

SENATE BILL 157

By Norris

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 16, Part 2, relative to virtual public schools.

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

SECTION 1. Tennessee Code Annotated, Section 49-16-211, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection (b):

(b) Initial enrollment in a public virtual school shall be limited to one thousand five hundred (1,500) students. Students residing outside the LEA establishing the virtual school shall represent no more than twenty-five percent (25%) of the virtual school's enrollment; however, any public virtual school in operation as January 1, 2013 may continue to serve the students enrolled in the school as of January 1, 2013. If a public virtual school demonstrates student achievement growth at a minimum level of "at expectations" as represented by the Tennessee Value-Added Assessment System (TVAAS) developed pursuant to Title 49, Chapter 1, Part 6 and guidelines adopted by the state board of education pursuant to Title 49, Chapter 1, Part 3, the school may exceed the total enrollment and out-of-district enrollment caps; however, in no event shall the total enrollment exceed five thousand (5,000) students.

SECTION 2. Tennessee Code Annotated, Section 49-16-213, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection (b):

(b) In addition to the intervention options available under § 49-1-602, if a public virtual school is identified as a priority school pursuant to § 49-1-602 or demonstrates student achievement growth at a level of "significantly below expectations" for two

consecutive years, as represented by the Tennessee Value-Added Assessment System (TVAAS) developed pursuant to Title 49, Chapter 1, Part 6 and guidelines adopted by the state board of education pursuant to Title 49, Chapter 1, Part 3, the commissioner shall have the authority to reinstitute the enrollment caps specified in § 49-16-211(b) or direct the LEA to close the school. If the department reinstates enrollment caps pursuant to this subsection, such caps shall not affect students enrolled in the virtual school at the time of the department's action. For the purposes of this subsection, "two consecutive years" shall include at least one year that is representative of the 2012-13 school year or later.

SECTION 3. The state board of education is authorized to promulgate rules and regulations to effectuate the purposes of this act.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.