

HOUSE BILL 1154

By Hulsey

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, relative to notice to schools of a child's
delinquent acts.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-3051, is amended by deleting the section in its entirety and by substituting instead the following:

(a) Notwithstanding any law to the contrary, if a student has at any time been adjudicated delinquent for any offense listed in subsection (b), the juvenile court clerk or the general sessions clerk shall provide to the LEA where the juvenile resides or last attended school, the abstract provided under § 37-1-153 or § 37-1-154, or other similar written information.

(b) The juvenile court clerk or the general sessions clerk shall provide notification as required by subsection (a) if the student has been adjudicated delinquent for:

(1) An offense, including any attempt, solicitation, or conspiracy

involving:

(A) An offense against a person as defined in title 39, chapter 13;

(B) An offense against property as defined in title 39, chapter 14;

(C) An offense against the administration of government as defined in title 39, chapter 16, part 6;

(D) An offense against public health, safety, and welfare as defined in title 39, chapter 17; or

(E) An offense involving motor and other vehicles as defined in title 55, chapter 10, part 4; or

(2) An offense not listed in this subsection (b) for which a court has ordered school notification based on the circumstances surrounding the offense.

(c)

(1) When the director of schools is notified of the student's adjudication pursuant to subsection (a), the director of schools shall notify the administration, the school counselor, the school psychologist, the student's teachers, and the school resource officer of the school that the student is currently attending of the adjudication. The LEA shall maintain the abstract or other similar information for at least one (1) year from the date of the adjudication. If the student transfers schools or changes teachers within one (1) year of the date of the adjudication, the LEA shall notify the subsequent education personnel of the adjudication.

(2) The principal or the principal's designee may convene a meeting to develop a plan to set out a list of goals to provide the child an opportunity to succeed in school and provide for school safety, a schedule for completion of the goals, and the personnel who shall be responsible for working with the child to complete the goals.

(d) The abstract and information shall be shared only with the employees of the school having responsibility for classroom instruction of the child and the school counselor, social worker, or psychologist who is involved in developing a plan for the child while in the school, and with the school resource officer, and any other person notified pursuant to this section. The information is otherwise confidential and shall not be shared by school personnel with any other person or agency, except as may otherwise be required by law.

(e) It is an offense for any school personnel to knowingly share information provided pursuant to subsection (a) with any person other than those listed in subsection

(d). A violation of this subsection (e) is a Class C misdemeanor, punishable by a fine only.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.