AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7, relative to higher education.

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

SECTION 1. Tennessee Code Annotated, Section 49-7-1904(d)(1), is amended by deleting the language "in § 49-7-1904" and substituting instead the language "in § 49-7-1902".

SECTION 2. Tennessee Code Annotated, Section 49-7-1907, is amended by deleting subsection (b) and substituting instead the following:

(b)(1)

(A) A student or employee of a public institution of higher education who believes that a violation of § 49-7-1903 has occurred may file a report of the alleged violation with the institution.

(B) An institution shall investigate a report filed pursuant to subdivision (b)(1)(A) in a timely manner and shall take the appropriate steps to correct any violation that is found to have occurred.

(C)(i) Each institution shall report the results of each investigation to the comptroller of the treasury no later than ten (10) days after the investigation is completed. The report must:

(a) Describe the general nature of the complaint;

(b) State whether the allegations in the complaint were substantiated by the institution's investigation; and

(c) Detail the corrective actions the institution is taking to prevent such violations in the future.

(ii) A report submitted to the comptroller must be redacted if necessary to ensure compliance with the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g); § 10-7-504; and all other relevant privacy laws.

(D) An institution shall update the comptroller no less than once every thirty (30) days as to the status of an investigation being conducted by the institution regarding a report alleging a violation of § 49-7-1903.

(2) If the comptroller finds that an institution has failed to timely investigate a report alleging a violation of § 49-7-1903, has failed to timely report the results of an investigation to the comptroller, or has failed to take the corrective actions reported to the comptroller, then the comptroller shall notify the institution and the joint government operations committee in writing of the institution's noncompliance, and the respective institution must appear before the joint government operations committee no later than sixty (60) days from the date of the comptroller's written notice to report on the institution's noncompliance.
(3) If the comptroller receives more than ten (10) reports from an institution in any one (1) academic year pursuant to subdivision (b)(1)(C) that each independently allege a separate and distinct violation of § 49-7-1903, then the comptroller shall report the same to the education committee of the senate and the education administration committee of the house of representatives.

(4) An individual is not required to file a report with the institution pursuant to subdivision (b)(1) before the individual may pursue any equitable or legal remedies that may be available to the individual in a court of competent jurisdiction as provided in § 49-7-1903.

SECTION 3. This act takes effect July 1, 2024, the public welfare requiring it.
SENATE BILL NO. 2501

PASSED: April 11, 2024

RANDY McNALLY
SPEAKER OF THE SENATE

CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 29th day of April 2024

BILL LEE, GOVERNOR