

LEGISLATIVE COUNCIL AGENDA

April 17, 2023

Murfreesboro, Tennessee

1. Roll Call
2. Approval of Minutes of Last Meeting
3. Old Business
 - a. Virtual School Rule

This proposal was tabled during the December 8, 2022, meeting of the Legislative Council.

Proposed change to Article II, Section 27 (Virtual School Rule) of the TSSAA/TMSAA Bylaws:

Current wording of Minimum Eligibility Requirements #1:

In order for a student to practice or participate at any level, the student must reside in the geographic area of the LEA of the member virtual school. The virtual school must be a member of TSSAA in good standing. The administration of the virtual school must choose to allow their students to participate for their zoned public schools.

Proposed change:

The participating student must have a legal residence within the school district of the school where he/she will be participating, if participating with a public school. If participating with a private school, the student must have a legal residence within a 20 mile radius of the private school and meet all tuition and financial aid requirements.

Rationale:

In 2011, the General Assembly expanded upon previous efforts and enacted the Virtual Public Schools Act, which sought to provide local education agencies alternative choices to offer additional educational resources to improve academic achievement. The Act, later amended in 2013, provides local education agencies the ability to establish a virtual public school, with access to all the same resources afforded to other public schools. In addition, the Act details such items as student and family offerings; resource support; teacher quality; enrollment; evaluation and authority to contract with certain entities. In July 2014 there were 8 virtual schools in operation throughout Tennessee. In 2021-22 School year there were 57 virtual schools spanning 41 counties with a total enrollment of 17,264.

For the 2022-23 School year there are currently 18 statewide and 32 In-District virtual schools in TN. Tennessee has 147 school districts, many students that depend on the statewide virtual opportunities provided by other districts. Districts might not be able to sustain an independent program for their system.

Students enroll in virtual schools for multiple reasons. These could include learning preference, medical issues, family support during hardship, bullying or other issues related to interest in removal from traditional public school, family travel, etc.

Last year when the Virtual School Rule was proposed the working of the Minimum Eligibility Requirements #1 was misinterpreted and believed to align with the Home School rule.

The current rule is currently creating many students without a path to eligibility to participate in TSSAA athletics across the state.

Submitted by Tennessee Online Public School

b. Amateur Rule Disciplinary Action

Supplement #1 contains the staff's recommendation for disciplinary action for when this rule is violated.

c. Update on Michigan Coaching Link Rule

4. New Business

a. Unsportsmanlike Incidents Involving Fans

Supplement #2 contains a proposal from Maury County Public Schools for disciplinary action to be taken when unsportsmanlike incidents occur involving fans.

b. Proposed Change to Article II, Section 16 (Tuition and Financial Aid) of the TSSAA Bylaws.

Supplement #3 contains the proposal and rationale.

c. Proposed Change to Article III, Section 14 (Playing of Ineligible Student-Athletes) of the TSSAA Bylaws

Proposed Change:

When a team plays an ineligible athlete in TSSAA tournaments or playoffs **and wins the contest**, the ~~entire contest is forfeited~~ **win is vacated**, the team is removed from the tournament or playoff, and no team replaces that team in the tournament series. All awards and money earned from the post season tournament series must be returned to TSSAA.

d. Proposed Change to Article II, Section 24 (Special Cases Involving Hardship) of the TSSAA Bylaws

Proposed Change:

The burden of establishing each of these elements to the Executive Director's satisfaction is upon the school at which eligibility is sought. **The individual student must meet the TSSAA definition of *enrolled* at the school where eligibility is sought in order for the Executive Director to consider the hardship case.**

Any decision of the Executive Director on any request for a waiver of eligibility rules under this Section may be appealed *de novo* to the Board of Control at its August, November, January, or March, **or June** meetings. **The Board of Control only considers appeals at the June meeting on behalf of students that meet the TSSAA definition of *enrolled* at their new school.**

e. Discussion of Boarding School Classification Proposal

5. Litigation Report

Mr. Rick Colbert, attorney for the association, will give an update of litigation involving the association.