

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**AMEND Senate Bill No. 2200**

**House Bill No. 2267\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 8, is amended by adding the following as a new part:

**33-8-401.**

This part shall be known and may be cited as the "K-12 Mental Health Trust Fund Act."

**33-8-402.**

The K-12 mental health endowment fund is established. The fund must be administered and funded in accordance with the following terms and conditions:

- (1) The fund is an irrevocable trust that the state treasurer shall administer. The trust consists of the K-12 mental health endowment account and the K-12 mental health special reserve account;
- (2) The trustees of the trust are as follows:
  - (A) The state treasurer, or the treasurer's designee;
  - (B) The comptroller of the treasury, or the comptroller's designee;
  - (C) The secretary of state, or the secretary's designee; and
  - (D) The commissioner of finance and administration, or the commissioner's designee;
- (3) The state treasurer, or the treasurer's designee, serves as the chair of the trustees and shall preside over all meetings and proceedings of the trustees;
- (4) If necessary or convenient to carry out the purposes and provisions of this section, the trustees are authorized to create a nonprofit corporation or



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incorporate the fund as a nonprofit corporation under the Tennessee Nonprofit Corporation Act, compiled in title 48, chapters 51-69, and after incorporation, to apply for tax exempt status under § 501(a) of the Internal Revenue Code (26 U.S.C. § 501(a)), by virtue of being an organization described in § 501(c)(3) of the Internal Revenue Code (26 U.S.C. § 501(c)(3)). The corporation, if created, shall have all rights and powers of a nonprofit corporation under the Tennessee Nonprofit Corporation Act, and the powers necessary to carry out the intent of this section, including, but not limited to, the solicitation of contributions and disbursement of funds;

(5) Subject to applicable law, the trust may invest funds in any security or investment in which the Tennessee consolidated retirement system is permitted to invest; provided, that investments made by the trust must be governed by the investment policies and guidelines adopted by the trustees of the trust in accordance with this section. The state treasurer is responsible for the investment and reinvestment of trust funds in accordance with the policies and guidelines established by the trustees;

(6) Subject to appropriation, the trust must be funded in fiscal year 2020-2021 by an initial deposit. Ninety percent (90%) of the initial deposit constitutes the principal of the trust, which must be placed in the K-12 mental health endowment account. Ten percent (10%) of the initial deposit must be placed in the K-12 mental health special reserve account;

(7) Trust income does not increase, or constitute an addition to, the principal of the trust, but must be placed in the K-12 mental health special reserve account; provided, that trust income may be used to pay expenses incurred in administering and investing the trust assets. As used in this subdivision (7), "trust income" means the income from the trust's investment of the funds in the K-12 mental health endowment account or K-12 mental health

special reserve account from whatever source derived, including, but not limited to, interest, dividends, and realized capital gains or losses;

(8) Subsequent transfers of funds to the trust after the initial deposit in subdivision (6) do not increase, or constitute an addition to, the principal of the trust, and must be placed in the K-12 mental health special reserve account of the trust. Such funds may include moneys appropriated by the general assembly, received from the United States or any agency of the United States, or received from any other source, including contributions from public or private sources. The fund may request and receive gifts, contributions, bequests, donations, and grants from any legal and appropriate source, and any such funds received must be deposited into the K-12 mental health special reserve account; provided, that, if any such items are not in the form of funds, any income, rents, or proceeds generated from the items must be deposited into the K-12 mental health special reserve account;

(9) The principal of the trust placed in the K-12 mental health endowment account pursuant to subdivision (6) must not be expended for any purpose;

(10) The trustees shall annually determine the amount of funds in the K-12 mental health special reserve account that are available for appropriation and expenditure in accordance with this section. The trustees shall not determine how the funds in the K-12 mental health special reserve account are expended;

(11) The funds in the K-12 mental health special reserve account, as determined by the trustees in accordance with subdivision (10), are available to the department of mental health and substance abuse services for allocation and distribution, in consultation with the department of education, but such funds must be expended only for mental or behavioral health services or treatment for K-12 students or for an assessment to review current mental and behavioral health resources for K-12 students that are available in each county;

(12) Unexpended funds remaining in the trust in any fiscal year, including, but not limited to, the principal, initial deposits, transfers, and interest in the K-12 mental health endowment account and the K-12 mental health special reserve account do not revert to the general fund, but must remain available for expenditure in accordance with this section;

(13) The funds transferred to the trust, including funds in the K-12 mental health endowment account and the K-12 mental health special reserve account, may be commingled with, co-invested with, and invested or reinvested with other assets transferred to the trust. All or a portion of the trust may be invested, reinvested, and co-invested with other funds that are not part of the trust, but that are held by the state treasurer, including, but not limited to, assets of the Tennessee consolidated retirement system and the state pooled investment fund established pursuant to title 9, chapter 4, part 6. The state treasurer shall account for such trust funds in one (1) or more separate accounts in accordance with this section and other applicable law; and

(14) All funds placed in the K-12 mental health special reserve account are available for allocation and distribution as authorized in this section only to the extent that funds are available in the K-12 mental health special reserve account. The state is not liable for any amount in excess of such sum. All requests for withdrawals for payment that are presented to the state treasurer must be used only to fund mental or behavioral health services or treatment for K-12 students, or an assessment to review current mental and behavioral health resources for K-12 students that are available in each county. Requests for withdrawals must not be commingled with requests for withdrawals presented to the state treasurer for any other purpose, and the individual or entity requesting the withdrawal of funds must attest to same upon presentation of the request for withdrawal to the state treasurer.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

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Amendment No. \_\_\_\_\_

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Signature of Sponsor

**AMEND Senate Bill No. 2102\***

**House Bill No. 2169**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following language as a new section:

(a) An LEA or the governing body of a public charter school that constructs or undertakes a major renovation of a school building must incorporate as a part of the construction or major renovation the installation of student-accessible, ADA compliant water bottle filling stations.

(b) An LEA or the governing body of a public charter school that incorporates student-accessible, ADA compliant water bottle filling stations into a school building pursuant to subsection (a) must consider the following locations for the placement of the student-accessible, ADA compliant water bottle filling stations:

(1) At least one (1) student-accessible, ADA compliant water bottle filling station on each floor of the school building;

(2) At least one (1) student-accessible, ADA compliant water bottle filling station in each school food service area; and

(3) At least one (1) student-accessible, ADA compliant water bottle filling station in close proximity to:

- (A) Gymnasiums;
- (B) Outdoor learning and activity areas;
- (C) Playgrounds; and
- (D) Athletic facilities.



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(c) Upon installation, a school must regularly clean and maintain each student-accessible, ADA compliant water bottle filling station.

(d) A public school or public charter school that incorporates student-accessible, ADA compliant water bottle filling stations into a school building pursuant to subsection (a) shall not prohibit a student from bringing a clear water bottle to school.

(e) As used in this section:

(1) "ADA compliant" means in compliance with the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.); and

(2) "Water bottle filling station" means a water fountain that dispenses clean filtered drinking water that has been cooled into a bottle.

SECTION 2. The state board of education is authorized to promulgate rules to effectuate the purposes of this act. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.

Amendment No. \_\_\_\_\_

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**AMEND Senate Bill No. 2063**

**House Bill No. 2021\***

by deleting all language after the enacting clause and substituting instead the following:

**SECTION 1.**

(a) The Tennessee basic education program (BEP) review committee shall review the BEP formula and recommend revisions, additions, or deletions to the formula, as necessary, to increase the amount of funding allocated to counties experiencing population growth at a rate that qualifies the county to levy the privilege tax pursuant to the County Powers Relief Act, compiled in title 67, chapter 4, part 29, in addition to the funding provided to LEAs in which the student population for the current school year exceeds the prior year's ADM, as defined in § 49-3-302, by more than two percent (2%).

(b) As part of the study, the BEP review committee must consider the recurring costs to counties experiencing a nine percent (9%) or more increase in population over any four-year time period, according to United States census bureau population estimates, to construct new school buildings, expand existing infrastructure, and employ personnel necessary to provide students in the county access to a free public education.

(c) The BEP review committee shall report its findings and its recommendations to the general assembly no later than January 1, 2021.

**SECTION 2.** This act shall take effect upon becoming a law, the public welfare requiring

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Amendment No. \_\_\_\_\_

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**AMEND Senate Bill No. 2252**

**House Bill No. 2134\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Teacher's Discipline Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 41, is amended by adding the following as a new section:

(a) A teacher is authorized, consistent with local board policy, state statutes, state board of education policy, and federal regulations to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. A teacher is authorized to hold students in the teacher's charge strictly accountable for any disorderly conduct in school. The principal or the principal's designee shall respond to a teacher's disciplinary referral of a student by employing appropriate discipline management techniques that are consistent with the local board's written policy.

(b)

(1) A teacher is authorized to remove from the teacher's class a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the class or with the ability of the student's classmates to learn, if the student's behavior is in violation of the student code of conduct and if the teacher has:



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- (A) Previously addressed the disruptive behavior;
- (B) Provided classroom consequences for the disruptive behavior;
- (C) Conducted an oral conference either by a documented telephone conversation or an in-person discussion with the student's parent or guardian;
- (D) Provided an opportunity for school counseling or other support services that are deemed appropriate;
- (E) Developed a plan to improve the student's behavior in a conference with the student;
- (F) Implemented the proposed plan;
- (G) Met with the principal or the principal's designee and the student and provided documentation of the actions in subdivisions (b)(1)(A)-(F); and
- (H) Issued a disciplinary referral under § 49-6-4106.

(2) If a teacher removes a student from the teacher's classroom pursuant to subdivision (b)(1), the teacher shall file with the principal or the principal's designee a report of one (1) page or less describing the student's behavior by the end of the instructional day on which the removal occurs or at the beginning of the next instructional day. The principal or the principal's designee shall, within one (1) instructional day after the student's removal from class, send to the student's parents or guardians:

- (A) Written notification that the student was removed from class;
- (B) A copy of the report filed by the teacher; and

(C) Information regarding how the student's parents or guardians may contact the principal or the principal's designee.

(3) A school principal shall support the authority of each teacher in the principal's school to remove a student from the classroom under subdivision (b)(1). A school principal shall implement the local board's policies and procedures relating to the authority of a teacher to remove a student from the teacher's classroom and shall disseminate the policies and procedures to faculty, staff, and parents or guardians of students. The policy must comply with state and federal laws regarding the placements of students.

(4) Notwithstanding subdivision (b)(1), if the teacher determines that the student's behavior poses an immediate threat to the safety of the student or to the safety of others, then the teacher may relocate the student according to the local board's policy adopted pursuant to § 49-6-4008.

(c)

(1) If a teacher removes a student from class pursuant to subdivision (b)(1), then the principal or the principal's designee shall discuss the matter with the teacher and the student by the end of the instructional day on which the removal occurs, or at the beginning of the next instructional day. The principal or the principal's designee shall give the student oral or written notice of the grounds for removal from class and, if the student denies engaging in the conduct, then the principal or the principal's designee shall explain what caused the teacher to remove the student from the teacher's class and give the student an opportunity to explain the situation. If the student's account is deemed to be valid, albeit different from the teacher's account, and changes the principal or the principal's designee's perspective of the incident, then the principal or the

principal's designee shall render a decision regarding the student's placement. If a teacher abuses or overuses the student removal process, then the principal or the principal's designee shall address the abuse or overuse with the teacher and retains the right to render a decision regarding the student's placement.

(2) If, after the discussions described in subdivision (c)(1), the principal or the principal's designee seeks to return the student to the teacher's class and the teacher consents, then the student shall be returned to the teacher's class, and the principal or the principal's designee may take action to discipline the student, as may be warranted.

(3)

(A) If, after the discussions described in subdivision (c)(1), the principal or the principal's designee seeks to return the student to the teacher's class and the teacher does not consent to the student's return to the teacher's class, then the principal or the principal's designee shall determine an appropriate temporary placement, pursuant to the local board's policy, by the end of the instructional day following the teacher's removal of the student and shall also take steps to convene a meeting of a placement review committee. The placement review committee must convene by the end of the second instructional day following the teacher's removal of the student and must issue a decision by the end of the third instructional day following the teacher's removal of the student.

(B) An appropriate temporary placement for the student is a placement that, in the judgment of the principal or the principal's designee, provides the least interruption to the student's education and reflects other relevant factors, including, but not limited to, the severity of

the behavior that was the basis for the removal, the student's behavioral history, the student's need for support services, and the available education settings.

(C) The student must not be returned to the class of the teacher who removed the student, as an appropriate temporary placement, unless the teacher reconsiders the removal and consents to the return.

(D) The temporary placement must be in effect from the time of removal until the recommendation of the placement review committee is issued, and the principal or the principal's designee makes a placement determination pursuant to subdivision (e)(2).

(d)

(1) Local board policies must provide for the establishment at each school of one (1) or more placement review committees, each of which is to be composed of three (3) members. A placement review committee must determine the placement of a student when a teacher does not consent to the return of a student to the teacher's class.

(2)

(A) For each committee established, the faculty must appoint two (2) teachers to serve as faculty members of the placement review committee and two (2) teachers to serve as alternate faculty members, one (1) teacher to be designated as the first alternate faculty member and the other teacher as the second alternate faculty member. If one (1) faculty member is unable to serve when the committee is reviewing a student's placement, then the first alternate faculty member shall serve on the committee. If both faculty members are unable to serve when

reviewing a student's placement, then both alternate faculty members shall serve on the committee.

(B) The principal must appoint one (1) member of the school's professional staff to serve as a member of the committee and one (1) member of the school's professional staff to serve as an alternate member. If the principal's appointed member is unable to serve when the committee is reviewing a student's placement, then the principal's alternate appointee shall serve on the committee.

(C) The teacher withholding consent to readmit a student to the teacher's class shall not serve on the placement review committee reviewing the student's placement.

(3) The placement review committee shall recommend:

(A) The return of the student to the teacher's class upon determining that such placement is the best alternative or the only available alternative; or

(B) Refer the student to the principal or the principal's designee for appropriate action consistent with subdivision (e)(2).

(4) The recommendation of the placement review committee must be in writing and must be made within three (3) instructional days after the teacher withholds consent to the return of a student. LEAs must provide training for members of placement review committees regarding this section, including procedural requirements, local board policies relating to student discipline, and the student code of conduct that is applicable to the school.

(e)

(1) If a placement review committee recommends the return of a student to a class from which the teacher removed the student, then the principal or the principal's designee must consider implementing the placement review committee's recommendation. In addition, the principal or the principal's designee may, consistent with any applicable procedural requirements of the constitutions of the United States and Tennessee and after considering the use of any appropriate student support services, take any of the following actions which are authorized as a response to the alleged violation of the student code of conduct by the local board's policies adopted pursuant to § 49-6-4109:

(A) Place the student in an alternative education program;

(B) Impose out-of-school suspension for not more than ten (10) school days, including any time during which the student was subject to out-of-school suspension after the student's removal from class pursuant to subdivision (b)(1); or

(C) Make any disciplinary decision or recommendation consistent with the local board's policy.

(2) If a placement review committee recommends that the student not be returned to the class from which the teacher removed the student, then the principal or the principal's designee must consider implementing the placement review committee's recommendation. Notwithstanding the placement review committee's recommendation, the principal or the principal's designee, after considering the use of any appropriate student support services, must determine an appropriate placement for the student and may take action to discipline the student in a manner consistent with any applicable procedural requirements of the constitutions of the United States and Tennessee. The placement or

disciplinary action must be authorized as a response to the alleged violation of the student code of conduct by the local board's policies. The principal or the principal's designee may:

(A) Place the student into another appropriate classroom or an alternative education program;

(B) Impose out-of-school suspension for not more than ten (10) school days, including any time during which the student was subject to out-of-school suspension after the student's removal from class pursuant to subdivision (b)(1);

(C) Make any placement or disciplinary decision consistent with local board policy; or

(D) Implement or recommend any appropriate combination of the above and return the student to the class from which the student was removed upon the completion of any disciplinary or placement action taken pursuant to this subdivision (e)(2).

(f) Within one (1) instructional day of taking action pursuant to subsection (e), the principal or the principal's designee must make a reasonable attempt to send written notification of the action to the teacher and to the parents or guardians of the student and must make a reasonable attempt to confirm that the written notification has been received by the student's parents or guardians.

(g) Parents or guardians of a student who is removed from class pursuant to subdivision (b)(1) are required to participate in conferences that may be requested by the principal or the principal's designee before the student is permitted to return to the classroom from which the student was removed.

(h) The procedures contained in this section relating to student conferences and notification of parents or guardians are minimum requirements. Nothing in this section limits a local board's authority to establish additional requirements relating to student conferences, notification of parents or guardians, conferences with parents or guardians, or other procedures required by the constitutions of the United States or Tennessee.

SECTION 3. This act shall take effect January 1, 2021, the public welfare requiring it.

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**AMEND Senate Bill No. 1982\***

**House Bill No. 2460**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, is amended by adding the following language as a new chapter:

**49-19-101.** This chapter shall be known and may be cited as the "Adult Workforce Diploma Pilot Program."

**49-19-102.**

As used in this chapter:

(1) "Academic skill intake assessment" means an online or in-person criterion-referenced assessment of numeracy and literacy skill with high reliability and validity as determined by third-party research;

(2) "Adult dropout recovery services" includes, but is not limited to, sourcing, recruitment, and engagement of eligible students, learning plan development, active teaching, and proactive coaching and mentoring, resulting in an accredited high school diploma;

(3) "Approved program provider" means a public, nonprofit, or other entity selected by the department of labor and workforce development to administer online, in-person, or hybrid programs through which eligible students can earn a high school diploma and develop employability and career and technical skills;

(4) "Career pathways coursework" means one (1) or more courses that align with the skill needs of industries in the economy of the state or region that



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helps a student enter or advance within a specific occupation or occupational cluster;

(5) "Career placement services" means services designed to assist students in obtaining employment, including career interest self-assessments, job search skills, resume development, and mock interviews;

(6) "Coaching" means proactive communication between the approved program provider and the student related to the student's pace and progress through the student's learning plan;

(7) "Department" means the department of labor and workforce development;

(8) "Eligible student" or "student" means a participant in the adult workforce diploma pilot program who:

(A) Is at least nineteen (19) years of age;

(B) Is a resident of the state; and

(C) Has not obtained a high school diploma;

(9) "Employability skills certification" means a certificate earned by demonstrating professional, non-technical skills through an assessment, portfolio, or observation;

(10) "Graduation rate" means the total number of an approved program provider's high school graduates for a fiscal year divided by the number of eligible students for the same fiscal year for whom the provider has received funding, calculated one (1) fiscal year in arrears;

(11) "Graduation requirement" means a course and credit requirement for a high school diploma from an approved program provider's regionally accredited high school;

(12) "High school diploma" means a diploma issued by a regionally accredited institution. A diploma issued under this section is recognized as a secondary school diploma;

(13) "Industry-recognized credential" means an education- or work-related credential that verifies an individual's qualification or competence issued by a third party with the relevant authority to issue such credentials;

(14) "Learning plan" means a documented plan for courses and credits needed for a student to complete the provider's graduation requirements;

(15) "Mentoring" means a direct relationship between a coach and a student to facilitate the completion of the student's learning plan designed to prepare the student to succeed in the program and in future endeavors;

(16) "Pilot program" means the adult workforce diploma pilot program created in this chapter;

(17) "Transcript evaluation" means a documented summary of credits earned in previously attended regionally accredited public or private high schools compared with the approved program provider's graduation requirements; and

(18) "Unit of high school credit" means credit awarded based on a student's demonstration that the student has successfully met the content expectations for the credit area as defined by subject area standards, expectations, or guidelines.

**49-19-103.**

The department of labor and workforce development shall establish an adult workforce diploma pilot program to assist adults nineteen (19) years of age or older in obtaining a high school diploma and developing employability and career and technical skills. The educational portion of the pilot program shall operate in the three (3) fiscal years beginning with the 2020–2021 fiscal year.

**49-19-104.**

(a) The department shall, by August 15, 2020, and by August 15 of each of the following years in which the pilot program will be in effect, issue a request for applications from program providers interested in participating in the pilot program.

(b) The department shall review all applications submitted pursuant to subsection (a) to determine whether the program provider meets all of the qualifications to be an approved program provider under § 49-19-105.

(c) The department shall review the employability skills and industry-recognized credential programs proposed by each program provider on the program provider's application, and approve the employability skills and industry-recognized credential programs.

(d) The department shall approve any program provider that meets all of the qualifications to be an approved program provider under § 49-19-105, unless the program provider was previously removed from the list of approved program providers, in accordance with § 49-19-108.

(e) The department shall, by September 15, 2020, and by September 15 of each of the following years in which the pilot program will be in effect, notify each applicant whether the department approved the applicant as a program provider. The department shall publish the list of all approved program providers on the department's website.

(f) Approved program providers may begin enrolling eligible students upon notification of approved provider status.

(g) Upon receiving designation as an approved program provider, the approved program provider remains approved and is not required to reapply annually, unless the provider is removed by the department from the list of approved program providers, in accordance with § 49-19-108.

**49-19-105.**

Applications submitted pursuant to § 49-19-104 must include evidence that a program provider:

- (1) Operates a regionally accredited high school that awards high school diplomas;
- (2) Has a minimum of two (2) years of experience providing adult dropout recovery services;
- (3) Does not receive federal funding or state funding for, or payments of tuition directly from, students participating in the pilot program;
- (4) Maintains a course catalog that includes all courses necessary to meet the provider's high school graduation requirements; and
- (5) Has the ability to provide:
  - (A) An academic skills intake assessment and transcript evaluation for each student;
  - (B) A learning plan for each student that integrates graduation requirements and career goals;
  - (C) Remediation opportunities in literacy and numeracy;
  - (D) An employability skills certification;
  - (E) Career pathways coursework;
  - (F) Preparation for industry-recognized credentials; and
  - (G) Career placement services.

**49-19-106.**

(a) The pilot program shall provide payments to an approved program provider for outcomes achieved by eligible students enrolled in the approved program provider's program. The department shall disburse payments to approved program providers in the following amounts for each eligible student's completion of the following outcomes:

- (1) Two hundred fifty dollars (\$250) for each half-unit of high school credit completed;
- (2) Two hundred fifty dollars (\$250) for the completion of an employability skills certification program;

(3) Two hundred fifty dollars (\$250) for the completion of an industry-recognized credential requiring up to fifty (50) hours of training;

(4) Five hundred dollars (\$500) for the completion of an industry-recognized credential requiring not less than fifty-one (51) hours nor more than one hundred (100) hours of training;

(5) Seven hundred fifty dollars (\$750) for the completion of an industry-recognized credential requiring more than one hundred (100) hours of training;  
and

(6) One thousand dollars (\$1,000) for the attainment of a regionally accredited high school diploma.

(b) An approved program provider shall submit invoices to the department no later than the tenth day of the month following an eligible student's completion of an outcome described in subsection (a).

(c) The department shall pay approved program providers within thirty (30) days of receiving an invoice in the order in which invoices are submitted until all funds appropriated for the pilot program for the fiscal year are exhausted.

(d) The department shall provide a report to approved program providers by the last day of each month. The report must include:

(1) The total amount of funds that have been paid to approved program providers to the date of the report's issue; and

(2) An estimate of the remaining amount of funding available for the pilot program for the fiscal year.

(e) The department shall not distribute to approved program providers more than ten million dollars (\$10,000,000) to fund the pilot program.

**49-19-107.**

By August 1, 2021, and by August 1 of each of the following years in which the pilot program will be in effect, each approved program provider shall report the following information for the immediately preceding fiscal year to the department:

- (1) Total number of students for whom the approved program provider has received payments;
- (2) Total number of credits earned by students for whom the approved program provider has received payments;
- (3) Total number of employability skills certifications issued to students for whom the approved program provider has received payments;
- (4) Total number of industry-recognized credentials issued for each tier of funding to students for whom the approved program provider has received payments;
- (5) Total number of high school diplomas awarded to students for whom the approved program provider has received payments; and
- (6) Other information as the department may specify.

**49-19-108.**

(a) Beginning September 1, 2022, and by September 1 of each of the following years in which the pilot program will be in effect, the department shall review data received from each approved program provider, pursuant to § 49-19-107, to ensure that each approved program provider is meeting minimum program performance standards, including:

- (1) Maintaining at least a fifty percent (50%) graduation rate among students for whom the approved program provider has received payments; and
- (2) Maintaining an average cost per graduate of seven thousand dollars (\$7,000) or less, calculated by dividing total program funding reimbursed to the provider for a fiscal year by the total graduates for that fiscal year, calculated one (1) fiscal year in arrears.

(b)

(1) If an approved program provider does not meet the minimum program performance standards identified in subsection (a), the department must place the approved program provider on probationary status for the remainder of the fiscal year.

(2) An approved program provider that does not meet the minimum performance standards for two (2) consecutive fiscal years, including any probationary period, must be removed from the approved program provider list.

**49-19-109.**

(a) Each approved program provider shall conduct a survey of individuals for whom the approved program provider received funding and who have graduated with a high school diploma from the program of the approved program provider.

(b) The survey required by subsection (a) must be conducted between six (6) and twelve (12) months after an individual has graduated with a high school diploma from the program of an approved program provider, and after the first survey, an additional survey of the individual must be conducted in each of the following four (4) consecutive years.

(c) The surveys required by this section must collect the following information about the individual:

(1) The individual's employment status, including whether the individual is employed full-time or part-time;

(2) The individual's hourly wages or annual salary;

(3) If the individual has access to employer-sponsored health care; and

(4) The individual's post-secondary enrollment status, including whether the individual has completed a post-secondary certificate or degree program.

(d) By August 1, 2022, and by August 1 of each of the following years in which an approved program provider conducts a survey pursuant to this section, the approved program provider must submit the survey data to the department.

**49-19-110.**

(a) The department shall submit a report on the outcomes of the pilot program to the education committees of the senate and the house of representatives by October 1, 2022, and by October 1 of each of the following years in which the department receives survey data from an approved program provider pursuant to § 49-19-109. The department must include in the report required by this subsection (a) a compilation of the data submitted to the department by an approved program provider pursuant to §§ 49-19-107 and 49-19-109.

(b) The department shall submit a final report on the outcomes of the pilot program to the education committee of the senate and to the education committee of the house of representatives by October 1, 2023.

SECTION 2. This act shall not be construed to be an appropriation of funds, and no funds shall be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. \_\_\_\_\_

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

\_\_\_\_\_  
Signature of Sponsor

**AMEND Senate Bill No. 2088\***

**House Bill No. 2461**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-1601, is amended by deleting the section and substituting instead the following:

(a) Notwithstanding § 37-5-107 or § 37-1-612, if a school teacher, school official, or other school personnel has knowledge or reasonable cause to suspect that a child who attends the school may be a victim of child abuse or child sexual abuse sufficient to require reporting pursuant to § 37-1-403 or § 37-1-605, then the school teacher, school official, or other school personnel must follow the procedures outlined in subsection (d).

(b) Each LEA and each public charter school shall ensure that all school officials and other school personnel annually complete the child abuse training program required in § 37-1-408.

(c) Each LEA and each public charter school shall designate a child abuse coordinator and an alternate child abuse coordinator for each school within the LEA or public charter school. The designation of an alternative child abuse coordinator is not required when only one (1) adult is employed by or responsible for the care of children at a school. The child abuse coordinator and the alternate child abuse coordinator must:

(1) Have access to an area providing privacy and access to a telephone for reporting suspected child abuse and child sexual abuse;

(2) Receive training in regard to:

- (A) Mandatory reporting;
- (B) Multidisciplinary protocols;
- (C) Advocacy centers;



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(D) The importance of limited interviews; and

(E) Signs, symptoms, or suspicions of child abuse;

(3) Be available for school personnel to share information about suspected child abuse and child sexual abuse;

(4) Assist school personnel in reporting suspected child abuse and child sexual abuse to law enforcement and to the department of children's services;

(5) Serve as a liaison between the school, the department, and law enforcement in child abuse and child sexual abuse investigations;

(6) Assist law enforcement and department personnel by sharing available information regarding suspected child abuse and child sexual abuse, and by providing a private area within the school for law enforcement and department personnel to meet with the child and the reporting school personnel as a group or individually if required; and

(7) Maintain confidential files in accordance with §§ 37-5-107 and 37-1-612 regarding all reported suspicions of child abuse and child sexual abuse.

(d)

(1)

(A) If a child voluntarily discloses information about possible abuse to a school teacher, school official, or other school personnel, then the child must be provided a quiet and private place to speak and the person receiving the information must listen openly and speak at the child's level in a positive, non-judgmental tone.

(B) The person receiving the information from the child must:

(i) Allow the child to say what happened in the child's own words;

(ii) Avoid conducting an investigation by asking the child detailed questions;

(iii) Make every effort to write down the child's exact words;

(iv) Refrain from making any statements to the child about the alleged abuse, the alleged abuser, or the consequences of the child reporting the alleged abuse; and

(v) Immediately notify the school child abuse coordinator and report the information to the department and law enforcement.

(2) School teachers, school officials, and other school personnel should be observant of any bruising, injury, markings, or other unusual behavior that may be the result of child abuse or neglect, and immediately report any suspicions to the school's child abuse coordinator. Photographs of any bruising, injury, or markings must not be taken by any school child abuse coordinator, teacher, official, or other school personnel. Upon receiving a report of suspicion of child abuse or child sexual abuse, the child abuse coordinator must, along with the reporting school personnel who obtained the information from the child, report any suspected child abuse or child sexual abuse to law enforcement and the department.

(3) If a third party informs a school teacher, school official, or other school personnel of a reasonable suspicion that a child at the school may be the victim of child abuse or child sexual abuse, then the school teacher, school official, or other school personnel must:

(A) Encourage the third party to report the suspicion to the department and law enforcement;

(B) Notify the school's child abuse coordinator; and

(C) Report all information received from the third party to the department and law enforcement.

(4) School teachers, school officials, and other school personnel must maintain confidentiality of all information regarding any child abuse or child

sexual abuse report made pursuant to this section and all information regarding the suspected child abuse or child sexual abuse must be maintained by the school child abuse coordinator in a confidential file separate from the child's educational file.

(5) School child abuse coordinators, school teachers, school officials, and other school personnel shall not provide any information relevant to the suspected child abuse or child sexual abuse to the child's parent or guardian, and must refer any questions from the child's parent or guardian to the investigating law enforcement agency and the department.

(e) For purposes of this section, "school" means any public or privately operated child care agency, as defined in § 71-3-501; child care program, as defined in § 49-1-1102; preschool; nursery school; kindergarten; elementary school; or secondary school.

(f) Each LEA and public charter school shall publish the requirements of this section in the LEA's and public charter school's policies and procedures manual.

SECTION 2. Tennessee Code Annotated, Section 37-1-403, is amended by deleting subdivisions (i)(2), (i)(3), and (i)(4) and substituting instead the following:

(2) Notwithstanding § 37-5-107 or § 37-1-612, if a school teacher, school official, or other school personnel has knowledge or reasonable cause to suspect that a child who attends the school may be a victim of child abuse or child sexual abuse sufficient to require reporting pursuant to this section, then the school teacher, school official, or other school personnel must follow the procedures outlined in § 49-6-1601.

(3) For purposes of this subsection (i), "school" means any public or privately operated child care agency, as defined in § 71-3-501; child care program, as defined in § 49-1-1102; preschool; nursery school; kindergarten; elementary school; or secondary school.

SECTION 3. Tennessee Code Annotated, Section 37-1-605, is amended by deleting subsection (d) and substituting instead the following:

(1) Notwithstanding § 37-5-107 or § 37-1-612, if a school teacher, school official, or other school personnel has knowledge or reasonable cause to suspect that a child who attends the school may be a victim of child abuse or child sexual abuse sufficient to require reporting pursuant to this section, then the school teacher, school official, or other school personnel must follow the procedures outlined in § 49-6-1601.

(2) For purposes of this subsection (d), "school" means any public or privately operated child care agency, as defined in § 71-3-501; child care program, as defined in § 49-1-1102; preschool; nursery school; kindergarten; elementary school; or secondary school.

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it.