention in information the LEA or charter school must send to a student's parent upon determining that the student has a significant reading deficiency. *Effective May 11, 2021 and July 1, 2021*

Public Chapter 369

SB 1175: Crowe; HB 1403: Hall

TDOE Contact: Lori Paisley

Requires schools, nursery schools, preschools, child care facilities, and public institutions of higher education to include information on immunization exemptions on any communications to students or parents regarding immunization requirements. *Effective July 1, 2021*

Public Chapter 377

SB 1343: Gardenhire; HB 1266: Ragan

TDOE Contact: Christy Ballard

Revises provisions governing injuries to educators in the course of employment caused by a violent criminal act. *Effective July 1, 2021*

Public Chapter 378

SB 1345: Gardenhire; HB 1443: Vaughan
TDOE Contact: Christ Ballard

Revises provisions governing teachers' contracts related to notification of non-renewal. *Effective May 11, 2021*

Public Chapter 380

SB 1393: Bowling; HB 577: Ragan
TDOE Contact: Lori Paisley

Revises provisions governing contraception information provided as part of instruction of the family life curriculum. *Effective July 1, 2021*

Public Chapter 389

SB 634: Kyle; HB 212: Clemmons
TDOE Contact: Lori Paisley

Authorizes LEAs to develop and implement a "Stop the Bleed" program and provides limited civil immunity to LEAs, schools, and LEA employees for personal injuries resulting from the use of items in a bleeding control kit; establishes requirements for the program. *Effective July 1, 2021*

Public Chapter 392

SB 1157: Kelsey; HB 471: White
TDOE Contact: Jean Luna

Adds William R. Moore College of Technology as an eligible institution for receipt of dual enrollment grants. *Effective July 1, 2021*

Public Chapter 398

SB 774: Johnson; HB 777: Lamberth
TDOE Contact: Maryanne Durski

Establishes that a local education agency's BEP calculation for the 2021-2022 school year must not be less than the LEA's BEP calculation for the 2020-2021 school year; applies to LEAs in full compliance with state school attendance and truancy intervention laws, and the state board of education's continuous learning plan rules. *Effective May 11, 2021*

Public Chapter 417

SB 1424: Akbari; HB 1131: Farmer
TDOE Contact: Christy Ballard

Revises provisions governing criminal history checks of certain persons who come in direct contact with school children or children in a child care program. *Effective May 12, 2021*

Public Chapter 452

SB 1367: Bell; HB 1233: Zachary
TDOE Contact: Christy Ballard

Enacts the "Tennessee Accommodations for All Children Act." *Effective July 1, 2021*

Public Chapter 471

SB 630: Lundberg; HB 755: White
TDOE Contact: Lisa Coons

Revises statutory provisions concerning contracts between the textbook and instructional materials quality commission and publishers, and the use of textbooks and instructional materials other than those listed by the commission and approved by the state board of education. *Effective May 18, 2021 and July 1, 2021*

Public Chapter 479

SB 788: Lundberg; HB 1305: White
TDOE Contact: Christy Ballard

Requires each LEA to have an open enrollment period in which a parent or guardian of a student may seek to transfer the parent's or guardian's student to a school in the LEA that the student is not zoned to attend. *Effective May 18, 2021*

Public Chapter 490

SB 737: Johnson; HB 74: Lamberth
TDOE Contact: Eve Carney

Changes various processes and conditions for the transition of charter schools out of the Achievement School District. *Effective May 24, 2021*

Public Chapter 493

SB 623: Bell; HB 580: Ragan
TDOE Contact: Christy Ballard

Cleans up and revises various statutory provisions regarding the Tennessee Department of Education, the State Board of Education, and local education agencies. *Effective May 25, 2021*

Public Chapter 504

SB 1338: Hensley; HB 865: Haston
TDOE Contact: Maryanne Durski

Requires the board to determine the percentage of any increase in funds appropriated to the instructional salaries and wages component of the basic education program (BEP) and increase the minimum salary on the state salary schedule by that percentage. *Effective July 1, 2021*

Public Chapter 513

SB 187: Bowling; HB 13: Hulsey
TDOE Contact: Christy Ballard

Prohibits certain state and local authorities from forcing, requiring, or coercing a person to receive an immunization or vaccination for COVID-19 against the person's will. *Effective May 25, 2021*

Public Chapter 519

SB 1147: White; HB 210: Carringer
TDOE Contact: Virginia Mayfield

Requires an LEA to publish curriculum implemented pursuant to standards adopted by the state board on the LEA's website; requires the LEA to update the website with any changes made to the curriculum at the beginning of each semester. *Effective July 1, 2022*

Public Chapter 529

SB 9: Yager; HB 542: Powers

TDOE Contact: Jean Luna

Increases from \$1,000 to \$1,250 the amount awarded each semester to a full-time student receiving the middle college scholarship. *Effective May 25, 2021*

Public Chapter 536

SB 482: Haile; HB 752: White

TDOE Contact: Jean Luna

Clarifies that the dual enrollment program will award the in-state tuition and mandatory fees cost up to a maximum amount for the first four courses taken and makes other related changes. *Effective January 1, 2022*

Public Chapter 552

SB 1135: White; HB 745: Haston

TDOE Contact: Sarah Williams

Establishes, subject to available federal funding and limited to the 2021-22 and 2022-23 school years, that each student shall have the opportunity to take nationally recognized assessments as a strategy for assessing and certifying students' career readiness and providing students more choice in identifying career pathways. *Effective May 26, 2021*

Public Chapter 571

SB 653: Bowling; HB 1534: Weaver

TDOE Contact: Eric Olmstead

Requires the state board to approve a process for an LEA to establish an LEA teacher training program for the purpose of recommending eligible educators for additional endorsements. *Effective May 25, 2021 and July 1, 2022*

Public Chapter 578

SB 122: Haile; HB 1501: Cochran

TDOE Contact: Eve Carney

Enacts the "School Turnaround Pilot Program Act," which requires the department of education to develop and implement a four-year school turnaround pilot program for schools identified as in need of intervention. *Effective May 27, 2021*

Public Chapter 589

SB 449: Bell; HB 713: Whitson

TDOE Contact: Danny Bounds

Requires an LEA to allocate prorated daily per pupil state and local funding to an out-of-state residential mental health facility if a student of the LEA is admitted to the facility and certain conditions are met. *Effective May 27, 2021*

Public Chapter 595

SB 739: Johnson; HB 73: Lamberth

TDOE Contact: Jean Luna

Establishes the “K-12 Mental Health Endowment Fund” to be administered by the State Treasurer. The funds in these accounts are available to the Department of Mental Health and Substance Abuse Services, in consultation with the Department of Education, for mental or behavioral health services for K-12 students. *Effective May 27, 2021*
