

Amendment No. _____



Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 300*

House Bill No. 437

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-3115(a)(2)(A), is amended by adding the following as a new subdivision:

(vi) The student demonstrates proficiency in ELA standards based on the student's scoring in at least the fiftieth percentile on the most recently administered benchmark assessment provided by the state, if the benchmark assessment is administered to the student in a test format and in a test environment, as determined by the department; and

SECTION 2. Tennessee Code Annotated, Section 49-6-3115(d), is amended by deleting the subsection and substituting instead the following:

(d) The state board of education shall promulgate rules to establish an appeal process, to be administered by the department, for a student who is identified for retention in third grade pursuant to subsection (a) based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test. The rules must provide:

(1) That if an appeal is filed, the filing must be made by the student's parent or guardian unless the student's parent or guardian consents, in writing, to a principal, guidance counselor, teacher, or another administrator of the student's school filing the appeal, in which case an appeal may be filed by such individual; and



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(2) The process by which a principal, guidance counselor, teacher, or another administrator of the student's school obtains the written consent of a student's parent or guardian that is sufficient for purposes of filing an appeal on behalf of the student's parent or guardian.

SECTION 3. Tennessee Code Annotated, Section 49-6-3115, is amended by adding the following as a new subsection:

(e)

(1) Beginning with the 2023-2024 school year, a student who is retained in any of the grades kindergarten through three (K-3) must be assigned a tutor to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department.

(2) The department may procure up to three (3) online tutoring providers that LEAs and public charter schools may use to provide online tutoring services to students pursuant to subdivision (e)(1). The department's chief procurement officer is authorized to approve an emergency purchase of online tutoring providers pursuant to this subdivision (e)(2) using procurement methods authorized in § 12-3-505 and the department of general services' central procurement office's rules.

SECTION 4. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, Section 3 of this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, all other sections of this act take effect July 1, 2023, the public welfare requiring it.