

TennesseeCAN 2021 Legislative Session Summary



TennesseeCAN empowers parents, community members and policymakers to advocate for improved K-12 education policies that put Tennessee's children first. We believe students succeed when they are taught by well-supported, effective educators and that all students deserve equitable access to a high-quality education.

The 2021 legislative session began with a one-week special session dedicated to supporting schools in their response to the Covid-19 pandemic. From the special session, legislation was passed that protected, while also giving flexibility to, the state's accountability model, which initiated substantive changes to the way our youngest learners master literacy and provided intensive support to our schools as they mitigate learning loss after the pandemic. Specifically, we were excited to see the legislature support high-dosage tutoring, a strategy to combat learning loss that **we promoted** as the most urgent strategy in combating learning loss. Our work this session, along with that of our partners, helped ensure that Tennessee will continue to champion education policies that focus on excellence, equity, choice and transparency while seeking to improve academic outcomes for all Tennessee children.

Top Highlights:

HB7003/SB7001* *Passed*

Accountability—TennesseeCAN supported passage of this legislation as it holds educators and districts harmless for only one year (the 2020-2021 school year) from certain accountability determinations. The legislation also revises certain tenure eligibility requirements to account for the unavailability of data due to the cancellation of TCAP tests as a result of the Covid-19 pandemic.



Win

HB7004/SB7002* *Passed*

Learning Loss—TennesseeCAN supported passage of the “Tennessee Learning Loss Remediation and Student Acceleration Act,” which mandates districts and public charter schools provide various opportunities for students to combat learning loss, including after-school learning mini-camps, learning loss bridge camps and summer learning camps. The bill also includes provisions related to the literacy-based third-grade retention policy.



Win

HB7002/SB7003* *Passed*

Early Literacy—TennesseeCAN supported the passage of this legislation as it will ensure every LEA provides foundational literacy skills instruction to their youngest learners. LEAs will be required to administer universal reading screeners to students in grades K through three and provide related reading interventions.



Win

HB1153/SB0912 *Passed*

Governor's Budget—TennesseeCAN supported passage of significant educational investments made in the Governor's budget. Some key items included \$24 million for charter facilities (\$6 million recurring, \$18 million nonrecurring), \$29 million for the Education Savings Account (ESA) Program and \$141 million for summer learning loss and tutoring camps.



Win

HB0074/SB0737 *Passed*

School Turnaround—TennesseeCAN supported legislation brought by the Lee Administration that proposed multiple pathways for ASD schools to transition out of the ASD and either return to their home LEA, remain under ASD guidance with parent buy-in or apply for a charter directly to the new Public Charter School Commission.



Win

HB1407/SB1324 *Taken Off Notice*

Education Accountability—TennesseeCAN opposed this legislation that would have established a committee to challenge the accuracy of the data used in evaluations and adherence to the evaluation guidelines and criteria recommended by the committee.



Win

**Indicates legislation passed in the 2021 Extraordinary Session.*

In addition to the top highlights listed above, there were several pieces of legislation that are relevant to our core policy priorities: **Excellence, Equity, Choice and Transparency**. Below is a list of additional bills that we tracked and engaged on throughout the 2021 legislative session.

Excellence

Guaranteeing excellence in Tennessee's schools requires setting rigorous academic standards and providing an annual aligned assessment—while rewarding our teachers and principals for their achievements and setting the bar high for the students in their schools.

HB0990/SB1469 *Failed*

Accountability—This legislation would have created anti-accountability measures around student assessments, specifically around student assessment-based and student growth model-based accountability measures for students, schools, principals, teachers and LEAs.

HB1535/SB0659 *Taken Off Notice*

Educator Quality—This bill would have prohibited teachers from using supplemental materials that are not approved by the state board. Educator autonomy should accompany increased educator accountability, and this bill would have done away with that.

HB0647/SB1042 *Taken Off Notice*

Postsecondary Readiness—This legislation would have created two different post-secondary assessments for students in grade 11 based on their postsecondary intentions. This bill would have encouraged the tracking of students into either college or career.

HB0858/SB0703 *Taken Off Notice*

Virtual Schools—This legislation would have expanded virtual schools enrollment size by increasing the pupil/teacher ratios by up to 30 percent for virtual schools, rather than allowing the state board of education to do so. Furthermore, this legislation did not provide mechanisms to control for quality before increasing capacity, which would lower the bar for schools and students.

HB1228/SB0885 *Taken Off Notice*

Elected Superintendents—This bill would have allowed county or city school districts to reestablish the office of elected school superintendent and outlined the qualifications of an elected superintendent. This would limit a district’s ability to hire the highest quality candidates and potentially create inefficiencies in governance.

Equity

Tennessee’s policies should provide a high-quality education to every student, regardless of their socioeconomic background, where they live or any other life circumstance.

HB0770/SB0738 *Passed*

Student Behavioral Supports—This Lee Administration legislation does not change current practice in schools or classrooms, but instead cleans up antiquated and/or offensive language in the Special Education Behavioral Supports Act.

HB0073/SB0739 *Passed*

Student Mental Health Services— This bill creates a “K-12 Mental Health Trust Fund,” which establishes funds to be used by the Department of Mental Health and Substance Use and Department of Education for mental and behavioral services for Tennessee youth. LEAs are allowed to apply for funds in order to support the mental health of their students through services and programming funded through this Trust Fund.

HB0973/SB0414 *Passed*

Advanced Coursework—This legislation, referred to as the SEM Advancement Act, which will ensure Tennessee’s eligible middle and high school students are enrolled in advanced, college-preparatory level coursework. Students will be eligible for these advanced courses when they meet LEA-developed academic criteria as opposed to the current practice of teachers or parents serving as the gatekeeper for these courses.

HB1446/SB1240 Passed

Career-Technical Education—This legislation encourages exploration of diverse post-secondary pathways, including career and technical education. Districts will be required to convey certain information related to CTE opportunities to students beginning in middle school.

Choice

Whether it's a traditional public school, public charter school, private school or homeschooling, every Tennessee family should have the ability to choose the educational option that best meets their children's unique needs.

HB1271/SB0127 Passed

IEA—This legislation exempts participating parents from state and local taxation due to their contributions or distributions made to, or on behalf of, participating students pursuant to any individualized education account (IEA).

HB0472/SB0353 Passed

Charter Schools—This legislation allows charter schools to participate in the state group insurance plans selected by the governing body of the public charter school in accordance with existing law.

HB0528/SB1133 Passed

Charter Schools—This legislation revises provisions governing temporary teaching permits and gives charter schools more flexibility in hiring educators.

HB1559/SB0936 Failed

Education Savings Account—This legislation would have deleted the Education Savings Account Program.

Transparency

Tennessee must protect our accountability system and provide for greater transparency of information on student, teacher, school and district performance, as well as taxpayer investments in public education.

HB0535/SB0455 Taken Off Notice

Charter Schools—This legislation, originally proposed as a caption bill referencing the appointment of a parent to the charter school's governing board, would have allowed for-profit charter schools in Tennessee.

HB1444/SB0496 *Taken Off Notice*

School Funding—This bill would have required the comptroller to review school-specific spending on specific student subgroups. Ultimately this bill was taken off notice when the state comptroller's office released information on school-specific spending, yet not as it relates to specific student subgroups. Because districts are not required to report expenditures at this level, the comptroller's office does not have that information.

HB0462/SB1340 *Passed*

Accountability—As originally introduced, this legislation prohibited the department from using high school graduation rates from the 2021-2022, 2022-2023, 2023-2024 and 2024-2025 school years as a metric included in school or LEA accountability. As amended, the legislation is now a study commissioned by the Department of Education.

HB0210/SB1147 *Passed*

Transparency—This legislation requires each LEA to publish their curriculum on the LEA's website and any changes must be updated at the beginning of each semester.