

HOUSE BILL 1655

By Holt

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6, relative to attendance.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-3022, is amended by deleting the section and substituting instead the following:

(a) A student who participates in a non-school-sponsored extracurricular activity must be credited as present by the public school in which the student is enrolled in the same manner as an educational field trip, if:

(1) The student provides documentation to the school as proof of the student's participation in the non-school-sponsored extracurricular activity; and

(2) The student's parent, custodian, or other person with legal custody or control of the student submits to the principal, or the principal's designee, written notice of the student's intent to participate in the non-school-sponsored extracurricular activity no later than seven (7) business days before the student participates in the extracurricular activity. The written notice must include:

(A) The student's full name and personal identification number;

(B) The student's grade;

(C) The dates of the extracurricular activity;

(D) The name of the organization sponsoring the extracurricular activity and the full name of the person responsible for accompanying or supervising the student during the extracurricular activity; and

(E) The signature of the student and the student's parent, custodian, or other person with legal custody or control of the student.

(b) As used in this section, "non-school-sponsored extracurricular activity" includes, but is not limited to, activities provided or sponsored by:

(1) A youth development organization administered by the national institute of food and agriculture of the United States department of agriculture as part of the national cooperative extension services established by the Smith-Lever Act of 1914 (7 U.S.C. §§ 341-349) that provides hands-on projects; and

(2) An intracurricular youth organization that provides opportunities in leadership and skill development for students in public secondary schools who are enrolled in agriculture classes or pursuing agriculture education.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is amended by adding the following as new sections:

49-6-3026.

(a) A student who participates in basic training required by a branch of the United States armed forces must be credited as present by the public school in which the student is enrolled in the same manner as an educational field trip.

(b) Notwithstanding subsection (a), a public school shall only credit a student as present for purposes of this section for up to ten (10) days of basic training.

49-6-3027.

(a)

(1) Except as provided in subsections (c) and (d), a principal, or the principal's designee, shall excuse a student from school attendance for up to ten (10) days to pursue an educational enhancement opportunity that the principal, or the principal's designee, determines to be of significant educational value. As used in this section, "educational enhancement opportunity":

(A) Includes, but is not limited to, a student's participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English language arts, science, mathematics, social studies, foreign language, or the arts; and

(B) Does not include non-academic extracurricular activities or non-school-sponsored extracurricular activities under § 49-6-3022.

(2) Educational enhancement opportunities may include programs that are not sponsored by the student's public school or LEA.

(b) A student who receives an excused absence under this section must have the opportunity to make up any school work missed during the student's absence and shall not have the student's class grades adversely affected for lack of class attendance or lack of class participation due to the excused absence.

(c) If a principal, or the principal's designee, denies a student's request for an excused absence to pursue an educational enhancement opportunity, then the student may appeal the principal's, or the principal's designee's, decision to the director of schools. If the director of schools upholds the principal's, or the principal's designee's, decision to deny the student's request, then the student may appeal the director of school's decision to the local board of education. The local board of education may uphold or overturn the director of school's decision. The local board of education's decision is final and is not subject to further appeal.

(d) A student shall not receive an excused absence to pursue an educational enhancement opportunity that occurs during the public school's administration window for Tennessee comprehensive assessment program (TCAP) tests. A decision to deny a student's request for an excused absence to pursue an educational enhancement

opportunity that occurs during the public school's administration window for TCAP tests is final and is not subject to appeal under subsection (c).

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it, and shall apply to the 2020-2021 school year and each school year thereafter.