

Farris Mathews Bobango PLC

Nashville - Memphis



Legislative Report
Tennessee Principals Association

May 21, 2010

www.FarrisMathews.com

Tennessee Principals Association (TPA)

WEEKLY LEGISLATIVE REPORT

Friday, May 21, 2010

Below is a legislative update which includes legislation of interest to public education and TPA. 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.

Highlights for the Week of May 17, 2010

No decision on budget

Last week’s report highlighted a budget proposal, originated by Senate Republicans, which eliminates the 3 percent bonus for teachers and state employees as well as the Career Ladder Program (after two years). As expected, the House appears to be against this plan, which led to the Senate Democratic Leader – Senator Jim Kyle (D-Memphis) – to propose another option, which would scale back the bonus to 2 percent and leave intact the Career Ladder Program. The Senate Finance Committee quickly turned down Kyle’s proposal and adjourned without taking further action on these budget items.

So, as often occurs during this time of year, leaders in both houses of the General Assembly are attempting to resolve major differences so that a budget can be adopted and legislators can go home for the year. When that will happen is anyone’s guess but, when it does, things will move quickly.

All contact information for legislators may be found on the General Assembly website – www.capitol.tn.gov. You can also watch committee hearings and floor session live through video streaming.

Random drug testing legislation re-referred to committee

Just when it seemed all hurdles had been cleared relative to legislation permitting school districts to randomly drug test students participating in extracurricular activities, the House Calendar & Rules Committee re-referred the bill to the House Education Committee for further consideration. Some members of the committee questioned removing a child from the activity based solely on a parent refusing to sign off on the test, while others seemed to think the penalty for those who test positive would be too lenient under the bill.

It is not yet clear if and when the bill will be considered by the Education Committee.

Next Report

The next TPA Legislative Report will be published upon completion of the 106th General Assembly.

Calendars of Interest

Week of May 24, 2010

Numbers in the left column indicate placement of bill on calendar. Note that all calendars are subject to change.

Senate Floor -- Monday at 1:00 pm -- Senate Chamber

12. SB [2621](#)
Tracy
- 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. **AMENDMENT:** House Education amendment 1, Senate Education amendment 1 specifies that the student testing positive must receive an assessment to determine the severity of the problem, instead of merely counseling. Requires LEAs to provide notice of random testing to all parents or guardians of students involved in extracurricular activities, provide parents or guardians notice of when a student is selected, and receive a parent's or guardian's written consent to randomly test a student. Senate Finance amendment 1, House Finance Committee amendment 1 specifies that any records concerning a student who tested positive for drug use must be confidential student records. Clarifies that no student will be suspended or expelled solely due to the positive test. Requires the principal or school counselor of the school to provide certain referral information to the student and to the student's parents or guardian. (HOUSE: HB 3200, Winningham; Re-referred to House Education by House Calendar & Rules.) **FISCAL NOTE:** Dated: February 9, 2010 Increase local expenditures - \$355,200/permissive.

Note: The Finance Committees in both houses will be meeting throughout the week. Dates and times are not yet set and are subject to the call of the chair.

Report produced by:

Stephen Smith
Farris, Mathews Bobango PLC
618 Church St, Suite 300
Nashville, TN 37219
615-726-1200
ssmith@farrismathews.com

Confidentiality Notice: This message may be intended for the personal or confidential use of the intended recipient(s). If the reader of this message is not an intended recipient, you have received this message in error and any review, dissemination, distribution or copying of this message or any attachments is not authorized. If you have received this email in error, please disregard it, notify the sender by reply email that this message was sent to an unintended recipient, and permanently delete the message and all attachments. Thank you.

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.