

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2200 - SB 2351

March 12, 2016

SUMMARY OF BILL: Prohibits the use of students' achievement and growth data obtained from the Tennessee Education Comprehensive Assessment Program (TCAP) or end-of-course tests, to determine the status of a school relative to the placement of schools in improvement status pursuant to Tenn. Code Ann. § 49-1-602(b) for the academic year in which the school or schools received new students, if the local board of education or the Commissioner of the Department of Education (DOE) closes a school and students are transferred to another school or schools within the local education agency (LEA). A school that accepts such students shall be considered a new school by the local school board and shall not be placed into the Achievement School District (ASD) by the Commissioner of the DOE for at least three years.

Creates a three-year moratorium on the placement of schools into the ASD, and on any grade configurations within such schools, during the 2015-2016, 2016-2017, or 2017-2018 academic years. Any assignments made by the Commissioner during the three-year moratorium shall be considered void. If, during the moratorium, at least 50 percent of the schools are no longer identified as priority schools, then the moratorium shall be lifted. Requires that schools placed into the ASD, on or after July 1, 2016, shall be in the bottom 2.5 percent in overall achievement.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – Fewer schools may be placed into the ASD than what would occur under current law. This will result in BEP funding remaining with a home LEA rather than shifting to the ASD.

Federal funding could be jeopardized unless the Department of Education can obtain an additional waiver from the federal government. Any withholding of federal funds would be at the discretion of the federal government and cannot be reasonably quantified.

Assumptions:

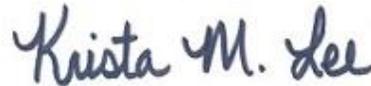
- No change in the Basic Education Program.
- Funding for schools that are placed in the ASD under current law will remain with the school district.

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- Required interventions pursuant to Tenn. Code Ann. § 49-1-602 for schools in the bottom five percent as determined by statewide achievement scores will be performed as if any such school was not selected for such placement into improvement status.
- Based on information from the DOE, no schools or grade configurations will be removed from the ASD as a result of the provisions of this bill.
- The re-authorization of the federal Elementary and Secondary Education Act (ESEA), commonly known as the Every Student Succeeds Act (ESSA), requires that states annually measure the performance of each public school using student achievement and growth data and to use such student data to quantify the achievement of schools including sub-demographics of students. Tennessee's current TCAP and end-of-course testing, combined with the Tennessee Value Added-Assessment System (TVAAS) is the state's method of performing this task.
- Dependent upon the response of the federal government, Tennessee may be deemed out of compliance with the existing No Child Left Behind waiver which expires in September of 2016, and the new ESSA requirements, if an additional waiver cannot be obtained to comply with the provisions of the bill as amended.
- Tennessee received over \$1,000,000,000 in federal funding in FY15-16. It is unknown how much, if any, federal funding would be at risk as a result of the provisions of the bill as amended. Any action would be at the discretion of the federal government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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