

Some State Laws Applicable To Category I & VII Non-Public Schools

T. C. A.	STATUTE
49-5-413	<p>Requires LEAs to conduct criminal background checks for applicants for teaching positions or other positions requiring proximity to school children.</p> <p>Requires entities that contract with school districts or child care programs to ensure employees having direct contact with children during the course of employment undergo background checks through the TBI/FBI.</p> <p>Clarifies that any person, corporation, or other entity who enters or renews a contract, or contracts with any person or entity who enters or renews a contract, with a school, local board of education, or child care program is responsible for obtaining criminal background checks on all employees who go on school grounds; authorizes out-of-state employers to satisfy requirement by showing that background checks were conducted in another state; creates limited exemptions to background check requirement.</p>
49-5-5610	<p>Provides each approved teacher education program will now be requiring each applicant to undergo a criminal history records check by the TBI and the FBI. The cost of the check is to be paid by the teacher education program applicant. "The criminal history records check performed pursuant to this section shall meet all requirements for criminal history records checks related to observations or teaching as part of the teacher training program. This means that LEAs cannot require student teachers or observers who are enrolled in a teacher education program to have an additional criminal background check prior to student teaching.</p>
49-10-608	<p>The Department of Education, the State Board of Education, local boards of education and LEAs are prohibited from hiring any individual who the Department of Children's Services has found to have committed abuse against a child.</p>
49-2-601	<p>Enacts the "Local Education Support Group Financial Accountability Act of 2007." Requires school board to adopt a policy regarding local education support groups. Prohibits the authorization of such groups until a policy has been adopted. Defines student activity funds and school support group organization funds and specifies provisions and restrictions for each. Prohibits a school employee from acting as a treasurer or bookkeeper for a school support organization.</p>
49-1-602	<p>Amends School Support Organization Act to somewhat redefine or clarify "school support organizations" and "student activity funds". Requires LEAs to adopt certain related policies and requires certain minimum standards for school support organizations.</p>
49-2-120	<p>Requires school systems to adopt written policies prohibiting hazing by any student or organization operating under sanction of the LEA.</p>
49-6-1003	<p>Requires principals and teachers to instruct pupils in the art of safety, for at least fifteen minutes each week.</p>
49-6-201	<p>Requires children entering kindergarten to be five years of age on or before September 30 of the current kindergarten term.</p>
49-6-303	<p>Requires each local education agency to employ or contract with school</p>

	counselors for grades pre-kindergarten (pre-K) through twelve (12).
49-6-303	Requires LEAs to implement an intervention program in grades Pre- School, 1st and 2nd dealing with conflict resolution and decision-making strategies.
49-6-1002	Prohibits the dismissal of school or any group of pupils for the purpose of permitting them to play baseball, football, basketball, or any other similar game, without written permission from the governing board of said school; provided that nothing in this section shall be construed to preclude regular physical training lessons as a part of the daily program of said school.
49-6-1014-1019	Requires each public school to adopt a policy addressing bullying by students.
49-6-2118	Requires school districts to adopt policies and procedures concerning the exiting of a school bus by a student at a point other than the student's destination for the trip.
49-6-3004	Requires each school system to maintain a term of not less than 200 days divided as follows: 180 days for classroom instruction, 10 days for vacation with pay for a 200 day term, 5 days for in-service education, 1 day for teacher-parent conference, and 4 other days as designated by the local board of education upon the recommendation of the superintendent of schools.
49-6-3004(c)(1)	Provides that Commissioner of Education shall require in-service training to include at least two hours of suicide prevention for all teachers and principals each school year, which may be accomplished through self-review of suitable suicide prevention materials.
49-6-3007	Requires reporting of student attendance. "It shall be the duty of the principal or teacher to report promptly to the superintendent the names of all children who have withdrawn from school, or who have been absent an aggregate of five (5) days without adequate excuse. Each successive accumulation of five (5) unexcused absences by a student shall also be reported with a new notice being sent after each successive accumulation of five (5) unexcused absences." Defines "expulsion", "suspension", and "remand" for purposes of coding student's absences. It limits suspensions to no more than ten (10) consecutive days. Any suspensions over ten (10) consecutive days or fifteen (15) total days in a month of school attendance shall be considered an expulsion. Remand is defined as being placed in an alternative school.
49-6-3114 49-6-3102 37-1-131(a)(2)	Modifies requirements for notification to school officials of the attendance of juvenile delinquents. Expands offenses for which such notification is necessary. In addition, requires hospitals or treatment centers with a belief that a child leaving a treatment program poses a substantial likelihood of serious harm to warn the principal of the school that the child will be attending of such belief. Requires the principal to convene a meeting to develop a plan for the child to succeed in school and to provide for school safety.
49-6-4209	Expands the definition of weapon, the possession of which the principal is required to report to law enforcement officers, to include those carried by student with intent to go armed.
49-6-4202 49-6-4217	Requires school resource officers to be law enforcement officers certified by the POST commission.
49-6-4217	Requires each LEA to deliver to the commissioner an annual report of the employment standards adopted by the LEA with regard to school resource officers.
49-6-5001	Requires proof of immunization prior to admission to any public school, nursery school, kindergarten, pre-school or day care but contains special

	provisions for homeless children (can not be denied admission because they lack proof of immunization) and exceptions for medical and religious reasons.
49-6-5004	Makes provisions to inform parents of the need for vision and dental screenings when immunization forms indicate such needs.
49-6-5005 49-13-111 49-50-802 49-6-3050 68-1-1202	Requires elementary and secondary schools to annually provide information about meningococcal disease to parents and guardians of students.
55-8-147	Requires school buses to stop at all railroad grade crossings whether or not carrying school children, instead of only when carrying school children.
55-9-602	Prohibits school bus drivers from using mobile telephones while operating a school bus.
55-9-602	Changes child restraint law- sets standards for transporting children in passenger motor vehicles through age 15.
55-9-402	Authorizes school buses to operate a flashing, wig-wag lighting system when receiving and discharging children.
68-120-101 68-120-110	Specifies the construction, accessibility, and fire safety requirements for state buildings and schools (includes all new buildings or major alterations).
49-2-122	Encourages LEAs to place automatic external defibrillators in schools; placement of such devices shall be within LEA's existing fiscal resources; classifies misuse or abuse of AED on school property by a student as misconduct that will subject student to disciplinary action.
49-1-221	Requires the development of acceptable internet use policies for public and private schools to protect children from certain online material.
37-1-131	Adds aggravated sexual battery and aggravated sexual battery of a child to the crimes of which a child's school must be notified when the child has been adjudicated delinquent involving such offenses.
Title 49, Chapter 10	Special Education Isolation and Restraint Modernization and Positive Behavioral Supports Act: Prohibits certain types of restraint and seclusion. Requires state board of education to promulgate rules and regulations concerning the use of isolation or restraint with students who receive special education services.
Title 49, Chapter 6	Allows LEAs to promulgate and adopt rules and regulations to prohibit the activities of criminal gangs on school property. Requires LEAs and local law enforcement to annually evaluate the threat and influence of gangs on school children and the community. If LEA finds substantial gang threat, LEA shall institute gang awareness education in vulnerable elementary and middle schools.
49-6-3019	Requires school principals to grant students excused absences for up to 10 days for purposes of visiting a parent or legal guardian who is stationed outside of the country and is granted rest recuperation leave by the United States military.
49-5-701 & 704	Adds licensed teacher's leave to visit a spouse, child, or parent deployed for military duty to present situations eligible for mandatory grant of leave from employment; authorizes licensed teachers to take up to 10 days leave without forfeiture of leave credits, tenure, or other fringe benefits, in order to visit a spouse, child, or parent deployed for military duty out of the country who has been granted rest and recuperation leave.
49-2-124	Places restrictions on universal mental health testing or psychiatric or socioemotional screening of juveniles; requires certain consent by a juvenile's

	parent, guardian, legal custodian, or caregiver before such testing can occur.
49-6-1016	Requires, rather than encourages, school districts to include certain criteria in policies prohibiting harassment, intimidation, or bullying.
Titles 10, 37 & 49	Restates provisions governing reporting of suspected child abuse by personnel of educational institutions and release of related records.
Title 49 Chapter 6	Requires written referrals for student's behavior to be returned to faculty or staff member issuing the referral; referral to be kept in a student discipline file and not part of student's permanent record.
Title 49, Chapter 6	Beginning 2010-11 school year, LEAs are required to start school no earlier than August 1, unless the majority of the board votes for an alternative or year-round calendar.