

TAEYC Legislative Report

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Pre-K

Before turning to specific bills, I will point out that the major budget item of interest to TAEYC was the continued support of quality voluntary pre-K for at risk 4 year olds. In spite of some rhetoric criticizing pre-k by some, ultimately pre-k funding was continued at its current level. Currently there are 934 state funded pre-K classrooms in 94 of 95 counties in the state in public school settings but also in private nonprofit, for profit and head start centers. This month (August) the last county without pre-k (Sumner) comes on board. Quality standards must be met. Tennessee now provides this voluntary program for just under half of qualified at risk 4 year olds. There are waiting lists.

SB 2132 Tate

HB 2145 Kernell

Manual relating to child care certificate program. This bill as amended would require DHS to notify a provider who is in breach of a contract to participate in the child care certificate program within 30 days prior to the Department terminating the contract or withholding more than 25 percent of the provider's average monthly compensation for the lesser of the preceding 12 months or the total number of months the provider has participated in the program. The bill further authorizes the provider to file a complaint with the Tennessee Claims Commission if the provider disagrees with the Department's proposed action and requires the Claims Commission to hold an expedited hearing within 30 days of the provider's filing in order to determine whether the provider has breached the contract. The Department cannot take the proposed termination or withholding action until the Claims Commission determines that the provider has committed a material breach of contract.

Senate Status: Failed in Senate General Welfare 05/13/2009.

House Status: Referred to House Health & Human Resources 06/02/2010 from House Finance Budget Subcommittee for summer study.

Position: Monitor

This bill became a major discussion item late in the session due to the unrelenting efforts of House Sponsor Kernell, who publicly announced to the House committees that DHS was a rogue dept. The reason for the bill was the experience of a child care provider in Memphis who DHS discovered was misusing funds. That provider is now under criminal indictment. The likely impact of the bill if passed would be to lessen the amount of funds available for other child care providers.

SB 2482 Gresham

HB 3737 Coley

Annual report on pre-K program to be posted on Internet. Requires the office of early learning in the department of education to post its annual report on the voluntary pre-K program on its Web site.

Enacted as Public Chapter 0836 (effective 07/01/2010).

Position: Monitor closely

SB 2988 Barnes

HB 3263 Johnson P.

Sexual offender on school grounds needs written permission. As amended, requires a sexual offender to receive written permission from a school's principal or a facility's administrator if attending a conference as a parent or legal guardian of a child who is enrolled at the school or facility or to be on the premises to drop off or pick up a child or children for which the offender is a parent or legal guardian. Creates a Class E felony punishable by fine only for all violations of these provisions.

Joint Oversight Committee on Corrections: This would provide the school principal or facility administrator with prior knowledge of the sex offender's presence on campus. Enactment of this bill would have some impact on officer caseload responsibilities if Board of Probation & Parole has to enforce the provisions of this bill. However it should

be noted that not all sex offenders are under BOPP supervision after they complete probation, parole or on expiration of sentence.

Enacted as Public Chapter 0750 (effective 07/01/2010).

Position: Support

SB 3208 Finney L.

HB 2820 Cobb T.

Schoolchildren age changes: kindergarten and preschool. Changes to August 1 from September 30 of the current year the date by which a child must be at least five years old to enter kindergarten. Changes to August 1 from September 30 of the current year the date by which a child must be at least four years old to enter preschool or pre-kindergarten.

Senate Status: Referred to Senate Education.

House Status: Failed in House Education K-12 Subcommittee 03/10/2010.

Position: Oppose

SB 3444 Tate

HB 2443 Hardaway

Change in physical custody of child at school. Requires a school official to verify identity of person seeking physical custody of a child at school or day care when presented with such person's certified copy of a valid court order before releasing the child to his or her custody.

Senate Status: Referred to Senate Judiciary.

House Status: House passed 04/01/2010.

Position: Support

SB 3638 Henry

HB 3753 Jones S.

Parental help line run by Prevent Child Abuse TN. As amended, urges all public transportation buses in the state of TN to promote the parental help line organized by Prevent Child Abuse Tennessee and the telephone numbers for such organization, 1-800-356-6767 and 1-800-CHILDREN, as space allows in interior advertising. Requires the TN Department of Education to require all LEAs to distribute information on the help line, including the telephone number, to students and the students' parents. Requires the TN Department of Human Services to require any licensed child care facility to distribute information on the help line, including the telephone number, to children who attend the facility and the children's parents.

Enacted as Public Chapter 1105 (effective 07/01/2010).

Position: Support.

SB 3802 Marrero

HB 3951 Kernell

Child care agencies - changes definition of toddler. Changes the definition of "toddler" in regard to regulations for child care agencies to mean children 12 months to 36 months of age. Removes provision giving the department of human services the authority to implement emergency rules to define the age groups for infants and toddlers and to make any conforming rule change regarding child care ratios.

Senate Status: Senate General Welfare deferred to last calendar.

House Status: Taken off notice in House Health Care Facilities Subcommittee 03/24/2010.

Position: Oppose

SB 3803 Marrero

HB 3931 Kernell

Department of human services: requirement for funding. Requires the department of human services to allot at least two percent of the Child Care and Development Funds block grant on improving the quality of child care, including making grants or loans to certain child care providers and providing training in certain areas of child care.

Senate Status: Senate General Welfare deferred to last calendar.

House Status: Referred to House Public Health and Family Assistance Subcommittee.

Position: Oppose but monitor closely

SB 3804 Marrero

HB 3947 Kernell

Child care providers - disclosure of personal information. Prohibits DHS or any other entity of state government from requiring child care providers to disclose unnecessary personal information. Senate amendment 1 rewrites the bill. Urges the department and the advisory council to review the key indicators for the report card and the rated licensing system to determine if questions regarding those key indicators should be revised for child care agencies. Enacted as Public Chapter 1132 (effective 06/29/2010).

Position: Opposed bill as originally filed.

SB 3867 Kyle

HB 3826 Cooper B.

Child care agencies that receive subsidy funds. Removes present law provisions that require the department to periodically visit child care facilities that that receive subsidy payments and that lay out specific guidelines and benchmarks for the department to financially evaluate child care agencies receiving subsidy payments of \$75,000 or more annually. Instead states that the commissioner and the comptroller may, in their discretion, conduct audits of the records of any child care providers as they determine necessary to verify that the expenditures by a child care provider of state or federal child care subsidy funds are being made according to state or federal requirements. (Part of Administration Package)

Enacted as Public Chapter 0789 (effective 04/19/2010).

Position: Support