



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 464**

### **SENATE BILL NO. 1273**

**By Johnson, Haile, Gardenhire**

Substituted for: House Bill No. 1307

By Lamberth, Cochran, Moody, White, Cepicky, Chism, McKenzie

AN ACT to amend Tennessee Code Annotated, Title 49, relative to priority schools.

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

SECTION 1. Tennessee Code Annotated, Section 49-1-602(b)(2), is amended by deleting the subdivision and substituting instead the following:

(A) Schools identified as priority schools must include the bottom five percent (5%) of schools in performance, all public high schools failing to graduate one-third (1/3) or more of their students, and schools with chronically low-performing subgroups that have not improved after receiving additional targeted support, pursuant to applicable laws, rules, and regulations.

(B) By October 1 of the year prior to the public identification of priority schools pursuant to subdivision (b)(1), the commissioner shall notify a school and its LEA if the school is among the bottom ten percent (10%) of schools in overall achievement as determined by the performance standards and other criteria set by the state board.

(C) Beginning with the list of priority schools generated in the 2025-2026 school year, the LEA shall develop and implement a comprehensive support and improvement plan for each school in the LEA identified as a priority school to improve student outcomes. A comprehensive support and improvement plan must, at a minimum:

- (i) Be based on a school-level needs assessment;
- (ii) Identify the evidence-based intervention option being implemented by the LEA pursuant to subdivision (b)(2)(D) at the priority school;
- (iii) Include a plan for notifying the parents of students enrolled in the school of the school's priority status and a plan for stakeholder engagement;
- (iv) Include a review of LEA and school-level resources;
- (v) Be developed by the priority school and the LEA and approved by the department; and
- (vi) Be monitored and evaluated annually by the department.

(D) Schools identified as priority schools are subject to a progressive tiered intervention system operated in compliance with rules promulgated by the department in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. The progressive tiered intervention system must include the following three (3) tiers of intervention, with tier three (3) containing the state's most intensive school interventions:

(i) Tier one (1) includes the following intervention options:

- (a) The LEA implements an LEA-led, evidence-based, school turnaround intervention approved by the department;

(b) The LEA contracts with an independent school turnaround expert approved by the department; or

(c) The LEA implements one (1) of the intervention options from tier two (2) or tier three (3) approved by the department;

(ii) Tier two (2) includes the following intervention options:

(a) The LEA implements at the priority school an intervention program approved by the department and includes, at a minimum:

(1) An intervention committee for the priority school that is made up of school board members, school employees, and parents of students attending the school;

(2) A contract between the local board of education and an independent school turnaround expert, approved by the department; and

(3) A written intervention plan developed by the independent school turnaround expert with which the local board is contracting pursuant to subdivision (b)(2)(D)(ii)(a)(2), in collaboration with the intervention committee appointed pursuant to subdivision (b)(2)(D)(ii)(a)(1), that is approved by the department prior to its implementation;

(b) The LEA rebuilds the priority school's support structure by replacing some or all of the school's leadership and by replacing specific instructional staff as identified by the LEA as part of a turnaround strategy approved by the department;

(c) The LEA transfers the operation of the priority school to a public institution of higher education approved by the department pursuant to a contract between the LEA and the public institution of higher education approved by the department;

(d) The LEA converts the priority school to a public charter school pursuant to § 49-13-106(j) to be operated by an entity authorized to operate a public charter school in chapter 13 of this title that has documented success in improving student outcomes and that is selected and authorized by the LEA and approved by the department; or

(e) The LEA implements one (1) of the intervention options in tier three (3) approved by the department; and

(iii) Tier three (3) includes the following intervention options:

(a) The LEA closes the priority school and develops a plan approved by the department to reassign all students enrolled in the priority school to a higher performing school; or

(b) In communities for which school closure is not feasible, the LEA rebuilds the priority school's support structure by replacing some or all of the school's leadership and by replacing specific instructional staff as determined by the department in consultation with the LEA.

(E) Notwithstanding subdivision (b)(2)(D), an LEA shall comply with § 49-13-122 for any public charter school authorized by the LEA that is identified as a priority school.

(F) A school identified as a priority school for the first time must be assigned by the department to tier one (1) of the progressive tiered intervention system.

(G) A school that has appeared on multiple priority school lists may be assigned by the department to tier two (2) or tier three (3) of the progressive tiered intervention system.

(H) After the department assigns a priority school to tier one (1) or tier two (2) of the progressive tiered intervention system, the LEA shall choose which intervention option within the assigned tier to implement in accordance with subdivision (b)(2)(D).

(I) A priority school assigned to tier two (2) of the progressive tiered intervention system shall report data concerning the progress and efficacy of the intervention option being implemented at the school to the department monthly.

(J) The department shall select the intervention option for a priority school assigned to tier three (3) of the progressive tiered intervention system and such priority school shall implement the intervention option selected by the department.

(K) Within thirty (30) days of the department assigning a priority school to a tier of the progressive tiered intervention system, the priority school's LEA shall develop a written implementation procedure. The implementation procedure must be approved by the department and must include a process for the LEA to solicit stakeholder feedback for consideration in selecting the intervention option, a timeline for the selected intervention option to be implemented, and any revisions to the priority school's comprehensive support and improvement plan required in subdivision (b)(2)(C). The department may provide a sample implementation procedure template for LEAs.

(L) The department shall annually review the performance of each priority school in the progressive intervention system to evaluate and determine the impact of the intervention option being implemented at the priority school for its assigned tier and shall direct each priority school's LEA to take one (1) of the following actions for the school:

(i) The priority school must continue to implement the current intervention option for its assigned tier with specific revisions, if necessary, to the school's comprehensive support and improvement plan required in subdivision (b)(2)(C);

(ii) The priority school must implement a different intervention option for its assigned tier, as determined by the department;

(iii) The priority school must progress to the next, more intensive tier of the progressive tiered intervention system and submit a new written implementation procedure in accordance with subdivision (b)(2)(K); or

(iv) The school is no longer a priority school and may exit the progressive tiered intervention system.

(M) The department, when publishing the list of priority schools, shall:

(i) List all public schools in the state in order of success rate, from the highest performing to the lowest performing; and

(ii) List all public schools in each county and in each LEA in order of success rate, from the highest performing to the lowest performing.

(N) LEAs may use federal funds, as appropriate, to implement this section.

SECTION 2. Tennessee Code Annotated, Section 49-1-602, is amended by deleting subdivisions (b)(3) and (b)(6).

SECTION 3. Tennessee Code Annotated, Section 49-1-602, is amended by deleting subsections (c) and (d).

SECTION 4. Tennessee Code Annotated, Section 49-1-614, is amended by adding the following as a new subsection:

The department of education shall implement a transition plan to close the ASD and to release all schools currently assigned to the ASD before the start of the 2026-2027 school year. The commissioner shall waive the timelines for the public charter school application process, including the requirement for a letter of intent, in chapter 13 of this title upon the request of the public charter school sponsor of an ASD school to ensure that the sponsor may file a public charter school application with the LEA.

SECTION 5. Tennessee Code Annotated, Section 49-13-104(4), is amended by deleting subdivision (4) and substituting instead:

(4) "Authorizer" means a local board of education or the Tennessee public charter school commission that makes decisions regarding the approval, renewal, and revocation of a public charter school application or agreement;

SECTION 6. Tennessee Code Annotated, Section 49-13-106(f), is amended by deleting subdivision (2).

SECTION 7. Tennessee Code Annotated, Section 49-13-106(j)(1), is amended by deleting the second sentence of the subdivision.

SECTION 8. Tennessee Code Annotated, Section 49-13-106(j), is amended by adding the following as a new subdivision:

( ) If the application for conversion of an existing public school to a public charter school is approved as an intervention option for a priority school in the progressive tiered intervention system established in § 49-1-602(b)(2), then the initial charter agreement must be for a term of five (5) years.

SECTION 9. Tennessee Code Annotated, Section 49-13-110(b), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) A charter agreement for a public school that is converted to a public charter school as an intervention option for a priority school in the progressive tiered intervention system established in § 49-1-602(b)(2) expires five (5) academic years after the first day of instruction. A public school that is converted to a public charter school as an intervention option for a priority school in the progressive tiered intervention system may open the academic year immediately following its conversion.

SECTION 10. Tennessee Code Annotated, Section 49-13-111(a)(7), is amended by deleting the language "the achievement school district or".

SECTION 11. Tennessee Code Annotated, Section 49-13-113, is amended by deleting subsection (e).

SECTION 12. Tennessee Code Annotated, Section 49-13-119, is amended by deleting the language "the achievement school district or" wherever it appears in the section.

SECTION 13. Tennessee Code Annotated, Section 49-13-122(a)(1), is amended by deleting the language "the achievement school district, and".

SECTION 14. Tennessee Code Annotated, Section 49-13-122(a)(3), is amended by deleting the language "the achievement school district and".

SECTION 15. Tennessee Code Annotated, Section 49-13-126, is amended by deleting subsection (b).

SECTION 16. Tennessee Code Annotated, Section 49-13-128, is amended by deleting subsection (d).

SECTION 17. Tennessee Code Annotated, Section 49-13-136(c)(4)(A), is amended by deleting the language ", excluding public charter schools in the achievement school district,".

SECTION 18. Tennessee Code Annotated, Section 49-17-103(e)(2), is amended by deleting the language "Award grants or loans to school systems, charter schools, and the achievement school district" and substituting instead the language "Award grants or loans to school systems and public charter schools".

SECTION 19. Tennessee Code Annotated, Section 49-17-104(a), is amended by deleting the language "The council may award grants or loans to school systems, charter schools, or the achievement school district" and substituting instead the language "The council may award grants or loans to school systems or public charter schools".

SECTION 20. Tennessee Code Annotated, Section 49-17-104(c), is amended by deleting the language "LEAs of all sizes, characteristics, and geographical locations, charter schools, and the achievement school district" and substituting instead the language "LEAs of all sizes, characteristics, and geographical locations, and public charter schools".

SECTION 21. Tennessee Code Annotated, Section 49-13-122(a)(2), is amended by deleting "pursuant to § 49-1-602(b)(6)" and substituting "pursuant to § 49-1-602(b)(2)(C)".

SECTION 22. Tennessee Code Annotated, Section 49-6-2602(3)(C)(i)(b), is amended by deleting "§ 49-1-602(b)(3)" and substituting "§ 49-1-602(b)(2)(B)".

SECTION 23. Section 5 of this act takes effect July 1, 2025, at 12:01 a.m., the public welfare requiring it. All other sections of this act take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1273

PASSED: April 21, 2025

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 9<sup>th</sup> day of May 2025

  
BILL LEE, GOVERNOR