

Amendment No. 1 to HB1394

White
Signature of Sponsor

AMEND Senate Bill No. 1267

House Bill No. 1394*

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

SECTION 1. Tennessee Code Annotated, Section 49-6-6008, is amended by deleting the section and substituting instead the following:

(a) The department of education shall publicly release Tennessee comprehensive assessment program (TCAP) test questions and each question's correct answer by August 1 of each year.

(b) Upon request, LEAs shall provide a student and the student's parent with access to the student's answers on each TCAP test that the student is administered.

(c) A teacher shall have access to the teacher's students' information identified in subsection (b) to assist the teacher in determining the students' mastery of state standards; to aid in planning instruction and support for the students' learning needs; and to improve the teacher's instruction.

(d)

(1) Notwithstanding subsections (a)-(c), the release of assessment information pursuant to this section must not include any items required by the department to validate future administrations of the assessments; items that are being field tested for future administrations of the assessments; or passages, content, or related items if the release would be in violation of copyright infringement laws.

(2) The release of information pursuant to this section must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) and

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the Data Accessibility, Transparency and Accountability Act, compiled in chapter 1, part 7 of this title.

(e) As used in this section, "parent" means the parent, guardian, or person who has custody of the child, or the individual who has caregiving authority under § 49-6-3001.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it, and shall apply to assessments administered after the expiration of the contract executed before that date by the department of education with an entity for the provision of state assessments.