



SENATE BILL 1968

By Lowe

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 1, Part 1; Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6, relative to attendance.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-3001(c)(1)(B)(i), is amended by adding "attendance," before "academic," wherever it appears.

SECTION 2. Tennessee Code Annotated, Section 49-6-3009, is amended by adding the following as new subsections:

(o)

(1) If a student withdraws from an LEA, as defined in § 49-1-103, in which the student was receiving tier two or tier three interventions pursuant to the LEA's progressive truancy plan, and the student does not transfer to another LEA, as defined in § 49-1-103, then the director of schools shall report the student's absences to the judge with juvenile jurisdiction in the county in which the student resides.

(2) Each case must be dealt with in such manner as the judge may determine to be in the best interest of the student, consistent with §§ 37-1-132, 37-1-168, and 37-1-169. In the event a student in kindergarten through grade twelve (K-12) is adjudicated to be unruly because the student has accumulated five (5) days or more of unexcused absences during any school year, the judge may assess a fine of up to fifty dollars (\$50.00) or community service, in the discretion of the judge, against the parent or legal guardian of the student.

(3) A referral to juvenile court for conduct described in this subsection (o) must be accompanied by a statement from the director of schools certifying that:

(A) The school applied the progressive truancy interventions of the progressive truancy plan adopted under subsection (d) for the student while the student was enrolled in the LEA; and

(B) The student withdrew from the LEA and has not enrolled in another LEA.

(p) If a student transfers during the school year, then the number of unexcused absences accumulated in the school year by the student at the school or LEA from which the student is transferring must be included in the number of unexcused absences for the student at the receiving school or LEA for purposes of this section.

SECTION 3. Tennessee Code Annotated, Section 49-6-3009(i), is amended by adding "or subsection (o), if applicable" after "with subsection (h)".

SECTION 4. Tennessee Code Annotated, Section 49-6-3009(g), is amended by deleting "five (5) hours of".

SECTION 5. Tennessee Code Annotated, Section 49-6-3007, is amended by adding the following as a new subsection:

(i) If a student transfers during the school year, then the number of unexcused absences accumulated in the school year by the student at the school or LEA from which the student is transferring must be included in the number of unexcused absences for the student at the receiving school or LEA for purposes of this section.

SECTION 6. This act takes effect July 1, 2026, the public welfare requiring it.

Amendment No. 1 to SB1968

White
Signature of Sponsor

AMEND Senate Bill No. 1968

House Bill No. 1823*

by deleting "tier two or" in subdivision (o)(1) in the amendatory language of Section 2.

AND FURTHER AMEND by deleting subsection (p) in Section 2.

AND FURTHER AMEND by deleting Section 5 and substituting instead the following:

SECTION 5. Tennessee Code Annotated, Section 49-6-3007, is amended by adding the following as a new subsection:

(i)

(1) The attendance records for a student who transfers or withdraws from an LEA or public school, including a public charter school, after the school year has commenced must be maintained by the LEA or public school from which the student transferred or withdrew for the remainder of the school year.

(2) An LEA or public school that enrolls a student after the school year has commenced shall determine during the enrollment process whether the student was previously enrolled in another LEA or public school at any time during that same school year. If the LEA or public school determines that the student was previously enrolled in another LEA or public school in the same school year for which the student seeks to enroll in the LEA or public school, then the enrolling LEA or public school shall request the student's attendance records from each LEA or public school at which the student was previously enrolled during that same school year. A former LEA or public school that receives a request from another LEA or public school for a student's attendance records pursuant to this subdivision (i)(2) shall provide the attendance records for the

respective school year to the requesting LEA or public school within five (5) business days of the date on which the request was received.

(3) An LEA or public school that enrolls, after the school year has commenced, a student who was previously enrolled in another LEA or public school at any time during that same school year shall include the number of any unexcused absences accumulated by the student at the student's former LEA or public school in the same school year in the number of unexcused absences for the student at the enrolling LEA or public school and shall implement the appropriate tier of the enrolling LEA's progressive truancy plan, if applicable.

Amendment No. 2 to HB1823

Johnson
Signature of Sponsor

AMEND Senate Bill No. 1968

House Bill No. 1823*

by deleting Section 5 and substituting:

SECTION 5. Tennessee Code Annotated, Section 49-6-3007, is amended by adding the following as a new subsection:

(i)

(1) The attendance records for a student who transfers or withdraws from an LEA; public school, including a public charter school; or private school after the school year has commenced must be maintained by the LEA, public school, or private school from which the student transferred or withdrew for the remainder of the school year.

(2) An LEA, public school, or private school that enrolls a student after the school year has commenced shall determine during the enrollment process whether the student was previously enrolled in another LEA, public school, or private school at any time during that same school year. If the LEA, public school, or private school determines that the student was previously enrolled in another LEA, public school, or private school in the same school year for which the student seeks to enroll in the LEA, public school, or private school, then the enrolling LEA, public school, or private school shall request the student's attendance records from each LEA, public school, or private school at which the student was previously enrolled during that same school year. A former LEA, public school, or private school that receives a request from another LEA, public school, or private school for a student's attendance records pursuant to this

subdivision (i)(2) shall provide the attendance records for the respective school year to the requesting LEA, public school, or private school within five (5) business days of the date on which the request was received.

(3) An LEA, public school, or private school that enrolls, after the school year has commenced, a student who was previously enrolled in another LEA, public school, or private school at any time during that same school year shall include the number of any unexcused absences accumulated by the student at the student's former LEA, public school, or private school in the same school year in the number of unexcused absences for the student at the enrolling LEA, public school, or private school, and shall implement the appropriate tier of the enrolling LEA's progressive truancy plan or the private school's policy for unexcused absences, if applicable.

(4) As used in this subsection (i), "private school" means a participating school, as defined in § 49-6-2602 or § 49-10-1402, or a private school that enrolls recipients, as those terms are defined in § 49-6-3502.