



# State of Tennessee

## PUBLIC CHAPTER NO. 881

HOUSE BILL NO. 1981

By Representatives Smith, Hardaway, Daniel, Parkinson

Substituted for: Senate Bill No. 1623

By Senators Gresham, Bowling, Massey, Pody

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6, relative to required assessments.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-6001(b), is amended by adding the following language as a new subdivision (2) and renumbering current subdivision (2) as subdivision (3):

(2)

(A) If an assessment required under subdivision (b)(1) is misadministered by fault of the assessment provider, as determined by the department of education, then the assessment provider must respond as follows:

(i) An incident report on the misadministration must be provided to the department of education and the LEA or LEAs in which the misadministration occurred. The incident report shall provide remediation plans that will result in reportable scores, if possible;

(ii) The assessment provider shall reimburse the LEA or LEAs in which the misadministration occurred for any exam that does not result in a reportable score for the student; and

(iii) The assessment provider shall provide an opportunity for any student impacted by the misadministration to take the assessment again at no charge.

(B) Failure to respond as required in subdivision (b)(2)(A) shall result in the state not continuing to use the assessment and shall be considered a breach of contract by the assessment provider.

SECTION 2. Tennessee Code Annotated, Section 49-1-617, is amended by adding the following language as a new subsection:

( ) Notwithstanding subsection (a), each local board of education may choose the percentage within the range of zero percent (0%) to fifteen percent (15%) that scores from the TNReady assessments administered in the 2017-2018 school year shall count on a student's final grade for the spring semester.

SECTION 3. Tennessee Code Annotated, Section 49-1-228, is amended by adding the following as a new subsection:

( ) Notwithstanding subsection (a), student performance and student growth data from the TNReady assessments administered in the 2017-2018 school year shall not be used to assign a letter grade to a school pursuant to this section.

SECTION 4. Tennessee Code Annotated, Section 49-1-602(a), is amended by adding the following language as a new subdivision (4):

( ) Notwithstanding any provision of this part to the contrary, student performance and student growth data from the TNReady assessments administered in the 2017-2018

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school year shall not be used to identify a school as a priority school or to assign a school to the achievement school district.

SECTION 5. For the 2017-2018 school year, LEAs shall not base employment termination and compensation decisions for teachers on data generated by statewide assessments administered in the 2017-2018 school year.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 19, 2018

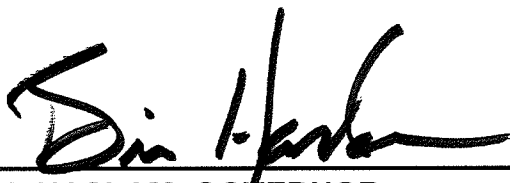


BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 3<sup>rd</sup> day of May 2018



BILL HASLAM, GOVERNOR