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HOUSE BILL 727

By Hulsey

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 6 and Title 68, relative to consent in educational events.

WHEREAS, Tennessee Code Annotated, Section 49-6-7004, encourages local education agencies to communicate with parents in an effort to facilitate parental involvement in the parent's child's education; and

WHEREAS, parents are not receiving the proper information regarding the experiences and education available to their child at school before the child participates in activities or receives services provided by the school; and

WHEREAS, parental involvement contracts, as outlined in Tennessee Code Annotated, section 49-6-7004, do not inform parents about the onsite school services that are outsourced and available to the parent's child at school; and

WHEREAS, although the parental involvement program created in Tennessee Code Annotated, Title 49, Chapter 6, Part 70, encourages parents to participate in their child's education, it is not required or always feasible for parents to attended such a program; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 49-2-211, is amended by deleting subsection (b) and substituting:

(b) The policy must:

(1) Allow a parent or legal guardian access to review all surveys, analyses, or evaluations, prior to being administered to the parent or legal guardian's child; and

(2) Require the LEA to obtain the written, informed, and voluntarily signed consent of a student's parent or legal guardian, or the student if the student is eighteen (18) years of age or older, before the student participates in a survey, analysis, or evaluation. A student's parent or legal guardian, or the student if the student is at least eighteen (18) years of age, may withdraw the parent's, legal guardian's, or student's consent at any time before the student participates in the survey, analysis, or evaluation.

SECTION 2. Tennessee Code Annotated, Section 49-1-1002, is amended by deleting subdivision (b)(2) and substituting:

(2) A student's parent or legal guardian, or a student who is at least eighteen (18) years of age, must provide a written, informed, and voluntarily signed consent to the student's LEA before the student receives or participates in the health services provided by a coordinated school health program. A student's parent or legal guardian, or a student who is at least eighteen (18) years of age, may withdraw the parent's, legal guardian's, or student's consent at any time before the student receives or participates in the health services; and

SECTION 3. Tennessee Code Annotated, Section 49-6-1305, is amended by deleting subsection (b) and substituting:

(b)

(1) A student's parent or legal guardian, or a student who is at least eighteen (18) years of age, must provide a written, informed, and voluntarily signed consent to the student's LEA for the student to receive instruction in the LEA's family life curriculum. A student's parent or legal guardian, or a student who is at least eighteen (18) years of age, may withdraw the parent's, legal

guardian's, or student's consent at any time before the student receives instruction in the LEA's family life curriculum.

(2) A student who is excused from any or all portions of family life shall not be penalized for grading purposes if the student satisfactorily performs alternative health lessons.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.