



March 28, 2023

SUMMARY OF BILL AS AMENDED (006820): Requires a local education agency (LEA) to adopt a policy to establish a process for non-resident students to participate in open enrollment if space is available. Authorizes an LEA to deny a non-resident student permission to enroll in a particular program or school within the LEA only if: there is a lack of space or teaching staff within a particular program or school requested; the student does not meet the established eligibility criteria for participation in a particular program; a desegregation plan is in effect for the school district; or the student is expelled from school. Establishes procedures for acceptance and denial of enrollment requests.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Tennessee Code Annotated § 49-2-128(f)(2) already authorizes nonresident students to be enrolled in an LEA after all other applications have been acted upon.
- Pursuant to Tenn. Code Ann. § 49-6-3003, tuition and fees may be charged to nonresident students.
- Any change in student enrollment as a result of this legislation is projected to be within the annual student enrollment range that fluctuates on an annual basis. Any local fiscal impact is estimated to be not significant.
- Funding for non-resident students who enroll in an LEA would be generated through the Tennessee Investment in Student Achievement (TISA) formula; therefore, additional students will not increase overall state or local expenditures.
- The proposed legislation authorizes a non-resident student who is denied enrollment or who does not receive a written decision accepting or denying the student's request to enroll within the required time period to appeal the decision to the LEA in which enrollment was denied for the student.
- It is unknown how many appeals may occur as a result of the proposed legislation. However, it is assumed that an LEA will be able comply with the legislation and review appeals within existing resources. Any fiscal impact is estimated to be not significant.

CERTIFICATION:

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

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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