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The Honorable Sen. Jon Lundberg
Chair, Senate Education Committee

RE: Opposition to SB1858

As a coalition of teachers, parents, students, education leaders, librarians, and community members from across all three Grand Divisions of Tennessee, we write to express our opposition to SB1858, which will be under consideration soon by the Senate Education Committee.

This bill allows a parent of a child who attends, or who is eligible to attend, an LEA or public charter school jurisdiction to file civil action against the LEA or public charter school in chancery court to enforce the Age Appropriate Materials Act of 2022 (Public Chapter 744). We already have current state code, Public Chapter 744, that requires LEAs to post lists of materials in their library collection, and school boards must develop a policy for reviewing materials, including a procedure to evaluate feedback from parents and remove materials when deemed inappropriate. Further, Tennessee's public school libraries already have an existing book reconsideration process in place for parents that allows them to work with their librarian to evaluate what their children read at their school.

HB1632's proposal to give parents standing to sue a school that their children are "eligible to attend" is unnecessary and creates an ambiguous litigation process. As a result, the likelihood of wrongful lawsuits will inevitably increase because it gives broad powers to parents whose children are not enrolled in public schools, creating costly burdens in staff time that will sap already underfunded districts. The discussion in the House Administration Committee on 2/7 did not clarify which parents are "eligible" to file a lawsuit against a public school in their community. This lack of clarity on standing opens the doors for endless misinformed lawsuits, creating burdensome administrative tasks for public school staff and fostering a culture of distrust toward teachers, librarians, and staff.

Teacher shortages continue to plague large and small districts, which are reflected in ongoing challenges to attract and retain staff. According to the Tennessee Department of Education, in the fall of 2022, a total of 3,897 positions, or 5.5% of total teaching positions in the state were either vacant or filled with a teacher on an emergency credential ([TDOE, 2023](#)). Increasing mechanisms to penalize and intimidate school staff only serves to worsen challenging work environments while also undermining Tennessean's confidence in their integrity and intentions, fraying the fabric of school communities.

Last year, we were encouraged when the Senate Education Committee voted against [SB1141](#), which had similar implications to SB1858 and would have allowed any resident within a public school zone to file a complaint against a school. Legislators correctly saw this as excessive overreach. We stand in strong opposition to SB1858 and hope that you will consider its negative impact on Tennessee's public school staff and our schools in your deliberation.

Sincerely,

The undersigned advocates of the TN Coalition for Truth in Our Classrooms network

cc: Members, Senate Education Committee