



**SENATE BILL 1762**

By Haile

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 49, relative to education.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-419(c), amended by deleting "September 1" and substituting "December 1".

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

Amendment No. 1 to SB1762

White  
Signature of Sponsor

**AMEND Senate Bill No. 1762\***

**House Bill No. 1759**

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

SECTION 1. Tennessee Code Annotated, Section 49-13-104, is amended by adding the following as new, appropriately designated subdivision:

( ) "Adult public charter school" means a public charter school that exclusively serves students who are eighteen (18) years of age or older by providing instruction to such students in accordance with the rules for adult high schools promulgated by the state board of education to assist such students in obtaining course credit leading to the attainment of a high school diploma;

SECTION 2. Tennessee Code Annotated, Section 49-13-106(e)(2), is amended by deleting "an opportunity public charter school" and substituting "opportunity public charter schools and adult public charter schools".

SECTION 3. Tennessee Code Annotated, Section 49-13-106(f)(3), is amended by adding "and adult public charter schools" after "opportunity public charter schools".

SECTION 4. Tennessee Code Annotated, Section 49-13-106(i), is amended by deleting "including an opportunity charter school" and substituting "including an opportunity public charter school or an adult public charter school".

SECTION 5. Tennessee Code Annotated, Section 49-13-106(j)(1), is amended by designating the existing language as subdivision (A) and adding the following as a new subdivision (B):

(B) Notwithstanding subdivision (j)(1)(A), an existing public school cannot be converted to an adult public charter school.

SECTION 6. Tennessee Code Annotated, Section 49-13-109(a)(2), is amended by adding "or an adult public charter school" after "opportunity public charter school" wherever it appears in the subdivision.

SECTION 7. Tennessee Code Annotated, Section 49-13-112, is amended by adding the following as a new subsection:

(g) Funding for an adult public charter school is based on the full-time enrollment average daily membership (FTEADM). The FTEADM must be calculated based on a four-hour day and a twenty-day school month. The FTEADM for a school month must be determined by dividing the total hours for which students were enrolled in the adult public charter school during the school month by eighty (80).

SECTION 8. Tennessee Code Annotated, Section 49-13-113, is amended by adding the following as a new subsection:

(g) An adult public charter school must enroll a student who is eighteen (18) years of age or older, who does not possess a high school diploma, and who submits a timely application, as determined by the adult public charter school. If the number of applications exceeds the capacity of a program, class, or building, then the adult public charter school shall select students through an enrollment lottery. Students who attended the adult public charter school during the previous term or semester may re-enroll in the adult public charter school and are not subject to an enrollment lottery. If an enrollment lottery is conducted, then the adult public charter school shall give enrollment preferences in the following order:

(1) Students who reside within the geographic boundaries of the LEA in which the adult public charter school is located who were enrolled in another adult high school or adult public charter school during the previous term or semester. If the adult public charter school is authorized in a county LEA, then this preference includes students who reside in the county who were enrolled in

the previous term or semester in another adult high school or adult public charter school located in the same county; and

(2) Students who reside outside the geographic boundaries of the LEA in which the adult public charter school is located.

SECTION 9. Tennessee Code Annotated, Section 49-13-122(a), is amended by adding the following as a new subdivision:

(6) This subsection (a) does not apply to adult public charter schools.

SECTION 10. Tennessee Code Annotated, Title 49, Chapter 13, Part 1, is amended by adding the following as a new section:

(a)

(1) A sponsor may apply to open an adult public charter school pursuant to the application process in §§ 49-13-107 and 49-13-108, if the sponsor applies to the local board of education, or pursuant to the application process in §§ 49-13-107 and 49-13-108(h)(2), if the sponsor applies directly to the commission.

(2) Notwithstanding subdivision (a)(1), an adult public charter school shall not open before the 2029-2030 school year.

(b) The department of education, in consultation with the commission, may develop a specific adult public charter school application.

(c) Adult public charter schools may be formed to provide instruction to students in accordance with rules promulgated by the state board of education.

(d) An adult public charter school must satisfy the instructional time requirements established for adult high schools by the state board of education.

(e)

(1) The department of education, in consultation with the state board of education and the commission, shall develop an adult public charter school performance framework that includes an assessment aligned with the state board's policies for alternative measures of student achievement and student

growth. The adult public charter school performance framework must be developed before a prospective public charter school sponsor submits a letter of intent to operate an adult public charter school in the 2029-2030 school year.

(2) The department shall also develop methods and procedures for collecting the data necessary to apply the adult public charter school performance framework developed pursuant to this subsection (e).

SECTION 11. The state board of education may promulgate rules to effectuate this act, including, but not limited to, rules to promote consistency in the operation of adult public charter schools and adult high schools operated pursuant to Tennessee Code Annotated, Section 49-6-409. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 12. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.