



State of Tennessee

PUBLIC CHAPTER NO. 204

HOUSE BILL NO. 872

By Representatives Akbari, Cooper, Love, Favors, Parkinson, Camper, Towns, Clemmons, Hardaway, Powell, Turner, Stewart, Mark White

Substituted for: Senate Bill No. 1394

By Senators Tate, Harper

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1; Title 49, Chapter 10; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6, relative to discipline of students in pre-kindergarten through kindergarten (pre-K-K).

WHEREAS, the introduction of exclusionary discipline should be used only as a method of last resort; and

WHEREAS, whenever possible, the parent should be involved in disciplinary actions taken by the school; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is amended by adding the following language as a new section:

(a) The department of education, in consultation with juvenile court officials, shall review all current laws and policies related to exclusionary discipline practices in public schools for students in pre-kindergarten through kindergarten (pre-K-K). For purposes of this section, "exclusionary discipline" means any type of school disciplinary action that removes or excludes a student from the student's traditional educational setting.

(b) The review shall:

(1) Examine the number of exclusionary discipline actions issued by an LEA and the length of each respective disciplinary action;

(2) Detail the type of offenses committed by the students that led to the exclusionary discipline action;

(3) Review the impact exclusionary discipline has on students;

(4) Examine recommendations from lawmakers, juvenile court officials, judges, district attorneys, the Tennessee Commission on Children and Youth, and representatives from LEAs on alternatives to exclusionary discipline;

(5) Identify free resources to support teachers and parents in addressing children's social, emotional, and behavioral health, strengthening family relationships, and increasing developmental and behavioral screening; and

(6) Research the possibility of:

(A) Eliminating exclusionary discipline for non-violent offenses;
and

(B) Encouraging schools to adopt restorative justice discipline practices.

(c) The department shall develop guidelines and standards for alternatives to exclusionary discipline practices based on the findings of the review required under subsection (b).

HB 872

(d) The department shall present its findings and a written report to the education committees of the senate, the education administration and planning committee of the house of representatives, and the education instruction and programs committee of the house of representatives no later than May 1, 2018.

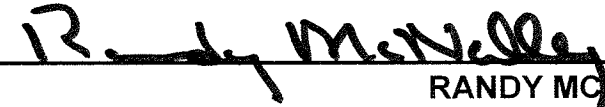
(e) After submission of the report required in subsection (d), the department shall develop a model policy for alternatives to exclusionary discipline practices that districts may adopt for students in pre-kindergarten through kindergarten (pre-K-K). If a district does not adopt the model policy developed by the department, the district shall develop and implement a policy that meets the guidelines and standards developed under subsection (c). Each LEA shall adopt the model policy or develop their own policy prior to the 2018-2019 school year.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

HOUSE BILL NO. 872

PASSED: April 13, 2017


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES


RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 27th day of April 2017


BILL HASLAM, GOVERNOR