

State of Tennessee  
 Department of Education  
 Report of School System/School Compliance  
 Based on Tennessee Statutes and State Board of Education  
 Rules, Regulations and Minimum Standards for  
 Approval of Schools  
 Grades PK-12

The Report of School System/School Compliance is one document used in the approval process. The listing in this report is not an all-inclusive listing of approval standards. Some regulations are monitored through other data sources such as the system calendar, teacher, student and class information. All data sources will be considered in the approval process.

I certify that the school system/school is in compliance with Tennessee statutes. I certify that the school system/school is in compliance with the State Board of Education rules and regulations except for those items listed below for which a compliance plan has been given.

School System/School Name: \_\_\_\_\_

Director of Schools Signature: \_\_\_\_\_

Date of Board Approval: \_\_\_\_\_

Board Chair Signature: \_\_\_\_\_

AREAS OF NON-COMPLIANCE (List Rule Number)	PLAN FOR COMPLIANCE (State Plan With Time Lines)

(continued on page two)

The attached laws and rules are provided for your convenience. It should be noted that the following list of Tennessee statutory and regulatory requirements is not exhaustive; other statutes and regulations require local educational agency adherence. Additionally local educational agencies must comply with federal law (not covered in this document).

Please complete and mail only page one and, if necessary, page two.

<p><b>PUBLIC SCHOOL SYSTEMS</b></p> <p><b>RETURN COMPLETED FORM TO:</b>                  Tennessee Department of Education                  Office of Non-public and Home Schools                  1256 Foster Avenue                  Nashville TN 37243</p>	<p><b>DUE DATE:</b>  <b>October 15, 2009</b></p>
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<b>AREAS OF NON-COMPLIANCE</b>	<b>PLAN FOR COMPLIANCE</b>

The General Assembly has authorized the State Board of Education to prescribe curricula and to make rules and regulations for approval and governance of all public schools, grades K through 12, or any combination of these grades (Section 49-1-101, through 49-6-201 of Tennessee Code Annotated). However, certain laws have been enacted and are still in effect, which are applicable to schools and school personnel. As part of the compliance report of the school system, the status of the LEA with respect to the legal duties and responsibilities should be carefully checked. There are no provisions in the laws whereby waivers may be granted or exceptions made for non-compliance.

Information concerning public school law is contained in the following publication: Tennessee Code Annotated (Vol. 9) - The Miche Company, Charlottesville, VA.

**Part I. SOME LAWS APPLICABLE TO SCHOOLS, SCHOOL PERSONNEL, AND INSTRUCTION**

<b>T. C. A.</b>	<b>STATUTE</b>
37-1-414(a) (2), 37-1-414(b)	Adds FBI criminal history records check that organizations MAY require of persons working with children (does not change existing statute (TCA 49-5-413) on schools requiring school employee background checks)
49-5-413	Requires LEAs to conduct criminal background checks for applicants for teaching positions or other positions requiring proximity to school children.  Requires entities that contract with school districts or child care programs to ensure employees having direct contact with children during the course of employment undergo background checks through the TBI/FBI.  Clarifies that any person, corporation, or other entity who enters or renews a contract, or contracts with any person or entity who enters or renews a contract, with a school, local board of education, or child care program is responsible for obtaining criminal background checks on all employees who go on school grounds; authorizes out-of-state employers to satisfy requirement by showing that background checks were conducted in another state; creates limited exemptions to background check requirement.
49-5-5610	Provides each approved teacher education program will now be requiring each applicant to undergo a criminal history records check by the TBI and the FBI. The cost of the check is to be paid by the teacher education program applicant. "The criminal history records check performed pursuant to this section shall meet all requirements for criminal history records checks related to observations or teaching as part of the teacher training program. This means that LEAs cannot require student teachers or observers who are enrolled in a teacher education program to have an additional criminal background check prior to student teaching.
49-10-608	The Department of Education, the State Board of Education, local boards of education and LEAs are prohibited from hiring any individual who the Department of Children's Services has found to have committed abuse against a child.
39-17-1505	Students who possess a tobacco product shall be issued a citation.

T. C. A.	STATUTE
49-6-1401	Authorizes LEAs to complete a health report card on each child enrolled within their school system whose parents have not requested exclusion from body mass index (BMI) testing within 90 days of the beginning of each school year. Permissive.
5-5-102	Prohibits a director of schools from serving on the county legislative body. Grandfathers in those individuals currently serving in both capacities.
6-51-102(b)(2)	Requires municipalities to assess impact of annexation on school attendance zones.
8-27-303(a)(3)	Allows local school board members to participate in group insurance.
8-33-109	Authorizes all public employers to provide partial compensation to any employee while in military service.
8-38-105	Ensures eligible employees of charter schools are eligible for social security coverage.
10-7-504	The records of students in public educational institutions shall be treated as confidential.
12-3-1004 (a)(1) -(b) (2) (B)	Authorizes local education agencies to purchase equipment under the same terms of bid by another LEA.
34-6-301-310 37-1-140, 49-6-3001(c)(6)	"Power of Attorney for Care of a Minor Child Act" – establishes a mechanism for parents to delegate temporary care-giving authority to an adult.
37-1-140 37-1-153(e)-154 49-6-3051 37-1-131(a) (2)	Requires notice to school officials when a student adjudicated delinquent for certain offenses, is enrolled in school.
37-1-403	Each school system shall develop procedures for reporting suspected cases of child abuse and neglect.
39-14-601-05	"Tennessee Personal and Commercial Computer Act of 2003"- creates criminal penalties for certain computer related activities.
49-1-302	Places additional accountability measures on schools and school systems not meeting adequate yearly progress. Requires certain provisions in principal performance contracts and gives additional authority to principals in budget and staffing matters. Requires school districts to implement differentiated pay plans by 2008-09 to aid in staffing. Increases frequency of teacher evaluations.
49-1-602	Establishes "Inner City Educational Enhancement Pilot Project Act of 2003" applies to 2 school systems having greatest number of schools on probation.
49-1-104	Mandates maximum class size for Public Schools.
49-1-105	LEAs may permit children to finish school year in same school if guardian is unable to care for them due to active military duty or other hardship.
49-1-302(a), 9-6-4074	Requires LEAs to use the State Board of Education's uniform grading policy for reporting student grades for lottery scholarships.
49-1-207(a)	Describes how Commissioner may authorize innovative educational programs.
49-1-601-02 49-1-610	TVAAS & Accountability Provisions
49-1-1101 et seq	Statutory provisions for school based early childhood programs.
49-1-602(d) (2), 49-1-602(e) (2)	Provides for notification to parents of students in subgroups not making AYP of option to transfer those students to another school in that same system.

T. C. A.	STATUTE
49-2-601	Enacts the “Local Education Support Group Financial Accountability Act of 2007.” Requires school board to adopt a policy regarding local education support groups. Prohibits the authorization of such groups until a policy has been adopted. Defines student activity funds and school support group organization funds and specifies provisions and restrictions for each. Prohibits a school employee from acting as a treasurer or bookkeeper for a school support organization.
49-1-602	Amends School Support Organization Act to somewhat redefine or clarify “school support organizations” and “student activity funds”. Requires LEAs to adopt certain related policies and requires certain minimum standards for school support organizations.
49-2-110	Authorizes public schools, if authorized by the board of education, to receive funds for student activities and for other internal school purposes, provided that the school shall not require any student to pay a fee to the school for any purpose, except as authorized by the Board of Education, and provided further that <u>no fees or tuition shall be required of any student as a condition to attending the public schools, or using its equipment while receiving educational training.</u>
49-2-114	LEA shall establish a process by which to waive all school fees for students who receive free or reduced price school lunches.
49-2-115	Establishes the purpose of each family resource center will be to maximize the potential learning capacity of the child. Specifies how the resource centers will maximize the learning capacity. Requires the Department of Education and the Department of Children’s services to develop guidelines for the operation of family resource centers.
49-2-118	Requires LEAs to implement conflict resolution intervention programs for grades one through six. Also requires each LEA to report to the commissioner on the conflict resolution intervention programs implemented during the previous school year.
49-2-119 (a)	Granting of diplomas to veterans of Korean War, on same basis as WWI & WWII veterans.
49-2-119	Clarifies that a World War I, II, or Korean War veteran does not have to be a current Tennessee resident to receive a diploma from Tennessee high school attended.
49-2-120	Requires school systems to adopt written policies prohibiting hazing by any student or organization operating under sanction of the LEA.
49-2-202	Require all board members to be properly trained during the service on the local Board of Education.
49-2-201	Lists requirements for school board elections.
49-2-203(a)(7)	Specifies that one of the duties of the local board of education is to suspend, dismiss or alternatively place pupils when the progress, safety or efficiency of the school makes it necessary.
49-2-203(b)	Requires school systems to adopt a written policy regarding the method of accepting and reviewing applications for and interviewing candidates for the position of director of schools.

T. C. A.	STATUTE
49-2-203	Rewrites process of request for proposals in construction management services provided to local boards of education. Requires written RFP. Prohibits bundling of more than three construction projects in a single RFP. Requires sealed bids for actual construction work be opened at the bid opening and requires that the names of the contractors and their bid amounts be announced.
49-2-203(b)	LEAs to include contact information for child advocacy groups in student handbooks.
49-2-203(a) (14)	Provides that school board can extend contract of director of schools only if prior notice of such action is given and it is included as a specific item on the board meeting agenda.
49-2-207	Requires local boards of education to compile and publish an official operating policy pamphlet which shall contain, but not be limited to, such procedures as have been established by letter, directive, written or verbal memorandum, custom or tradition and by which schools are managed, operated , or controlled. Such policy pamphlet shall be updated annually. A copy of the undated board of education operating policy pamphlet shall be distributed to each principal of each local school system to be kept on file and available in each school library during and immediately after normal school hours. Permits local boards of education to satisfy dissemination and availability of information requirements by allowing operating policy pamphlets to be kept in electronic format and available in each school library.
49-2-211	Requires LEAs to develop policy setting forth rights of students and parents and guidelines for teachers and principals relative to the administration of surveys, analyses or evaluations of students.
49-2-305	Requires LEAs to develop policies and procedures to encourage parental involvement in public schools.
49-3-310(1)(A)	Requires the director of schools and the chairman of the board to certify to the commissioner on or before October 15 of the current schools year that all children in that LEA have been furnished all required textbooks, as determined by the commissioner.
49-3-317	Addresses adjustments in ADM as necessary to effectuate an equitable distribution and division of state BEP funds between two or more school districts in a county. Permits the commissioner to make such adjustments. Requires joint agreement between two or more school districts.
49-3-359	System has provided required amount of money for every teacher in grades K-12 for instructional supplies.
49-3-351(d)	Provides 50% of growth funds under BEP be distributed to LEAs in February of each year with the second payment to be distributed by June 30 <sup>th</sup> .
49-13-112	Requires LEAs to allocate one hundred percent (100%) of the state and local expenditure funds to the charter school on the per pupil expenditure of the LEA.
49-13-108, 110	Outlines public charter school application process. Approval by chartering authority to be issued in form of written agreement signed by sponsor and chartering authority.

T. C. A.	STATUTE
49-3-352	Requires local board of education to recommend use of local dedicated education fund balance for recurring or nonrecurring annual operating expenses or for budgeting purposes before appropriation of such funds by local legislative body.
49-3-352 (c), 49-1-301(a)	Clarifies LEA use of unrestricted accumulated funds during the 2004-2005 fiscal year only.
49-3-359	Requires one full-time public school nurse position for each 3,000 students or one (1) full-time position for each LEA, whichever is greater, has been provided or plan outlining alternative arrangements has been submitted to SDE.
49-3-359(c)(2), 49-5-414	Requires school nurses to maintain current certification in CPR and DOE to survey schools for number of CPR certified school personnel.
49-5-108	Requires active or retired military personnel who seek to serve as JROTC instructors to be properly licensed.
49-5-201	Requires teachers to teach the Constitution of the United States.
49-5-201	Requires teachers to teach the Constitution of Tennessee.
49-5-201	Requires teachers to observe any other rules and regulations relative to the service of teachers which may be made by the county board of education.
49-5-201	Requires teachers to accurately record the number of pupils present and the number absent each day before leaving the school building.
49-5-201	Requires teachers to give at least one (1) fire drill each month during the term and three (3) additional safety drills during the school year.
49-5-201	Requires teachers to open and close the school each day at the time fixed by the county board of education.
49-5-201	Requires teachers to report promptly at the close of the term on all items included in the abstract in the teacher's register and to certify its correctness by affidavit. (Use of TSR software complies with law.)
49-5-402	Allows predetermination of salary ratings for certain school personnel who complete additional academic training after the beginning of a school year but prior to January 1 of the school year.
49-5-412	Requires each school system to have a full-time supervising principal in schools with nine or more teachers.
49-5-414	Encourages every public school to have an employee or volunteer trained in CPR and first aid and authorizes the use of up to 6 ½ in-service hours of training.
49-5-415	Authorizes that under certain circumstances students can carry and self-administer asthma medication.
49-5-415	Authorizes local public and private school governing boards to train school personnel to assist students with diabetes care.
49-5-415	Authorizes student with anaphylaxis to self-administer medication while on school property or at school-related events if such student meets certain requirements.
49-5-5209	Gives local education agencies the authority to allocate state funds designated for extended contracts as such agencies see fit in order to meet annual needs assessment specifications, as long as such allocation of funds is consistent with the needs of the specific programs.

T. C. A.	STATUTE
49-5-416	Requires 12 month agricultural education programs that were in existence during the 1992-93 school year or implemented thereafter to be maintained as 12-month programs if determined to be a quality agricultural education program by criteria established by the Department of Education.
49-5-702	Authorizes boards of education to compensate teachers the difference in regular pay and military pay while engaged in military service.
49-5-704, 49-5-708, 49-5-715	Authorizes person chosen as TEA president to have leave during term of office.
49-6-1003	Requires principals and teachers to instruct pupils in the art of safety, for at least fifteen minutes each week.
49-6-101	Changes early childhood education eligibility standards to free and reduced priced lunch eligibility criteria.
49-6-101(f)(1)	Requires that the pilot pre-kindergarten programs be funded at the same level as the funding for pre-kindergarten programs implemented pursuant to the "Voluntary Pre-K for Tennessee Act of 2005."
49-6-201	Requires children entering kindergarten to be five years of age on or before September 30 of the current kindergarten term.
49-6-109	Requires the office of education accountability to collect data and report on the completion rates of grades K-12 by children who have been enrolled in voluntary and pilot Pre-K programs.
49-6-2207	Authorizes local school boards to determine the number of teachers to serve on textbook review committees.
49-6-303	Requires each local education agency to employ or contract with school counselors for grades pre-kindergarten (pre-K) through twelve (12).
49-6-303	Requires LEAs to implement an intervention program in grades Pre- School, 1 <sup>st</sup> and 2 <sup>nd</sup> dealing with conflict resolution and decision-making strategies.
49-6-3402	Authorizes LEAs to establish evening alternative schools for students in grades 6-12.
49-6-701-703	Authorizes State Department of Education to administer grants for after school care programs with unclaimed lottery dollars.
49-6-702	Changes the number of hours that an after-school program must be available to students in order to qualify for a lottery grant or lottery funded technical assistance from 20 hours per week to an average of 15 hours per week. Gives preference to programs that maintain an enrollment consisting of at least 80% at-risk children.
49-6-1001	Requires teachers to have pupils study the uses, purposes, and methods of displaying the American flag and other patriotic emblems and shall teach the history and usage of the pledge of allegiance to the flag of the United States of America.
49-6-1002	Prohibits the dismissal of school or any group of pupils for the purpose of permitting them to play baseball, football, basketball, or any other similar game, without written permission from the governing board of said school; provided that nothing in this section shall be construed to preclude regular physical training lessons as a part of the daily program of said school.
49-6-1004	Requires each public school to provide for a period of silence at the beginning of each school day.

T. C. A.	STATUTE
49-6-1006	Requires every public school to include at some appropriate grade level or levels courses and contents designed to educate children in black history and culture and the contribution of black people to the history and development of this country and of the world.
49-6-1007	Requires each public school shall include character education within the course of instruction.
49-6-1010	Requires every candidate for a full high school diploma after September 1, 1994 to have received a full year of computer education at some time during his educational career.
49-6-1014-1019	Requires each public school to adopt a policy addressing bullying by students.
49-6-1022	Requires LEAs to implement coordinated school health plans pursuant to Tenn. Code Ann. § 49-1-1002, during the current school year (2007-2008).
49-6-1202	Every high school to require every student to have at least one year of instruction in American history and government.
49-6-1301	Requires each school system to locally devise, adopt, and implement a program of family life instruction which includes a component addressing the nature and prevention of AIDS and other sexually transmitted diseases.
49-6-2118	Requires school districts to adopt policies and procedures concerning the exiting of a school bus by a student at a point other than the student's destination for the trip.
49-6-2109	Specifies that if within 180 days of the end of the school year a school bus reaches fifteen years of use it can still be operated if it meets all the requirements for safe use and operation.
49-6-2307	Directs the State Board of Education to promulgate rules to regulate items sold or offered for sale to pupils in PreK-8 in vending machines or other sources, including school nutrition programs
49-6-2005	Requires the United States flag to be displayed on every public school building.
49-6-2206	Prohibits teachers or principals from using or permitting the use of textbooks not on the approved list. Establishes fines for violations.
49-6-2006(c)(2) 49-6-2007(b)	Authorizes LEAs to advertise sale of surplus property on the internet.
Tenn. Const. Art. IX, Sec. 12	Requires General Assembly to provide for the maintenance, support and eligibility standards of a system of free public education.
49-6-3001	Makes the public schools “free to all persons above the age of five (5) years” and establishes age and entrance requirements for public schools.
49-6-3003 (c)	Creates a cause of action for school boards to receive restitution for local per pupil expenditure when an out of district student is fraudulently enrolled.
49-6-3004	Requires each school system to maintain a term of not less than 200 days divided as follows: 180 days for classroom instruction, 10 days for vacation with pay for a 200 day term, 5 days for in-service education, 1 day for teacher-parent conference, and 4 other days as designated by the local board of education upon the recommendation of the superintendent of schools.
49-6-3005	Excuses certain classes of children from compulsory attendance. Outlines director’s authority to refuse enrollment only if students’ enrollment “results in detriment to good order and discipline and to the instruction of other students and is not of substantial benefit to such children.”

T. C. A.	STATUTE
49-6-3004(c)(1)	Provides that Commissioner of Education shall require in-service training to include at least two hours of suicide prevention for all teachers and principals each school year, which may be accomplished through self-review of suitable suicide prevention materials.
49-6-3007	Requires reporting of student attendance. "It shall be the duty of the principal or teacher to report promptly to the superintendent the names of all children who have withdrawn from school, or who have been absent an aggregate of five (5) days without adequate excuse. Each successive accumulation of five (5) unexcused absences by a student shall also be reported with a new notice being sent after each successive accumulation of five (5) unexcused absences." Defines "expulsion", "suspension", and "remand" for purposes of coding student's absences. It limits suspensions to no more than ten (10) consecutive days. Any suspensions over ten (10) consecutive days or fifteen (15) total days in a month of school attendance shall be considered an expulsion. Remand is defined as being placed in an alternative school.
49-6-3016	Designates the month of February as Tennessee and American History Month and calls upon teachers to arrange special programs in observation thereof.
49-6-3017	Perpetuates the law requiring the suspension or denial of a driver's license to school dropouts or students with more than ten (10) consecutive or fifteen (15) total unexcused absences.
49-6-3050	Authorizes that home school parent's registration after August 1 but before September 1 upon payment of \$20.00 per family for each week notice is late. Superintendent may waive September 1 deadline for good and sufficient reasons. Attendance teacher must be informed yearly of parents' right to conduct a home school.
49-6-3114 49-6-3102 37-1-131(a)(2)	Modifies requirements for notification to school officials of the attendance of juvenile delinquents. Expands offenses for which such notification is necessary. In addition, requires hospitals or treatment centers with a belief that a child leaving a treatment program poses a substantial likelihood of serious harm to warn the principal of the school that the child will be attending of such belief. Requires the principal to convene a meeting to develop a plan for the child to succeed in school and to provide for school safety.
49-6-3401	Authorizes suspension of pupil for off-campus criminal behavior which results in pupil being charged with felony, if the student's continued attendance is disruptive or poses a danger. Gives state definition of only areas that are considered zero tolerance.
49-6-3401	Authorizes the suspension of two or more students who initiate a physical attack on an individual student on school property, at a school activity or traveling to or from school.
49-6-3401	Adds threats to use a bomb, dynamite or other deadly explosive or destructive devise on school property or at a school sponsored event to the list of offenses for which a student may be suspended. Allows a judge to restrict the student's driver's license for up to two years.
49-6-3402	Requires school system shall establish at least one alternative school for students in grades 7-12.

T. C. A.	STATUTE
49-6-3405 49-1-211(a)	Requires school districts to track the operation and performance of alternative school programs and to develop and implement formal transition plans for the integration of students from regular schools to alternative schools and from alternative schools to regular schools when applicable.
49-6-4209	Expands the definition of weapon, the possession of which the principal is required to report to law enforcement officers, to include those carried by student with intent to go armed.
49-6-4209	Requires all school personnel to report reasonable suspicion of student's weapons law violation to the principal or designee or in their absence may report to appropriate authorities.
49-6-4216	Requires all school personnel to report reasonable suspicion of student's weapons law violation to the principal or designee or in their absence may report to appropriate authorities.
49-6-4216	Encourages local and county boards of education to develop a zero tolerance policy towards any student who engages in misconduct with drugs, drug paraphernalia, violence and dangerous weapons. Requires the annual reporting of zero tolerance offenses to the state.
49-6-4202 49-6-4217	Requires school resource officers to be law enforcement officers certified by the POST commission.
49-6-4217	Requires each LEA to deliver to the commissioner an annual report of the employment standards adopted by the LEA with regard to school resource officers.
49-6-4301 49-6-4302	Enacts the "Schools Against Violence in Education Act." Requires director of schools to establish a district-wide school safety team and each principal to form a building-level safety team.
49-6-5001	Requires proof of immunization prior to admission to any public school, nursery school, kindergarten, pre-school or day care but contains special provisions for homeless children ( <i>can not be denied admission because they lack proof of immunization</i> ) and exceptions for medical and religious reasons.
49-6-5004	Makes provisions to inform parents of the need for vision and dental screenings when immunization forms indicate such needs.
49-6-5005 49-13-111 49-50-802 49-6-3050 68-1-1202	Requires elementary and secondary schools to annually provide information about meningococcal disease to parents and guardians of students.
49-6-6002	Prohibits state mandated tests from being conducted earlier than the third (3 <sup>rd</sup> ) grade, except that when the first and second grade tests provided for in Section 7 are available, these tests shall be conducted. Section 7 reads: The Commissioner of Education and the State Board of Education shall recommend to the Joint Oversight Committee on Education by January 1, 1998, a diagnostic method for evaluating reading and other basic skills in the first and second grades.
49-6-6003	Requires a comprehensive writing assessment shall be conducted in grades five (5), eight (8) and eleven (11).

<b>T. C. A.</b>	<b>STATUTE</b>
49-6-8201-8204	Allows for creation of demonstration project for teaching of certain courses in public schools by videoconferencing.
49-7-119	Permits children of full-time public school technology coordinators to receive same tuition discount at state institutions of higher education as children of full-time certified public school teachers.
49-7-119 (a)	Provides that a child who is receiving a tuition discount based on a parent being a teacher shall continue to be eligible to receive the discount if the parent dies while the child is receiving the discount.
49-7-822	Exempts educational savings plans from state and local taxation.
49-10-606	Revises state's special education laws, including complaint procedures, requirements for mediators and due process procedures.
49-13-111(a)	Requires charter schools to administer mandated state assessments to its students.
49-50-1502-1503 49-50-1502-1509(a)	Allows custodians of school records to submit subpoenaed student records to the court under seal.
49-50-801	Defines church-related school as a school operated by denominational, parochial or other bona fide church organizations, which are required to meet the standards of accreditation or membership of the Tennessee Association of Christian Schools, the Association of Christian Schools International, the Tennessee Association of Independent Schools, the Southern Association of Colleges and Schools, the Tennessee Association of Non-Public Academic Schools, the Tennessee Association of Church Related Schools, or a school affiliated with Accelerated Christian Education, Inc.
55-8-147	Requires school buses to stop at all railroad grade crossings whether or not carrying school children, instead of only when carrying school children.
55-9-602	Prohibits school bus drivers from using mobile telephones while operating a school bus.
55-9-602	Changes child restraint law- sets standards for transporting children in passenger motor vehicles through age 15.
55-9-402	Authorizes school buses to operate a flashing, wig-wag lighting system when receiving and discharging children.
62-4-122	Requires licensed cosmetologist to be on premises of public school or vocational school whenever the cosmetology program is in operation. (Deletes requirement that the person be on duty.)
68-126-310	Authorizes vocational/industrial classes to construct one residential modular building per year and be exempt from licensure requirements.
9-3-401-405	Enacts the "Local Government Modernization Act of 2005." Specifies the comptroller will review and evaluate those county governments which fail to implement accounting and financial reporting standards and make recommendations on how to improve the system to facilitate compliance with reporting standards. Requires the county legislative body to act upon the recommendation within ninety days of notification.
68-120-101 68-120-110	Specifies the construction, accessibility, and fire safety requirements for state buildings and schools (includes all new buildings or major alterations).

T.C.A.	STATUTE
49-2-122	Encourages LEAs to place automatic external defibrillators in schools; placement of such devices shall be within LEA's existing fiscal resources; classifies misuse or abuse of AED on school property by a student as misconduct that will subject student to disciplinary action.
49-5-415(g)	Allows volunteer school personnel with proper training to administer anti-seizure medications to a student in an emergency situation in accordance with the student's individual health plan.
Title 37 & 49-6-3401(h)	Requires the Commissioner of Education to report on a semi-annual basis to the select oversight committee on education and the education committees of each house of the general assembly regarding disciplinary actions in Tennessee schools.
49-6-6001	Requires LEAs to provide remediation services to any student who fails a portion of any Tennessee comprehensive assessment program test and annually report the number and type of all such interventions to the commissioner of education.
49-2-203(a)(14)(C)	Requires extension of contract of director of schools to be the first item on the agenda of board meeting in which contract extension is to be considered and changes the period of notice required for such action from 10 days to 15 days prior to the meeting in which contract extension is to be considered.
49-6-2303	Specifies that each local school board's plan for compliance with nutritional breakfast and lunch programs include specific provisions to encourage purchasing local agriculture.
49-6-1025	Requires each LEA to include art and music education in all K-12 public schools; and directs the state board of education to provide appropriate curriculum for such instruction.
49-6-2101	Encourages LEAs to conduct investigations to determine if any special hazard zones are present within walking routes children commonly utilize going to and returning from schools. If hazard zones are found to be present, LEAs shall submit findings to the entity responsible for such road or highway for possible actions to minimize hazardous conditions.
49-1-221	Requires the development of acceptable internet use policies for public and private schools to protect children from certain online material.
49-5-106	Urges LEAs to staff grades K-12 teaching positions with personnel fully licensed and endorsed to teach such grades.
49-6-3112	Requires child living on parcel crossed by county boundaries to attend school in the county in which the residence is taxed.
49-1-602	Revises and clarifies procedures and direction for schools and LEAs placed in improvement status for failure to make adequate yearly progress.
37-1-131	Adds aggravated sexual battery and aggravated sexual battery of a child to the crimes of which a child's school must be notified when the child has been adjudicated delinquent involving such offenses.
Title 49, Chapter 10	Special Education Isolation and Restraint Modernization and Positive Behavioral Supports Act: Prohibits certain types of restraint and seclusion. Requires state board of education to promulgate rules and regulations concerning the use of isolation or restraint with students who receive special education services.

T.C.A.	STATUTE
49-1-201	Directs commissioner of education to require each LEA's director of schools to submit an annual personnel report to the department.
Title 49, Chapter 6	Allows LEAs to promulgate and adopt rules and regulations to prohibit the activities of criminal gangs on school property. Requires LEAs and local law enforcement to annually evaluate the threat and influence of gangs on school children and the community. If LEA finds substantial gang threat, LEA shall institute gang awareness education in vulnerable elementary and middle schools.
49-6-3019	Requires school principals to grant students excused absences for up to 10 days for purposes of visiting a parent or legal guardian who is stationed outside of the country and is granted rest recuperation leave by the United States military.
49-5-701 & 704	Adds licensed teacher's leave to visit a spouse, child, or parent deployed for military duty to present situations eligible for mandatory grant of leave from employment; authorizes licensed teachers to take up to 10 days leave without forfeiture of leave credits, tenure, or other fringe benefits, in order to visit a spouse, child, or parent deployed for military duty out of the country who has been granted rest and recuperation leave.
Resolution SJR 0638	Designates Wednesday, November 19, 2008, as "Civic Education Day" in Tennessee.
49-6-2109	Removes restriction on commercial advertising on school buses that requires such advertising to be composed of black lettering on a white background; prohibits advertisement of individual food items that, pursuant to law, cannot be sold via vending machine.
49-2-124	Places restrictions on universal mental health testing, or psychiatric or socioemotional screening of juveniles; requires certain consent by a juvenile's parent, guardian, legal custodian, or caregiver before such testing can occur.
49-6-1016	Requires, rather than encourages, school districts to include certain criteria in policies prohibiting harassment, intimidation, or bullying.
37-1-131 49-6-3051	Authorizes courts to notify the school of a child who is adjudicated delinquent based on an offense for which school notification is not mandatory under law.
49-6-3402	Removes the provision whereby no student may graduate based solely on attendance in alternative schools.
49-6-2116	Removes the authorization for an LEA to transport up to 15 students to and from an interscholastic athletic or other interscholastic or school sponsored activity in a van.
Title 49	Requires the board of regents to study feasibility of cooperative career and technical programs between LEAs and Tennessee technology centers or other two-year institutions offering career and technical education.
49-6-101	Revises provisions governing the department of education contracting and collaborating with certain entities in relation to preschool programs.
Title 49	Removes requirement of passage of the Tennessee comprehensive assessment program tests in order to receive a full diploma; provides for end-of-course assessments; revises lottery scholarship day provisions.
Titles 10, 37 & 49	Restates provisions governing reporting of suspected child abuse by personnel of educational institutions and release of related records.



**Part II. RULES OF THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION**

Non-compliance with rules and regulations for which the school system/school has a specific plan for compliance will be reviewed and considered for waiver by the Commissioner. A school system/school may be approved with waivers granted by the Commissioner. Failure to correct the deficiency will be a factor in the approval of the school system/school the following school year.

Education Rules currently in effect may be found on the Secretary of State’s website: <http://state.tn.us/sos/rules/0520/0520.htm>. Proposed rule revisions approved by the State Board, but not yet effective may be previewed online: [http://state.tn.us/sbe/rul\\_reg.html](http://state.tn.us/sbe/rul_reg.html).

Listed below are summaries of rules which became effective or were revised during the 2006-2007, 2007-2008 school years.

<b>RULE NUMBER</b>	<b>RULE</b>
<b>EMPLOYMENT STANDARDS</b> 0520-1-2-.03	<b>New employment standard for Algebra I teachers that allows teachers currently licensed through grade 8 to meet additional requirements to teach Algebra I in high school.</b> (rule changes effective Sep. 2008).
<b>GRADUATION REQUIREMENTS</b> 0520-1-3-.06	ESL Graduation standards for the 9 <sup>th</sup> grade class of 2009-2010 changed (changes effective Oct. 28, 2008).
<b>PUPIL PERSONNEL SERVICES</b> 0520-1-3-.08(2)	Systems shall develop a comprehensive local AIDS plan in conjunction with public health officials. (latest revision effective August 28, 2006)
<b>MINIMUM NUTRITION STANDARDS</b>	Standards for food items sold or offered for sale in schools serving grades K-8. This does not apply to high schools in which pre-kindergarten children are the only students in the building below grade 9. Schools that serve grades 6, 7, or 8 and also serve higher grade levels must meet the standards (last revision effective Mar. 28, 2008).
<b>SPECIAL EDUCATION SERVICES</b> 0520-1-9	<b>All special education rules revised and effective Feb. 13, 2008).</b>
<b>LICENSURE EFFECTIVE DATES</b> 0520-2-3-.21	Licensure dates for current endorsements are delineated. (latest revision effective July 2007)
<b>DENIAL, SUSPENSION AND REVOCATION OF LICENSES</b> 0520-2-4-.01(9)	Provides revised to clarify that pre-trial or judicial diversion treated as conviction for purposes of license actions (last revision effective Nov. 2008).

**ADVANCED TRAINING  
FOR SALARY PURPOSES**  
0520-2-4-.01(15)

Systems pay salaries based on advanced training as outlined in the State Board rules. Career and technical teachers are paid the same for advanced training as other teachers (last revision effective Nov. 28, 2008).

**ALTERNATIVE LICENSES**  
0520-2-4-.02, .03, .12

Systems recommend teacher candidates for licensure under approved alternative program standards. Professional School Service Personnel requirements updated. (latest revision to be effective August 28, 2006)

**NONPUBLIC SCHOOLS**  
0520-2-4-.05

All regionally accredited schools (not just SACS) are recognized Category III nonpublic schools (effective June 2008).