



HOUSE BILL 2533

By Lamberth

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Title 5, Chapter 21; Title 8, Chapter 50, Part 8; Title 49, Chapter 10, Part 1; Title 49, Chapter 10, Part 14; Title 49, Chapter 11, Part 1; Title 49, Chapter 11, Part 8; Title 49, Chapter 13; Title 49, Chapter 15, Part 1; Title 49, Chapter 16, Part 2; Title 49, Chapter 17; Section 49-2-203; Title 49, Chapter 3, Part 1; Title 49, Chapter 5, Part 4; Title 49, Chapter 50, Part 10; Title 49, Chapter 50, Part 16; Title 49, Chapter 50, Part 18; Title 49, Chapter 6, Part 10; Title 49, Chapter 6, Part 15; Title 49, Chapter 6, Part 22; Title 49, Chapter 6, Part 23; Title 49, Chapter 6, Part 30; Title 49, Chapter 6, Part 34; Title 49, Chapter 6, Part 42; Title 49, Chapter 6, Part 81; Title 49, Chapter 1, Part 2; Title 49, Chapter 1, Part 3 and Section 68-204-110, relative to education.

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

SECTION 1. Tennessee Code Annotated, Section 5-21-124, is amended by deleting subsections (a) and (b) substituting:

(a) If the director or purchasing agent established under this chapter does not maintain records, follow accounting and budgetary procedures, and submit timely reports and information as prescribed by state law and the commissioner of education, then the comptroller of the treasury, after a hearing on the issue of such neglect, shall remove the education department of the county involved from the county financial management system established by this chapter by written notification to the presiding officer of the county legislative body.

(b) Upon receiving notice from the comptroller, the county legislative body shall transfer sufficient funds from the control of the department to provide financial services

in the county education department under the supervision of the county director of schools, as provided by general law.

SECTION 2. Tennessee Code Annotated, Section 8-50-814(a)(3)(B), is amended by designating the existing language as subdivision (i) and adding the following as a new subdivision:

(ii) A teacher, principal, supervisor, or other individual required by law to hold a valid license of qualification for employment in the public schools of this state who has been on paid or unpaid leave during their employment with the local education agency or public charter school must be considered as having been employed full time during any such period for purposes of the requirement in subdivision (a)(3)(B)(i); and

SECTION 3. Tennessee Code Annotated, Section 8-50-814(g), is amended by deleting the period at the end of the subsection and substituting:

; provided, that the department of education receives the reimbursement request within the same fiscal year during which the leave was taken.

SECTION 4. Tennessee Code Annotated, Section 49-1-202, is amended by deleting "career and technical education" wherever it appears in subsection (a) and substituting "college, career, and military readiness" and by deleting subsection (b).

SECTION 5. Tennessee Code Annotated, Section 49-11-805, is amended by deleting "division of vocational education" in subsection (a) and substituting "division of college, career, and military readiness" and by deleting "division of vocational technical education" in subsection (b) and substituting "division of vocational education" and substituting "division of college, career, and military readiness".

SECTION 6. Tennessee Code Annotated, Section 49-1-207(c)(3), is amended by deleting the subdivision and substituting:

(3) Notwithstanding subdivisions (c)(1) and (2), the commissioner shall not waive regulatory or statutory requirements related to:

- (A) Federal and state civil rights;
- (B) Federal, state, and local health and safety;
- (C) Federal and state public records;
- (D) Immunizations;
- (E) Possession of weapons on school grounds;
- (F) Background checks and fingerprinting of personnel;
- (G) Federal and state special education services;
- (H) Student due process;
- (I) Parental rights;
- (J) Federal and state student assessment and accountability;
- (K) Open meetings;
- (L) Educators' due process rights;
- (M) Reductions in teachers' salaries;
- (N) Employee rights, salaries, and benefits; and
- (O) Licensure of employees.

SECTION 7. Tennessee Code Annotated, Section 49-1-227(a), is amended by deleting "within sixty (60) days after the adjournment of the general assembly" and substituting "by October 31".

SECTION 8. Tennessee Code Annotated, Section 49-1-229, is amended by deleting subsection (e).

SECTION 9. Tennessee Code Annotated, Section 4-29-248(a), is amended by deleting subdivision (26).

SECTION 10. Tennessee Code Annotated, Section 49-1-301(e), is amended by deleting the subsection and substituting:

(e) The board is administratively attached to the department of education. For purposes of this subsection (e), "administratively attached" means that the board is attached to the department solely for purposes of receiving administrative support, which includes, but is not limited to, budgeting, personnel processing, procurement assistance, and office services. The board is an independent state entity separate from the department and retains full responsibility for carrying out its statutory powers, duties, and functions. The department is not responsible for carrying out the statutory duties of the board and shall not direct, control, or otherwise interfere with the exercise of the board's independent judgment, policymaking authority, or statutory responsibilities. The commissioner of education shall not exercise administrative or supervisory authority over the board or its staff.

SECTION 11. Tennessee Code Annotated, Section 49-1-305(a), is amended by deleting the last two sentences of the subsection and substituting:

The executive director and staff are responsible for administering policies, rules, and education laws, as provided in this title.

SECTION 12. Tennessee Code Annotated, Section 49-3-106(f)(3), is amended by deleting the subdivision and substituting:

- (3) The chair of the:
- (A) Education committee of the senate; and
 - (B) Committee of the house of representatives having jurisdiction over education;

SECTION 13. Tennessee Code Annotated, Section 49-3-111, is amended by deleting subdivision (b)(4).

SECTION 14. Tennessee Code Annotated, Section 49-5-413(a), is amended by deleting "a local board of education, charter school," and substituting "an LEA, public charter school, state college or university maintaining a training school pursuant to § 49-8-105, private college or university maintaining a training school pursuant to § 49-2-105,".

SECTION 15. Tennessee Code Annotated, Section 49-5-413(b), is amended by deleting "local board of education" and substituting "Tennessee consolidated retirement system participating employer".

SECTION 16. Tennessee Code Annotated, Section 49-5-413(c), is amended by deleting:

a local board of education or a child care program

wherever it appears in the subsection and substituting:

an LEA, public charter school, state college or university maintaining a training school, private college or university maintaining a training school pursuant to § 49-2-105, or child care program

and by deleting:

the local board of education or child care program

wherever it appears in the subsection and substituting:

the LEA, public charter school, state college or university maintaining a training school, private college or university maintaining a training school pursuant to § 49-2-105, or child care program

and by deleting:

Any local board of education or child care program

wherever it appears in the subsection and substituting:

Any LEA, public charter school, state college or university maintaining a training school, private college or university maintaining a training school pursuant to § 49-2-105, or child care program

and by deleting:

A local board of education or a child care program

wherever it appears in the subsection and substituting:

An LEA, public charter school, state college or university maintaining a training school, private college or university maintaining a training school pursuant to § 49-2-105, or child care program

and by deleting:

the board of education or child care program

wherever it appears in the subsection and substituting:

the LEA, public charter school, state college or university maintaining a training school, private college or university maintaining a training school pursuant to § 49-2-105, or child care program

SECTION 17. Tennessee Code Annotated, Section 49-5-413(d), is amended by deleting subdivision (1) and substituting:

(1) A person, corporation, or entity that enters into or renews a contract, or that contracts with a person, corporation, or entity that enters into or renews a contract, with an LEA, public charter school, state college or university maintaining a training school pursuant to § 49-8-105, private college or university maintaining a training school pursuant to § 49-2-105, or child care program, as defined in § 49-1-1102, on or after the effective date of this act, must comply with this subsection (d) if the contract requires:

(A) The person or an employee of the person, corporation, or other entity to have direct contact with school children or children in a child care program; or

(B) The person or employee to have access to the grounds of a school or child care center when children are present.

SECTION 18. Tennessee Code Annotated, Section 49-5-413(d)(2), is amended by deleting subdivision (C) and substituting:

(C) Notwithstanding subdivision (d)(2)(A), a person, corporation, or entity that, for one (1) employee, satisfies the requirements of this subsection (d) for an LEA, public charter school, state college or university maintaining a training school pursuant to § 49-8-105, private college or university maintaining a training school pursuant to § 49-2-105, or child care program, as defined in § 49-1-1102, shall be deemed to have satisfied the requirements for any other LEA, public charter school, state college or university maintaining a training school, private college or university maintaining a training school pursuant to § 49-2-105, or child care program, as long as the employee remains in the continuous employment of the same person, corporation, or entity.

SECTION 19. Tennessee Code Annotated, Section 49-5-413(e), is amended by deleting:

local boards of education, public charter schools, and LEAs

wherever it appears in the subsection and substituting:

LEAs, public charter schools, state colleges or universities for a training school maintained by the state college or university pursuant to § 49-8-105, and private colleges or universities for a training school maintained by the private college or university pursuant to § 49-2-105

and by deleting:

any local board of education, public charter school, or any LEA

wherever it appears in the subsection and substituting:

any LEA, public charter school, state college or university for a training school maintained by the state college or university pursuant to § 49-8-105, or private college or university for a training school maintained by the private college or university pursuant to § 49-2-105

and by deleting:

local board of education, public charter school, or LEA

wherever it appears in the subsection and substituting:

LEA, public charter school, state college or university for a training school maintained by the state college or university pursuant to § 49-8-105, or private college or university for a training school maintained by the private college or university pursuant to § 49-2-105

and by deleting from subdivision (8):

and shall promulgate such rules within sixty (60) days of May 14, 2013

SECTION 20. Tennessee Code Annotated, Section 49-5-413(f), is amended by deleting:

local boards of education, charter schools, and any child care programs, as defined in § 49-1-1102

wherever it appears in the subsection and substituting:

LEAs, public charter schools, state colleges or universities maintaining a training school pursuant to § 49-8-105, private colleges or universities maintaining a training school pursuant to § 49-2-105, and child care programs, as defined in § 49-1-1102

and by deleting:

Local boards of education, charter schools, and child care programs

wherever it appears in the subsection and substituting:

LEAs, public charter schools, state colleges or universities maintaining a training school, private colleges or universities maintaining a training school, and child care programs

SECTION 21. Tennessee Code Annotated, Section 49-5-413(g), is amended by deleting the subsection and substituting:

(g) Each local board of education, governing body of a public charter school, governing board for a state college or university that maintains a training school pursuant to § 49-8-105, and governing board for a private college or university maintaining a training school pursuant to § 49-2-105, shall adopt a policy governing background check procedures for contract workers and volunteers. Upon this state's acceptance into the federal bureau of investigation rap back program, LEAs, public charter schools, state colleges or universities maintaining a training school, private colleges or universities maintaining a training school, and child care programs, as defined in § 49-1-1102, may require state and national criminal history record checks to be conducted on contract workers and school volunteers, and may participate in the rap back program, for the purpose of determining suitability or fitness for contract workers and volunteers to work with children or to be on school grounds when children are present.

SECTION 22. Tennessee Code Annotated, Section 49-5-413(e)(7), is amended by deleting the subdivision and substituting:

(7) The department of education, the state board of education, LEAs, public charter schools, state colleges or universities maintaining a training school pursuant to § 49-8-105, and private colleges or universities maintaining a training school pursuant to § 49-2-105 shall not hire or retain, and the state board of education shall not grant a license, reactivate an expired license, restore a revoked license, or grant a temporary

teaching permit to, an individual whose name has been placed on the state's vulnerable person's registry, the state's sex offender registry, or on a federal registry similar to this state's vulnerable person's registry or this state's sex offender registry.

SECTION 23. Tennessee Code Annotated, Section 49-5-413, is amended by adding the following as a new subsection:

(h) A child care program, as defined in § 49-1-1102, that receives funds through the department of human services may elect to complete background checks pursuant to § 71-3-507, instead of complying with the requirements of this section.

SECTION 24. Tennessee Code Annotated, Section 49-6-1015(c), is amended by deleting "2026-2027" and substituting "2027-2028".

SECTION 25. Tennessee Code Annotated, Section 49-6-1503(c), is amended by deleting subdivision (2) and substituting:

(2) Funding for after-school learning mini-camps, learning loss bridge camps, and summer learning camps must first be used for the purposes outlined in subdivision (c)(1). Any remaining funds may be used by LEAs or public charter schools to provide tutoring required by § 49-6-3115. Funding for after-school learning mini-camps, learning loss bridge camps, and summer learning camps must supplement, but must not supplant, existing funding for other educational programs conducted by the LEA or public charter school outside of the regular school day.

SECTION 26. Tennessee Code Annotated, Section 49-6-2201(a)(2), is amended by deleting "secretary" and substituting "member".

SECTION 27. Tennessee Code Annotated, Section 49-6-2211, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) The commission is administratively attached to the department of education. For purposes of this subdivision (a)(5), "administratively attached" means that the commission is attached to the department solely for purposes of receiving administrative support, which includes, but is not limited to, budgeting, personnel processing, procurement assistance, and office services. The commission is an independent state entity separate from the department and retains full responsibility for carrying out its statutory powers, duties, and functions. The department is not responsible for carrying out the statutory duties of the commission and shall not direct, control, or otherwise interfere with the exercise of the commission's independent judgment, policymaking authority, or statutory responsibilities. The commissioner of education shall not exercise administrative or supervisory authority over the commission or its staff.

SECTION 28. Tennessee Code Annotated, Section 49-6-2201(h), is amended by deleting "shall" and substituting "may, upon the request of the commission,".

SECTION 29. Tennessee Code Annotated, Section 49-6-2201(k), is amended by deleting "department's" in subdivision (3) and substituting "commission's", by deleting "secretary of the commission" and substituting "chair of the commission, or the chair's designee," in subdivision (5), and by deleting subdivisions (6) and (7) and substituting:

(6) The commission shall make meetings of the commission available for viewing by the public over the internet by streaming video accessible from the commission's website. Archived videos of the commission's meetings must also be made available to the public through the commission's website.

SECTION 30. Tennessee Code Annotated, Section 49-6-2201(l)(2), is amended by deleting the first sentence of the subdivision and substituting:

The commission shall provide mandatory training to members of advisory panels on the review process and the completion of their assigned tasks. The

department may, upon the request of the commission, assist the commission in providing the mandatory training.

SECTION 31. Tennessee Code Annotated, Section 49-6-2201(l)(4), is amended by deleting "department's" wherever it appears in the subdivision and substituting "commission's".

SECTION 32. Tennessee Code Annotated, Section 49-6-2201(l)(6), is amended by deleting "department's" and substituting "commission's".

SECTION 33. Tennessee Code Annotated, Section 49-6-2201(l)(7), is amended by deleting "department's" wherever it appears in the subdivision and substituting "commission's".

SECTION 34. Tennessee Code Annotated, Section 49-6-2202, is amended by deleting "website of the department of education" in subsection (a) and substituting "commission's website" and by deleting the following language in subsection (g):

The department of education, including the commissioner of education, or a deputy or assistant commissioner of education, serving as the secretary of the commission, may, at the direction of the commission, assist the commission in the performance of the commission's duties by providing recommendations to the commission, but shall not, when assisting the commission in the performance of the commission's duties or when training newly appointed members of the commission or members of advisory panels, attempt to improperly influence or interfere with:

and substituting:

The department of education, including the commissioner of education, or a deputy or assistant commissioner of education, serving as an ex officio, non-voting member of the commission, is not responsible for carrying out the statutory duties of the commission but may, at the request of the commission, assist the commission in the performance of the commission's duties by

providing recommendations to the commission, but shall not, when assisting the commission in the performance of the commission's duties or when training newly appointed members of the commission or members of advisory panels, attempt to improperly influence or interfere with:

SECTION 35. Tennessee Code Annotated, Section 49-6-2203(d)(2), is amended by deleting "commissioner" and substituting "commission".

SECTION 36. Tennessee Code Annotated, Section 49-6-2203(d)(3)(C)(i), is amended by deleting the subdivision and substituting:

(i) A publisher that submits textbooks or instructional materials for adoption shall provide the commission with a link to the textbooks or instructional materials that the public and advisory panel members can use to access the textbooks or instructional materials. The commission shall post the links provided by publishers pursuant to this subdivision (d)(3)(C)(i) on the commission's website.

SECTION 37. Tennessee Code Annotated, Section 49-6-2203(d)(4), is amended by deleting "department" wherever it appears in the subdivision and substituting "commission", by deleting "department's" and substituting "commission's", and by deleting "and to the commission before its approval of the textbook or instructional materials for inclusion on the textbook list".

SECTION 38. Tennessee Code Annotated, Section 49-6-2203(h), is amended by deleting the subsection and substituting:

(h) Contracts for the books listed must be executed in duplicate by the chair or executive director of the commission, on forms prepared and approved by the attorney general and reporter. One (1) copy of the contract must be retained by the publisher and one (1) copy must be kept on file with the commission. Each contract must state that the prices contained in the contract do not exceed prices offered currently elsewhere.

SECTION 39. Tennessee Code Annotated, Section 49-6-2302(a), is amended by deleting "school board" in subdivisions (a)(1) and (2) and substituting "local board of education and public charter school governing body".

SECTION 40. Tennessee Code Annotated, Section 49-6-2302(b), is amended by deleting "LEA" and substituting "LEA and public charter school".

SECTION 41. Tennessee Code Annotated, Section 49-6-3004(a)(6)(A), is amended by deleting "the director of schools" and substituting "the director of schools or the director of the public charter school" and by deleting "The waiver request may be for" and substituting "A waiver request submitted by a director of schools may be for".

SECTION 42. Tennessee Code Annotated, Section 49-6-3004(c)(1)(A), is amended by deleting "and approved by the commissioner".

SECTION 43. Tennessee Code Annotated, Section 49-6-3004(f), is amended by deleting the subsection and substituting:

(f) LEAs and public charter schools shall commence the school year no earlier than August 1 unless the local board of education or public charter school governing body, as applicable, votes by a majority of its membership to establish a year-round or alternative calendar for all or any of the schools within its jurisdiction in accordance with department of education attendance policies.

SECTION 44. Tennessee Code Annotated, Section 49-6-3404, is amended by deleting the section.

SECTION 45. Tennessee Code Annotated, Section 49-6-4204(a)(2), is amended by adding the following as a new subdivision:

(D) School employee designated by the director of schools or the director of the public charter school, as applicable, who has completed the orientation and training established pursuant to § 49-6-4212.

SECTION 46. Tennessee Code Annotated, Section 49-6-4205(a)(2), is amended by adding the following as a new subdivision:

(D) School employee designated by the director of schools or the director of the public charter school, as applicable, who has completed the orientation and training established pursuant to § 49-6-4212.

SECTION 47. Tennessee Code Annotated, Section 49-6-4212(a)(1), is amended by deleting the subdivision and substituting:

(1) The department of education shall establish and maintain an orientation and training program for LEAs and public charter schools, or approve an orientation and training program conducted by a licensed attorney for LEAs and public charter schools, to inform school administrators and employees designated pursuant to § 49-6-4204(a)(2)(D) or § 49-6-4205(a)(2)(D) of the rights of students relative to searches.

SECTION 48. Tennessee Code Annotated, Section 49-6-4212(a), is amended by deleting subdivision (3) and substituting:

(3) A school administrator or school employee designated pursuant to § 49-6-4204(a)(2)(D) or § 49-6-4205(a)(2)(D) must complete an orientation and training program developed or approved by the department pursuant to subdivision (a)(1) before conducting a search pursuant to § 49-6-4204(a) or § 49-6-4205(a).

SECTION 49. Tennessee Code Annotated, Section 49-6-8103(b), is amended by designating the existing language as subdivision (1) and adding the following new subdivision:

(2) An LEA or public charter school that receives at least one (1) form expressing a student's intent to complete an early graduation program shall report the total number of forms received for the respective school year to the department.

SECTION 50. Tennessee Code Annotated, Section 49-10-105(e), is amended by adding the following as a new subdivision:

(5) Advise the department on matters related to dyslexia.

SECTION 51. Tennessee Code Annotated, Section 49-10-1402(3), is amended by deleting the subdivision and substituting:

(3) "Eligible student" means a resident of this state who:

(A)

(i) Is a child with any of the following disabilities as defined by the state board of education pursuant to § 49-10-102:

- (a) Autism;
- (b) Deaf-blindness;
- (c) Hearing impairments;
- (d) Intellectual disability;
- (e) Orthopedic impairments;
- (f) Traumatic brain injury;
- (g) Visual impairments;
- (h) Developmental delay;
- (i) Multiple disabilities;
- (j) A specific learning disability; or
- (k) Deafness;

(ii) Has an active individualized education program (IEP) in accordance with 34 C.F.R. § 300 et seq., § 49-10-102, and regulations of the state board of education with one (1) of the disabilities identified in subdivision (3)(A)(i) as the primary or secondary disability in effect at the time the department receives the request for participation in the program; and

(iii) Meets at least one (1) of the following requirements:

(a) Was previously enrolled in and attended a Tennessee public school for the one (1) full school year immediately preceding the school year in which the student receives an individualized education account (IEA);

(b) Is enrolling in a Tennessee school for the first time; or

(c) Received an individualized education account (IEA) in the previous school year; or

(B) Is a child participating in the Tennessee Early Intervention System (TEIS) Extended Option who is eligible for Part C services and whose Part B eligibility report lists a disability identified in subdivision (3)(A)(i);

SECTION 52. Tennessee Code Annotated, Section 49-10-1403(b), is amended by deleting subdivision (15).

SECTION 53. Tennessee Code Annotated, Section 49-10-1403, is amended by adding the following as a new subsection:

(k) Beginning July 1, 2026, parents shall not use funds deposited in a participating student's IEA to make contributions to an achieving a better life experience account for purposes of the ABLE Act, compiled in title 71, chapter 4, part 8. Contributions made by a parent of a participating student to an achieving a better life experience account prior to July 1, 2026, may continue to be maintained in the account for the benefit of the participating student; provided, that the funds must only be used for the student's education expenses subject to the rules established by the achieving a better life experience program and the student must meet the qualifications to participate in the achieving a better life experience program pursuant to the ABLE Act, and 529A of the Internal Revenue Code of 1986 (26 U.S.C. 529A), as amended, and all rules,

regulations, notices, and interpretations released by the United States department of treasury, including the internal revenue service.

SECTION 54. Tennessee Code Annotated, Section 49-11-106, is amended by deleting "division of career and technical education" wherever it appears in the section and substituting "division of college, career, and military readiness".

SECTION 55. Tennessee Code Annotated, Section 49-13-105, is amended by adding the following as a new subsection:

(p) The commission is administratively attached to the department of education. For purposes of this subsection (p), "administratively attached" means that the commission is attached to the department solely for purposes of receiving administrative support, which includes, but is not limited to, budgeting, personnel processing, procurement assistance, and office services. The commission is an independent state entity separate from the department and retains full responsibility for carrying out its statutory powers, duties, and functions. The department is not responsible for carrying out the statutory duties of the commission and shall not direct, control, or otherwise interfere with the exercise of the commission's independent judgment, policymaking authority, or statutory responsibilities. The commissioner of education shall not exercise administrative or supervisory authority over the commission or its staff.

SECTION 56. Tennessee Code Annotated, Section 49-15-102(4), is amended by deleting "career and technical education" and substituting "college, career, and military readiness".

SECTION 57. Tennessee Code Annotated, Section 49-15-109(b), is amended by deleting "career and technical education" and substituting "college, career, and military readiness".

SECTION 58. Tennessee Code Annotated, Section 49-16-211(b), is amended by deleting the subsection and substituting:

(b) Total enrollment in all of the public virtual schools established by an LEA must not exceed one thousand five hundred (1,500) students; provided, that if the LEA has at least one (1) public virtual school in operation as of January 1, 2026, then the LEA may use the total number of students who were enrolled in the LEA's public virtual schools in the 2025-2026 school year as the LEA's enrollment cap. Beginning in the 2026-2027 school year, if each public virtual school in the LEA demonstrates student achievement growth at a minimum level of "at expectations", as represented by the Tennessee Value-Added Assessment System (TVAAS) developed pursuant to chapter 1, part 6 of this title and guidelines adopted by the state board of education pursuant to chapter 1, part 3 of this title, then the public virtual schools in the LEA may exceed the enrollment cap established for the LEA pursuant to this subsection (b).

(c) Subsection (b) does not apply to adult high schools providing virtual instruction pursuant to § 49-6-409(b).

SECTION 59. Tennessee Code Annotated, Section 49-16-213, is amended by deleting subsection (b) and substituting:

(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, then the LEA shall not exceed its enrollment cap specified in § 49-16-211(b) and the virtual school identified as a priority school shall not exceed its enrollment for the prior year. The enrollment cap takes effect for the school year immediately following the identification and does not affect students enrolled in the public virtual school at the time of the identification.

(c)

(1) If a public virtual school is identified as a priority school pursuant to § 49-1-602 for two (2) consecutive cycles, then the LEA shall close the public virtual school for the school year immediately following the identification.

(2) Notwithstanding chapter 3, part 1 of this title, if a public virtual school is closed pursuant to this subsection (c), then the Tennessee investment in student achievement formula (TISA) payments for the LEA that established the public virtual school must exclude a student who was a member in the public virtual school in the prior school year who did not remain a member in the LEA.

SECTION 60. Tennessee Code Annotated, Title 49, Chapter 17, is amended by deleting the chapter and substituting:

49-17-101. Short title.

This chapter is known and may be cited as the "Energy Efficient Schools Initiative (EESI) of 2026."

49-17-102. Creation of the office of energy efficient schools.

(a) On July 1, 2026, the energy efficient schools council is terminated and all positions, resources, and functions of the council are transferred to the department of education. The energy efficient schools council shall assign all contracts executed by the council to the department. The department shall maintain an office of energy efficient schools (OEES) for the purpose of administering an energy efficient grant program for schools pursuant to rules promulgated by the department.

(b) The OEES shall:

(1) Appoint a technical advisory committee (TAC), as provided in subsection (c), to approve, establish, or recommend the design and technology guidelines to be approved by the OEES for purposes of the program;

(2) Award grants or loans to LEAs and public charter schools for qualifying capital outlay projects, including projects for which a provider has warranted predetermined energy use objectives in accordance with the criteria established by the TAC and approved by the OEES;

(3) Verify the energy efficiencies achieved using methodologies established by the TAC;

(4) To the extent feasible, establish and support ongoing energy management programs; and

(5) Establish compensation policies for members of the TAC, unless otherwise prohibited in this chapter.

(c) The TAC is composed of the following seven (7) members:

(1) One (1) member representing the interests of the Oak Ridge National Laboratory appointed by the commissioner of education, and one (1) member representing the interests of the Tennessee Valley authority appointed by the commissioner, who each serve as ex officio members and co-chairs; and

(2) Five (5) members appointed by the commissioner:

(A) One (1) member with a professional engineer certification, who preferably has a background in mechanical engineering, who is either actively employed as an engineer or is a retired engineer;

(B) Two (2) members with a background in sustainable building design, including, but not limited to, persons with LEED AP certification or those with a background in Green Globes design and management;

(C) One (1) member representing the Tennessee Valley Public Power Association; and

(D) One (1) member who has obtained a professional engineering certification and is experienced in performance-based energy accountable construction processes.

(d) Members of the TAC are entitled to receive compensation, as determined by the OEES pursuant to rules promulgated by the department.

49-17-103. Energy efficient schools fund.

(a) An energy efficient schools fund is established as a separate account in the state treasury. Amounts remaining in the fund at the end of each fiscal year do not revert to the general fund. Moneys in the fund must be invested by the state treasurer pursuant to title 9, chapter 4, part 6, for the sole benefit of the fund.

(b) Funding for the account described in subsection (a) is subject to appropriations in the general appropriations act.

(c) All costs of administering the energy efficient schools initiative described in this part must be funded from the energy efficient schools fund as part of the energy efficient grant program established pursuant to this part.

(d) On July 1, 2026, the energy efficient schools council fund is renamed the energy efficient schools fund. All funds in the energy efficient schools council fund must be maintained by the state treasury in the energy efficient schools fund.

SECTION 61. Tennessee Code Annotated, Section 68-204-110, is amended by deleting "2008" wherever it appears in the section and substituting "2026" and by deleting "energy efficient schools council" and substituting "office of energy efficient schools in the department of education".

SECTION 62. Tennessee Code Annotated, Section 49-2-203(a)(3)(G)(vi), is amended by deleting "energy efficient schools council" and substituting "office of energy efficient schools in the department of education".

SECTION 63. Tennessee Code Annotated, Section 4-29-248(a), is amended by deleting subdivision (29).

SECTION 64. Tennessee Code Annotated, Section 49-50-1001(d), is amended by deleting the subsection and substituting instead:

(d) The state board of education shall promulgate rules providing employees of the Tennessee School for the Blind, the Tennessee School for the Deaf, the West Tennessee School for the Deaf, the Alvin C. York Agricultural Institute, and any other special school hereafter established, the same rights to contest adverse job actions as are granted to other employees of local education agencies as provided in this title.

SECTION 65. Tennessee Code Annotated, Section 49-50-1602(f)(3), is amended by deleting "auto-injector" wherever it appears in the subdivision and substituting "delivery system", by deleting "auto-injectors" wherever it appears in the subdivision and substituting "delivery systems", and by deleting "injection".

SECTION 66. Tennessee Code Annotated, Section 49-50-1602(g)(5), is amended by deleting "diazepam gel" and substituting "an anti-seizure medication".

SECTION 67. Tennessee Code Annotated, Section 49-50-1803(b), is amended by designating the existing language as subdivision (1) and adding the following new subdivision:

(2)

(A) If the public institution of education is an LEA or public charter school, then the Title VI coordinator for the LEA or public charter school shall investigate all complaints of antisemitic discrimination and harassment reported to the LEA or public charter school before formally reporting the incidents and complaints to the Title VI coordinator designated by the department of education.

(B) The LEA or public charter school investigating a complaint of antisemitic discrimination or harassment must conduct the investigation in

accordance with procedures outlined in rules promulgated by the state board of education and in the polices adopted by the local board of education or public charter school governing body, as applicable.

SECTION 68. Tennessee Code Annotated, Section 49-50-1803(e), is amended by deleting the subsection and substituting:

(e) The Title VI coordinator for:

(1) The department of education shall, no later than December 31 of each year, issue an annual report on antisemitism in LEAs and public charter schools to the attorney general and reporter and to the general assembly; and

(2) Each public institution of higher education shall, no later than June 30 of each year, issue an annual report on antisemitism at the institution to the attorney general and reporter and to the general assembly.

SECTION 69. The department of education is authorized to promulgate rules, including emergency rules, to effectuate Section 60 of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 70. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 71. This act takes effect July 1, 2026, the public welfare requiring it.

Amendment No. 1 to HB2533

White
Signature of Sponsor

AMEND Senate Bill No. 2228*

House Bill No. 2533

by deleting Section 5 and substituting instead the following:

SECTION 5. Tennessee Code Annotated, Section 49-11-805, is amended by deleting "division of vocational education" in subsection (a) and substituting "division of college, career, and military readiness" and by deleting "division of vocational technical education" in subsection (b) and substituting "division of college, career, and military readiness".

AND FURTHER AMEND by deleting Section 11 and substituting instead the following:

SECTION 11. Tennessee Code Annotated, Section 49-6-3004(i), is amended by deleting "An LEA" wherever it appears in the subsection and substituting "An LEA or public charter school", by deleting "an LEA" wherever it appears in the subsection and substituting "an LEA or public charter school", and by deleting "the LEA" wherever it appears in the subsection and substituting "the LEA or public charter school".

AND FURTHER AMEND by deleting "state college or university maintaining a training school" wherever it appears in the amendatory language of Section 16 and substituting "state college or university maintaining a training school pursuant to § 49-8-105".

AND FURTHER AMEND by deleting "state colleges or universities maintaining a training school, private colleges or universities maintaining a training school" in the amendatory language of Section 20 and substituting "state colleges or universities maintaining a training school pursuant to § 49-8-105, private colleges or universities maintaining a training school pursuant to § 49-2-105".

AND FURTHER AMEND by deleting Section 34 and substituting instead the following:

SECTION 34. Tennessee Code Annotated, Section 49-6-2202, is amended by deleting "website of the department of education" in subsection (a) and substituting "commission's website" and by deleting the following language in subsection (g):

The department of education, including the commissioner of education, or a deputy or assistant commissioner of education, serving as the secretary of the commission, may, at the direction of the commission, assist the commission in the performance of the commission's duties by providing recommendations to the commission, but shall not, when assisting the commission in the performance of the commission's duties or when training newly appointed members of the commission or members of advisory panels, attempt to improperly influence or interfere with:

and substituting:

The department of education, including the commissioner of education, or a deputy or assistant commissioner of education, serving as an ex officio, non-voting member of the commission, is not responsible for carrying out the statutory duties of the commission but shall, at the request of the commission, assist the commission in the performance of the commission's duties by providing recommendations to the commission, but shall not, when assisting the commission in the performance of the commission's duties or when training newly appointed members of the commission or members of advisory panels, attempt to improperly influence or interfere with:

AND FURTHER AMEND by deleting Section 39 and substituting the following:

SECTION 39. Tennessee Code Annotated, Section 49-6-2302(a), is amended by deleting "school board" in subdivisions (a)(1) and (2) and substituting "local board of education or public charter school governing body".

AND FURTHER AMEND by deleting "rules promulgated by the state board of education" in subdivision (b)(2)(B) in the amendatory language of Section 67 and substituting "chapter 6, part 45 of this title".

AND FURTHER AMEND by deleting Sections 19, 22, 28, 30, 59-63, 65, and 69 and renumbering remaining sections accordingly.