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Nashville - Memphis



Legislative Report
Tennessee Principals Association
March 5, 2010

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Tennessee Principals Association (TPA)

WEEKLY LEGISLATIVE REPORT

Friday, March 5, 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 5, 2010.

Highlights for the Week of March 1, 2010

Committee addresses teacher non-renewal notification, personal leave

On Wednesday, the House Education K-12 Subcommittee discussed several bills of interest to principals. Of note are two bills that the committee approved and forwarded to the full House Education Committee. The first, HB 2772, changes the date by which the director of schools must notify a teacher of his or her non-renewal from April 15 to May 15. Known as the Continuing Contract Law, the original date was put in place to provide teachers with as much time as possible to find a new job. However, the timing created difficulties in school systems as, in some cases, teachers would learn that their contracts were not being renewed and refrain from doing their best for the remainder of the year. In a few scenarios, teachers even left the job prior to the end of the school year. Because of state testing and the emphasis placed on those tests, the April 15 date has become increasingly problematic. Although the Tennessee Education Association (TEA) raised a few concerns about the bill, the organization is not opposing it.

HB 3107 dealing with teacher personal leave also received approval from the K-12 Committee. The legislation requires a teacher to receive prior approval before taking a personal leave day on either a day scheduled for in-service/professional development or parent-teacher conferences. A compromise amendment offered by the TEA requires the bill to apply to those days scheduled on the school calendar at the beginning of the school year.

Senate committee holds budget hearing

The Senate Education Committee examined the Department of Education's Budget on Wednesday, hearing from Commissioner Tim Webb. Most of the discussion centered on the elimination of state funding for the Alvin C. York Institute, which is one of the special schools operated by the Department of Education. Under the plan presented by the Department, the York Institute students would become part of the Fentress County School System. York's son testified before the committee urging it to maintain the historic school. Judging from the comments, there is a good chance the Legislature will side with York. But, in the Department's defense, it was asked to cut funds from its budget and this is the only regular school in the state that is operated in this manner.

Next week's calendars include elected superintendent legislation

Several bills of interest will be up for consideration next week, including legislation to allow for the election of school superintendents. Review the calendars below for more specifics.

All contact information for committee members listed below and other legislators may be found on the General Assembly website – www.capitol.tn.gov.

Calendars of Interest

Week of March 8, 2010

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

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 3109](#) **EDUCATION: Pay for teachers supervising extracurricular activities.** Requires a teacher be paid for supervision of extracurricular activities at an hourly rate equivalent to the teacher's salary. (SENATE: SB 3106, Marrero; Referred to Senate Education.)
Jones S. FISCAL NOTE: Dated: February 9, 2010 Increase local expenditures - exceeds \$225,000*.
2. [HB 3411](#) **EDUCATION: Scheduling of parent-teacher meetings.** Urges LEAs to consider the work schedules and needs of working parents when scheduling parent-teacher meetings. (SENATE: SB 3276, Burks; Referred to Senate Education.) FISCAL NOTE: Dated: February 8, 2010 Increase local expenditures - not significant/permissive.
Brown
3. [HB 3028](#) **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; Referred to Senate Education.) FISCAL NOTE: Dated: February 18, 2010 Increase state expenditures - net impact - not significant. Increase state revenue - net impact - not significant.
Brooks, Harry
4. [HB 3336](#) **EDUCATION: Fines related to truancy.** Increases the fine a judge is allowed to assess against the parent or legal guardian of a child that has been adjudicated unruly for truancy from \$50 to \$100. Also increases the hours of community service that a judge may assess against such parent or legal guardian from five hours to ten hours. (SENATE: SB 3438, Tracy; Referred to Senate Judiciary.) FISCAL NOTE: Dated: February 15, 2010 Increase state expenditures - not significant. Increase state revenue - not significant. Increase local expenditures - not significant. Increase local revenue - not significant.
Carr
5. [HB 3874](#) **CRIMINAL LAW: Requirements for parents of truant children.** Authorizes prosecutors to allow guardians of children violating truancy laws to attend parent education training and parent-teacher conferences as an alternative to criminal prosecution. (SENATE: SB 3246, Tate; Senate Judiciary deferred to 03/16/2010.) FISCAL NOTE: Dated: February 22, 2010 Decrease state revenue - not significant. Decrease state expenditures - not significant. Decrease local revenue - not significant. Decrease local expenditures - not significant.
Jones U.
6. [HB 3546](#) **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.
Maddox

7. [HB 3866](#)
Shaw **EDUCATION: Increases mileage allowed for operation of school buses.** Reduces the amount of time a conventional school bus may be in service after the initial 12 years to one additional year in lieu of five. Places Class D school buses on a year-to-year basis after the initial 15. Increases the maximum amount of mileage from 200,000 miles to 250,000 miles. Allows the department of safety to collect a fee for additional inspections in any year of service. (SENATE: SB 3292, Burks; Referred to Senate Education.) FISCAL NOTE: Dated: March 2, 2010 Increase state expenditures - \$435,600/one-time. \$321,600/Recurring. Increase state revenue - \$435,600/one-time. \$321,600/Recurring. Increase local expenditures - \$435,600/one-time/permissive. \$321,600/Recurring/permissive. Decrease local expenditures - net impact - exceeds \$1,000,000. Permissive over time. Other Fiscal Impact - If transportation costs decrease as a result of local education agencies (LEAs) choosing not to purchase new or used buses, the BEP formula will generate less funding over time, thus decreasing state BEP and local BEP match expenditures. The impact of any decrease in BEP funding will occur three years after its implementation since the BEP transportation component is funded on a three year average.
8. [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.
9. [HB 3494](#)
Brooks, Kevin **HEALTH CARE: Honors memory of Connie Hall Givens.** Renames the Coordinated School Health Improvement Act of 2000 as the Connie Hall Givens Coordinated School Health Improvement Act. (SENATE: SB 3397, Burks; Referred to Senate Education.) FISCAL NOTE: Dated: January 29, 2010 Increase state expenditures - not significant.
10. [HB 0874](#)
Bell **EDUCATION: Sale of 12-ounce products in public middle schools.** Authorizes school nutrition programs to sell 12-ounce individual food products that meet state and federal nutritional guidelines to middle school students. (SENATE: SB 0421, Bunch; Senate passed 03/19/2009.) FISCAL NOTE: Dated: February 23, 2009 Minimal.
11. [HB 2513](#)
Pitts **EDUCATION: Prevention of meningococcal disease in private schools.** Requires non-public schools to provide parents with information on meningococcal disease and its prevention at the beginning of every calendar year. (SENATE: SB 2567, Barnes; Referred to Senate Education.) FISCAL NOTE: Dated: January 19, 2010 Minimal.
12. [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.
13. [HB 3250](#)
Ramsey B. **EDUCATION: Automated external defibrillators in schools.** Requires each LEA to place automated external defibrillator devices in each school. (SENATE: SB 2505, Overbey; Referred to Senate Education.) FISCAL NOTE: Dated: February 3, 2010 Increase local expenditures* - exceeds \$393,300/one-time. Exceeds \$20,000/every two years.

14. 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; Referred to Senate Education.) 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.
15. HB [2820](#)
Cobb T. **EDUCATION: Schoolchildren age changes: kindergarten and preschool.** Changes the requirements that children must be at least five years old by August 1 to enter kindergarten of the current year and that children must be at least four years old by August 1 to enter preschool or pre-kindergarten of the current year. (SENATE: SB 3208, Finney L.; Referred to Senate Education.) FISCAL NOTE: Dated: February 25, 2010 Decrease state expenditures - \$47,842,000/one-time/fy11-12. Decrease local expenditures - \$23,921,000/one-time/fy11-12.
16. HB [3100](#)
Mumpower **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.
17. 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.
18. 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.
19. HB [3762](#)
West **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. (SENATE: SB 3432, Tracy; Referred to Senate Education.) FISCAL NOTE: Dated: February 3, 2010 Increase state expenditures - not significant.

20. HB [2957](#)
Maggart **EDUCATION: Student's grade affected by TCAP score.** Requires a student's score on the TCAP test to be used as a percentage of the student's final grade in the subject tested. Requires such percentage to be determined by the department of education, but to be at least 15 percent. (SENATE: SB 2791, Black; Referred to Senate Education.) FISCAL NOTE: Dated: February 23, 2010 Increase state expenditures - \$50,000/one-time. \$450,000/Recurring. Increase local expenditures - \$39,510,000/one-time. \$6,585,000/Recurring*.
21. HB [2958](#)
Maggart **EDUCATION: Time frame for giving TCAP tests.** Prohibits the administration of the TCAP test prior to May 1 of each school year. (SENATE: SB 2788, Black; Referred to Senate Education.) FISCAL NOTE: Dated: February 15, 2010 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.
22. HB [3011](#)
Harwell **EDUCATION: TCAP given no earlier than the 1st of May.** Prohibits the administration of TCAP prior to May 1 of each school year. (SENATE: SB 3796, Bunch; Referred to Senate Education.) 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.
23. 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*.
24. 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; Referred to Senate Education.)

25. 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.
26. HB [2886](#)
Mumpower **EDUCATION: Applications for charter schools.** Requires sponsor seeking to establish a public charter school to include on the application, in addition to the names and addresses of the members of the governing body, a telephone number or email address for each member. (SENATE: SB 3487, Ramsey R.; Referred to Senate Education.) FISCAL NOTE: Dated: February 8, 2010 Minimal.
27. 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.
28. 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.
29. 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.
30. 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 1, 2010 Decrease state expenditures - not significant. Decrease local expenditures - not significant.

31. [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.
32. [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; Referred to Senate Education.)

House Education K-12 Subcommittee--Addendum -- 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 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; Referred to Senate State & Local Government.) FISCAL NOTE: Dated: February 25, 2010 Increase local expenditures - exceeds \$100,000/one-time/permissive.
2. [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 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.
3. [HB 0015](#) Ferguson **EDUCATION: Election of director of schools.** Permits the popular election of director of schools and outlines qualifications. (SENATE: SB 0013, Yager; Taken off notice in Senate Education 02/12/2009.) FISCAL NOTE: Dated: January 8, 2009 Increase local expenditures - exceeds \$100,000/permissive.

4. 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.
5. 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; Referred to Senate Education.) 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.

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

The committee will hear Budget Presentations from the Department of Education and the University of Tennessee. 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 [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.
2. HB [3737](#)
Coley **EDUCATION: Annual report on pre-K program to be posted on Internet.** Requires the office of early learning in the department of education to post its annual report on the voluntary pre-K program on its Web site. (SENATE: SB 2482, Gresham; Referred to Senate Education.) FISCAL NOTE: Increase State Expenditures - Not Significant.
3. HB [3590](#)
Lollar **EDUCATION: LEAs can convert to special school district.** Permits any local education agency to convert to a special school district. (SENATE: SB 2938, Norris; Referred to Senate Education.) 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.

4. [HB 3148](#)
Winningham **EDUCATION: Collection of student drop out and graduation information.** Allows LEAs to use reasonably obtainable information in determining whether a student who dropped out of school enrolled elsewhere. Allows LEAs to include GEDs in calculating graduation rates for all purposes other than those in which such inclusion is prohibited by federal law. (SENATE: SB 3124, Burks; Referred to Senate Education.) FISCAL NOTE: Dated: February 15, 2010 Increase state expenditures - not significant. Increase local expenditures - not significant.
5. [HB 3415](#)
Brown **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. (SENATE: SB 3320, Berke; Referred to Senate Education.) FISCAL NOTE: Dated: February 8, 2010 Increase state expenditures - not significant.
6. [HB 0549](#)
Hardaway **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.
7. [HB 3517](#)
DeBerry J. **EDUCATION: LEAs encouraged to study STEP program.** Encourages all LEAs to study the STEP program instituted in Memphis and Shelby County in order to consider replication. (SENATE: SB 3441, Tate; Referred to Senate Education.) FISCAL NOTE: Dated: February 9, 2010 Increase local expenditures - not significant/permissive.
8. [HJR 0781](#)
Hardaway **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.
9. [HR 0059](#)
Lollar **EDUCATION: Student applications to postsecondary institutions.** Expresses support for state board of education efforts to encourage every secondary school student to complete at least one application to a postsecondary institution. FISCAL NOTE: Dated: April 14, 2009 Increase state expenditures - not significant.
10. [HB 2936](#)
Lollar **EDUCATION: Tuition credits or refunds during military service.** Clarifies that tuition credits or refunds during military service are to be given to students called to active duty while attending a state institution of higher education. (SENATE: SB 2806, Norris; Referred to Senate Education.) FISCAL NOTE: Dated: January 28, 2010 Increase state expenditures - not significant.

11. HB [0379](#)
Sargent **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 Higher Education Subcommittee 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. (SENATE: SB 0319, Johnson J.; Referred to Senate Education.) 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.
12. HB [2772](#)
Montgomery **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.
13. HB [3107](#)
McCormick **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 K-12 Subcommittee 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. (SENATE: SB 2630, Gresham; Referred to Senate Education.) FISCAL NOTE: Increase Local Expenditures - Not Significant.
14. HB [3530](#)
Maddox **PUBLIC EMPLOYEES: Group health insurance for special education teachers.** Permits certain special education teachers the opportunity to enroll in teachers' group health insurance during a 30-day period, beginning July 1, 2010, provided the employing LEA agrees to pay any additional costs of providing the coverage. (SENATE: SB 3403, Herron; Referred to Senate Education.) FISCAL NOTE: Dated: February 15, 2010 Other Fiscal Impact - There will be an increase in expenditures for any LEA that decides to participate in the proposed health plan coverage to pay for the additional costs. While there are several unknown factors, it is reasonably estimated that the increase in local expenditures will exceed \$100,000.
15. HB [2474](#)
Winningham **EDUCATION: Video streaming of meetings of entities governing education.** Requires the state board of education, THEC, TBR, and the UT board of trustees to provide video streaming of the board meetings of each entity from each entity's Web site. (SENATE: SB 2407, Burks; Referred to Senate Education.) FISCAL NOTE: Dated: February 22, 2010 Increase state expenditures - \$3,000/one-time. \$7,600/Recurring.
16. HB [2810](#)
McDonald **EDUCATION: Availability of teacher evaluations.** Requires a teacher evaluation to be available upon request to the teacher. AMENDMENT: House Education K-12 Subcommittee amendment 1 as amended rewrites the bill; requires the office of education accountability must survey other states to determine how other states use measures of parental involvement and student accountability in evaluating teacher performance; and requires the office of education accountability to report its findings by January 15, 2011. (SENATE: SB 2729, Berke; Referred to Senate Education.) FISCAL NOTE: Dated: February 15, 2010 Increase local expenditures - not significant.

17. HB [3105](#)
Harwell **EDUCATION: Classroom assignment of multiple birth siblings.** Requires the local boards of education to give preference to parent's request for classroom placement in regard to multiple birth siblings. AMENDMENT: Senate Education, House Education K-12 amendment 1 rewrites the bill and requires that multiple birth siblings cannot be separated into different classrooms solely because the children are multiple birth siblings. (SENATE: SB 2480, Gresham; Set for Senate Floor 03/08/2010.) FISCAL NOTE: Increase Local Expenditures - Not Significant.
18. HB [3168](#)
Curtiss **VETERANS & MILITARY AFFAIRS: Diploma for Vietnam War veterans.** Authorizes LEAs to issue high school diplomas to veterans whose education was interrupted by service in the Vietnam War. (SENATE: SB 3022, Burks; Referred to Senate Education.) FISCAL NOTE: Dated: February 10, 2010 Increase local expenditures - not significant.
19. HB [3413](#)
Brown **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. (SENATE: SB 3268, Harper; Referred to Senate Education.) FISCAL NOTE: Dated: February 18, 2010 Increase state expenditures - exceeds \$46,800.
20. HB [3711](#)
Towns **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. (SENATE: SB 3311, Kelsey; Referred to Senate Education.) FISCAL NOTE: Dated: February 4, 2010 Increase state expenditures - not significant. Increase local expenditures - not significant.
21. HB [3332](#)
Brooks, Harry **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. (SENATE: SB 3230, Haynes J.; Referred to Senate Education.) FISCAL NOTE: Dated: February 18, 2010 Increase local expenditures - not significant/permissive.

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).

3. HB [1806](#)
West **CRIMINAL LAW: Carrying handgun on school grounds with permit - in vehicle.** Authorizes a non-student adult who has a handgun carry permit to carry a firearm if the firearm is contained within a private vehicle and is not handled by the adult, or by any other person acting with the expressed or implied consent of the adult, while the vehicle is on school property. (SENATE: SB 1622, Beavers; Referred to Senate Judiciary.) FISCAL NOTE: Dated: February 25, 2009 Decrease State Revenue - Not Significant. Decrease State Expenditures - Not Significant. Decrease Local Revenue - Not Significant. Decrease Local Government Expenditures - Not Significant.

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

The committee will hear Budget Presentations from Tennessee Board of Regents, University of Tennessee, Tennessee Higher Education Commission, Tennessee Student Assistance Corporation, and Tennessee Education Lottery. 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 following: Education and 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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