



# State of Tennessee

## PUBLIC CHAPTER NO. 351

HOUSE BILL NO. 705

By Representatives Harry Brooks, John DeBerry, Lollar

Substituted for: Senate Bill No. 634

By Senator Tracy

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

WHEREAS, the general assembly finds that high school students should be encouraged to enroll in and successfully complete more rigorous coursework, such as Advanced Placement (AP) courses, to enable success in postsecondary students; and

WHEREAS, the general assembly wishes to enhance the accessibility of AP courses for all students; and

WHEREAS, the general assembly finds that high school students interested in career and technical training also should be encouraged to pursue completion of rigorous coursework and successful passage of career and technical certification examinations; and

WHEREAS, the cost of taking AP examinations and career and technical certification examinations may discourage students from attempting these exams; 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)

(1) There is established a two-year pilot project to be operated by the department of education. The purpose of the project shall be to determine whether enhanced accessibility of AP courses and examinations and career and technical certification examinations encourages students to pursue completion of rigorous course work and successfully pass AP examinations and career and technical certification examinations.

(2) Pilot project participants enrolled in Advanced Placement courses shall not be required to pay any fee to take the AP examination.

(3) Pilot project participants enrolled in career and technical courses leading to certification or licensure in the field of study shall not be required to pay any fee to take the certification or licensure examination.

(4) The cost of the examination shall be the responsibility of the state, regardless of the score achieved on the examination by the student.

(b) The pilot project shall be conducted in high schools to be selected by the commissioner of education. The high schools shall be selected so that the cost of the pilot project is no more than one hundred thousand dollars (\$100,000) per year.

(c)

(1) The office of research and education accountability (OREA) in the office of the comptroller of the treasury, with the assistance of the department of education, shall study the pilot project and shall report on the effectiveness of the project after the initial year of the project and at the conclusion of the project. In its report at the conclusion of pilot project, OREA shall make findings as to whether the project encouraged students to pursue completion of rigorous course work and successfully pass AP examinations and career and technical certification examinations. OREA shall make recommendations as to the potential of the project for expansion statewide. OREA shall submit its initial report to the education committees of the senate and the house of representatives by November 1, 2014, and its final report to the committees by November 1, 2015.

(2) If OREA, in consultation with the department, finds that the results of the two-year pilot project are promising, but that more study needs to be done before a final recommendation is issued, then department is authorized to continue the pilot program for an additional two (2) years, if funded.

SECTION 2. Tennessee Code Annotated, Section 49-13-104(6), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(6) "Governing body" means the organized group of persons who will operate a public charter school or schools by deciding matters, including, but not limited to, budgeting, curriculum and other operating procedures for the public charter school and by overseeing management and administration of a public charter school.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 13, is amended by adding the following language as a new, appropriately designated section:

49-13-1\_\_.

(a) The membership of a governing body shall include at least one (1) parent representative whose child is currently enrolled in a charter school operated by the governing body. The parent representative shall be appointed by the governing body within six (6) months of the school's opening date. A charter management organization may satisfy this requirement by establishing an advisory school council at each school that it operates. An advisory school council shall consist of no fewer than five (5) members and shall include the principal, at least one (1) parent and at least one (1) teacher representative.

(b) A local board of education shall not serve as the governing body of a public charter school;

SECTION 4. Tennessee Code Annotated, Section 49-13-104, is amended by adding the following language as new subdivision (4) and by renumbering subsequent subdivisions accordingly:

(4) "Charter management organization" or "CMO" means a nonprofit entity that operates multiple charter schools at least one (1) of which is in Tennessee.

SECTION 5. Tennessee Code Annotated, Section 49-13-127(b), is amended by adding the following language as a new subdivision (3):

(3) A CMO may comply with subdivision (b)(1) by submitting one (1) audit for all the charter schools operated in Tennessee by the CMO; provided, that such audit includes all information required under this section for each school.

SECTION 6. Tennessee Code Annotated, Section 49-13-108(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

**HB 705**

(b) The local board of education may consider whether the establishment of the charter school will have a substantial negative fiscal impact on the LEA such that authorization of the charter school would be contrary to the best interest of the pupils, school district or community.

SECTION 7. This act shall take effect July 1, 2013, the public welfare requiring it.

HOUSE BILL NO. 705

PASSED: April 19, 2013

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

  
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RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 13<sup>th</sup> day of May 2013

  
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BILL HASLAM, GOVERNOR