



State of Tennessee

PUBLIC CHAPTER NO. 569

SENATE BILL NO. 1626

By Gresham, Bowling, Massey

Substituted for: House Bill No. 1460

By Smith, Mark White, Staples, Cameron Sexton, Carr, Jernigan, Hardaway, Gant, Terry, Rogers, Crawford, Powell, Ragan, Mitchell, Hazlewood, Parkinson, Jerry Sexton, Turner, Thompson, DeBerry, Eldridge, Hulsey

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 4, relative to recovery high schools.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 4, is amended by adding the following language as a new, appropriately designated section:

(a) As used in this section:

(1) "Home district" means the LEA in which a student is enrolled full-time prior to enrollment in a recovery high school; and

(2) "Recovery high school" means a public school:

(A) For students who have a primary or secondary alcohol or other drug abuse or dependency diagnosis or co-occurring substance use and psychiatric diagnosis, as defined by the American Society of Addiction Medicine (ASAM) or the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM);

(B) That provides a high school education that leads to a diploma in compliance with the rules of the state board of education; and

(C) With a structured plan of recovery for the students.

(b) Local boards of education may establish recovery high schools to serve eligible students in grades nine through twelve (9-12). In providing recovery high schools, any two (2) or more boards may join together and establish a recovery high school.

(c) Recovery high schools shall be operated pursuant to rules of the state board of education promulgated pursuant to this section.

(d) Enrollment in a recovery high school shall be voluntary.

(e) Recovery high schools may establish admissions requirements so long as the requirements are in accordance with state and federal law and the rules of the state board of education.

(f) A recovery high school may enroll students residing outside the LEA in which the recovery high school is located pursuant to the LEA out-of-district enrollment policy.

(g) If an out-of-district student enrolls in a recovery high school, the per pupil state and local funds generated and required through the Basic Education Program for the student's home district shall follow the student into the LEA in which the recovery high school is located.

(h) Tuition may be charged by a school district to out-of-district students enrolling in a recovery high school in accordance with § 49-6-3003 and with state and federal law.

(i) If a student enrolled in a recovery high school transfers to another public school, all course work completed and credits earned in the recovery high school shall be transferred.

(j) A student who graduates from a recovery high school shall receive a high school diploma from the high school that the student attended prior to enrolling in the recovery high school. If the student did not previously attend a high school prior to enrolling in the recovery high school, then such student shall receive a high school diploma from the school in which the student is zoned to attend.

(k) Recovery high schools shall provide special education services for students as provided in federal law, chapter 10 of this title, and in accordance with the rules of the state board of education.

(l) The administrator of a recovery high school shall provide a comprehensive annual report to the commissioner of education, the commissioner of mental health and substance abuse services, and the commissioner of health on each student's recovery, as allowed by federal and state law, including length of sobriety, whether the student is enrolled in a treatment program or attending recovery meetings, weekly urine screenings, behavior patterns, and attendance patterns.

(m) The administrator of a recovery high school shall provide the department of education and the state board of education with an annual report of the following:

- (1) An analysis of the recovery high school's educational outcomes;
- (2) The overall high school graduation rate;
- (3) The retention rate of teachers and students;
- (4) Student performance in courses required to graduate, as determined by the state board of education;
- (5) Student achievement data based on state assessments; and
- (6) The number of students attending a postsecondary institution.

(n) The state board of education, in consultation with the department of education, the department of health, and the department of mental health and substance abuse services, is authorized to promulgate rules and to adopt policies to effectuate the purpose of this section. Any rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2018-2019 school year and each school year thereafter.

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PASSED: March 5, 2018



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 16th day of March 2018



BILL HASLAM, GOVERNOR