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Nashville - Memphis



Legislative Report  
Tennessee Principals Association  
March 19, 2010

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# Tennessee Principals Association (TPA)

## WEEKLY LEGISLATIVE REPORT

*Friday, March 19, 2010*

Below is a legislative update which includes legislation of interest to public education and TPA. If no companion bill is listed, one has not been filed. Hyperlinks to the full text of each bill were added for your convenience. To utilize this feature, hold down the “control” key while clicking on the link with your mouse. This update is current through March 19, 2010.

### *Highlights for the Week of March 15, 2010*

#### **Senate Education Committee approves budget**

On Wednesday, the Senate Education Committee approved the Department of Education’s budget, recommending a restoration of the York Institute funding as well as recommending full funding of the Basic Education Program (BEP). As proposed by the Governor, the Budget did not support approximately \$27 million in BEP capital outlay growth money for the upcoming budget year.

The Education Budget now travels to the Senate Finance, Ways & Means Committee.

#### **State presents Race to the Top application**

A team made up of Governor Phil Bredesen, Education Commissioner Tim Webb, State Senator Jamie Woodson, Knox County Superintendent Jim McIntyre and Memphis school board member Tomeka Hart traveled to Washington recently to present the state’s application and case for Race to the Top funds. Tennessee is one of 16 finalists for the award, and, by all indications, has a great chance to be one of the first round award winners, which will be announced within the next couple of weeks.

#### **Teacher Evaluation Advisory Committee holds first meeting**

The Teacher Evaluation Advisory Committee (TEAC) held its first meeting on Thursday. The TEAC was created by the General Assembly during the special legislative session in January. The 15-member committee, which includes two principals – Jimmy Bailey from Jackson-Madison and Jill Levine from Hamilton County, will develop and recommend to the State Board of Education guidelines and criteria for the annual evaluation of teachers and principals. This evaluation component was a major piece of the Race to the Top Act and the subsequent Race to the Top application submitted to Washington.

#### **Committee approves four-day school week**

The House Education Committee approved HB 0883 on Wednesday, permitting school districts to adopt a four-day per week school schedule with the condition that instructional time be equivalent to the current 180-day schedule. Basically, this would involve extending the school day to incorporate

the additional instructional time needed within the four days. It's not clear if this legislation will move forward as it has been placed in the General Subcommittee on the Senate side. Interestingly, "General Sub" is not even an actual committee; however, bills are frequently sent there to never reappear.

### **Subcommittee approves random drug testing legislation**

The House Education K-12 Subcommittee approved legislation (HB 3200) on Wednesday permitting school districts to randomly drug test students who participate in extracurricular activities.

### **Testing issue update**

In last week's report, issues centering on TCAP testing dates were discussed. The Education committees in both houses were scheduled to discuss several related bills this week. Although the bills were discussed briefly, no action was taken. Instead, legislators who are sponsoring these bills and other interested members will meet to try to address the concerns in one piece of legislation, if possible.

### **Obama proposes revamp of No Child Left Behind**

President Obama has released a blueprint for the reauthorization of the Elementary and Secondary Education Act, otherwise known as "No Child Left Behind". You can read the blueprint by clicking on the link below:

<http://www2.ed.gov/policy/elsec/leg/blueprint/index.html>

Secretary of Education Arne Duncan testified this week before the Senate Health, Education, Labor, and Pensions Committee and the House Education and Labor Committee on the blueprint, which, according to Duncan, is organized around our three major goals for reauthorization:

1. Raise standards
2. Reward excellence and growth
3. Increase local control and flexibility while maintaining the focus on equity and closing achievement gaps

You can read or view the Secretary's complete testimony by visiting the following website:

<http://www.ed.gov/blog/topic/esea-reauthorization/>

Be sure to review the calendars below for upcoming activity pertaining to public education. All contact information for committee members and other legislators may be found on the General Assembly website – [www.capitol.tn.gov](http://www.capitol.tn.gov). You can also watch committee hearings and floor session live through video streaming.

# *Calendars of Interest*

## *Week of March 22, 2010*

*Numbers in the left column indicate placement of bill on calendar.*

### **Senate Education Committee -- Monday at 2:00 pm -- LP 12**

Note that the Committee will continue its calendar on Wednesday. By suspension of the rules, SB 2505 has been added to the calendar and will be the first item. The Committee will hear Budget Presentations from the University of Tennessee, Tennessee Higher Education Commission, and Tennessee Student Assistance Corporation. MEMBERS: Chair Gresham (R), Vice Chair Tate (D), Secretary Berke (D), Burks (D), Crowe (R), J. Haynes (D), Ketron (R), Tracy (R), Woodson (R).

1. SB [2505](#) Overbey **EDUCATION: Automated external defibrillators in schools.** Requires each LEA to place automated external defibrillator devices in each school. AMENDMENT: House Education amendment 1 rewrites the bill. Requires each school to place its first AED in the school's gymnasium or an accessible location that is used for physical education or activity, and requires each school to place its AEDs acquired later in areas that are accessible during emergencies. (HOUSE: HB 3250, Ramsey B.; House Education 03/17/2010 recommended with amendment 1, which rewrites the bill. Requires each school to place its first AED in the school's gymnasium or an accessible location that is used for physical education or activity, and requires each school to place its AEDs acquired later in areas that are accessible during emergencies. Sent to House Finance, Ways & Means.) FISCAL NOTE: Dated: February 3, 2010 Increase local expenditures\* - exceeds \$393,300/one-time. Exceeds \$20,000/every two years.
2. SB [3737](#) Bunch **EDUCATION: Extending of in-state tuition to wrestlers.** Permits wrestlers from Alabama, Georgia, Kentucky, and Florida to attend the Tennessee higher education institutions with Division 1 wrestling programs and pay in-state tuition rates. (HOUSE: HB 3959, Bell; Set for House Higher Education Subcommittee 03/24/2010.) FISCAL NOTE: Dated: March 2, 2010 Decrease state revenue - exceeds \$22,600.
3. SB [3746](#) Bunch **EDUCATION: Postsecondary scholarship: early secondary school graduates.** Authorizes scholarships to postsecondary students who graduate from high school early. Requires the amount of the scholarship depends on the number of semesters the student graduated early. Requires that scholarship funding for these students stems from the funds set aside for the secondary schools. (HOUSE: HB 2723, Campfield; Referred to House Education. House Government Operations will review if recommended.) FISCAL NOTE: Dated: February 22, 2010 Increase state expenditures - exceeds \$9,082,000 /FY11-12 and subsequent years. Increase local expenditures - exceeds \$23,194,400/FY11-12 and subsequent years\*. Other Fiscal Impact - State and local education BEP funding will transfer to the scholarship program. The amount of such a shift in funding is estimated to exceed \$25,771,600 in FY11-12 and subsequent years.

4. [SB 3761](#)  
Bunch **EDUCATION: Computer distribution to low income students.** Authorizes the commissioner of correction to utilize inmate labor to refurbish computers for low income students who do not have computers in their homes. Allows a LEA to distribute surplus and refurbished computer equipment to low income students. (HOUSE: HB 2722, Campfield; Taken off notice in House State Government Subcommittee 03/09/2010.) FISCAL NOTE: Dated: February 19, 2010 Increase state expenditures - \$7,000/one-time. \$24,000/Recurring. Joint Oversight Committee on Corrections: This bill would authorize the Department to use inmate labor to refurbish computers and provide an outlet for distribution of such computers to deserving recipients. Security and resource issues make it unlikely that the Department would be able to implement such a program. The Department of Correction does not currently have an inmate computer refurbishing program. Previous computer refurbishing programs were canceled after significant security violations were encountered. The department has since converted its vocational computer classes to Computer Applications and Computer Literacy. The curricula and standards for each course do not include computer repair. To implement a new computer repair vocational program, TDOC would be required to hire new vocational instructors who are industry certified, to invest in books/manuals and tools, and to absorb the cost of graduates taking the A+ certification exam, the cost of which is roughly \$300 per student for both parts of the exams.
5. [SB 3765](#)  
Bunch **EDUCATION: The word "technical" not required in name of school.** Clarifies that no postsecondary educational institution in this state is required to use the word "technical" in its name or designation. (HOUSE: HB 3068, Campfield; Taken off notice in House Higher Education Subcommittee 02/24/2010.) FISCAL NOTE: Dated: February 1, 2010 Minimal.
6. [SB 3773](#)  
Bunch **EDUCATION: HOPE scholarship requirements: 2.75 GPA in certain majors.** Authorizes that postsecondary students majoring in math, nursing, or engineering or enrolled in a teacher education program seeking licensure to teach math or science to remain eligible for the Tennessee HOPE scholarship by attaining a cumulative 2.75 grade point average. Authorizes that postsecondary nontraditional students will retain the Tennessee HOPE scholarship if cumulative grade point average is below 2.75 but goes up to at least 2.75 the subsequent semester. (HOUSE: HB 2721, Campfield; Taken off notice in House Higher Education Subcommittee 03/10/2010.) FISCAL NOTE: Dated: February 18, 2010 Other Fiscal Impact - Increases the expenditure of lottery proceeds earmarked for scholarships and grants by \$7,070,800 in FY10-11 and by \$7,779,900 in FY11-12.

7. SB [3796](#)  
Bunch **EDUCATION: TCAP given no earlier than the 1st of May.** Prohibits the administration of TCAP prior to May 1 of each school year. (HOUSE: HB 3011, Harwell; Taken off notice in House Education K-12 Subcommittee 03/17/2010.) FISCAL NOTE: Dated: February 15, 2010 On February 9, 2010, we issued a fiscal note on this bill indicating a fiscal impact of increase state expenditures - \$10,392,500 in FY10-11 and \$9,537,500 in FY11-12 and Subsequent Years; increase local expenditures \$51,400,000/FY10-11 and \$8,560,000 in FY11-12 and Subsequent Years; Other Fiscal Impact - According to the According to the Department of Education, federal Title I money may be jeopardized as a result of administering tests on or after May 1 if the state is unable to meet its federal reporting deadline. Such a loss is unable to be reasonably quantified; local education agencies (LEAs) receive approximately \$250,000,000 Title I money annually. On February 15, 2010, a typographical error was discovered that affected the state expenditures. This error has been corrected and the fiscal impact has changed as follows. (CORRECTED) Increase state expenditures - \$9,922,500/FY10-11. \$9,537,500/FY11-12 and subsequent years. Increase local expenditures - \$51,400,000/FY10-11. \$8,560,000/FY11-12 and subsequent years. Other Fiscal Impact - According to the Department of Education, federal Title I money may be jeopardized as a result of administering tests on or after May 1 if the state is unable to meet its federal reporting deadline. Such a loss is unable to be reasonably quantified; local education agencies (LEAs) receive approximately \$250,000,000 Title I money annually.
8. SB [3266](#)  
Harper **EDUCATION: THEC annual report about student tuition subsidy.** Requires THEC to report the annual student tuition subsidy applicable to students at each public institution of higher education to the house and senate education and finance, ways and means committees. (HOUSE: HB 3410, Brown; Set for House Higher Education Subcommittee 03/24/2010.) FISCAL NOTE: Dated: February 1, 2010 Increase state expenditures - not significant.
9. SB [3268](#)  
Harper **EDUCATION: Expansion of scholarships for graduate students.** Permits students in graduate degree programs leading to licensure as a teacher to be recipients of a minority teaching fellowship. Eliminates limitation on number of awards. (HOUSE: HB 3413, Brown; Set for House Finance Budget Subcommittee 03/24/2010.) FISCAL NOTE: Dated: February 18, 2010 Increase state expenditures - exceeds \$46,800.
10. SB [3311](#)  
Kelsey **EDUCATION: Students allowed to take textbooks home.** Requires students to be permitted to take textbooks specifically issued to the student home in order to study. (HOUSE: HB 3711, Towns; House Education 03/17/2010 recommended. Sent to Calendar & Rules.) FISCAL NOTE: Dated: February 4, 2010 Increase state expenditures - not significant. Increase local expenditures - not significant.
11. SB [3304](#)  
Kelsey **EDUCATION: Credit for International Baccalaureate Diploma Programme.** Requires each public institution of higher education that offers freshman-level courses to adopt and implement a policy to grant at least 24 semester credit hours in appropriate subject areas to entering freshmen for successful completion of the International Baccalaureate Diploma Programme. Allows an institution to grant fewer than 24 semester credit hours if a student received a score of less than four on an examination administered as part of the diploma program. Establishes institutional policy for granting course credit. Creates within the state treasury an account to be administered by the department of education and to be known as TN International Baccalaureate Incentive account. (HOUSE: HB 2947, McManus; Set for House Higher Education Subcommittee 03/24/2010.) FISCAL NOTE: Dated: February 26, 2010 Increase state expenditures - \$813,700. Increase local expenditures - not significant.

12. SB [3312](#)  
Kelsey **EDUCATION: Task force on truancy.** Requires any parent of a truant student to attend counseling, mentoring, or parenting classes. Requires truant students to receive counseling or mentoring. Creates task force on truancy and establishes guidelines, procedures and membership for such task force. (HOUSE: HB 2493, Hardaway; Set for House Education K-12 Subcommittee 03/24/2010.) FISCAL NOTE: Dated: February 24, 2010 Increase state expenditures - \$1,100/each one day meeting. \$1,851,000/Recurring. Increase local expenditures - \$8,378,700/recurring\*. Increase federal revenue - \$340,100/recurring.
13. SB [0319](#)  
Johnson J. **EDUCATION: Boarding school students eligible to use lottery proceeds.** Extends eligibility of high school students utilizing state lottery proceeds to include any bona fide Tennessee residents attending out-of-state boarding schools rather than just those that are regionally accredited. AMENDMENT: House Education amendment 1 rewrites the bill, requires TSAC to develop scholarship and grant application forms, and exempts students not applying for ASPIRE awards or HOPE access grants from having to file FAFSA or provide financial information to TSAC. (HOUSE: HB 0379, Sargent; Set for House Finance Budget Subcommittee 03/24/2010.) FISCAL NOTE: Dated: February 19, 2009 Other Fiscal Impact - Increases the expenditure of lottery proceeds earmarked for scholarships and grants by \$22,000 in FY09-10 and by \$24,000 in FY10-11.
14. SB [2517](#)  
Johnson J. **EDUCATION: School students: allows physical restraints for protection.** Allows the use of locked isolation rooms and physical restraints upon a student receiving special education to protect faculty, staff, or other pupils from harm. Prevents school resource officers from taking a special education student into custody. (HOUSE: HB 2538, Casada; House Education K-12 Subcommittee deferred to the last calendar.) FISCAL NOTE: Dated: January 22, 2010 Minimal.
15. SB [2938](#)  
Norris **EDUCATION: LEAs can convert to special school district.** Permits any local education agency to convert to a special school district. AMENDMENT: House Education amendment 1 rewrites the bill. Requires counties containing two or more existing school systems and counties containing only one existing school system to have a two-thirds majority vote in the county legislative body and a majority vote public referendum to convert into a special school district. Requires the city legislative body to have a two-thirds majority vote and a majority based on the city-wide referendum before a city-operated school system can be converted into a special school district. (HOUSE: HB 3590, Lollar; House Education deferred to the last calendar.) FISCAL NOTE: Dated: February 11, 2010 Increase state expenditures - not significant. Other Fiscal Impact - State BEP money will transfer from the city or county school system to the special school district. Local government revenue and expenditures from a city or county government will shift to the special school district. This amount is unable to be quantified but is estimated to exceed \$100,000 and will be permissive.
16. SB [2767](#)  
Ford O. **EDUCATION: Geographic information systems technology in curricula.** Directs the state board of education and the commissioner of labor and workforce development to study the issues relating to and the benefits associated with appropriately integrating geographic information systems technology in curricula for career and technical education. Requires a report on their findings to given to the education committees of the house and senate by March 1, 2011. (HOUSE: HB 2641, Cooper B.; Set for House Education K-12 Subcommittee 03/24/2010.) FISCAL NOTE: Dated: January 22, 2010 Increase state expenditures - not significant.

17. SB [1488](#)  
Ford O. **EDUCATION: Deletes TCAP test requirements.** Deletes requirement that students pass TCAP tests prior to graduating from high school and instead requires students to successfully complete all grade 12 requirements in order to receive full high school diploma. (HOUSE: HB 2094, Towns; Taken off notice in House Education K-12 Subcommittee 04/15/2009.) FISCAL NOTE: Dated: March 24, 2009 On March 20, 2009, we issued a fiscal note for this bill indicating a decrease in state expenditures of \$8,000,000, a decrease in local expenditures exceeding \$500,000, and an other fiscal impact- Removal of assessment tests will place the state in non-compliance with No Child Left Behind Act, placing in jeopardy federal Title I funds totaling \$250,000,000. On March 24, we received additional information regarding this bill. The fiscal impact was in error and has been corrected. (CORRECTED) Other Fiscal Impact - No impact on state or local government. The state receives Title I funds totaling approximately \$250,000,000. If Tennessee were to end testing, this funding may be put in jeopardy.
18. SB [2199](#)  
Burchett **EDUCATION: HOPE scholarship eligibility.** Allows an entering freshman who meets all nonacademic requirements but not the academic requirements for a TN HOPE scholarship and who enrolls in an eligible postsecondary institution within 16 months of completing high school or obtaining a GED to qualify for the HOPE scholarship at the end of a semester when continuing eligibility for the HOPE is reviewed if such student has met the continuing eligibility requirements. Makes applicable to transfer students who met nonacademic requirements but not the academic requirements at time of or after transfer to an eligible postsecondary institution. (HOUSE: HB 2342, Hardaway; Taken off notice in House Higher Education Subcommittee 03/17/2010.) FISCAL NOTE: Dated: March 16, 2009 Other Fiscal Impact - No fiscal impact for FY09-10. Increases the expenditure of lottery proceeds earmarked for scholarships and grants by \$5,790,000 in FY10-11.
19. SB [3230](#)  
Haynes J. **EDUCATION: LEA to operate innovative educational programs.** Directs all LEAs to operate innovative educational programs instead of only 24 school systems. Further allows principals implementing a plan for such programs to do so without consulting with faculty beforehand. (HOUSE: HB 3332, Brooks, Harry; Taken off notice in House Education 03/10/2010.) FISCAL NOTE: Dated: February 18, 2010 Increase local expenditures - not significant/permissive.
20. SB [3432](#)  
Tracy **EDUCATION: Civic classes to be taught in high school.** Requires the course of instruction in all public schools on the high school level to contain courses and content to educate children in the United States government. (HOUSE: HB 3762, West; House Education 03/17/2010 recommended. Sent to Calendar & Rules.) FISCAL NOTE: Dated: February 3, 2010 Increase state expenditures - not significant.
21. SB [3600](#)  
Ketron **EDUCATION: Directors of schools duties: student's disciplinary records.** Requires each director of schools to send certain disciplinary and delinquency records to the transferring student's new school or school district. AMENDMENT: House Education K-12 Subcommittee amendment 1 changes "adjuration" to "adjudication." (HOUSE: HB 2955, Coley; House Education deferred to the State Board of Education and requires the bill to come back by 2/1/2011.) FISCAL NOTE: Dated: February 5, 2010 Increase local expenditures - not significant.
22. SB [0908](#)  
Burks **EDUCATION: Establishes elected office of school superintendent.** Provides for re-establishment of elected office of school superintendent for counties or cities upon two-thirds vote of the local governing body. Any such ordinance or resolution once approved is not operative until approved in an election. Establishes minimum professional qualifications of candidates. (HOUSE: HB 0952, Winningham; House Education K-12 Subcommittee deferred to 2010.) FISCAL NOTE: Dated: February 20, 2009 Increase Local Expenditures - Exceeds \$100,000/Permissive.

23. SB [0909](#)  
Burks **EDUCATION: Optional long-term care insurance plan for LEA employees.** Requires the local education insurance committee to approve an optional long-term care insurance plan that provides local education employees with the same coverage offered to state employees. (HOUSE: HB 0689, Winningham; Taken off notice in House Education K-12 Subcommittee 04/15/2009.) FISCAL NOTE: Dated: March 18, 2009 Increase state expenditures - \$200,000/one-time. Increase local expenditures - exceeds \$100,000/permissive. Council on Pensions and Insurance comment: Council on Pensions and Insurance adopted and released to full committee with additional remark that enactment of this bill will have a fiscal impact on the state of \$200,000.
24. SB [1137](#)  
Burks **LOTTERY: HOPE scholarship grade point average minimum requirements.** Requires students to make a cumulative grade point average of at least 2.75 every time the student's grades are reviewed to remain eligible for a Tennessee HOPE scholarship. (HOUSE: HB 1668, Winningham; Taken off notice in House Higher Education Subcommittee 03/31/2009.) FISCAL NOTE: Dated: March 11, 2009 Other Fiscal Impact - Increases the expenditures of lottery proceeds earmarked for scholarships and grants by \$2,956,000 in FY09-10 and by \$3,044,000 in FY10-11.
25. SB [3125](#)  
Burks **PUBLIC EMPLOYEES: Group medical health insurance - LEA support staff.** Authorizes group medical health insurance for support staff employees of LEAs, beginning January 1, 2011. (HOUSE: HB 3193, Shaw; Set for House Education K-12 Subcommittee 03/24/2010.) FISCAL NOTE: Dated: March 4, 2010 Increase local expenditures - exceeds \$911,200/FY11-12 and subsequent years\*.
26. SB [3275](#)  
Burks **EDUCATION: Report on school disciplinary actions.** Requires the commissioner of education to provide a report on disciplinary actions in Tennessee schools to the select oversight committee on education, the education committees of the senate and the house, and the select committee on children and youth. (HOUSE: HB 3414, Brown; Caption bill held on House clerk's desk.) FISCAL NOTE: Dated: February 3, 2010 Increase state expenditures - not significant.
27. SB [3276](#)  
Burks **EDUCATION: Scheduling of parent-teacher meetings.** Urges LEAs to consider the work schedules and needs of working parents when scheduling parent-teacher meetings. (HOUSE: HB 3411, Brown; House Education 03/17/2010 recommended. Sent to Calendar & Rules.) FISCAL NOTE: Dated: February 8, 2010 Increase local expenditures - not significant/permissive.
28. SB [2630](#)  
Gresham **EDUCATION: Teachers' personal leave.** Requires approval of director of schools or designee or local board of education for teacher to take personal leave on any day scheduled for professional development, in-service training, or parent-teacher conferences. AMENDMENT: House Education amendment 1 removes the board of education's approval for teacher's personal leave under certain circumstances and specifies that teachers may ask for personal leave according to the school calendar adopted before the school year begins. (HOUSE: HB 3107, McCormick; Set for House floor 03/25/2010.) FISCAL NOTE: Increase Local Expenditures - Not Significant.
29. SB [2729](#)  
Berke **EDUCATION: Availability of teacher evaluations.** Requires a teacher evaluation to be available upon request to the teacher. AMENDMENT: House Education amendment 1 as amended rewrites the bill. Requires the office of education accountability to survey other states to determine how other states use measures of parental involvement and student accountability in evaluating teacher performance. Requires the office of education accountability to report its findings by January 15, 2011. (HOUSE: HB 2810, McDonald; Set for House Floor 03/22/2010.) FISCAL NOTE: Dated: February 15, 2010 Increase local expenditures - not significant.

30. SB [3321](#)  
Berke **EDUCATION: Commissioner to encourage LEAP programs.** Requires the commissioner of education to encourage lottery-funded after-school programs to provide extended learning to reflect the school curriculum. (HOUSE: HB 3416, Brown; Set for House Education K-12 Subcommittee 03/24/2010.) FISCAL NOTE: Dated: February 4, 2010 Increase state expenditures - not significant.
31. SB [3320](#)  
Berke **EDUCATION: Survey of extended learning programs.** Requires the dissemination of surveys from LEAs concerning extended learning programs to all LEAs electronically so that effective programs may be reproduced. (HOUSE: HB 3415, Brown; Set for House Consent 03/22/2010.) FISCAL NOTE: Dated: February 8, 2010 Increase state expenditures - not significant.
32. SB [3262](#)  
Berke **EDUCATION: Lottery funded early intervention program.** Establishes accounts for a lottery-funded early intervention program. Creates grant program to be administered by the department of education. (HOUSE: HB 3528, Maddox; Referred to House Education. House Government Operations will review if recommended.) FISCAL NOTE: Dated: February 15, 2010 Other Fiscal Impact - Based on the estimates provided to the State Funding Board in December 2009, it is estimated that there will be no excess lottery proceeds available for the purposes specified in this bill for the next four fiscal years. In any fiscal year beyond FY13-14 that excess lottery revenues are available and the General Assembly appropriates such funds, or any portion thereof, from the Lottery for Education Account to the Early Intervention Programs Special Account, a shift of use would occur for those funds from the purpose of providing lottery scholarships to scholarship-eligible students to the purpose of providing grants and technical assistance for eligible organizations providing early intervention educational programs to children identified as Part C eligible children, as Part C relates to the Individuals with Disabilities Education Act (IDEA).
33. SB [2990](#)  
Berke **EDUCATION: Individualizes disciplinary plan for students.** Requires each student to receive an individualized education disciplinary and accountability program developed by a teacher of the student, a guidance counselor, and a parent or guardian of the student. (HOUSE: HB 2967, Hackworth; House Education K-12 Subcommittee deferred to the last calendar.) FISCAL NOTE: Dated: February 17, 2010 Increase local expenditures - \$42,000,000\*.
34. SB [0238](#)  
Gresham **EDUCATION: Curriculum for the instruction of the Chinese language.** Requires the commissioner of education and the state board of education to approve a curriculum for the instruction of Chinese. Encourages LEAs to offer instruction on the Chinese language. AMENDMENT: House Education K-12 amendment 1 changes "requires" to "urges." (HOUSE: HB 0285, Coley; Set for House Education K-12 Subcommittee 03/24/2010.) FISCAL NOTE: Dated: March 9, 2009 Increase state expenditures - not significant Increase local expenditures - exceeds \$388,800/permissive.
35. SB [2185](#)  
Ramsey R. **EDUCATION: Grant for completion of Tennessee scholars program.** Establishes an additional grant of \$500 to entering freshman receiving HOPE scholarship or access grant for completion of Tennessee scholars program. AMENDMENT: House Higher Education subcommittee amendment 1 sets the effective date as July 1, 2010. (HOUSE: HB 2130, Mumpower; Set for House Education Committee 03/24/2010.) FISCAL NOTE: Dated: March 20, 2009 Other Fiscal Impact - Increases the expenditure of lottery proceeds earmarked for scholarships and grants by \$825,000 per year.

## House Consent -- Monday at 5:00 pm -- House Chamber

Please note THIS IS NOT THE OFFICIAL CALENDAR. The official calendar was unavailable at press time but will be sent out to TLS customers as soon as possible. The following reflects action take in House Calendar & Rules.

9. HB [2772](#) **EDUCATION: Notification regarding dismissal of a teacher.** Changes the date by which teachers must be notified in writing of their dismissal or failure of reelection for the next school year from April 15 to May 15. (SENATE: SB 3067, Woodson; Referred to Senate Education.) FISCAL NOTE: Dated: January 29, 2010 Minimal.
18. HB [3100](#) **EDUCATION: Extending of school day by LEAs.** Allows LEAs greater flexibility in extending the school day in order to offset days used for professional development, serious outbreaks of illness, and weather-related closings. (SENATE: SB 3031, Faulk; Senate passed 02/22/2010.) FISCAL NOTE: Dated: February 12, 2010 Increase state expenditures - not significant.

## Senate Judiciary Committee -- Tuesday at 3:00 pm -- LP 12

MEMBERS: Chair Beavers (R), Vice Chair Jackson (D), Secretary Overbey (R), Black (R), Bunch (R), Faulk (R), Kelsey (R), Kyle (D), Marrero (D).

18. SB [2988](#) **CRIMINAL LAW: Sexual offender on school grounds needs written permission.** Requires written permission from school principal or facility administrator before a sexual offender may attend a conference at the school as a parent or provide transportation to the offender's child who attends the school. AMENDMENT: House Judiciary amendment 1 rewrites the bill; clarifies that such individuals would not be permitted on school grounds for any reason without written permission or without a request from the school asking the individual to enter upon the property; and establishes that a violation of this part solely due to a lack of school permission is punishable by a fine only. (HOUSE: HB 3263, Johnson P.; Set for House Finance, Ways & Means Committee 03/23/2010.) FISCAL NOTE: Dated: February 19, 2010 Increase state expenditures - \$5,700/incarceration\*. Joint Oversight Committee on Corrections: This would provide the school principal or facility administrator with prior knowledge of the sex offender's presence on campus. Enactment of this bill would have some impact on officer caseload responsibilities if Board of Probation & Parole has to enforce the provisions of this bill. However it should be noted that not all sex offenders are under BOPP supervision after they complete probation, parole or on expiration of sentence.

## House Education K-12 Subcommittee -- Wednesday at 10:00 am -- LP 16

MEMBERS: Chair Winningham (D), Vice Chair Lollar (R), Barker (D), Brown (D), Dunn (R), Harwell (R), Hawk (R), Hensley (R), U. Jones (D), Maddox (D), J. Turner (D), Weaver (R).

1. HB [3416](#) **EDUCATION: Commissioner to encourage LEAP programs.** Requires the commissioner of education to encourage lottery-funded after-school programs to provide extended learning to reflect the school curriculum. (SENATE: SB 3321, Berke; Set for Senate Education Committee 03/22/2010.) FISCAL NOTE: Dated: February 4, 2010 Increase state expenditures - not significant.

2. [HB 3745](#)  
Mumpower **EDUCATION: Extracurricular athletic activities for home schoolers.** Permits a home schooled child, who would be eligible to enroll in a public school, to participate in the extracurricular athletic activity of the public school for which the child would otherwise be zoned. (SENATE: SB 3485, Ramsey R.; Senate Education deferred to 04/07/2010.) FISCAL NOTE: Dated: February 1, 2010 Increase state expenditures - not significant. Increase local expenditures - not significant.
3. [HB 2645](#)  
Cooper B. **EDUCATION: Payment of licensing tests for certain adult students.** Requires the department of labor and workforce development, in conjunction with the department of education, to develop and implement a program for payment of licensing test costs for adult students who received a high school diploma or GED through a career and technical education program. (SENATE: SB 3354, Kyle; Referred to Senate Commerce, Labor & Agriculture.) FISCAL NOTE: Dated: February 17, 2010 Increase state expenditures - \$176,400.
4. [HB 2341](#)  
Jones S. **EDUCATION: Education of juveniles in detention.** Requires the commissioner of education to include in the commissioner's annual report information on the education of juveniles in detention, including an estimate of the number of juveniles served yearly in detention facilities. Broadly captioned. (SENATE: SB 2198, Burks; Senate Education deferred to last calendar.) FISCAL NOTE: Dated: March 16, 2009 Increase state expenditures - not significant.
5. [HB 3193](#)  
Shaw **PUBLIC EMPLOYEES: Group medical health insurance - LEA support staff.** Authorizes group medical health insurance for support staff employees of LEAs, beginning January 1, 2011. (SENATE: SB 3125, Burks; Set for Senate Education Committee 03/22/2010.) FISCAL NOTE: Dated: March 4, 2010 Increase local expenditures - exceeds \$911,200/FY11-12 and subsequent years\*.
6. [HB 3868](#)  
Jones U. **EDUCATION: Charter school governing board members training sessions.** Requires all charter school governing board members to attend an annual training session or face potential removal from such board. (SENATE: SB 3254, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: February 10, 2010 Increase state expenditures - not significant.
7. [HB 3867](#)  
Jones U. **EDUCATION: LEA policy pamphlets updates.** Requires that LEAs shall update their policy pamphlets every two years, rather than annually. (SENATE: SB 3255, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: February 10, 2010 Decrease local expenditures - not significant.
8. [HB 3546](#)  
Maddox **EDUCATION: Submission of salary ratings.** Requires the director of schools to submit salary ratings to the commissioner of education by November 1 rather than December 1 of the school year for which the personnel are elected. (SENATE: SB 2819, Finney L.; Senate Education deferred to 03/17/2010.) FISCAL NOTE: Dated: February 9, 2010 Increase local expenditures - not significant.
9. [HB 3450](#)  
McDonald **PUBLIC EMPLOYEES: Authorized leave to visit deployed military siblings.** Authorizes leave for teachers to visit siblings deployed in military service. (SENATE: SB 3206, Finney L.; Referred to Senate Education.) FISCAL NOTE: Dated: February 15, 2010 Decrease state expenditures - not significant. Decrease local expenditures - not significant.

10. HB [2996](#)  
DeBerry J. **EDUCATION: Changes to school start dates.** States that LEAs are required to start the school year no earlier than the fourth Monday in August, unless the LEAs board has decided to establish a year-round calendar. Makes certain changes to administration of TCAP for non-proficient students, and the reporting of such results. (SENATE: SB 3088, Burchett; Senate Education deferred to last calendar.) FISCAL NOTE: Dated: February 15, 2010 Increase state expenditures - \$8,500,000/one-time. \$37,260,000/Recurring. Increase local expenditures \$4,080,000/one-time. \$32,580,000/Recurring. Other Fiscal Impact - According to the Department of Education (DOE), federal Title I money may be jeopardized as a result of administering additional summer testing since the state will be unable to meet its reporting deadline. Such a loss is unable to be reasonably quantified; LEAs receive approximately \$250,000,000 in Title I money annually.
11. HB [3545](#)  
Maddox **EDUCATION: TCAP test score as percentage of student's final grade.** Requires that a student's TCAP test score comprise 20 percent of the student's final grade for the subject to which the test corresponds. (SENATE: SB 3427, Finney L.; Senate Education deferred to 03/17/2010.) FISCAL NOTE: Dated: February 22, 2010 Increase state expenditures - \$50,000/one-time. \$450,000/Recurring. Increase local expenditures - \$39,510,000/one-time. \$6,585,000/Recurring\*.
12. HB [3710](#)  
Towns **EDUCATION: Promotion of students.** Prohibits a student from being promoted to the next grade level unless the student has shown an understanding of the curriculum and the ability to perform the skills required for the current grade level as demonstrated by the student's grades or standardized testing scores. (SENATE: SB 3309, Kelsey; Senate Education deferred to last calendar.) FISCAL NOTE: Dated: March 4, 2010 Increase state expenditures - \$1,950,000/one-time. \$172,478,200/Recurring. Increase local expenditures - \$86,239,000/recurring\*.
13. HB [2087](#)  
Towns **TRANSPORTATION VEHICLES: Denial of license due to withdrawal from school.** Increases the period of denial of driver license due to withdrawal from secondary school from 18 to 21 years of age with certain exceptions. (SENATE: SB 3423, Ford O.; Set for Senate Transportation Committee 03/23/2010.) FISCAL NOTE: Dated: March 9, 2009 State Revenue - Net Impact - Not Significant Increase State Expenditures - \$10,500/One-Time Other fiscal impact - a delay in the receipt of driver's license and instructional permit fees for a period up to three years.
14. HB [3869](#)  
Jones U. **EDUCATION: Free or reduced-lunch students and charter schools.** Permits students eligible for free or reduced-price lunch to attend charter schools. (SENATE: SB 3253, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: March 2, 2010 Increase local expenditures - \$1,007,400/over-time\*. Other Fiscal Impact - Regular public school students eligible for free and reduced price lunch may transfer into charter schools. BEP money follows the student. The total shift in BEP funds from a local education agency (LEA) to a public charter school as a result of this new category is dependent upon the number of new students otherwise ineligible to attend a public charter school that transfer, the number of open enrollment slots, charter school expansions, and the number of charter schools that are currently operating at full student and grade- level capacity. It is estimated that at least 100 students from this new category will shift into open slots in future years. This shift in funding is estimated to be \$1,007,400 over time as more slots become available.

15. [HB 3871](#)  
Jones U. **EDUCATION: Allocation of funds to charter school.** Clarifies that for purposes of a local board of education's allocation to a charter school, local education funds shall not include LEA investment, interest, or rental earnings. (SENATE: SB 3260, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: February 15, 2010 Other Fiscal Impact - Any funding from LEA investments, interest earnings, or rental income formerly going to charter schools will be reallocated. Funding sources other than investment, interest, or rental income will be reallocated to cover this shift. The total amount that will be reallocated from earnings on LEA investments, interest, or rental income is unknown but is estimated to exceed \$63,000 in FY10-11 and subsequent years.
16. [HB 3872](#)  
Jones U. **EDUCATION: Group insurance plans for charter school teachers.** Enables certain employees at charter schools to participate in a government group insurance plan or an LEA self-funded group insurance plan instead of having the government group insurance plan as the only option. Specifies that if a charter school chooses to participate in a LEA self-funded group insurance plan the charter school shall fully fund its employees other post employee benefits (OPEB) on an annual basis. (SENATE: SB 3259, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: March 9, 2010 On March 1, 2010, we issued a fiscal note for this bill indicating a fiscal impact of Decrease State Expenditures - Not Significant and Decrease Local Expenditures - Not Significant. On March 9, 2010, we received additional information from the Comptroller and the Department of Finance and Administration on the fiscal impact of requiring charter schools to fund OPEB for their teachers. The fiscal impact was in error and has been changed. Decrease state expenditures - not significant. Decrease local expenditures - exceeds \$1,000,000. Council on Pensions and Insurance: This legislation modifies the current statutory requirement that teachers employed by a charter school participate in the same health insurance plan as other teachers employed by a Local Education Agency. If SB 3259 became law, teachers in a charter school could participate in the State Plan (which provides coverage for state employees and employees of the State's public higher education institutions) or a plan provide by the charter school organization. If the charter school elects to participate in the State Plan then it must fully fund the post retirement health insurance cost on an annual basis. Effective July 2010. Has no direct financial impact on the State because it does not change the insurance contribution level in the BEP (45% for teachers, set in the General Appropriations Act each year). Additionally, this legislation would limit the ability of charter schools to obtain health insurance for their employees. The Council on Pensions and Insurance recommended against passage of Senate Bill 3259/House Bill 3872.
17. [HB 3873](#)  
Jones U. **EDUCATION: Convert certain public schools into charter schools.** Authorizes an LEA to convert certain public schools into public charter schools. Permits the local board of education to serve as the governing body of such a charter school. (SENATE: SB 3258, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: March 2, 2010 Increase state expenditures - not significant. Other Fiscal Impact - There will be a shift in state and local BEP funding from the LEA to the charter school once the conversion is complete. Any conversion under the provisions of the bill is permissive. Any shift in funding is permissive. Such a shift is estimated to be approximately \$5,700 per ADM split 70/30 between the state and the LEA respectively.
18. [HB 3875](#)  
Jones U. **EDUCATION: Charter school task force findings report deadline.** Defers the date by which the comptroller shall report the charter school task force's findings and recommendations to the general assembly to February 2, 2011 from the original date of February 2, 2010. (SENATE: SB 3257, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: February 3, 2010 Increase state expenditures - not significant.

19. [HB 0299](#)  
Hardaway **EDUCATION: Children in foster care to attend charter schools.** Expands eligibility for enrollment in charter schools to include the following children in foster care: a child in state custody for at least one year after reaching age 14; a child in state custody for one year after reaching age 14 who was adopted; and a child in state custody for at least one year who was placed in permanent guardianship after reaching 14 years of age. (SENATE: SB 0893, Burks; Senate passed 04/06/2009.) FISCAL NOTE: Dated: March 6, 2009 Increase local expenditures - not significant Other Fiscal Impact - More students not eligible under current guidelines will be eligible to transfer into a public charter school. BEP funds may shift from local education agencies or the Department of Children's Services, dependent upon where foster children currently attend school, the number of students enrolling, the capacity of the charter school, and the number of open enrollment slots.
20. [HB 2061](#)  
Rowland **EDUCATION: Background checks and personnel files for school employees.** Requires all of an employee's personnel file to be transferred to hiring system if local school system or board of education employee transfers to another local school system of board of education within TN. Requires all persons applying for a position requiring proximity to children to criminal background check and to receive training on appropriate touch and privacy issues. Requires any applicant for a teacher license to submit to background check. Requires teacher applicant to submit to a comprehensive psychological exam. Prohibits any local school system from providing on-site housing for any staff member. Broadly captioned. (SENATE: SB 1598, Beavers; Senate Education deferred to 05/05/2009.) FISCAL NOTE: Dated: March 16, 2009 Increase state expenditures - not significant. Increase local expenditures - not significant.
21. [HB 3474](#)  
Kernell **EDUCATION: Funding of special school districts.** Requires special school districts with contiguous boundaries with the city limits to specify by contract that city funding must be split equally between school district operations and maintenance/construction. (SENATE: SB 3365, Marrero; Referred to Senate Education.) FISCAL NOTE: Dated: February 12, 2010 Other Fiscal Impact - LEAs may use up to one-half of their annual BEP local match for one-time bond issuance and recurring debt service and one-half of their annual BEP local match for instructional purposes. Money shifted from instructional purposes will be made up by a corresponding shift in funding to instructional purposes from other funding sources. The exact amount of one-half of the annual BEP local match and corresponding shift in other funding for instructional purposes for affected special and city schools is unknown but is expected to exceed an average of \$1,385,400 for special school districts annually.
22. [HB 2493](#)  
Hardaway **EDUCATION: Task force on truancy.** Requires any parent of a truant student to attend counseling, mentoring, or parenting classes. Requires truant students to receive counseling or mentoring. Creates task force on truancy and establishes guidelines, procedures and membership for such task force. (SENATE: SB 3312, Kelsey; Set for Senate Education Committee 03/22/2010.) FISCAL NOTE: Dated: February 24, 2010 Increase state expenditures - \$1,100/each one day meeting. \$1,851,000/Recurring. Increase local expenditures - \$8,378,700/recurring\*. Increase federal revenue - \$340,100/recurring.

23. HB [0209](#)  
Coley **EDUCATION: Foreign language proficiency test for high school students.** Requires graduating high school students who have completed coursework in a foreign language to take a foreign language proficiency test. Requires the state board of education to establish a test for each foreign language that is taught in Tennessee public schools. Also requires the tests to be approved by the commissioner of education and to provide educators with diagnostic information to assist in developing curriculum for the purposes of increasing foreign language proficiency and improving preparation for postsecondary achievement. (SENATE: SB 1472, Henry; Referred to Senate Education.) FISCAL NOTE: Dated: February 12, 2009 Increase State Expenditures - \$3,000,000/One-Time \$2,000,000/Recurring. Increase Local Expenditures - \$200,000/One-Time \$100,000/Recurring.
24. HB [0377](#)  
Coley **EDUCATION: Assessment of children's differing abilities.** Urges the state board of education to broaden its understanding of children's differing abilities, including areas other than logical mathematical and linguistic intelligence. (SENATE: SB 1746, Marrero; Referred to Senate Education.) FISCAL NOTE: Dated: March 16, 2009 Increase state expenditures - \$40,737,000/recurring \$391,000/One-time fy09-10 Increase local expenditures - exceeds \$500,000.
25. HB [2072](#)  
DeBerry J. **EDUCATION: Occupational diploma for students with disabilities.** Requires the state board of education to create an occupational diploma for students with disabilities. (SENATE: SB 2126, Tate; Taken off notice in Senate Education 04/28/2009.) FISCAL NOTE: Dated: March 4, 2009 Increase state expenditures - \$6,000/one-time.
26. HB [2379](#)  
Hawk **EDUCATION: Comprehensive Health Education Curriculum use by LEAs.** Requires the office of coordinated school health to recommend the Comprehensive Health Education Curriculum to local education agencies, which must be integrated through existing classes of guidance, physical education, classroom teach and other appropriate professionals as approved through the office of coordinated school health of the department of education. Requires all local education agencies to provide Comprehensive Health Education for 50 hours per year in a manner that is integrated throughout the year. (SENATE: SB 1936, Southerland; Taken off notice in Senate Education 02/27/2009.) FISCAL NOTE: Dated: March 24, 2009 Increase state expenditures - not significant Increase local expenditures - not significant.
27. HB [2441](#)  
Hardaway **EDUCATION: Energy conservation methods as required curriculum.** Requires public school curriculum for grades K-12 to include content on energy conservation, including instruction on how to conduct an energy audit in the student's home. (SENATE: SB 3482, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: January 6, 2010 Increase state expenditures - \$30,000/one-time.
28. HB [0285](#)  
Coley **EDUCATION: Curriculum for the instruction of the Chinese language.** Requires the commissioner of education and the state board of education to approve a curriculum for the instruction of Chinese. Encourages LEAs to offer instruction on the Chinese language. AMENDMENT: House Education K-12 amendment 1 changes "requires" to "urges." (SENATE: SB 0238, Gresham; Set for Senate Education Committee 03/22/2010.) FISCAL NOTE: Dated: March 9, 2009 Increase state expenditures - not significant Increase local expenditures - exceeds \$388,800/permissive.
29. HB [1371](#)  
Kernell **EDUCATION: Guidelines for inclusion of foreign language in K-6.** Requires the state board of education to develop guidelines and criteria for the inclusion of foreign language instruction in grades kindergarten through six. (SENATE: SB 1075, Jackson; Referred to Senate Education.) FISCAL NOTE: Dated: March 6, 2009 Increase state expenditures - not significant.

30. HB [0797](#) **EDUCATION: Home school students participating in public school sports.**  
Campfield Authorizes an individual home education student under certain circumstances to participate in any school-authorized or education-related athletic activity occurring during or outside the regular instructional school day at the public school to which the student would be assigned to attend. (SENATE: SB 1262, Bunch; Taken off notice in Senate Education 04/14/2009.) FISCAL NOTE: Dated: March 19, 2009 Increase state expenditures - not significant. Increase local expenditures - not significant.
31. HB [3693](#) **EDUCATION: Report on system of competitive grants.** Includes the chairs of the  
Brooks, Harry education and finance, ways and means committees of both the house and senate as recipients of the annual report of competitive grants and technical assistance. Broadly captioned. (SENATE: SB 3630, Burchett; Senate Education deferred to last calendar.) FISCAL NOTE: Dated: February 4, 2010 Increase state expenditures - not significant.
32. HB [3149](#) **EDUCATION: Notification regarding consolidation of school systems.** Requires the  
Winningham department of education to notify the general assembly within 60 days of the consolidation of school systems. Permits notification to be made electronically. (SENATE: SB 3449, Yager; Referred to Senate Education.) FISCAL NOTE: Dated: February 9, 2010 Minimal.
33. HB [2759](#) **EDUCATION: Board member vacancies: replacements by boards of education.**  
Brooks, Harry Requires local board of education members' vacancies to be replaced by the local board of education, instead of the local legislative body. Requires vacancies to be replaced within 30 days. (SENATE: SB 3066, Woodson; Referred to Senate Education.) FISCAL NOTE: Dated: January 28, 2010 Increase local expenditures - not significant.
34. HB [3130](#) **EDUCATION: Code of ethics for public school teachers.** Requires the state board of  
Harwell education to establish and adopt a code of ethics for public school teachers in order to define conduct that is unbecoming to a teacher. AMENDMENT: Senate amendment 1 rewrites the bill and establishes a detailed set of ethics for all statewide K-12 teachers. Requires all teachers to be ethical by maintaining certain responsibilities to the students, ensuring the prevention of discrimination, stating truthful statements at all times, keeping confidential information confidential, and refraining from the acceptance of gifts that appear to influence professional decisions. (SENATE: SB 2416, Gresham; Senate 03/03/2010 passed with amendment 1.) FISCAL NOTE: Increase State Expenditures - \$6,000/One-Time.
35. HB [3030](#) **EDUCATION: Report on standards of parental involvement in school.** Requires the  
Brooks, Harry department of education to submit a report on the standards developed for parental involvement in public schools to the chairs of the senate and house education committees by November 1, 2010. (SENATE: SB 2889, Gresham; Referred to Senate Education.) FISCAL NOTE: Dated: February 1, 2010 Increase state expenditures - not significant.
36. HB [3499](#) **EDUCATION: Staff at certain schools to be certified in CPR.** Requires all staff  
Hensley members at the TN school for the blind, the TN school for the deaf, and the West TN school for the deaf to obtain and maintain certification in CPR. AMENDMENT: Senate Education amendment 1 requires that at least one person from each specified school get trained as a CPR trainer, and that trainer must train the rest of each school's faculty. (SENATE: SB 2789, Black; Senate Education 02/10/2010 recommended with amendment. Sent to Senate Finance.) FISCAL NOTE: Dated: February 8, 2010 Increase state expenditures - \$35,000

37. [HB 2641](#) **EDUCATION: Geographic information systems technology in curricula.** Directs the state board of education and the commissioner of labor and workforce development to study the issues relating to and the benefits associated with appropriately integrating geographic information systems technology in curricula for career and technical education. Requires a report on their findings to given to the education committees of the house and senate by March 1, 2011. (SENATE: SB 2767, Ford O.; Set for Senate Education Committee 03/22/2010.) FISCAL NOTE: Dated: January 22, 2010 Increase state expenditures - not significant.
38. [HB 3133](#) **EDUCATION: Copies of report cards for parents.** Prohibits a parent whose parental rights have been terminated from being eligible to receive child's report card, notice of school attendance and other information from school concerning child. (SENATE: SB 3053, Woodson; Referred to Senate Education.) FISCAL NOTE: Dated: February 15, 2010 Decrease local expenditures - not significant.

### House Education Committee -- Wednesday at 11:00 am -- LP 16

The Committee will hear Budget Reports from the University of TN, TN Board of Regents, TN Student Assistance Corporation, and TN Higher Education Commission. MEMBERS: Chair H. Brooks (R), Vice Chair Winningham (D), Secretary Coley (R), Barker (D), K. Brooks (R), Brown (D), Cooper (D), J. DeBerry (D), Dunn (R), Harwell (R), Hawk (R), Haynes (R), Hensley (R), Hill (R), U. Jones (D), Lollar (R), Maddox (D), Pitts (D), Towns (D), J. Turner (D), Weaver (R), Windle (D).

1. [HB 0549](#) **EDUCATION: Funding for special school district.** Prohibits a city in which there is located a special school district with ADM of 10,000 or more students and 75 percent of the students are eligible for free and reduced price lunch from reducing funding, excluding capital outlay and debt service, below the amount of funding provided by the governing body in the previous fiscal year as adjusted for inflation based on the local government price deflator used to adjust the BEP. (SENATE: SB 1355, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: February 27, 2009 Increase Local Expenditures - \$9,458,700.
2. [HJR 0781](#) **EDUCATION: Student access to optional schools in Memphis.** Directs department of education to study student access to optional schools and programs in Memphis City Schools and the possibility of implementation and expansion of such optional programs to every school within the district and to report its recommendations to the general assembly by February 1, 2011. (FISCAL NOTE: Dated: February 16, 2010 On February 1, 2010, we issued a fiscal note for this bill indicating a fiscal impact of Increase State Expenditures - Not Significant. An error was made in the bill summary stating that the study would be done with goal of possibly implementing Memphis' programs in all local education agencies. This has been corrected. This change has no impact on the original fiscal impact. (CORRECTED) Increase state expenditures - not significant.

3. [HB 0059](#)  
Hardaway **EDUCATION: Health insurance coverage for K-12 students.** Requires the department of education, in consultation with the department of health, to establish minimum guidelines for health insurance coverage required for attendance in K-12 schools. Beginning in academic year 2010-2011, requires student or student's parent or guardian to submit proof of health insurance prior to the start of classroom instruction for the academic year. Broadly captioned. AMENDMENT: Senate Commerce amendment 1 makes the bill. Authorizes the Cover Tennessee program to request and requires that the local education agencies provide student directory information in order to assist Cover TN in ascertaining health insurance coverage for students in public schools. Clarifies that any release of information to Cover TN must be made consistent with board policies governing the release of student directory information. House Education K-12 Subcommittee amendment 1 is the same as Senate Commerce amendment 1, but House's version changes the effective date to July 1, 2010. (SENATE: SB 0897, Burks; Re-referred to Senate Calendar Committee 05/11/2009.) FISCAL NOTE: Dated: March 18, 2009 Increase state expenditures - \$31,145,526. Increase local expenditures - \$6,895,200. Increase federal expenditures - \$91,208,170. Other Fiscal Impact - Approximately 13,746 families will be required to buy into the Cover Kids program at a total annual cost of approximately \$41,981,784.
4. [HB 2130](#)  
Mumpower **EDUCATION: Grant for completion of Tennessee scholars program.** Establishes an additional grant of \$500 to entering freshman receiving HOPE scholarship or access grant for completion of Tennessee scholars program. AMENDMENT: House Higher Education subcommittee amendment 1 sets the effective date as July 1, 2010. (SENATE: SB 2185, Ramsey R.; Set for Senate Education Committee 03/22/2010.) FISCAL NOTE: Dated: March 20, 2009 Other Fiscal Impact - Increases the expenditure of lottery proceeds earmarked for scholarships and grants by \$825,000 per year.
5. [HB 0376](#)  
Coley **EDUCATION: Comparative education programs for teachers.** Urges institutions of higher education to offer programs in comparative education that study and examine teaching practices and learning outcomes in other countries. (SENATE: SB 1743, Marrero; Taken off notice in Senate Education 05/05/2009.) FISCAL NOTE: Dated: March 10, 2009 Increase state expenditures - \$230,400.
6. [HB 2975](#)  
Fitzhugh **PUBLIC EMPLOYEES: Long-term care benefits program for education employees.** Requires the state insurance committee to provide opportunity for eligible local education employees to participate in the long-term care benefits program. AMENDMENT: Council on Pensions and Insurance amendment 1 changes the effective date to July 2011 with first implementation in January 2012 and includes local subdivisions. (SENATE: SB 2908, McNally; Set for Senate State & Local Government Committee 03/24/2010.) FISCAL NOTE: Dated: February 25, 2010 Increase local expenditures - exceeds \$100,000/one-time/permissive. Council on Pensions and Insurance: Council on Pensions and Insurance recommended for passage with the additional remarks that this bill would require that the State Insurance Committee provide an opportunity for employees of local education agencies to enroll in the long-term care plan available to state employees. It was amended to provide that the long-term care coverage be effective January 1, 2012 and to expand the authorization to include employees of entities participating in the Local Government Plan. The fiscal impact of this bill is approximately \$50,000 in administrative costs.

7. HB [3200](#) Winningham **EDUCATION: Extracurricular students: random drug testing.** Establishes that students participating in extracurricular activities may randomly be tested for illegal drugs without individualized reasonable suspicion as long as previous legal requirements are followed. Requires LEAs testing students for drugs to create policies and procedures for assisting and counseling students testing positive for illegal drug use. (SENATE: SB 2621, Tracy; Referred to Senate Education.) FISCAL NOTE: Dated: February 9, 2010 Increase local expenditures - \$355,200/permissive.
8. HB [3544](#) Maddox **EDUCATION: Donation of school computers to low-income families.** Permits LEAs to donate computers removed from school inventories to low-income families in the school district. Requires memory on hard drives of such computers to be sanitized. (SENATE: SB 3425, Finney L.; Senate Education deferred to 03/17/2010.) FISCAL NOTE: Dated: February 9, 2010 Increase state expenditures - not significant. Increase local expenditures - not significant/permissive.
9. HB [0564](#) Brooks, Harry **EDUCATION: Report on plan to reduce asthma in students.** Clarifies that the department of health is to report on the design of a comprehensive plan to reduce the burden of asthma on students. Requires the report to be made to the education committees of the house and senate in addition to the senate general welfare, health and human resources committee and the house health and human resources committee. AMENDMENT: Senate amendment 1, House Education K-12 amendment 1 rewrites the bill to require the POST commission, in consultation with the law enforcement training academy, to report to the select committee on education oversight on current law enforcement training and procedures for responding to violent school incidents in elementary and secondary schools and in postsecondary institutions. Requires report to be submitted by February 1, 2010. (SENATE: SB 0769, Burchett; Senate 05/04/2009 passed with amendment 1.) FISCAL NOTE: Dated: March 31, 2009 Increase state expenditures - not significant.
10. HB [3028](#) Brooks, Harry **EDUCATION: Background checks required for coaching positions.** Requires all member schools in the TN School Athletic Association to perform a background check on any person applying for a position as an athletic coach or coaching assistant. Requires the applicant to such position to pay for the costs incurred by TBI in conducting the investigation. (SENATE: SB 2783, Burchett; Senate Education deferred to 03/24/2010.) FISCAL NOTE: Dated: February 18, 2010 Increase state expenditures - net impact - not significant. Increase state revenue - net impact - not significant.
11. HB [1860](#) Brown **EDUCATION: Report on effectiveness of pilot after school programs.** Requires TN department of education and THECC to report on the effectiveness of pilot after school programs and whether such programs should be expanded to serve additional at-risk students. Broadly captioned. (SENATE: SB 1649, Berke; Taken off notice in Senate Education Lottery Scholarship Subcommittee 03/17/2009.) FISCAL NOTE: Dated: March 12, 2009 Other Fiscal Impact - Increases the expenditure of unclaimed lottery prize money earmarked for after-school program grants by \$50,000 per year. Otherwise, additional appropriations of state funds would need to be made.

## House Finance Budget Subcommittee -- Wednesday at 11:00 am -- LP 29

MEMBERS: Chair Tindell (D), Vice Chair Sargent (R), Armstrong (D), L. DeBerry (D), Fitzhugh (D), Harrison (R), McDaniel (R), Montgomery (R), Mumpower (R), Naifeh (D), Odom (D), Roach (R), Rowland (R), Shaw (D).

30. HB [0883](#) Maddox **EDUCATION: Four-day school calendar.** Allows local boards of education to adopt a four-day school calendar that conforms to the policy that this bill requires the state board of education to develop. (SENATE: SB 1169, Finney L.; Taken off notice in Senate Education 04/28/2009.) FISCAL NOTE: Dated: April 28, 2009 On March 12, 2009, we issued a fiscal note for this bill indicating an increase in state expenditures - \$6,000/One-Time and a decrease in local expenditures - Not Significant/Permissive. On April 28, 2009 we received additional information concerning the bill. The fiscal impact was in error and has been corrected. (CORRECTED) Increase state expenditures - \$6,000/one-time. Other Fiscal Impact - Any decrease in state and local expenditures will be dependent upon LEAs moving to a four-day school week. The BEP formula will generate less money for transportation costs, substitute teachers, facilities management and other non-position related unit costs. A decrease in state and local BEP expenditures for both entities will exceed \$100,000.

## House Judiciary Criminal Practice & Procedure Subcommittee -- Wednesday at 11:00 am -- LP 31

MEMBERS: Chair E. Watson (R), Vice Chair Sontany (D), Bass (D), Camper (D), Matheny (R), Rich (R).

23. HB [1645](#) Jones U. **EDUCATION: School district police force for Memphis City schools.** Allows the Memphis City School System to establish and operate a school district police force. (SENATE: SB 0723, Tate; Referred to Senate Judiciary.) FISCAL NOTE: Dated: March 27, 2009 Decrease local expenditures - \$278,000/permissive.

## Senate Education Committee -- Wednesday at 1:00 pm -- LP 12

Please note that the Committee will continue its calendar from the Monday meeting. Please check TLS Online and your TLS Daily Update for the latest information. MEMBERS: Chair Gresham (R), Vice Chair Tate (D), Secretary Berke (D), Burks (D), Crowe (R), J. Haynes (D), Ketron (R), Tracy (R), Woodson (R).

## House Finance, Ways & Means Committee--Budget Hearings -- Wednesday at 2:00 pm -- LP 16

The Committee will hold budget hearings for the Department of Education and the State Board of Education. MEMBERS: Chair Fitzhugh (D), Vice Chair Sargent (R), Secretary Shaw (D), Armstrong (D), Bone (D), H. Brooks (R), K. Brooks (R), Brown (D), Casada (R), Coleman (D), L. DeBerry (D), Dunn (R), Eldridge (R), Harrison (R), C. Johnson (R), Maddox (D), Maggart (R), McDaniel (R), McManus (R), L. Miller (D), Montgomery (R), Mumpower (R), Naifeh (D), Odom (D), Roach (R), Rowland (R), Sontany (D), Tindell (D), M. Turner (D), Winningham (D).

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