

HOUSE BILL 1258

By Towns

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to school closings.

WHEREAS, the General Assembly recognizes that tough decisions, such as school closings, may be appropriate when proven strategies to improve student academic outcomes have failed; and

WHEREAS, academic-related school-closure models rely mostly on proficiency as a measure of school performance, which is a statistical estimation based on a single point in time, susceptible to distortions and statistical error, and generally ignore a more valuable analysis of inputs and outputs—for example, school and teacher quality, school climate, available resources, parental support, and other measures that capture a more holistic picture of the school's effectiveness; and

WHEREAS, the very prospect of a school closure creates a downward spiral, as researchers note falling reading and math scores in the year before a closing, and students report feelings of demoralization, anger, and guilt because their school has "failed" and is being closed; these destructive assessments may permeate the community of parents and leaders who will fight to save the neighborhood school, and all of this distracts from teaching and learning; and

WHEREAS, research in Chicago, New York, and Philadelphia shows that most students transferred from closed schools migrate to academically similar schools where they do not improve and, in fact, may suffer deficits due to dislocation, and where improvement is seen in only a small fraction of students while some students are transferred to schools with lower math, language, and adequate yearly progress (AYP) scores than their original schools; and

WHEREAS, Ironically, mass school closures deprive parents of authentic school choice by removing what, for many, would be their first choice—a high-quality neighborhood public school that is responsive to community needs and input; and

WHEREAS, policymakers fail to consider the critical issues of safety and transportation when closing neighborhood schools—that is, increased distance may be a challenge to families who must consider commuting time and costs, and the physical safety of students may be jeopardized by combining children from different neighborhoods across possible gang lines or changing neighborhood and school allegiances; and

WHEREAS, public schools are important institutions in neighborhoods—the heart of a community, offering continuity to growing children, stability to families who are vulnerable to disruption, and a trusted sanctuary within the boundaries of a neighborhood; and

WHEREAS, the General Assembly must be committed to fixing, not closing, public schools and to working with all in our communities to make every school a school where parents want to send their children and educators want to teach; and

WHEREAS, school improvement is an ongoing process that meaningfully engages parents, community, teachers, students, and other school staff throughout; and

WHEREAS, high-quality, community-based public education is the right of every child; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following language as a new section:

(a) Beginning with the 2017-2018 school year, an LEA is prohibited from closing a school. This subsection (a) shall not apply to any school that was scheduled to close prior to July 1, 2017. The prohibition required in this subsection shall remain in effect until the release of the written report pursuant to subsection (b).

(b)

(1) The office of research and education accountability (OREA) in the office of the comptroller of the treasury, with the assistance of the department of education, shall conduct a five-year study on the impact of the closing of schools within a community. The OREA shall consult with stakeholders, as appropriate.

OREA shall include in the study:

- (A) Impact on the community population;
- (B) Home property values prior to and after the closing of a school;
- (C) The level of criminal activity;
- (D) The impact on community-based programs;
- (E) How the increase of students in other schools harms previously existing schools;
- (F) Student grades and performance as indicated by assessments prior to and after closing a school; and
- (G) Any additional information deemed necessary by the stakeholders.

(2) OREA shall provide the written report and presentation on the report to the education committees of the house and senate no later than March 1, 2022.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.