

HOUSE BILL 2181

By White

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to education funding.

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

SECTION 1. Tennessee Code Annotated, Section 49-3-103(a), is amended by deleting the first sentence of the subsection and substituting instead the following:

(a) The Tennessee investment in student achievement formula (TISA) is a student-based funding formula established as the system for funding education for kindergarten through grade twelve (K-12) public schools, pre-kindergarten students with special education needs, and peer models.

SECTION 2. Tennessee Code Annotated, Section 49-3-104, is amended by adding the following as new, appropriately designated subdivisions:

() "Least restrictive environment" means that, to the maximum extent appropriate, a child with a disability, as defined in § 49-10-102, is educated with children who are not children with a disability, and that special classes, separate schooling, or other removal of a child with a disability from the regular educational environment occurs only when the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved in accordance with the child's individualized education program;

() "Peer model" means a child without a disability who is in the same grade and of the same age as a pre-kindergarten student with special education needs;

() "Pre-kindergarten student with special education needs" means a child with a disability, as defined in § 49-10-102, who is between three (3) and five (5) years of age, both inclusive, and who is enrolled in a pre-kindergarten class in an LEA or public

charter school with the peer models required to educate the child in the least restrictive environment, and for whom the LEA or public charter school must provide a FAPE, as defined in § 49-10-102, pursuant to the IDEA, as defined in § 49-10-102;

SECTION 3. Tennessee Code Annotated, Section 49-3-111(d), is amended by deleting "kindergarten through grade twelve (K-12)" in the first sentence of the subsection.

SECTION 4. For rulemaking purposes, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it, and applies to the 2024-2025 school year and each school year thereafter.