

Farris Mathews Bobango PLC

Nashville - Memphis



Legislative Report
Tennessee Principals Association

May 7, 2010

www.FarrisMathews.com

Tennessee Principals Association (TPA)

WEEKLY LEGISLATIVE REPORT

Friday, May 7, 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 3, 2010

Budget update: Bonus for teachers, principals in jeopardy

Discussion continued this week on 2010-2011 Budget, which, of course, could face some additional constraints with the enormous flooding in Nashville and other parts of the state. It has been reported the Senate Republicans have reached agreement among themselves to cut more than \$130 million from Governor Bredesen’s proposal. Among the reductions is the elimination of the three percent bonus for teachers and state employees.

Review the calendars below for upcoming activity pertaining to public education. At this point, all meetings of the Senate and House Finance Committees and Subcommittees could have an impact on public schools, as funding measures will be debated.

All contact information for committee members and other 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.

Calendars of Interest

Week of May 10, 2010

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

Senate Finance, Ways & Means Committee -- Tuesday at 9:00 am -- LP 12

Please note that the committee will break for lunch at noon and reconvene at 1:30pm today. The committee will also meet Wednesday 5/12/2010 to continue this calendar. MEMBERS: Chair McNally (R), Vice Chair Henry (D), Secretary Burchett (R), Black (R), J. Haynes (D), Herron (D), Kyle (D), Norris (R), Overbey (R), B. Watson (R), Woodson (R).

4. SB [2621](#) **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. House Budget Subcommittee 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; Set for House Finance Budget Subcommittee 05/12/2010.) FISCAL NOTE: Dated: February 9, 2010 Increase local expenditures - \$355,200/permissive.

House Finance, Ways & Means Committee -- Tuesday at 1:30 pm -- LP 16

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).

House Finance Budget Subcommittee -- Wednesday at 9:30 am -- LP 16

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).

1. 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. **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. House Budget Subcommittee 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. (SENATE: SB 2621, Tracy; Set for Senate Finance, Ways & Means Committee 05/11/2010.) **FISCAL NOTE:** Dated: February 9, 2010 Increase local expenditures - \$355,200/permissive.

Senate Finance, Ways & Means Committee -- Wednesday at 1:30 pm -- LP 12

This committee will continue the calendar from Tuesday, 05/11/2010. MEMBERS: Chair McNally (R), Vice Chair Henry (D), Secretary Burchett (R), Black (R), J. Haynes (D), Herron (D), Kyle (D), Norris (R), Overbey (R), B. Watson (R), Woodson (R).

Senate Finance Budget Appropriations Subcommittee -- Wednesday at 1:45 pm - - LP 12

The subcommittee will meet IMMEDIATELY FOLLOWING the full committee. MEMBERS: Chair Burchett (R), Kyle (D), Norris (R).

Senate Finance Tax Subcommittee -- Wednesday at 1:45 pm -- LP 12

The subcommittee will meet IMMEDIATELY FOLLOWING the full committee. Please check TLS Online and your TLS Daily Update for the latest information. MEMBERS: Chair Henry (D), Black (R), Haynes (D).

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.