

CHAPTER NO. 343

SENATE BILL NO. 1881

By Rochelle, Atchley, Cooper, Clabough, Williams, Dixon, Miller, Ramsey

Substituted for: House Bill No. 1921

By Whitson, Winningham, McDaniel, Head, Newton, McKee, Ronnie Davis, Towns,
Cooper

AN ACT To amend Tennessee Code Annotated, Title 49, relative to the enactment of the
"Education Reform Act of 2001."

WHEREAS, It is the intent of the General Assembly to ensure that all Tennessee children will be able to read proficiently by the end of the third grade and will continue to develop reading and writing proficiency throughout their school experience; and

WHEREAS, It is the intent of the General Assembly to further the above goal by pursuing the following:

- (1) Establish statewide expertise in teaching reading and writing;
- (2) Support a balanced reading program that includes the teaching of phonemic awareness, systematic phonics, vocabulary and background knowledge, fluency, reading comprehension, motivation, and reading to learn;
- (3) Provide a high quality professional development system to support every teacher;
- (4) Provide tools and materials to enable teachers to monitor the progress of individual students, analyze student needs, identify students who are not making adequate progress, and use appropriate intervention strategies;
- (5) Support improved teaching of reading and writing in grades kindergarten through eight; and
- (6) Encourage parents to play an integral role in supporting their children in learning to read and write; and

WHEREAS, The General Assembly desires to improve upon the community-based early childhood education pilot programs authorized by the General Assembly and administered and monitored by the Tennessee Department of Education in order to continue to provide children with the skills necessary for success in the regular public school curriculum; now, therefore,

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

SECTION 1. This act shall be known and may be cited as the Education Reform Act of 2001.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following new section:

Section 49-6-1013. (a) The course of instruction in all public schools, kindergarten through grade eight (8), shall include reading instruction sufficient to

help each student read proficiently pursuant to the standards established by the state board of education. Such course of instruction shall include annual, developmentally appropriate diagnostic methods for assessing the reading and writing skills of each student, including those eligible for English language learner programs or for special education.

(b) The State Board of Education shall establish by rule and policy a reading initiative for kindergarten through grade eight (8) that includes at a minimum:

(1) Clear content and performance standards for student reading proficiency;

(2) Specific qualifications, requirements and standards for the teaching of reading;

(3) Developmentally appropriate diagnostic methods for assessing and monitoring the individual reading development of all children and identifying students who are having reading difficulties;

(4) Effective, developmentally appropriate instruction and intervention for all students based on their individual needs as identified by use of approved diagnostic methods;

(5) Training and support of all educators employed or supervising instruction in such grades in the use and application of developmentally appropriate reading diagnostic, instructional and intervention methods;

(6) Notification to parents of their child's level of reading proficiency and any intervention that may be deemed necessary to ensure such child's ability to meet reading proficiency standards;

(7) Encouragement of parents to play an integral role in supporting their children in learning to read and write; and

(8) A system of annual reporting, pursuant to Section 49-1-211, of the results of the reading initiative established by this section, including summary information from the reports by schools to local boards of education required by subdivision (d)(4) of this section.

(c) The Commissioner of Education shall have the following duties and responsibilities in implementing the reading initiative:

(1) Recommending reading diagnostic methods for adoption by the state board for use in grades kindergarten (K) through eight (8) that provide for assessing the reading and writing development of all students, including those eligible for English language learner programs or special education, and for approval of methods for use instead of those adopted by the state board of education, provided that such methods are equal or superior in quality and effectiveness;

(2) Developing guidelines in accordance with state board policy for local education agencies to follow in implementing the reading initiative established by the state board pursuant to this section; such guidelines shall include:

(A) Administration of reading diagnostics to assess and monitor student reading and writing development;

(B) Training of educators in the use and application of developmentally appropriate reading diagnostic methods;

(C) Provision of support to teachers in the use of the results of reading diagnostic methods to develop instructional programming for all students, including students who are eligible for English language learner programs and students eligible for special education;

(D) Design of intensive and targeted intervention programs for students who are identified as having reading difficulties; and

(E) Reporting of results of the reading instructional program; and

(3) Recommending to the state board guidelines for the responsibilities, and establishing criteria for the selection of reading personnel who shall receive compensation for their services.

(d) The director of each local education agency responsible for the administration of schools serving students in kindergarten (K) through grade eight (8) shall, in conformance with the rules, policies and guidelines established by the state board and the Commissioner of Education pursuant to this section, direct such schools to:

(1) Assess and monitor the individual reading development of all children and identify individual students who are having difficulty reading;

(2) Provide effective, developmentally appropriate instruction and intervention for all students based on their individual needs;

(3) Notify parents and guardians in writing of their child's reading progress and, in the case of a student determined to have difficulty reading, provide such student's parent or guardian a brief written description at the beginning of the school year of such difficulty and the intervention to be provided to ensure such student's ability to meet reading proficiency standards;

(4) Report to the local board of education at the beginning of the school year the number of students identified as less than proficient in reading and at the end of the school year the reading development of all students; and

(5) Include in their school improvement plans strategies to meet the needs identified in reports to the local board of education.

(e) Until such time as provision has been made as described in Section 49-3-359(d) through the basic education program formula for the funding of the reading initiative established by this section, the commissioner is authorized to make grants to local education agencies for the support of reading coordinators subject to guidelines established by the state board and subject to appropriation.

Such guidelines shall include provision for application to the commissioner by local education agencies to use such funds as may be made available under this section for other areas of instruction upon demonstration that:

- (1) Student performance in reading exceeds the standards established by the state board;
- (2) The proposed alternative area or areas of instruction are subject to the accountability provisions of Title 49, Chapter 1, Part 6; and
- (3) Student performance in the proposed area of instruction does not meet the standards established by the state board or otherwise indicates a risk of failure by students to meet the graduation requirements of Section 49-6-6001.

SECTION 3. Tennessee Code Annotated, Section 49-3-359, is amended by inserting the following new subsection (d) after subsection (c) and renumbering subsection (d) to be subsection (e):

(d)(1) Beginning July 1, 2003, there is included in the Tennessee basic education program an amount of money sufficient to fund at least one (1) reading coordinator for each four hundred (400) students in kindergarten (K) through eighth (8th) grade or one (1) reading coordinator for each local education agency (LEA) serving such students, whichever is greater. There is further included an amount of money sufficient to fund developmentally appropriate diagnostic methods for assessing the reading and writing skills of all students pursuant to Section 49-6-1013.

(2) The Commissioner of Education shall develop criteria for the selection of teachers applying to be reading coordinators.

(3) The commissioner shall develop and recommend to the state board, for its approval, policies regarding the duties and responsibilities of reading coordinators.

(4) A reading coordinator shall be a full-time licensed employee of the school at the time of selection and shall continue performing such employee's regular duties.

(5) A reading coordinator shall receive a stipend for performance of the additional duties.

(6) (A) A local education agency must utilize the funds provided for reading coordinators for reading improvement purposes or must advise the Department of Education that the local education agency has affirmatively determined not to do so, in which case the local education agency shall notify the department of the election against providing such program and the alternative arrangement which the local education agency has made to meet the reading needs of its students.

(B) Any local education agency may also, at its option, in lieu of implementing the program provided for in this subsection, receive grants in an equivalent amount pursuant to the safe schools program provided in Section 49-1-214.

SECTION 4. (a) To deal with severe reading deficiencies in individual schools, there is established a pilot program to provide grants to fund full-time trained reading teachers. Grants shall be made for three-year periods and may be renewed based on the needs of the individual school compared with the needs of other schools with similar reading deficiencies.

(b) The reading teacher program shall be a phased-in, multi-year program, conducted according to the following schedule, subject to availability of funding:

(1)(A) Before the beginning of the 2001-02 school year, the Commissioner of Education shall identify up to one hundred (100) schools in the state offering classes in grades kindergarten (K) through three (3) which have demonstrated low performance in reading in these grades. Each such school shall be eligible to have placed in the school for a period of three (3) years one (1) full-time reading teacher. The local education agency operating each identified school shall be responsible for selecting a teacher to attend a reading institute during the summer of 2001 to qualify as a reading teacher. The principals of the selected schools shall also attend the institute.

(B) In the fall of 2001, the reading teachers trained in the summer of 2001 shall be assigned to the selected schools as full-time reading teachers for a three (3) year period.

(2)(A)(i) In the summer of 2002, a second group of up to one hundred (100) additional teachers shall be selected and trained as specified in subdivision (b)(1) and placed in schools offering classes in grades kindergarten (K) through six (6) which have demonstrated low performance in reading in these grades. The schools shall be selected as specified in subdivision (b)(1). The principals of the selected schools shall also attend the institute.

(ii) In the fall of 2002, the reading teachers trained during the summer of 2002 shall be assigned to the selected schools as full-time reading teachers for a three (3) year period.

(B) Also during the summer of 2002, classroom teachers teaching in grades kindergarten (K) through three (3) who wish to attend summer reading institutes for instruction in improved reading teaching techniques may do so, subject to availability of places.

(3)(B)(i) In the summer of 2003, a third group of up to one hundred (100) additional teachers shall be selected and trained as specified in subdivision (b)(1) and placed in schools offering classes in grades kindergarten (K) through eight (8) which have demonstrated low performance in reading in those grades. The schools shall be selected as specified in subdivision (b)(2). The principals of the selected schools shall also attend the institute.

(ii) In the fall of 2003, the reading teachers trained during the summer of 2003 shall be assigned to

the selected schools as full-time reading teachers for a three (3) year period.

(B) Also during the summer of 2003, classroom teachers teaching in grades kindergarten (K) through six (6) who wish to attend summer reading institutes for instruction in improved reading teaching techniques may do so, subject to availability of places.

(4)(A)(i) In the summer of 2004 and subsequent summers, additional teachers may be selected and trained as needed to provide reading teachers in the schools authorized by this section to have reading teachers. Other teachers may be trained as reading teachers based on need and availability of funds. The principals of any new schools selected for the reading teacher program shall also attend the institutes in the year the school is selected.

(ii) Subject to continued funding and a satisfactory evaluation of the program as provided for in this section, in the fall of 2004 and at the beginning of subsequent years, reading teachers may continue to be assigned to up to three hundred (300) low-performing schools selected as provided in subdivision (b)(1). Assignments in the 2004-2005 and subsequent school years shall be for three (3) year terms as full-time reading teachers. Any school which previously was assigned a reading teacher may apply for a continuation of such funding, based on selection of that school as specified in subdivision (b)(1).

(B) Also during the summer of 2004, and subsequent summers, classroom teachers teaching in grades kindergarten (K) through eight (8) who wish to attend summer reading institutes for instruction in improved reading teaching techniques may do so, subject to availability of places.

(c)(1) The Commissioner of Education shall develop criteria for the selection of teachers applying to be reading teachers.

(2) The commissioner shall develop and recommend to the state board, for its approval, policies regarding the duties and responsibilities of reading teachers.

(3) The state board is encouraged to allow teachers credit toward licensure renewal for attendance at summer reading institutes.

(d) It is the intent of the general assembly that schools selected for participation in the reading teacher program be balanced geographically across the state and include schools in at least three (3) local education agencies in each grand division.

(e)(1) Support materials and diagnostic tools shall be provided with state funds for all reading teachers provided through Section 4 of this act.

(2) Each classroom teacher who attends and successfully completes a summer reading institute program shall receive a three hundred fifty dollar (\$350) one-time state grant for reading-specific supplies and materials.

(f) In the first and second years of implementation of each phase of the reading teacher program, the state shall pay all costs associated with the reading teacher program. Thereafter, as the program is phased in to eligible schools and to all grades kindergarten (K) through eight (8) for third and subsequent years of whichever phase of the program is current, the cost of the program shall be subject to a twenty-five percent (25%) match by the local education agencies, adjusted for the local education agency's fiscal capacity according to the BEP formula. The match requirement may be satisfied by local or contributed funds or by personnel or volunteers or by other in-kind expenses assumed by or on behalf of the local education agency.

(g) In the summer of 2001, the Commissioner of Education shall be responsible for arranging for the summer reading institutes. In subsequent years, summer reading institutes shall be provided as specified in Section 5.

SECTION 5. (a) No later than May 1, 2002, the Commissioner of Education shall contract with at least one (1) institution of higher education in each of the three (3) grand divisions to provide ongoing professional development in reading.

(b) Each regional center shall:

(1) Gather information on research on reading;

(2) Disseminate information on reading and best practices in reading instruction and training;

(3) Prepare and conduct workshops to train teachers in reading;

(4) Provide on-site targeted assistance to schools within the service area;

(5) Provide consultation for schools without a designated reading teacher on-site; and

(6) Report to the state department, the state board, and the office of education accountability on training and other programs offered by the center.

SECTION 6. (a) To oversee and implement the reading initiative programs of the Education Reform Act of 2001, there is created the office of reading and literacy in the Department of Education.

(b) The office of education accountability in the office of the comptroller is also authorized to evaluate the effectiveness of the reading initiative programs of the Education Reform Act of 2001, and to perform such other studies or evaluations regarding that and other programs authorized by the Education Reform Act of 2001 as it may be directed to by the governor and the general assembly.

SECTION 7. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following new section:

Section 49-6-1014.

(a) The course of instruction in all public schools enrolling seventh (7th) and eighth (8th) grade students shall include programs of intervention for each such student identified as being at risk of failing to meet the graduation requirements of Section 49-6-6001.

(b) Prior to the beginning of the 2001-2002 school year, the commissioner shall recommend to the state board of education a program of intervention in the seventh (7th) and eighth (8th) grades designed to help each student at risk of failing to meet the graduation requirements of Section 49-6-6001. Such program shall include assessment of each seventh (7th) and eighth (8th) grade student's risk of failure and notification to parents of the results of such assessment with a clear statement of the likelihood of failure and brief description of individual plans of instruction to improve performance for each student identified as being at risk.

(c) An intervention program shall be developed by the local school in conjunction with the student and parent(s) or guardian(s) of that student and shall include the responsibilities of the student, the parent or guardian, and the school.

(d) The Commissioner of Education is authorized to make grants to local education agencies for programs of intervention established by this section, subject to appropriations. For the 2001-2002 school year only, the commissioner is authorized to make grants to local education agencies for testing preparation of ninth (9th) grade students identified as at risk of failing to meet the graduation requirements of Section 49-6-6001.

SECTION 8. Tennessee Code Annotated, Section 49-1-601, is amended by adding the following new sentence at the end of subsection (e):

The Commissioner of Education may require schools and school systems to include in their improvement plans strategies to ensure progress toward the goals and requirements established pursuant to this part and to Title 49, Chapter 6, Part 10.

SECTION 9. Tennessee Code Annotated, Section 49-1-602, is amended by deleting subsection (a) in its entirety and substituting the following:

(a) By September 30 of each year, the commissioner shall recommend for approval to the state board a listing of all schools or systems to be placed on notice or probation for failure to make adequate progress in meeting the rules and regulations of the state board or the performance standards authorized by Sections 49-1-209, 49-1-210, and this part. The state board shall review this list and may make such additions or deletions of schools or systems which in the board's judgment have not made adequate progress in meeting its rules or regulations or the performance standards authorized by Sections 49-1-209, 49-1-210, and this part. The commissioner shall provide to the state board any information which the board may request to facilitate its decision. After completing its review, the state board shall direct the commissioner to place on one (1) year's notice or on probation, as it directs, any schools or systems it deems not making adequate progress in terms of rules, regulations or performance standards.

Tennessee Code Annotated, Section 49-1-602(c), is amended by adding the following between the fifth and sixth sentences:

If a school is on probation for academic reasons, the commissioner shall require the director of schools and local board of education to allow transfer of students from the school on probation to a school that is not on notice or probation as capacity permits. The local education agency shall take all necessary actions to inform parents of this enrollment option.

SECTION 10. Tennessee Code Annotated, Section 49-1-602(c), is amended by inserting the following three sentences between the present sixth and seventh sentences of the subsection:

If, after two (2) consecutive years, an individual school remains on probation, the Commissioner of Education shall recommend a plan to the state board to remedy the deficiency of such school. Upon approval of this plan by the state board, it shall be immediately implemented by the director or superintendent. The commissioner shall forward copies of approved plans to the joint oversight committee on education and the office of education accountability in the office of the comptroller.

SECTION 11. Tennessee Code Annotated, Section 49-6-101, is amended by adding the following new sentence at the end of subsection (a):

By the beginning of the 2005-06 school year, each local education agency (LEA) shall make available preschool classes if the LEA identifies fifteen (15) or more eligible children who are at least four (4) years of age on or before September 30 of the current preschool term. Each LEA shall develop a system to notify the parents of children who are eligible for enrollment in a preschool class within its jurisdiction of the availability of such class.

SECTION 12. Tennessee Code Annotated, Section 49-6-101(f), is amended by deleting the following:

, who live below the poverty line determined pursuant to 42 U.S.C. § 9847, and/or who are at risk of educational disadvantage and failure due to circumstances of abuse, neglect, disability, or who are at risk of state custody due to family dysfunction

SECTION 13. Tennessee Code Annotated, Section 49-6-101, is further amended in subsection (c) by deleting subdivisions (1) and (2) in their entirety and substituting the following new subdivisions:

(c)(1) Until such time as provision has been made as described in § 49-3-351(b) through the basic education program formula for the funding of early childhood education, the Commissioner of Education is authorized to continue existing grants, or to make new two-year grants, to local education agencies, or to non-profit child serving agencies which can show a relationship with the local education agency, for pilot programs pursuant to subsection (f) of this section. Such grants shall give priority to children:

(A) living in the service area of schools identified by means of the accountability system established in Title 49, Chapter 1, Part 6, as having a high percentage of students with low reading or math scores, and

(B) determined by means of developmentally appropriate screening methods to be at risk of educational failure.

(2) Local education agencies may act as fiscal agents for not-for-profit recipients of such grants.

SECTION 14. Tennessee Code Annotated, Section 49-6-101, is further amended in subsection (c)(3) by deleting the word "attendance" and inserting the word "membership" in its place.

SECTION 15. Tennessee Code Annotated, Section 49-3-351, is amended by adding the following new sentences at the end of subsection (b):

Beginning July 1, 2007, the basic education program shall include early childhood education programs based on guidelines adopted by the state board. Beginning July 1, 2003, the average daily membership (ADM) of early childhood programs covered by the last year of the state grant funded pursuant to Section 49-6-101(c)(1) shall be included in the basic education program as described in subsection (d) of this section.

SECTION 16. Tennessee Code Annotated, Section 49-2-115, is amended by adding the following new subsection:

(f) By the beginning of the 2002-2003 school year, at least one (1) family resource center shall be established and available for families of school-aged children in each county. In providing family resource centers, any two (2) or more LEAs may join together and establish a center for families with children eligible to attend any such LEA. In addition, any board may, by mutually acceptable agreement with another board, provide services described in this section to families of children attending or eligible to attend the LEA governed by such other board.

SECTION 17. Tennessee Code Annotated, Section 49-2-115, is further amended in subsection (e) by adding the following new subdivisions:

(4) Family resource centers shall serve the function of informing parents about the need for appropriate educational activities and experiences to develop readiness skills in early childhood.

(5) Family resource centers shall assist in identifying "educationally at-risk" children for purposes of participation in early childhood education programs as defined in Section 49-6-101(f).

(6) Family resource centers shall assist families in fulfilling their responsibility to be an active partner in their child's education, pre-kindergarten through grade twelve (12).

SECTION 18. Tennessee Code Annotated, Section 49-3-359(a), is amended in the first sentence by deleting the sentence and substituting the following new sentence:

There is included in the Tennessee basic education program an amount of money sufficient to pay a minimum of three hundred dollars (\$300) for every teacher in preschool (P) through grade twelve (12) or such larger amount as may

be set by the Commissioners of Education and Finance and Administration from year to year based on appropriations.

SECTION 19. Tennessee Code Annotated, Section 49-3-359(a), is further amended in the fourth sentence by deleting the words and figures "The second one hundred dollars (\$100)" and substituting the words and figures "One hundred dollars (\$100)".

SECTION 20. Tennessee Code Annotated, Section 49-3-359(a), is further amended by deleting the present third sentence and inserting the following new sentences between the present fourth and fifth sentences:

The remainder of the amount designated by the commissioners shall be spent for instructional supplies by each such teacher. Teachers shall be reimbursed for expenditures under this provision upon submission of adequate documentation.

SECTION 21. Tennessee Code Annotated, Title 49, Chapter 3, Part 3, is amended by adding the following new section:

Section 49-3-367. Beginning July 1, 2003, the grants provided to local education agencies statewide under the Education Reform Act of 2001 and not otherwise designated for inclusion in the basic education program, shall be subject to a twenty-five percent (25%) match by the local education agencies, adjusted for the local education agencies' fiscal capacity according to the BEP formula. The match requirement may be satisfied by local or contributed funds or by personnel or volunteers or by other in-kind expenses assumed by or on behalf of the local education agency. State funding shall also be subject to submission by the local education agency to the Commissioner of Education of a proposed plan of expenditures as described in the act. The commissioner shall not unreasonably withhold funding, but shall allow local education agencies adequate flexibility to experiment so long as the basic requirements of the grant programs are satisfied.

SECTION 22. Tennessee Code Annotated, Title 49, Chapter 5, Part 56, is amended by adding the following as a new section:

Section 49-5-5610. Mentoring.

(a) To improve new teacher performance, reduce new teacher attrition, and improve student learning, a beginning teacher mentoring program is hereby established. In the year 2001-02, trained mentors will provide support during the first year of teaching to one-half ($\frac{1}{2}$) of all teachers with no prior teaching experience. In the year 2002-03 and thereafter, trained mentors will provide support during the first year of teaching to all teachers with no prior teaching experience.

(b) Mentors shall receive training and shall have a defined set of job responsibilities beyond their regular teaching duties for which they shall be paid a salary supplement established by the Commissioner of Education and included in the general appropriations act.

(c) The Commissioner of Education is authorized to make grants to local education agencies for mentoring subject to guidelines established by the state board and subject to appropriation.

(d) The Commissioner of Education shall evaluate the effectiveness of the program in reducing the turnover rate of beginning teachers as compared to previous years and report the results of the evaluation to the state board of education.

(e)(1) The Commissioner of Education shall develop criteria for the selection of teachers applying to be mentors, including evidence of successful teaching and attention to the new teacher's area of specialization.

(2) The commissioner shall develop and recommend to the state board, for its approval, policies regarding the duties and responsibilities of mentors.

SECTION 23. Tennessee Code Annotated, Title 49, Chapter 4, is amended by adding the following sections as a new part 9:

Section 49-4-901. This part shall be known and may be cited as the "Teaching Scholars Award of Excellence Program."

Section 49-4-902. The Tennessee student assistance corporation shall administer a teaching scholars award of excellence program for exemplary students who desire to enter the teaching force in Tennessee. Participation in this program is limited to college juniors, seniors, post baccalaureate candidates admitted to teacher education programs in Tennessee, and currently licensed teachers seeking an advanced reading specialist degree and who pledge to teach in Tennessee public schools for up to six (6) years.

Section 49-4-903. The Tennessee student assistance corporation, in conjunction with the state board of education and the Tennessee Higher Education Commission, is authorized to promulgate rules and regulations for the management of the program and the selection of recipients, taking into consideration such factors as academic record of the applicant, teacher shortage in subject areas and the balance of majority/minority representation in the teaching force. The Tennessee student assistance corporation shall provide the Department of Education with rosters of program participants completing teacher education programs and their areas of teaching endorsements. The department shall use these rosters for assisting in job placement and in considering waiver requests from local education agencies.

Section 49-4-904. Each program award may be up to the amount of tuition, fees, books, room and board charged at a public institution of higher education in Tennessee. Each program award shall be renewable up to two (2) times, contingent upon satisfactory academic performance. Persons receiving program awards who become public school teachers in Tennessee shall receive forgiveness of the program award balance based on two (2) years' teaching service for each year an award was made, except that if a recipient accepts employment in a geographical shortage area or in a low-performing school system or a system on notice or probation as defined by the commissioner or board of education, forgiveness shall be based on one and one-half (1 ½) years' teaching service for each year an award was made.

Section 49-4-905. All scholarship loans shall be evidenced by notes made payable to the corporation that shall bear an interest rate of nine percent (9%) per year beginning September 1 after completion of the program, or immediately after termination of the scholarship loan, whichever is earlier. This

scholarship loan may be terminated by the recipient withdrawing from school or by the recipient not meeting the standards set by the corporation.

Section 49-4-906. All funds appropriated to or otherwise received by the teaching scholars award of excellence for scholarships, all funds received as repayment of scholarship loans, and all interest earned on these funds shall be placed in a revolving fund. This revolving fund shall be used for scholarship loans granted under this program.

SECTION 24. Tennessee Code Annotated, Title 49, Chapter 5, Part 52, is amended by adding the following as a new section:

Section 49-5-5251. Second Career.

(a) To prepare professional individuals with expertise in teaching areas of critical shortage to teach in Tennessee schools, a program for teaching as a second career is hereby established.

(b) The Commissioner of Education shall implement a teaching as a second career program on the basis of competitive grants to institutions of higher education in partnership with local education agencies.

(c) Local education agencies shall nominate individuals to participate in the programs. The programs shall carefully screen candidates that the local education agencies have identified for employment in teaching shortage areas. Applicants must have expertise in and be willing to teach in areas of teacher shortage, as identified by the state board of education.

(d) The state board of education shall establish guidelines for the program that include a summer pre-service program, ongoing study and support during the first year of teaching and successful completion of passing scores on appropriate teacher examinations. If the individual receives a positive evaluation following the first year of teaching, the individual shall be issued an apprentice license.

SECTION 25. Tennessee Code Annotated, Section 49-5-5609, is amended by deleting the second sentence and substituting the following:

The Commissioner of Education shall provide for the sponsorship of the evaluation fees of one hundred (100) teachers per year.

SECTION 26. Tennessee Code Annotated Section 49-5-5609, is amended by deleting the third sentence and substituting the following:

Teachers who seek to undergo evaluation by the National Board for Professional Teaching Standards shall make application to the Commissioner of Education for sponsorship of the evaluation fee. The state board of education shall establish the criteria for nominating and selecting candidates who are eligible for the fee.

SECTION 27. Tennessee Code Annotated, Section 49-5-5609, is further amended by designating the present section to be subsection (a) and by adding the following new subsections:

(b) Each teacher who has attained national certification under the requirements of this statute shall be paid twenty-five hundred dollars (\$2,500) per

year, provided that the teacher is employed as a full-time classroom teacher in a public preschool, elementary, or secondary school within Tennessee and provided that the teacher has a valid Tennessee teaching license and a valid certification by the National Board for Professional Teaching Standards.

(c) In any year, implementation of the provisions of this section shall be contingent on and subject to the funding provided for such purpose within the general appropriations act.

SECTION 28. Recognizing the continuing advancements in brain science and its application to learning, nothing in this act shall be deemed to limit or preclude applications from schools or local education agencies which would enable them to:

(1) Employ research-based cognitive and perceptual development programs which rely on a diagnostic-prescriptive model to improve a student's foundational learning abilities; or

(2) Provide such cognitive/perceptual system development programs in early childhood programs.

SECTION 29. (a) The joint education oversight committee shall gather and identify through public hearing and testimony from the citizens of Tennessee the concerns, needs and adequacy of education in Tennessee, including but not limited to, the reading skills being taught within the public schools of Tennessee and the status and needs of early childhood education in Tennessee.

(b) The committee is urged to hold public hearings in each of the grand divisions of Tennessee and to invite all members of the education community and all persons interested in public education to give testimony and input.

(c) The committee shall receive staff support and assistance from the house research division, the office of legal services, the office of legislative budget analysis, the comptroller's office of education accountability, the state board of education, the Department of Education, the Tennessee Higher Education Commission and any other state agency so requested by the chair.

(d) The committee shall complete its study and file its final report, including any recommendations for necessary legislative action, by January 1, 2002. Such report shall be filed with the chief clerk of each house, the speaker of the house of representatives, the speaker of the senate, the chair of the education committee of the House of Representatives and the chair of the education committee of the Senate.

SECTION 30. By February 1, 2002, the Comptroller of the Treasury shall conduct an evaluation of family resource centers including, but not limited to, staffing, funding, location, programming, and effectiveness in accomplishing their intended purposes.

SECTION 31. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code 2000d.

SECTION 32. All provisions of this act are subject to appropriation of funds for that purpose. No provision of this act shall be considered an entitlement to any service or program authorized by this act unless funds are appropriated for such purpose.

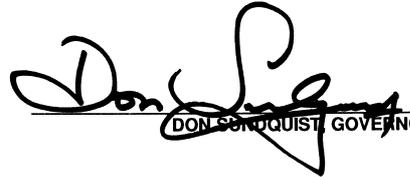
SECTION 33. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 23, 2001


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 5th day of June 2001


DON SUNDQUIST, GOVERNOR