

HOUSE BILL 682

By Jones J

AN ACT to amend Tennessee Code Annotated, Title 33;
Title 37 and Title 49, relative to students of
schools where an act of mass violence occurs.

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

SECTION 1. This act is known and may be cited as the "Student Comfort through Alternative Restorative Environments (CARE) Act".

SECTION 2. Tennessee Code Annotated, Section 49-16-105, is amended by deleting the section and substituting:

(a)

(1) Except as provided in subsection (b):

(A) This chapter does not require local education agencies to offer or participate in a virtual education program; and

(B) Participation in a virtual education program by a student is at the discretion of the LEA in which the student is enrolled or zoned to attend.

(2) Students who are receiving hospital or homebound instruction are eligible to participate in a virtual education program that is offered by the LEA.

(b)

(1) As used in this subsection (b), "mass violence" means any act that leads to serious bodily injury, as defined in § 39-11-106, or death, of two (2) or more persons.

(2) Each local board of education and each governing body of a public charter school shall adopt and implement a policy that allows a student who is

enrolled in a school of the LEA or a public charter school at the time that an act of mass violence is committed at the school to participate in a virtual education program for no less than thirty-one (31) calendar days from the date that in-person learning first resumes at the school after the act of mass violence is committed.

(3) A student's participation in a virtual school program pursuant to this subsection (b) is voluntary pursuant to the request of the student's parent, guardian, person who has custody of the student, individual who has caregiving authority under § 49-6-3001, or the student if the student is at least eighteen (18) years of age.

(4) A policy adopted pursuant to this subsection (b) must provide that a student who voluntarily participates in a virtual school program pursuant to this subsection (b):

(A) Is not subject to academic or other penalization based solely on participation in the virtual school program; and

(B) Is eligible to receive all counseling and other mental health resources that are made available to students by the LEA or public charter school.

(5) An LEA or public charter school shall notify the department of education if a student who is enrolled in a school of the LEA or the public charter school participates in a virtual school program pursuant to this subsection (b) or remote instruction pursuant to § 49-6-3004(j) and report to the department the length of time the student is authorized to participate in the program or remote instruction.

SECTION 3. Tennessee Code Annotated, Section 49-6-3004, is amended by adding the following as a new subsection:

(j)

(1) An LEA shall provide thirty-one (31) calendar days, or a longer period as determined by a policy established by the LEA, of the required one hundred eighty (180) days of classroom instruction pursuant to subdivision (a)(1) via remote instruction to a student who is enrolled in a public school at the time that an act of mass violence is committed at the school. The period of remote instruction required by this subsection (j) must commence on the date that in-person instruction first resumes at the school following the commission of the act of mass violence.

(2) Participation in remote instruction pursuant to this subsection (j) is voluntary pursuant to the request of the student's parent, guardian, person who has custody of the student, or individual who has caregiving authority under § 49-6-3001, if the student is a minor, or the student, if the student is at least eighteen (18) years of age.

(3) A student who voluntarily participates in remote instruction pursuant to this subsection (j):

(A) Is not subject to academic or other penalization based solely on participation in such remote instruction; and

(B) Is eligible to receive all counseling and other mental health resources that are made available to students who return to in-person instruction at the school where the act of mass violence is committed when in-person instruction first resumes.

(4) An LEA shall comply with the requirements of subdivisions (i)(4)–(7) when providing remote instruction to a student pursuant to this subsection (j).

(5) As used in this subsection (j):

(A) "Mass violence" means any act that leads to the serious bodily injury, as defined in § 39-11-106, or the death, of two (2) or more persons; and

(B) "Remote instruction" has the same meaning as in subdivision (i)(8).

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it, and applies to the 2025-2026 school year and each school year thereafter.