

SENATE BILL 122

By Haile

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to kindergarten through grade twelve (K-12) education.

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

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

49-6-3601.

This part is known and may be cited as the "School Turnaround Pilot Program Act."

49-6-3602.

As used in this part:

- (1) "Department" means the department of education;
- (2) "District school" means a public school controlled and operated by a local board of education. "District school" does not include charter schools authorized in accordance with chapter 13 of this title;
- (3) "School in need of intervention" means a district school that the department designates as in need of intervention according to an outcomes-based measure;
- (4) "School turnaround pilot program" or "pilot program" means the pilot program developed by the department of education in accordance with this part; and
- (5) "Statewide assessment" means a student achievement test in English language arts, mathematics, or science that is administered statewide, including

Tennessee comprehensive assessment program (TCAP) tests and tests administered pursuant to chapter 6, part 60 of this title; § 49-1-612; or § 49-1-608.

49-6-3603.

- (a) The department shall create and develop a five-year school turnaround pilot program for district schools that are in need of intervention pursuant to § 49-6-3604.
- (b) The department shall select twenty (20) schools in need of intervention that are diverse geographically, including rural and urban schools and schools in different regions of the state, and diverse in grade levels for the pilot program.
- (c) From the twenty (20) schools in need of intervention selected for the pilot program, the department shall randomly select ten (10) schools to be a control group and ten (10) schools to participate in a school turnaround group.
- (d) The department shall operate and administer the school turnaround pilot program for five (5) school years beginning with the 2021-2022 school year. In the 2021-2022 school year:
 - (1) Schools in need of intervention that are assigned to the control group must develop school improvement plans, according to § 49-1-613, that address the respective school's weaknesses that resulted in the department designating the school as a school in need of intervention; and
 - (2) Schools in need of intervention that are assigned to the school turnaround group must develop a school turnaround plan according to this part.
- (e)
 - (1) In the four (4) school years from the 2022-2023 school year through the 2025-2026 school year, each school in need of intervention must implement the school's respective school improvement plan or school turnaround plan.

(2) At the end of the 2024-2025 school year, the department shall evaluate the progress of each school in need of intervention assigned to the school turnaround group to determine whether the school meets the performance criteria established by the department under § 49-6-3604(b)(2)(A). If the school does not meet the performance criteria developed by the department under § 49-6-3604(b)(2)(A) by the end of the 2024-2025 school year, then the school must be reevaluated by the department at the end of the 2025-2026 school year to determine whether the school meets the performance criteria established by the department under § 49-6-3604(b)(2)(B).

(f) By August 1, following the end of each school year in which the school turnaround pilot program is in effect and at the end of the pilot program, the department shall file with the education committees of the senate and the house of representatives a report evaluating the progress of the school turnaround pilot program. The report must address the effectiveness of the school improvement plans implemented by the control group and the school turnaround plans implemented by the school turnaround group in correcting the weaknesses that resulted in the department designating the schools as in need of intervention. The final report must:

- (1) Compare the outcomes for the schools in need of intervention assigned to the control group and the school turnaround group;
- (2) Compare the outcomes for each of the schools in need of intervention assigned to the school turnaround group, identifying:
 - (A) How the school turnaround plans developed for the schools that met the performance criteria developed by the department under § 49-6-3604(b)(2)(A) after three (3) school years differ from those that did not meet the performance criteria after three (3) school years; and

(B) How the schools that did not meet the performance criteria developed by the department under § 49-6-3604(b)(2)(A) after three (3) school years improved, if at all, by the end of the 2025-2026 school year, and if the school met the performance criteria developed by the department under § 49-6-3604(b)(2)(B); and

(3) Make recommendations as to whether the school turnaround plans developed as part of the school turnaround pilot program should be replicated in other schools in need of intervention.

49-6-3604.

(a) The department must use the same outcomes-based performance goals and measures used to assign schools to the achievement school district to set the criteria to designate district schools as schools in need of intervention for purposes of the pilot program. The performance goals and measures must include, at a minimum, student achievement, student growth, and other appropriate indicators of performance.

(b) Before the department designates a district school as a school in need of intervention in accordance with subsection (a), the department shall develop:

(1) A model school turnaround plan for local boards of education, school turnaround committees, and independent school turnaround experts to reference when creating school turnaround plans for schools in need of intervention assigned to the school turnaround group; and

(2) Performance criteria that a school in need of intervention assigned to the school turnaround group is expected to meet after implementing a school turnaround plan:

(A) For the three (3) consecutive school years; and

(B) For the 2025-2026 school year, if the school does not meet the performance criteria developed by the department under subdivision (b)(2)(A) by the end of the 2024-2025 school year.

49-6-3605.

(a) A local board of education shall require a district school to participate in the school turnaround pilot program if the department designates the school as a school in need of intervention and selects the school to participate in the pilot program. By August 1, 2021, the department must assign district schools designated as schools in need of intervention to participate in the pilot program, and assign each school in need of intervention selected to the control group or school turnaround group.

(b) A school in need of intervention that is required to participate in the pilot program must remain in the pilot program until the conclusion of the pilot program.

49-6-3606.

(a) By September 15, 2021, a local board of education with a district school in the school turnaround pilot program's school turnaround group shall establish a school turnaround committee for each school in the LEA assigned to the school turnaround group. The school turnaround committee shall make recommendations concerning the school turnaround plan to the local board of education. The school turnaround committee must be composed of the following members:

- (1) The local school board member who represents the voting district in which the school is located;
- (2) The principal of the school;
- (3) Three (3) parents of students enrolled in the school, to be appointed by the director of schools;

(4) Two (2) teachers at the school, to be appointed by the local board of education; and

(5) Two (2) teachers at the school, to be appointed by the director of schools.

(b)

(1) The members of the school turnaround committee shall serve until the end of the pilot program, unless a member ceases to qualify for the position.

(2) Before the end of the pilot program, if a person replaces the local board of education member serving on the school turnaround committee on the local board of education, or, if the local board of education appoints a new principal of the school, then the new local board of education member or the new principal fills the position on the school turnaround committee held by the new local board of education member's or the new school principal's predecessor.

(3) If, before the end of the pilot program, a parent member ceases to have a student enrolled at the school in the pilot program, a teacher member ceases to teach at the school in the pilot program, or a parent or teacher member resigns or otherwise cannot fulfill the member's duties, then the member's position on the school turnaround committee is vacated and the respective appointing authority shall appoint a new member to serve the remainder of the pilot program on the school turnaround committee.

(c) By October 15, 2021, the local board of education shall contract with an independent school turnaround expert, certified by the department according to § 49-6-3607, who shall develop a school turnaround plan in collaboration with the school turnaround committee that includes:

- (1) The findings of the analysis conducted by the independent school turnaround expert described in § 49-6-3607;
- (2) Recommendations regarding changes to the school's personnel, culture, curriculum, assessments, instructional practices, governance, leadership, finances, policies, or other areas that may be necessary to implement the school turnaround plan;
- (3) Measurable student achievement goals and objectives;
- (4) A professional development plan that identifies strategies to address problems of instructional practice;
- (5) A leadership development plan focused on strategies to turn around the school;
- (6) How progress will be monitored and assessed;
- (7) How data on progress will be communicated and reported to stakeholders; and
- (8) A timeline for implementation that aligns with the timelines established for the pilot program in this part.

(d)

- (1) By March 1, 2022, the school turnaround committee shall submit the recommended school turnaround plan to the local board of education. The local board of education may recommend changes to the school turnaround committee for the school turnaround plan, but the school turnaround committee and the local board of education must agree on a final school turnaround plan. The local board of education shall submit the final school turnaround plan to the department for approval by April 1, 2022.

(2) The department shall:

(A) Review a school turnaround plan submitted for approval under subdivision (d)(1) within thirty (30) days of submission; and

(B) Approve a school turnaround plan submitted in accordance with subdivision (d)(1) that is timely, well-developed, and aligned with the intervention goals set by the model school turnaround plan created by the department. The department may make any necessary changes and shall approve a school turnaround plan for a turnaround group school that aligns with the intervention goals set by the model school turnaround plan created by the department.

(3) If the local board of education and the school turnaround committee do not agree on the final school turnaround plan before April 1, 2022, then the local board of education and the school turnaround committee may independently submit school turnaround plans to the department for approval. The department may make any necessary changes to the submitted school turnaround plans and shall approve one (1) of the submitted school turnaround plans for the district school in the pilot program.

49-6-3607.

(a) The department shall develop a process to certify at least two (2) independent school turnaround experts. The department shall ensure that a certified independent school turnaround expert:

(1) Has a credible track record of improving student academic achievement in public schools with various demographic characteristics, as evidenced by statewide assessment results;

(2) Has experience designing, implementing, and evaluating data-driven instructional systems in public schools;

- (3) Has experience coaching public school administrators and teachers on designing and implementing data-driven school turnaround plans;
- (4) Has experience collaborating with the various education entities that govern public schools;
- (5) Has experience delivering high-quality professional development and coaching in instructional effectiveness to public school administrators and teachers; and
- (6) Is willing to travel to a school in need of intervention regardless of the school's location.

(b) A local board of education that has a district school in the school turnaround group must contract with an independent school turnaround expert who is certified by the department to:

- (1) Collect and analyze data on the achievement, personnel, culture, curriculum, assessments, instructional practices, governance, leadership, finances, and policies of a school assigned to the school turnaround group;
- (2) Recommend changes to the school's culture, curriculum, assessments, instructional practices, governance, finances, policies, or other areas based on data collected under subdivision (b)(1);
- (3) Develop and implement, in partnership with the school turnaround committee, a school turnaround plan that meets the criteria described in § 49-6-3606(c);
- (4) Monitor the effectiveness of a school turnaround plan through various means of evaluation, including, but not limited to, on-site visits, observations, surveys, analysis of student achievement data, and interviews;

(5) Provide ongoing implementation support and project management for a school turnaround plan;

(6) Provide high-quality professional development and coaching personalized for the staff of a school assigned to the school turnaround group that is designed to build the:

- (A) Leadership capacity of the school principal;
- (B) Instructional capacity of the school staff; and
- (C) Collaborative practices of teacher and leadership teams;

(7) Provide job-embedded professional learning and coaching for all instructional staff on an ongoing basis; and

(8) Provide a principal of a school assigned to the school turnaround group job-embedded professional learning and coaching at least twice per month during the school year that focuses on strategies to improve the performance of the school.

(c) The contract between the local board of education and the independent turnaround expert required in § 49-6-3606(c) must include the following provisions:

(1) An independent school turnaround expert receives no more than fifty percent (50%) of the payment due for all services provided under the contract until the time specified in subdivision (c)(2); and

(2) The local board of education shall not render the remaining fifty percent (50%) of the payment due to the independent school turnaround expert for all services provided under the contract until the end of the school turnaround pilot program, but such payment is only rendered if:

- (A) The school in need of intervention for which the independent school turnaround expert provided services under the contract meets the

performance criteria established by the department of education under § 49-6-3604(b)(2)(A) by the end of the 2024-2025 school year; or

(B) The school in need of intervention for which the independent school turnaround expert provided services under the contract meets the performance criteria established by the department of education under § 49-6-3604(b)(2)(B) by the end of the 2025-2026 school year, if the school in need of intervention did not meet the performance criteria established by the department under § 49-6-3604(b)(2)(A) by the end of the 2024-2025 school year.

49-6-3608. Subject to appropriation, the department shall provide grants to local boards of education with schools in need of intervention that are assigned to the school turnaround group of the pilot program to facilitate the implementation of interventions identified in an approved school turnaround plan, including the funding of contracts with highly qualified independent school turnaround experts.

SECTION 2. This act is not an appropriation of funds, and funds shall not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 2 to SB0122

Watson

Signature of Sponsor

AMEND Senate Bill No. 122*

House Bill No. 1501

by deleting all language after the enacting clause and substituting instead the following:

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

49-6-3601.

This part is known and may be cited as the "School Turnaround Pilot Program Act."

49-6-3602.

As used in this part:

- (1) "Department" means the department of education;
- (2) "Non-pilot school" means a priority school that is not assigned by the department to participate in the school turnaround pilot program;
- (3) "Priority school" means a school placed in priority status pursuant to § 49-1-602 that is identified by the commissioner of education as a priority school;
- (4) "School in need of intervention" means a priority school that is assigned by the department to the school turnaround pilot program; and

(4) "School turnaround pilot program" or "pilot program" means the pilot program developed by the department in accordance with this part.

49-6-3603.

(a) The department shall create and develop a four-year school turnaround pilot program for priority schools pursuant to § 49-6-3604.

(b) The department shall select five (5) priority schools that are diverse geographically and diverse in grade levels to participate in the pilot program.

(c) The department shall operate and administer the pilot program for four (4) school years beginning with the 2021-2022 school year. In the 2021-2022 school year, schools in need of intervention must develop a school turnaround plan.

(d)

(1) In the three (3) school years from the 2022-2023 school year through the 2024-2025 school year, each school in need of intervention must implement the school's respective school turnaround plan.

(2) The department shall evaluate the progress of each school in need of intervention to determine whether the school meets the priority school exit criteria established by the state's federally approved Every Student Succeeds Act (ESSA) plan established pursuant to the Every Student Succeeds Act (ESSA) (20 U.S.C. § 6301 et seq.) at the end of each school year of the pilot program.

The department shall begin the department's evaluations of schools in need of intervention pursuant to this subdivision (d)(2) following the 2022-2023 school year and shall conclude its evaluations at the end of the 2024-2025 school year.

(e) By October 1, following the end of each school year in which the school turnaround pilot program is in effect, and at the end of the pilot program, the department shall file with the education committees of the senate and the house of representatives a report evaluating the progress of the pilot program. The report must address the implementation and effectiveness of comprehensive support and improvement plans

implemented by non-pilot schools and school turnaround plans implemented by schools in need of intervention in addressing the prioritized needs of the respective school that resulted in the school's designation as a priority school. The final report must:

- (1) Compare the student performance outcomes for the schools in need of intervention and for the non-pilot schools;
- (2) Compare the outcomes for each of the schools in need of intervention, identifying:
 - (A) How the school turnaround plans developed by the schools in need of intervention that met the priority school exit criteria during the pilot program differ from the schools in need of intervention that did not meet the priority school exit criteria during the pilot program; and
 - (B) How the schools in need of intervention that did not meet the priority school exit criteria during the pilot program improved, if at all, during the pilot program; and
- (3) Make recommendations as to whether the school turnaround plans developed as part of the pilot program should be replicated in non-pilot schools.

49-6-3604.

- (a) The department shall use the same outcomes-based performance measures used in the state's accountability model to designate priority schools as schools in need of intervention for purposes of the school turnaround pilot program.
- (b) Before the department designates a priority school as a school in need of intervention in accordance with subsection (a), the department shall develop a model school turnaround plan for local boards of education, school turnaround committees, and independent school turnaround experts to reference when creating school turnaround plans for schools in need of intervention.

49-6-3605.

(a) A local board of education shall require a priority school to participate in the school turnaround pilot program if the department designates the school as a school in need of intervention. By September 1, 2021, the department shall identify priority schools designated as schools in need of intervention to participate in the pilot program.

(b) A school in need of intervention that is required to participate in the pilot program must remain in the pilot program until the conclusion of the pilot program.

49-6-3606.

(a) By September 30, 2021, the local board of education for a priority school that the department has designated as a school in need of intervention shall establish a school turnaround committee for each school in the LEA that is participating in the school turnaround pilot program. The school turnaround committee shall make recommendations concerning the school turnaround plan to the local board of education. The school turnaround committee must be composed of the following members:

- (1) The local school board member who represents the voting district in which the school is located;
- (2) The principal of the school;
- (3) Three (3) parents of students enrolled in the school, to be appointed by the director of schools;
- (4) Two (2) teachers at the school, to be appointed by the local board of education; and
- (5) Two (2) teachers at the school, to be appointed by the director of schools.

(b)

- (1) The members of the school turnaround committee must serve until the end of the pilot program, unless a member ceases to qualify for the position.
- (2) Before the end of the pilot program, if a person replaces the local board of education member serving on the school turnaround committee on the

local board of education, or, if the local board of education appoints a new principal of the school, then the new local board of education member or the new principal fills the position on the school turnaround committee held by the new local board of education member's or the new school principal's predecessor.

(3) If, before the end of the pilot program, a parent member ceases to have a student enrolled at the school in the pilot program, a teacher member ceases to teach at the school in the pilot program, or a parent or teacher member resigns or otherwise cannot fulfill the member's duties, then the member's position on the school turnaround committee is vacated and the respective appointing authority shall appoint a new member to serve the remainder of the pilot program on the school turnaround committee.

(c) By November 30, 2021, the local board of education shall contract with an independent school turnaround expert from a list of qualified experts provided by the department pursuant to § 49-6-3607, who shall develop a school turnaround plan in collaboration with the school turnaround committee that includes:

- (1) The findings of the analysis conducted by the independent school turnaround expert described in § 49-6-3607;
- (2) Recommendations compliant with state and federal law regarding changes to the school's personnel, culture, curriculum, assessments, instructional practices, governance, leadership, finances, policies, or other areas that may be necessary to implement the school turnaround plan;
- (3) Measurable student achievement goals and objectives;
- (4) A professional development plan that identifies strategies to address problems of instructional practice;
- (5) A leadership development plan focused on strategies to turn around the school;
- (6) How progress will be monitored and assessed;

(7) How data on progress will be communicated and reported to stakeholders; and

(8) A timeline for implementation that aligns with the timelines established for the pilot program in this part.

(d)

(1) By March 1, 2022, the school turnaround committee shall submit the recommended school turnaround plan to the local board of education. The local board of education may recommend changes to the school turnaround committee for the school turnaround plan, but the school turnaround committee and the local board of education must agree on a final school turnaround plan. The local board of education shall submit the final school turnaround plan to the department for approval by April 1, 2022.

(2) If the local board of education and the school turnaround committee do not agree on the final school turnaround plan before April 1, 2022, then the local board of education and the school turnaround committee may independently submit a proposed school turnaround plan to the department for approval. The department may make any necessary changes to a proposed school turnaround plan submitted to the department, but shall approve one (1) of the proposed school turnaround plans for the school in need of intervention.

(3) Upon the department's receipt of a school turnaround plan submitted for approval pursuant to subdivision (d)(1), the department shall:

(A) Review a school turnaround plan submitted for approval under subdivision (d)(1) within thirty (30) days of submission; and

(B) Approve a school turnaround plan submitted in accordance with subdivision (d)(1) that is timely, well-developed, and aligned with the rubric developed by the department. The department may recommend

additional changes to the school turnaround plan submitted to the department before the department approves the school turnaround plan.

49-6-3607.

(a) The department shall establish the minimum qualifications required for independent school turnaround experts and provide LEAs with a list of at least two (2) qualified independent school turnaround experts. The list of qualified experts must be procured competitively and in compliance with all state laws and rules regarding the procurement of goods and services by state agencies. In establishing the minimum qualifications required for independent school turnaround experts, the department shall ensure that each qualified independent school turnaround expert:

- (1) Has a credible track record of improving student academic achievement in public schools with various demographic characteristics, as evidenced by statewide assessment results;
- (2) Has experience designing, implementing, and evaluating data-driven instructional systems in public schools;
- (3) Has experience coaching public-school administrators and teachers on designing and implementing data-driven school turnaround plans;
- (4) Has experience collaborating with the various education entities that govern public schools;
- (5) Has experience delivering high-quality professional development and coaching in instructional effectiveness to public school administrators and teachers; and
- (6) Is willing to travel to a school in need of intervention regardless of the school's location.

(b) The local board of education for a school in need of intervention shall select and contract with an independent school turnaround expert identified on the list of qualified independent school turnaround experts provided by the department to:

- (1) Collect and analyze data on the achievement, personnel, culture, curriculum, assessments, instructional practices, governance, leadership, finances, and policies of a school assigned to the school turnaround group;
- (2) Recommend changes compliant with state and federal law to the school's culture, curriculum, assessments, instructional practices, governance, finances, policies, or other areas based on data collected under subdivision (b)(1);
- (3) Develop and implement, in partnership with the school turnaround committee, a school turnaround plan that meets the criteria described in § 49-6-3606(c);
- (4) Monitor the effectiveness of a school turnaround plan through various means of evaluation, including, but not limited to, on-site visits, observations, surveys, analysis of student achievement data, and interviews;
- (5) Provide ongoing implementation support and project management for a school turnaround plan;
- (6) Provide high-quality professional development and coaching personalized for the staff of a school assigned to the school turnaround group that is designed to build the:
 - (A) Leadership capacity of the school principal;
 - (B) Instructional capacity of the school staff; and
 - (C) Collaborative practices of teacher and leadership teams;
- (7) Provide job-embedded professional learning and coaching for all instructional staff on an ongoing basis; and
- (8) Provide a principal of a school assigned to the school turnaround group job-embedded professional learning and coaching at least twice per month during the school year that focuses on strategies to improve the performance of the school.

(c) The contract payments to the independent school turnaround expert required in § 49-6-3606(c) must be structured as follows:

- (1) An independent school turnaround expert receives the initial fifty percent (50%) of the payment due for all services provided under the contract on a prorated basis over the term of the contract; and
- (2) The local board of education shall not render the remaining fifty percent (50%) of the payment due to the independent school turnaround expert for all services provided under the contract until the end of the school turnaround pilot program, but such payment is only rendered if the school in need of intervention served by the independent school turnaround expert meets the priority school exit criteria by the end of the 2024-2025 school year.

(d) Subject to available funds, the department may develop a program to incentivize independent school turnaround experts, and the schools in need of intervention to which they are providing services, to meet the priority school exit criteria prior to the 2024-2025 school year.

49-6-3608. Subject to available funds, the department shall provide grants to local boards of education with schools in need of intervention to facilitate the implementation of interventions identified in an approved school turnaround plan, including the funding of contracts with qualified independent school turnaround experts.

SECTION 2. It is the legislative intent that any funds appropriated to implement this act by the general appropriations act shall not be obligated or expended until fiscal year 2025.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 3 to SB0122

Watson
Signature of Sponsor

AMEND Senate Bill No. 122*

House Bill No. 1501

by deleting § 49-6-3603(b) in the amendatory language of Section 1 and substituting instead the following:

(b) The department shall select five (5) priority schools that are diverse in grade levels to participate in the pilot program. The department shall select at least one (1) priority school from each grand division of this state to ensure that the priority schools selected to participate in the pilot program are geographically diverse.