

SENATE BILL 1189

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, relative to independent study.

WHEREAS, the General Assembly finds that by offering a range of quality educational options, LEAs and public charter schools can better tailor instruction to students, thereby improving academic outcomes while maximizing enrollment; and

WHEREAS, it is the intent of the General Assembly that LEAs and public charter schools offer educational programs that best serve the needs of their students; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

(a) As used in this section, "independent study" means a form of education that addresses individual student needs and learning styles by affording students the opportunity to direct the student's study into areas of inquiry, topics, or employment that are not generally offered to students as part of a traditional classroom curriculum.

(b) Each LEA that operates a high school and each public charter high school shall offer independent study to meet the educational needs of its students. Educational opportunities offered through independent study may include, but are not limited to:

- (1) Special assignments extending the content of a course of instruction;
- (2) Individualized study in a particular area of interest or in a subject that is not otherwise available to the student as part of the school curriculum;
- (3) Continuing and special study during travel;

(4) Volunteer community service activities and leadership opportunities that support and strengthen student achievement; and

(5) Work-based learning, as defined in § 49-11-901.

(c) The local board of education for an LEA that operates a high school and the governing body of a public charter high school shall adopt and implement a policy that complies with the rules of the state board of education and that includes, at a minimum:

(1) The maximum length of time, by grade level and program type:

(A) That a student may participate in the independent study program to receive academic credit and to be recorded as present for attendance purposes; provided, that an independent study program shall not exceed fifteen (15) six and one-half (6 ½) hour school days; and

(B) That a student participating in an independent study program has to complete an assignment from the date on which the assignment is made by the student's supervising teacher;

(2) The level of satisfactory educational progress and the number of missed assignments that may initiate an evaluation to determine whether it is in the best interests of the student for the student to remain in the independent study program, or whether the student should return to the regular school program. A written record of the findings of an evaluation made pursuant to this subdivision (c)(2) must be maintained as part of the student's educational record.

Satisfactory educational progress includes, but is not limited to:

(A) The student's overall achievement and engagement in the student's independent study program;

(B) The student's timely completion of assignments and performance on any assessments or other assigned evaluation measures

designed to evaluate or evidence the student's meaningful participation in the student's independent study program;

(C) The student's ability to learn the required concepts, as determined by the student's supervising teacher; and

(D) The student's progression toward successful completion of the course, course of study, or objectives of the independent study program, as determined by the student's supervising teacher;

(3) How independent study content must be provided to participating students to ensure that it is aligned to state academic standards, if applicable, and provided in a manner that is substantially equivalent to in-person instruction; and

(4) A requirement that a written agreement for each student participating in the independent study program be executed by the student or the student's parent, if the student is not eighteen (18) years of age or older, and the licensed teacher who will supervise the student's participation in the independent study before the student's independent study may commence. Each written agreement must be maintained as part of the student's educational record and must:

(A) Detail how the student is to submit assignments required as part of the student's independent study program, how the student's academic progress will be reported; and how the student's supervising teacher will communicate with the student or the student's parent, if the student is not eighteen (18) years of age or older, regarding the student's academic progress for purposes of the independent study program;

(B) Explain the objectives and methods of study for the student's independent study program and the methods the student's supervising teacher will use to evaluate the student's participation and progress;

(C) List the resources, including, but not limited to, adequate materials, personnel, internet connectivity, and devices, that will be made available to the student to ensure that the student may participate fully in the student's independent study program and complete assignments;

(D) Include the policies adopted by the respective LEA or public charter high school pursuant to subdivisions (c)(1) and (c)(2);

(E) Outline the duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement; provided, that a written agreement executed for purposes of an independent study is not valid for more than one (1) school year;

(F) List the number of course credits or other measure of academic credit or achievement appropriate to the type of independent study program approved under the agreement that the student will earn if the student successfully completes the independent study program; and

(G) Explain that participation in independent study is voluntary.

(d) Each LEA that operates a high school and each public charter high school shall notify its high school students of the opportunity to participate in independent study. The notice must be posted on the LEA's or public charter high school's website.

(e) The state board of education shall promulgate rules necessary to effectuate this section, including, but not limited to, rules to establish a method for calculating the attendance hours that may be credited to a student who is participating in an

independent study program and rules to establish a method for the awarding of academic credit to a student for the student's participation in the student's independent study program. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to the 2023-2024 school year and each school year thereafter.