

SENATE BILL 1835

By Gresham

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to educational standards.

WHEREAS, the federal government has no constitutional authority to set educational standards for Tennessee or to determine how children in Tennessee will be educated. Any partnership with the federal government is solely at the discretion of the state; and

WHEREAS, selection of educational standards for Tennessee public schools is the exclusive right of state and local education authorities; and

WHEREAS, intrusive data tracking is an invasion of the rights of students and their families and any data collected should be used for the sole purpose of tracking the academic progress and needs of students by Tennessee education officials; now, therefore,

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

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

49-1-3__.

(a) No educational standards shall be imposed on the state by the federal government. Any adoption of educational standards for the public schools of the state shall be done freely by the state board of education which, except as provided in subsections (b) and (c), may change, adjust or recede from a standard at any time.

(b) A proposed change or addition to an educational standard shall be posted for public review on the state board's web site at least sixty (60) days before the state board meeting during which the adoption of the proposed action is to be considered. The state board may vote on adoption of standards or proposed changes or additions only at a public meeting at which a quorum is in attendance.

(c) After July 1, 2014, no educational standards shall be adopted by the state board until the education committees of the house of representatives and the senate have both conducted hearings on the standards.

(d) Data collected from the use of or testing under educational standards adopted by the state board shall be used for the sole purpose of tracking the academic progress and needs of students. No personally identifiable data on students or their families' religion, political party affiliation, voting history, biometric information or psychometric data shall be collected, tracked, housed with, reported to or shared with the federal government. No student data shall be collected for the purpose of the development of commercial products or services or for political use or purposes.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.