

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2805

House Bill No. 2872*

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 61, is amended by adding the following language as a new section:

(a)

(1) Each local board of education shall adopt a policy requiring the LEA's schools to develop plans to provide mental and behavioral health services to students with adverse childhood experiences (ACEs), as defined in § 49-1-230. If a school employee finds that a student has one (1) or more ACEs, then the school employee shall report the finding to the school principal or the school counselor. Within ten (10) days of the report, the school principal or the school counselor shall confer with the student's parent and shall refer, with the parent's consent, the student to a school mental health counselor. If the school principal or the school counselor fails to refer a student to a school mental health counselor within ten (10) days of the report, then the director of schools or the director's designee shall confer with the student's parent and shall refer, with the parent's consent, the student to a community-based behavioral health provider within fifteen (15) days of the expiration of the ten-day period. An LEA, school, LEA employee, or school employee shall not be liable for the cost of any counseling or other mental health services provided to a student, regardless of whether the student received the services pursuant to a referral under this subdivision (a)(1).



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(2) Notwithstanding subdivision (a)(1), if a school employee has knowledge or reasonable cause to suspect that a student at the school is a victim of child abuse or child sexual abuse, then the school employee shall act in accordance with the requirements of § 37-1-403, § 37-1-605, or § 49-6-1601.

(b) As used in this section:

(1) "Parent" means a parent, guardian, person who has custody of the child, or an individual who has caregiving authority under § 49-6-3001; and

(2) "School mental health counselor" means any of the persons listed in § 49-2-124(c)(1)-(9) who may perform an evaluation for psychiatric diagnosis or treatment.

SECTION 2. Tennessee Code Annotated, Section 49-1-230, is amended by adding the following as a new subsection:

Each LEA shall conduct at least one (1) ACEs training seminar for parents and community-based partners annually. At a minimum, the seminars shall address the topics listed in subsection (b).

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

Amendment No. _____

Signature of Sponsor

FILED
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AMEND Senate Bill No. 2512

House Bill No. 2300*

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

SECTION 1. Tennessee Code Annotated, Section 49-1-228, is amended by deleting the section and substituting instead the following:

(a) The department of education shall develop a school performance designation system using numeric indicators that provide for the annual differentiation of schools and for the annual identification of comprehensive and targeted support schools. The numeric indicators must be based on:

- (1) Student performance on the Tennessee comprehensive assessment program (TCAP) tests or end-of-course exams;
- (2) Student growth as indicated by Tennessee Value-Added Assessment System (TVAAS) data or data from other measures of student growth; and
- (3) Other outcome indicators of student achievement that the department finds to be reliable measures of school performance.

(b) School performance designations must be included on the state report card.

The department shall not assign a summative performance designation to a school, except that the department may assign a summative performance designation to a school placed in priority, focus, or reward status pursuant to the rules and performance standards developed by the state board of education pursuant to § 49-1-602.

(c) The state board shall review the school performance designation system developed by the department before the system is implemented. Implementation of the school performance designation system must begin in the 2020-2021 school year.



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(d) The department shall provide notice of the adopted school performance designation system to each LEA before the start of the 2020-2021 school year.

(e) Notwithstanding subsection (a), the department shall not use student performance and student growth data from the TNReady assessments administered to students in the 2017-2018 school year to assign school performance designations pursuant to this section.

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

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

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, is amended by adding the following as a new part:

49-6-3701.

(a) A teacher is authorized 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, and to hold students in the teacher's charge strictly accountable for any disorderly conduct in school.

(b) Each student discipline policy or code of conduct adopted by a local board of education or public charter school governing body pursuant to § 49-6-4002, must include a provision authorizing teachers to enforce the student discipline policy or code of conduct and to hold students accountable for any disorderly conduct in school, on school buses, or at school-sponsored events.

49-6-3702.

(a)

(1) Each local board of education and each public charter school governing body shall adopt a complete policy regarding a teacher's ability to relocate a student from the student's present location to another location for the student's safety or for the safety of others.



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(2) The use of reasonable or justifiable force, as defined in §§ 39-11-603, 39-11-609, 39-11-610, 39-11-612, 39-11-613, 39-11-614, 39-11-621, and 39-11-622, if required to accomplish this task due to the unwillingness of the student to cooperate, is allowed. If steps beyond the use of reasonable or justifiable force are required, then the student shall be allowed to remain in place until such a time as local law enforcement officers or school resource officers can be summoned to relocate the student or take the student into custody until such a time as a parent or guardian can retrieve the student.

(3) The policy required under this subsection (a) must authorize teachers to intervene in a physical altercation between two (2) or more students, or between a student and an LEA employee or public charter school employee, as applicable, using reasonable or justifiable force upon a student, if necessary, to end the altercation by relocating the student to another location.

(b) The policy required under subsection (a) must:

(1) Be in effect on school property, as well as at official school-sponsored events, including, but not limited to, sporting events and approved field trips that take place away from the local school property; and

(2) Cover teachers who are directly responsible for the student's education, and other LEA employees or public charter school employees, as applicable, who interact with students on a professional basis. The LEA employees or public charter school employees described in this subdivision (b)(2) include, but are not limited to, administrators, teachers, school support staff, bus drivers, cafeteria workers, and school resource officers while the employee is acting within the scope of the employee's assigned duties.

(c) The policy required under subsection (a) must require a teacher to file a brief report with the principal detailing the situation that required the relocation of the student. The report must be kept either in a student discipline file, in which case the report does

not become a part of the student's permanent record, or it must be filed in the student's permanent record, if the student's behavior violated the applicable zero tolerance policy. After the teacher files the report required under this subsection (c), the student is subject to additional disciplinary action that may include suspension or expulsion from the school. The principal or the principal's designee must notify the teacher involved of the actions taken to address the behavior of the relocated student.

(d) Each principal shall fully support the authority of every teacher in the principal's school to relocate under this section.

(e) Each school principal shall implement the policies and procedures of the local board of education or public charter school governing body, as applicable, relating to the authority of every teacher to relocate a student and shall disseminate such policies and procedures to the students, faculty, staff, and parents or guardians of students.

(f) The policy required under subsection (a) must comply with all state and federal laws, including the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), and Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

49-6-3703.

In order to manage student behavior, to ensure the safety of all students in the teacher's classroom and school, and to ensure students the opportunity to learn in an orderly and disciplined classroom, a teacher may refer a student to the principal or the principal's designee. When a teacher disciplines a student by issuing a written referral for the student's behavior, the referral must be returned to the teacher with a notation of the action taken. The referral must be kept in a student discipline file, and shall not become a part of the student's permanent record. If an LEA or school has adopted an electronic system of making disciplinary referrals instead of using written referrals, then the teacher making the referral must be notified of the action taken, but the notification may be made either electronically or in writing. The principal or the principal's designee

must respond to a teacher's disciplinary referral of a student by employing appropriate discipline management techniques that are consistent with the LEA's or school's policy. The director of schools, or the director's designee, must review the LEA's or school's discipline policies, practices, and data annually and recommend any necessary revisions to discipline policies to the local board of education or the public charter school governing body, as applicable, for adoption.

49-6-3704.

(a) A teacher may submit a written request to the principal, or the principal's designee, to remove 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 LEA's or school's student discipline policy or code of conduct. The written request must include documentation that the teacher has previously:

- (1) Taken action to address the student's disruptive behavior;
- (2) Provided consequences for the student's disruptive behavior;
- (3) Conducted an oral conference either by a documented telephone conversation or an in-person discussion with the student's parent or guardian regarding the student's disruptive behavior;
- (4) Provided an opportunity for school counseling or other support services deemed appropriate to address the student's disruptive behavior;
- (5) Developed and implemented a plan to improve the student's behavior in a conference with the student; and
- (6) Issued a disciplinary referral under § 49-6-3703 to address the student's disruptive behavior.

(b) The principal or the principal's designee must give the student oral or written notice of the grounds for the teacher's request to remove the student from the teacher's classroom and, if the student denies engaging in the conduct, then the principal or the

principal's designee must explain what caused the teacher to submit a request to the principal or the principal's designee to remove the student from the teacher's classroom, 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's, or the principal's designee's, perspective of the incident, then the principal or the principal's designee must render a decision regarding the student's placement.

(c) Principals and their designees shall respect the professional judgment of a teacher requesting to remove a student from the teacher's classroom under subsection (a) and shall take any action consistent with the student discipline policy or code of conduct adopted pursuant to § 49-6-4002 in response to the request, which may include:

(1) Assigning the student to another appropriate classroom for a specified period of time, or for the remainder of the student's assignment to the class from which the student was removed under subsection (a);

(2) Assigning the student to in-school suspension for a specified period of time, in compliance with § 49-6-3401;

(3) Remanding the student to an alternative school or to an alternative education program for a specified period of time, in compliance with §§ 49-6-3401 and 49-6-3402;

(4) Suspending the student pursuant to § 49-6-3401;

(5) Requiring the parents or guardians of a student who is removed from a teacher's classroom and assigned to another appropriate classroom under subdivision (c)(1) to participate in conferences before the student is permitted to return to the classroom from which the student was removed; or

(6) Denying the teacher's request to remove a student from the teacher's classroom and offer appropriate supports for the teacher to address the student's disruptive behavior.

(d) Any action taken by a principal, or the principal's designee, in response to a teacher's request to remove a student from the teacher's classroom must comply with all applicable policies of the local board of education or the public charter school governing body, as applicable, the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), the constitutions of the United States and Tennessee, and all applicable federal and state civil rights laws.

(e) Principals or their designees must notify law enforcement, as appropriate, when implementing this section, and in compliance with §§ 49-6-4209 and 49-6-4301.

(f)

(1) A local board of education or public charter school governing body shall establish an appeal process for a teacher to file an appeal when the teacher's request to remove a student from the teacher's classroom is denied. Each local board of education and public charter school governing body shall establish an appeals committee composed of two (2) teachers, one (1) administrator, and a guidance counselor from the school in which the appeal originated. The teacher who filed the appeal shall not serve on the committee.

(2) A teacher shall not be terminated, demoted, harassed, or otherwise retaliated against for filing a request for a student to be removed from the teacher's classroom, or for appealing a decision to deny the teacher's request to remove a student pursuant to this subsection (f).

(g) If a teacher abuses or overuses the student removal process provided in this section, then the principal or the principal's designee must address the abuse or overuse with the teacher in compliance with the local board's or public charter school governing body's policy, as applicable, and may require the teacher to complete additional professional development to improve the teacher's classroom management skills.

(h) To assist local boards of education and public charter school governing bodies in determining the effectiveness of discipline policies and classroom supports

provided to teachers to help address student behavior, each school shall annually report to the director of schools or to the head of the public charter school, as applicable, by July 1, 2021, and by each July 1 thereafter, the number of requests submitted by the school's teachers during the immediately preceding school year to remove a student from the teacher's classroom pursuant to subsection (a). The report must document the actions taken by the teacher's principal, or the principal's designee, in response to each request for a student's removal. Each director of schools must compile the data provided in each school's report and issue a district-wide report to the local board of education by August 1 immediately following the July 1 deadline for school reports.

(i) The commissioner of education may review the school and district-wide reports required under subsection (h) and provide training and other resources to schools and LEAs to address any needs identified through the commissioner's review.

(j) On or before February 1, 2022, and on or before February 1 of each year thereafter, the commissioner shall report to the governor and the general assembly on the implementation of, and compliance with, this part.

SECTION 2. Tennessee Code Annotated, Section 49-6-4102, is amended by deleting subsection (a).

SECTION 3. Tennessee Code Annotated, Section 49-6-4008, is amended by deleting the section.

SECTION 4. Tennessee Code Annotated, Section 49-6-4106, is amended by deleting the section.

SECTION 5. Tennessee Code Annotated, Section 49-6-4002(d), is amended by deleting subdivision (9) and substituting instead the following:

(9) Disobedient, violent, abusive, uncontrollable, or disruptive student conduct on school property, on school buses, and at school-sponsored events;

SECTION 6. Tennessee Code Annotated, Section 49-5-209(b)(5), is amended by deleting the language "§ 49-6-4008" and substituting instead the language "§ 49-6-3702".

SECTION 7. This act shall take effect January 1, 2021, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

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, is amended by adding the following as a new part:

49-6-3701.

(a) A teacher is authorized 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, and to hold students in the teacher's charge strictly accountable for any disorderly conduct in school.

(b) Each student discipline policy or code of conduct adopted by a local board of education or public charter school governing body pursuant to § 49-6-4002, must include a provision authorizing teachers to enforce the student discipline policy or code of conduct and to hold students accountable for any disorderly conduct in school, on school buses, or at school-sponsored events.

49-6-3702.

(a)

(1) Each local board of education and each public charter school governing body shall adopt a complete policy regarding a teacher's ability to relocate a student from the student's present location to another location for the student's safety or for the safety of others.



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(2) The use of reasonable or justifiable force, as defined in §§ 39-11-603, 39-11-609, 39-11-610, 39-11-612, 39-11-613, 39-11-614, 39-11-621, and 39-11-622, if required to accomplish this task due to the unwillingness of the student to cooperate, is allowed. If steps beyond the use of reasonable or justifiable force are required, then the student shall be allowed to remain in place until such a time as local law enforcement officers or school resource officers can be summoned to relocate the student or take the student into custody until such a time as a parent or guardian can retrieve the student.

(3) The policy required under this subsection (a) must authorize teachers to intervene in a physical altercation between two (2) or more students, or between a student and an LEA employee or public charter school employee, as applicable, using reasonable or justifiable force upon a student, if necessary, to end the altercation by relocating the student to another location.

(b) The policy required under subsection (a) must:

(1) Be in effect on school property, as well as at official school-sponsored events, including, but not limited to, sporting events and approved field trips that take place away from the local school property; and

(2) Cover teachers who are directly responsible for the student's education, and other LEA employees or public charter school employees, as applicable, who interact with students on a professional basis. The LEA employees or public charter school employees described in this subdivision (b)(2) include, but are not limited to, administrators, teachers, school support staff, bus drivers, cafeteria workers, and school resource officers while the employee is acting within the scope of the employee's assigned duties.

(c) The policy required under subsection (a) must require a teacher to file a brief report with the principal detailing the situation that required the relocation of the student. The report must be kept either in a student discipline file, in which case the report does

not become a part of the student's permanent record, or it must be filed in the student's permanent record, if the student's behavior violated the applicable zero tolerance policy. After the teacher files the report required under this subsection (c), the student is subject to additional disciplinary action that may include suspension or expulsion from the school. The principal or the principal's designee must notify the teacher involved of the actions taken to address the behavior of the relocated student.

(d) Each principal shall fully support the authority of every teacher in the principal's school to relocate under this section.

(e) Each school principal shall implement the policies and procedures of the local board of education or public charter school governing body, as applicable, relating to the authority of every teacher to relocate a student and shall disseminate such policies and procedures to the students, faculty, staff, and parents or guardians of students.

(f) The policy required under subsection (a) must comply with all state and federal laws, including the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), and Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

49-6-3703.

In order to manage student behavior, to ensure the safety of all students in the teacher's classroom and school, and to ensure students the opportunity to learn in an orderly and disciplined classroom, a teacher may refer a student to the principal or the principal's designee. When a teacher disciplines a student by issuing a written referral for the student's behavior, the referral must be returned to the teacher with a notation of the action taken. The referral must be kept in a student discipline file, and shall not become a part of the student's permanent record. If an LEA or school has adopted an electronic system of making disciplinary referrals instead of using written referrals, then the teacher making the referral must be notified of the action taken, but the notification may be made either electronically or in writing. The principal or the principal's designee

must respond to a teacher's disciplinary referral of a student by employing appropriate discipline management techniques that are consistent with the LEA's or school's policy. The director of schools, or the director's designee, must review the LEA's or school's discipline policies, practices, and data annually and recommend any necessary revisions to discipline policies to the local board of education or the public charter school governing body, as applicable, for adoption.

49-6-3704.

(a) A teacher may submit a written request to the principal, or the principal's designee, to remove 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 LEA's or school's student discipline policy or code of conduct. The written request must include documentation that the teacher has previously:

- (1) Taken action to address the student's disruptive behavior;
- (2) Provided consequences for the student's disruptive behavior;
- (3) Conducted an oral conference either by a documented telephone conversation or an in-person discussion with the student's parent or guardian regarding the student's disruptive behavior;
- (4) Provided an opportunity for school counseling or other support services deemed appropriate to address the student's disruptive behavior;
- (5) Developed and implemented a plan to improve the student's behavior in a conference with the student; and
- (6) Issued a disciplinary referral under § 49-6-3703 to address the student's disruptive behavior.

(b) Principals and their designees shall respect the professional judgment of a teacher requesting to remove a student from the teacher's classroom under subsection

(a) and may take any action consistent with the student discipline policy or code of conduct adopted pursuant to § 49-6-4002 in response to the request, which may include:

(1) Assigning the student to another appropriate classroom for a specified period of time, or for the remainder of the student's assignment to the class from which the student was removed under subsection (a);

(2) Assigning the student to in-school suspension for a specified period of time, in compliance with § 49-6-3401;

(3) Remanding the student to an alternative school or to an alternative education program for a specified period of time, in compliance with §§ 49-6-3401 and 49-6-3402;

(4) Suspending the student pursuant to § 49-6-3401;

(5) Requiring the parents or guardians of a student who is removed from a teacher's classroom and assigned to another appropriate classroom under subdivision (b)(1) to participate in conferences before the student is permitted to return to the classroom from which the student was removed; or

(6) Denying the teacher's request to remove a student from the teacher's classroom and offer appropriate supports for the teacher to address the student's disruptive behavior.

(c) Any action taken by a principal, or the principal's designee, in response to a teacher's request to remove a student from the teacher's classroom must comply with all applicable policies of the local board of education or the public charter school governing body, as applicable, the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), the constitutions of the United States and Tennessee, and all applicable federal and state civil rights laws.

(d) Principals or their designees must notify law enforcement, as appropriate, when implementing this section, and in compliance with §§ 49-6-4209 and 49-6-4301.

(e) A local board of education or public charter school governing body may establish an appeal process for a teacher to file an appeal when the teacher's request to remove a student from the teacher's classroom is denied. A teacher shall not be terminated, demoted, harassed, or otherwise retaliated against for filing a request for a student to be removed from the teacher's classroom, or for appealing a decision to deny the teacher's request to remove a student pursuant to this subsection (e).

(f) If a teacher abuses or overuses the student removal process provided in this section, then the principal or the principal's designee must address the abuse or overuse with the teacher in compliance with the local board's or public charter school governing body's policy, as applicable, and may require the teacher to complete additional professional development to improve the teacher's classroom management skills.

(g) To assist local boards of education and public charter school governing bodies in determining the effectiveness of discipline policies and classroom supports provided to teachers to help address student behavior, each school shall annually report to the director of schools or to the head of the public charter school, as applicable, by July 1, 2021, and by each July 1 thereafter, the number of requests submitted by the school's teachers during the immediately preceding school year to remove a student from the teacher's classroom pursuant to subsection (a). The report must document the actions taken by the teacher's principal, or the principal's designee, in response to each request for a student's removal. Each director of schools must compile the data provided in each school's report and issue a district-wide report to the local board of education by August 1 immediately following the July 1 deadline for school reports.

(h) The commissioner may review the school and district-wide reports required under subsection (g) and provide training and other resources to schools and LEAs to address any needs identified by the commissioner as part of the review.

SECTION 2. Tennessee Code Annotated, Section 49-6-4102, is amended by deleting subsection (a).

SECTION 3. Tennessee Code Annotated, Section 49-6-4008, is amended by deleting the section.

SECTION 4. Tennessee Code Annotated, Section 49-6-4106, is amended by deleting the section.

SECTION 5. Tennessee Code Annotated, Section 49-6-4002(d), is amended by deleting subdivision (9) and substituting instead the following:

(9) Disobedient, violent, abusive, uncontrollable, or disruptive student conduct on school property, on school buses, and at school-sponsored events;

SECTION 6. Tennessee Code Annotated, Section 49-5-209(b)(5), is amended by deleting the language "§ 49-6-4008" and substituting instead the language "§ 49-6-3702".

SECTION 7. This act shall take effect January 1, 2021, the public welfare requiring it.

Amendment No. _____

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 1736

House Bill No. 1689*

by deleting all language after the caption and substituting instead the following:

WHEREAS, girls who compete in interscholastic athletic activities strive to improve their performance in their particular field of competition in order to experience the personal satisfaction of victory, gain opportunities to participate in state and regional events, gain access to opportunities to be recruited and offered athletic scholarships by colleges, and more; and

WHEREAS, it is unfortunate for some girls that those dreams, goals, and opportunities for participation, recruitment, and scholarships can be directly and negatively affected by new school policies permitting boys who are male in every biological respect to compete in girls' athletic competitions if they claim a female gender identity; and

WHEREAS, allowing boys to compete in girls' athletic competitions discriminates against girls by regularly resulting in boys displacing girls in competitive events and excluding specific and identifiable girls from opportunities to compete at higher levels and from public recognition critical to college recruiting and scholarship opportunities that should go to those outstanding female athletes; and

WHEREAS, studies show that boys, on average, can be physically stronger than girls, having more skeletal muscle mass than girls and more upper-body and lower-body strength, which can result in injury to girls if girls participate in contact sports with boys; and

WHEREAS, the State has a legitimate government interest and concern in ensuring that children attending public schools have athletic opportunities that can potentially lead to academic scholarships and in ensuring that interscholastic athletic programs in public schools are conducted in a manner that would prevent undue injury to participants in such programs; now, therefore,



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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following new section:

(a) A student's gender for purposes of participation in a public middle school or high school interscholastic athletic activity or event must be determined by the student's sex at the time of the student's birth, as indicated on the student's original birth certificate. If a birth certificate provided by a student pursuant to this subsection (a) does not appear to be the student's original birth certificate or does not indicate the student's sex upon birth, then the student must provide other evidence indicating the student's sex at the time of birth. The student or the student's parent or guardian must pay any costs associated with providing the evidence required under this subsection (a).

(b) The state board of education, each local board of education, and each governing body of a public charter school shall adopt and enforce policies to ensure compliance with subsection (a) in the public schools governed by the respective entity.

(c) As used in this section:

(1) "High school" means a school in which any combination of grades nine through twelve (9-12) are taught; and

(2) "Middle school" means a school in which any combination of grades five through eight (5-8) are taught.

(d) This section does not apply to students in any grade kindergarten through four (K-4).

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.