

Amendment No. _____

Signature of Sponsor

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Date _____
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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2160

House Bill No. 2229*

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

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

49-6-2801. Definitions.

As used in this part:

- (1) "Department" means the department of education;
- (2) "Educator preparation provider" means a Tennessee educator preparation provider, approved by the state board, responsible for managing, operating, or coordinating programs for the preparation and licensure of teachers and other school personnel;
- (3) "Foundational literacy skills" means a method of teaching students to read using systematic phonics instruction, with a focus on phonemic awareness, phonics, vocabulary development, fluency, and oral language, and when taught with knowledge-based reading comprehension, enables students to develop the skills required to meet the Tennessee English language arts standards, as adopted by the state board;
- (4) "Reading diagnostic" means a uniform tool that screens and monitors a student's progress in the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and oral language;
- (5) "Significant reading deficiency" means the results of a student's reading diagnostic test do not meet the minimum skill levels of reading competency, as defined by the department of education, in the areas of



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phonemic awareness, phonics, vocabulary development, reading fluency, and oral language for the student's grade level; and

(6) "State board" means the state board of education.

49-6-2802. Literacy instruction.

(a) Notwithstanding § 49-1-314, each LEA is responsible for implementing instructional programs based on the English language arts standards adopted by the state board that include foundational literacy skills for teaching students in grades kindergarten through two (K-2) to read. The department may review the instructional programming used by each LEA to teach reading to students in grades kindergarten through two (K-2) to verify that the instructional programming is based on foundational literacy skills.

(b)

(1) To ensure that all textbooks and instructional materials used to teach students to read are based on foundational literacy skills, LEAs shall provide students in grades kindergarten through two (K-2) with textbooks and instructional materials from the list of textbooks and instructional materials approved for adoption by the state board as outlined in § 49-6-2202, unless:

(A) A waiver is granted pursuant to § 49-6-2206; or

(B) The LEA:

(i) Is using a research-based or evidence-based curriculum;

(ii) Has demonstrated growth at a level of "above expectations" or greater on the Tennessee comprehensive assessment program (TCAP) tests administered in fourth grade, as represented by the Tennessee Value-Added Assessment System (TVAAS), developed pursuant to chapter 1, part 6 of this title, for each of the previous two (2) school years; and

(iii) Continues to demonstrate growth that is "above expectations" or greater for three (3) consecutive school years.

(2) Subject to available funding, the department may issue grants to LEAs to provide funding for the purchase and utilization of textbooks and instructional materials to assist LEAs in implementing subsection (a) and this subsection (b).

(c) Notwithstanding § 49-6-6002(a) or any other law to the contrary, LEAs shall administer to students in grades kindergarten through two (K-2) a reading diagnostic to benchmark literacy skills and growth. LEAs must utilize the reading diagnostic selected and provided by the department. The reading diagnostic shall not be used for state accountability purposes. The reading diagnostic must be administered three (3) times each school year during the administration windows set by the department. An LEA shall administer the reading diagnostic to a student in the third grade who has a significant reading deficiency, as measured by the results of the last reading diagnostic administered to the student in second grade. LEAs may use additional assessments to enhance reading proficiency. An LEA that seeks to implement additional literacy assessments to students must submit written notification to the department.

(d) LEAs must submit the results of the reading diagnostic required under subsection (c) to the department, in a manner specified by the department. All student information must be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), § 10-7-504, and all other relevant state and federal privacy laws.

(e) A student with a significant reading deficiency, as measured by the most recently administered reading diagnostic, must be provided with additional instructional supports that address the student's academic needs and the student's significant reading deficiency. A student in the third grade shall not be promoted to the next grade level unless the student has shown a basic understanding of curriculum and ability to perform the skills required in the subject of reading as demonstrated by the student's

grades or standardized test results; provided, however, that a student may be promoted if the student participates in a reading intervention program that is based on foundational literacy skills before the beginning of the next school year. Nothing in this subsection (e) supersedes an LEA's obligations to comply with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), or Section 504 of the Rehabilitation Act (29 U.S.C. § 794), with regard to students with disabilities.

(f) LEAs may request an exemption from subsections (a) and (b) if the percentage of third-grade students who are enrolled in the LEA and proficient in English language arts, as measured by the Tennessee comprehensive assessment program (TCAP) tests:

- (1) Is at least fifteen (15) percentage points above the state average;
- (2) Is more than fifty-five percent (55%) at each school; and
- (3) Is at least fifteen (15) percentage points above the percentage of the statewide peer group in reading proficiency for each student group referenced in the state's accountability model.

(g) For each school year, the department shall publish a list of the LEAs that are eligible for the exemption described in subsection (f).

(h) Nothing in this section shall be interpreted to require the use of instructional materials based on the common core state standards, or to re-establish the common core state standards replaced under § 49-1-310.

49-6-2803. Educator preparation programs.

(a) By August 1, 2021:

(1) Educator preparation providers must provide teaching candidates seeking a license or endorsement authorizing the candidate to teach students in any of the grades kindergarten through two (K-2) with training and instruction on:

- (A) How to teach students to read based on foundational literacy skills;

(B) How to differentiate instruction for teaching students with advanced reading skills and students with significant reading deficiencies;

(C) Dyslexia identification and providing effective instruction for teaching students with dyslexia using appropriate scientific research and brain-based multisensory intervention methods and strategies in alignment with the training required in § 49-6-3004(c)(1)(A);

(D) How to implement reading instruction using high-quality instructional materials;

(E) Behavior management, trauma-informed principles and practices for the classroom, and other developmentally appropriate supports to ensure students can effectively access literacy instruction; and

(F) How to understand and use student reading data; and

(2) The state board, in consultation with the department, shall promulgate revisions to the current state board rules regarding educator preparation providers to effectuate the provisions of this section.

(b) Effective August 1, 2022:

(1) A candidate seeking a teaching license or endorsement that authorizes the candidate to teach students in grades kindergarten through two (K-2) must provide a certificate documenting passage of a Tennessee reading instruction test developed or identified by the department, and approved by the state board, that tests the candidate's knowledge of foundational literacy skills before receiving the teacher license or endorsement. The department shall recommend the score that constitutes passage of the Tennessee reading instruction test required under this subdivision (b)(1) to the state board for approval. The Tennessee reading instruction test shall not constitute any additional cost for applicants for a teacher license;

(2) An instructor for an educator preparation provider who teaches coursework related to reading instruction in any program that includes candidates who are seeking a teacher license or endorsement that will authorize the candidate to teach students in any of the grades kindergarten through two (K-2) must have an active Tennessee teacher license, unless the licensure requirement is waived by the commissioner, or the commissioner's designee. If the instructor does not have a teacher license, or the instructor's teacher license has expired, then the instructor must provide documentation of the instructor's passage of the Tennessee reading instruction test required in subdivision (b)(1), or successfully participate in the professional development outlined in § 49-6-2805(b)(2) and (b)(3), within the instructor's first year of employment at no cost to the educator preparation provider;

(3) An educator preparation provider with an instructional leadership specialty area program must include instruction on foundational literacy skills;

(4) Subject to available funding, the department may issue competitive grants to educator preparation providers to assist in the implementation of this section; and

(5) Notwithstanding subdivision (b)(1):

(A) Candidates enrolled in a state-board-approved post-baccalaureate educator preparation program who hold an initial license and have demonstrated content knowledge in accordance with state board rules and policies must document the candidate's passage of a Tennessee reading instruction test, or must earn a literacy certificate pursuant to § 49-6-2805(b), prior to the renewal or advancement of the candidate's initial license; and

(B) Applicants for an initial Tennessee teacher or instructional leader license who possess an active professional-level license in a state that has a reciprocal agreement with the state board pursuant to § 49-5-

109 must document the applicant's passage of a Tennessee reading instruction test, or must earn a literacy certificate pursuant to § 49-6-2805(b), prior to the renewal or advancement of the applicant's initial license.

(c) By July 1, 2023, the department, in partnership with the state board and the Tennessee higher education commission, shall provide a report to the chairs of the education committees of the senate and house of representatives regarding the implementation of this section.

(d)

(1) No later than December 31, 2020, for purposes of consolidating existing information for the general assembly, the department shall submit a review of the following:

(A) A landscape analysis of literacy in Tennessee, including current practices, student achievement, instructional programming, and remediation services provided in schools and LEAs randomly selected through an audit model;

(B) A landscape analysis of literacy instruction, including instructional programming and pedagogical practices utilized by educator preparation providers; and

(C) A joint analysis with the Tennessee higher education commission regarding affordability of educator preparation providers, including tuition affordability and net-tuition affordability for future educators, costs relative to peer institutions in other states, student loan and debt burden of educator preparation provider graduates, an assessment of financial barriers that may prevent postsecondary students and career changers from pursuing teaching as a profession, and the ability to reduce the costs of offering educator preparation and credentials.

(2) Educator preparation providers approved by the state board must participate in the review.

(3) By March 1, 2021, the results of the review must be reported to the commissioner and provided to the state board and the chairs of the education committees of the senate and house of representatives. The results of the review must be posted on the department's website.

49-6-2804. Accountability.

(a) By June 30, 2021, the department shall convene an advisory group of stakeholders to advise the department on the meaningful integration of third-grade reading proficiency into the performance goals and measures established pursuant to § 49-1-602 for schools and LEAs.

(b) In consultation with the advisory group convened under subsection (a), the department shall review changes to the accountability performance designations required by § 49-1-602 for schools and LEAs serving students in any of the grades kindergarten through three (K-3) regarding the weight attributed to the third-grade reading proficiency levels demonstrated by student performance on the Tennessee comprehensive assessment program (TCAP) tests, or successor tests approved by the state board. Upon completing the review, if the department, after consultation with the advisory group, believes that revisions to the accountability performance designations under § 49-1-602 are warranted, then the department shall submit the revisions to the state board for approval and to the United States department of education, if required.

49-6-2805. Professional development and support.

(a) As used in this section, "literacy instructor" means any person who provides literacy instruction to public school students in any of the grades pre-kindergarten through five (pre-K-5), including classroom teachers, instructional coaches, and paraprofessionals.

(b)

(1) By June 30, 2022, the department shall provide two (2) separate literacy-related trainings that are required for all literacy instructors serving students in any of the grades pre-kindergarten through five (pre-K-5). The trainings may be provided at the regional or local level, as determined by the department.

(2) The first training required under this subsection (b) must focus on instruction on foundational literacy skills.

(3) The second training required under this subsection (b) must focus on the implementation of programmatic and instructional materials concerning literacy. The training must address how to teach the identified reading programs, as well as the instructional materials required for implementation.

(c) At the conclusion of the training required in subsection (b), a literacy instructor earns a literacy certificate upon demonstrating proficiency in the topics of the training, or upon demonstrating proficiency on the Tennessee reading instruction test provided pursuant to § 49-6-2803(b)(1). The literacy certificate must be based on the level of mastery demonstrated, as determined by the department. For a licensed teacher who is a literacy instructor and does not earn the literacy certificate, a mentor teacher who has earned the literacy certificate must be assigned by the school or LEA to support the teacher. Subject to available funding, the mentor teacher may receive a stipend as outlined by the department. A literacy instructor who does not earn the literacy certificate after participating in the training required under subsection (b) may be required to participate in the training the following year.

(d) A literacy instructor who demonstrates prior training in, and implementation of, a reading program based on foundational literacy skills, may, in lieu of participating in the training required in subsection (b), take the Tennessee reading instruction test provided pursuant to § 49-6-2803(b)(1), or participate in an abbreviated version of the trainings listed in subsection (b), as determined by the department.

(e) An LEA may apply for and receive literacy-related implementation and coaching support from service providers approved by the department. Implementation and coaching support must be awarded through a competitive grant process established by the department. LEAs shall cooperate with the service provider to measure teacher implementation and student achievement. The department shall not award a grant under this subsection (e) for a term of more than three (3) years. Implementation and coaching support must gradually decrease over the term of the grant. After the term of the grant expires, all training must be conducted through educator preparation providers and verified through educator credentialing processes and exams.

49-6-2806. Procurement of goods and services.

Any good or service that is selected, approved, or procured by the department to effectuate this part, for which state funds are expended, shall be conducted competitively and in compliance with all state laws and administrative rules regarding the procurement of goods and services by state agencies, including §§ 12-3-101 – 12-3-104.

49-6-2807. Rule promulgation.

The state board may promulgate rules pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to effectuate this part.

SECTION 2. Tennessee Code Annotated, Section 49-6-3115, is amended by deleting the section.

SECTION 3. The headings in this act are for reference purposes only and do not constitute part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication that contains this act.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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Signature of Sponsor

AMEND Senate Bill No. 460

House Bill No. 420*

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 31, is amended by adding the following language as a new section:

(a)

(1) The department of education shall annually report on student placement and teacher effectiveness for each school year, beginning with the 2019-2020 school year.

(2) The report must:

(A) Identify the number of students in each LEA who were instructed in the subjects of reading, English language arts, or mathematics for two (2) consecutive school years by one (1) or more teachers of record who attained an achievement level of "below expectations" or "significantly below expectations" on the teacher's evaluation conducted pursuant to § 49-1-302(d) for the school year covered by the report and for the immediately preceding school year; and

(B) To the greatest extent possible, disaggregate the number of students identified in subdivision (a)(2)(A) by major student subgroups.

(b)

(1) The department shall annually compile and report the information required in subdivision (a)(2) to the state board of education and to the education committees of the senate and house of representatives.

(2) The department shall publish the report on the department's website.



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SECTION 2. The act shall take effect upon becoming a law, the public welfare requiring
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AMEND Senate Bill No. 2560

House Bill No. 2595*

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following as a new section:

(a) An LEA shall include instruction in media literacy skills in the LEA's instructional programs.

(b) The department of education is encouraged to post links to recommended resources for media literacy education to the department's website.

(c) As used in this section, "media literacy" means the use or creation of media, digital products, and communication technology of all kinds and the ability to access, analyze, evaluate, and create all forms of communication encompassing the foundational skills of digital citizenship and internet safety, including the norms of appropriate, responsible, ethical, and healthy behavior and cyberbullying prevention.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2021-2022 school year and each school year thereafter.



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AMEND Senate Bill No. 2568

House Bill No. 2440*

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

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

The instruction provided to a student who is identified for intervention through the response to instruction and intervention (RTI²) framework developed by the department of education must be determined by the student's LEA, based on the individual student's needs. This section does not prohibit the department from using universal screeners or other assessments to measure student performance throughout the school year or at designated benchmarks.

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



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AMEND Senate Bill No. 2209*

House Bill No. 2761

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

SECTION 1. Tennessee Code Annotated, Section 49-6-1016, is amended by deleting the section and substituting instead the following:

(a) The department of education and the department of safety, in conjunction with the Tennessee wildlife resources agency (TWRA), shall determine the earliest grade in which it is appropriate for students to begin receiving instruction on firearm safety. In determining the earliest appropriate grade for instruction on firearm safety, the departments shall study all relevant data and risk factors, including, but not limited to, the earliest age at which incidents of injury involving firearms are reported and the earliest age at which children are susceptible to harm from found firearms.

(b) Beginning with the 2021-2022 school year, each LEA and public charter school shall annually provide students with age-appropriate and grade-appropriate instruction on firearm safety. The instruction must begin with the earliest appropriate grade, as determined by the departments under subsection (a), and must continue in each subsequent grade through grade twelve (12).

(c) The instruction required under subsection (b) must:

(1) Teach students:

(A) How to avoid injury if the student finds a firearm;

(B) To never touch a found firearm; and

(C) To immediately notify an adult of the location of a found

firearm;



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- (2) Be viewpoint neutral on political topics, such as gun rights, gun violence, and the second amendment to the United States constitution;
- (3) Be provided in one (1) fifteen-minute period; and
- (4) Not include the use or presence of live ammunition, live fire, or live firearms.

(d)

(1) The department of education and the department of safety, in conjunction with the Tennessee wildlife resources agency (TWRA), shall develop or approve a curriculum or program of instruction on firearm safety that meets the requirements of this section and that LEAs and public charter schools are required to implement for purposes of providing the instruction required under subsection (b). The department shall not approve a curriculum or program of instruction if the curriculum, program of instruction, or any of the instructional materials used as part of the curriculum or program of instruction bear a brand or organizational affiliation.

(2) The instruction required under subsection (b) may be provided in a classroom setting, through the viewing of a video, or through the review of online resources or materials, as determined by the department of education.

(3) Each LEA and public charter school shall determine how best to incorporate the instruction required under subsection (b) into the school year.

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

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AMEND Senate Bill No. 2604

House Bill No. 2707*

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following as a new section:

(a) Each LEA and public charter school is encouraged to provide, at least once annually, age-appropriate and grade-appropriate instruction to public school students in grades nine through twelve (9-12) on the history of the Holocaust (1933-1945), which was the systematic, planned annihilation of European Jews and other groups by Nazi Germany, and a watershed event in the history of humanity. An LEA or public charter school providing instruction on the history of the Holocaust is encouraged to, if practicable, provide the instruction:

(1) On January 27, the International Holocaust Remembrance Day. If January 27 falls on a day when school is not in session, then the LEA or public charter school is encouraged, if practicable, to provide the instruction on the last regular school day immediately preceding January 27 of that year; and

(2) In a manner that leads to an investigation of human behavior; an understanding of the ramifications of prejudice, racism, and stereotyping; and an examination of what it means to be a responsible and respectful person, to encourage tolerance of diversity in a pluralistic society, and to nurture and protect democratic values and institutions.

(b) Each LEA and public charter school that provides instruction on the history of the Holocaust under subsection (a) is encouraged to use resources, materials, and



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programming available from the Tennessee Holocaust Commission to provide students with age-appropriate and grade-appropriate instruction on the history of the Holocaust.

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