

HOUSE BILL 7023

By Mitchell

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to the 2020-2021 school year.

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 as a new section:

(a) An LEA is authorized to close school in the 2020-2021 school year if the LEA finds that closing the school is in the best interest of the LEA's students, teachers, and staff to protect them from COVID-19.

(b) An LEA is authorized to make up any lost time due to a period of school closure in the summer immediately following the 2020-2021 school year.

(c) If, pursuant to subsection (a), an LEA closes school, then the LEA must report the school closure's beginning and end date to the department of education within five (5) business days of the closure.

(d) As used in this section, "COVID-19" means an infectious respiratory disease caused by the coronavirus named SARS-CoV-2, which was first identified in Wuhan City, Hubei Province, China, in December of 2019.

SECTION 2. Tennessee Code Annotated, Section 49-6-105(h), is amended by deleting "2019-2020" wherever it appears and substituting instead "2019-2020 or 2020-2021".

SECTION 3. Tennessee Code Annotated, Section 49-1-617(d), is amended by deleting "2019-2020" and substituting instead "2019-2020 or 2020-2021".

SECTION 4. Tennessee Code Annotated, Section 49-1-228(f), is amended by deleting "2019-2020" and substituting instead "2019-2020 or 2020-2021".

SECTION 5. Tennessee Code Annotated, Section 49-1-602(a)(5), is amended by deleting "2019-2020" and substituting instead "2019-2020 or 2020-2021".

SECTION 6. Tennessee Code Annotated, Section 49-6-3004(a)(6)(B), is amended by deleting "2019-2020" and substituting instead "2019-2020 or 2020-2021".

SECTION 7. Tennessee Code Annotated, Section 49-3-317(a)(2), is amended by deleting the subdivision and substituting instead the following:

Notwithstanding subdivision (a)(1), the suspension of the operation of schools in an LEA during the 2019-2020 or 2020-2021 school year shall not operate to deprive the LEA of state funds to which the LEA would be entitled if the LEA otherwise meets the requirements of law. This subdivision (a)(2) does not require an LEA to petition the state board of education for a determination of an epidemic, natural disaster, or for other justifiable cause before an LEA may receive state funds under this part. For purposes of this subdivision (a)(2), justifiable cause exists for the 2019-2020 and 2020-2021 school year.

SECTION 8. Tennessee Code Annotated, Section 49-6-6012(a)(2), is amended by deleting "2019-2020" and substituting instead "2019-2020 or 2020-2021".

SECTION 9.

(a) The department of education shall promptly seek a waiver from the United States Department of Education, or seek to amend Tennessee's Every Student Succeeds Act (ESSA) Plan, as necessary and appropriate to implement this act.

(b) The state board of education shall promptly revise the high school graduation requirements for the 2020-2021 school year to ensure that high school seniors who were affected by school closures during the 2020-2021 school year do not fail to receive a high school diploma for which the student was on-track and otherwise eligible to receive on or before the effective date of this act.

(c) The state board of education shall consult with the department of education, Tennessee higher education commission, and public institutions of higher education to develop guidance, resources, and opportunities for high school students who were enrolled in dual credit or dual enrollment courses during the 2020-2021 school year, and who were adversely affected by school closures due to COVID-19.

(d) Notwithstanding Tennessee Code Annotated, Section 4-5-208(a):

(1) The state board of education may promulgate emergency rules as necessary to address any issues created by school closures due to the outbreak of COVID-19 during the 2020-2021 school year. The rules must be promulgated according to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5; and

(2) The Tennessee student assistance corporation and public institutions of higher education may promulgate emergency rules to protect the financial aid and credit opportunities for high school students who were enrolled in dual credit or dual enrollment courses during the 2020-2021 school year, and who were adversely affected by school closures due to COVID-19.

SECTION 10. This act takes effect upon becoming a law, the public welfare requiring it.