
Standards for School-Administered Early Childhood Programs and School-Aged Before and After School Programs, Rule 0520-12-01

The Background:

In accordance with Tenn. Code Ann. §49-1-1101-1109, the Department of Education is mandated to inspect and approve all programs subject to the State Board's jurisdiction pursuant to Tenn. Code Ann. §49-1-302(l). All public and private school-administered infant/toddler, preschool, before and after school programs, as well as, approved Montessori programs, TEIS early intervention programs, school-based and community-based Lottery Education Afterschool Programs, and 21st Century Community Learning Centers must be in compliance with Standards for Infant/Toddler, Preschool, and School-Age Extended Care Programs adopted by the State Board, certified by the Department of Education, and verified through inspection by the Department's child care program evaluators.

This item presents revisions to the Standards for Child Care Centers and School-Age Child Care Programs Rule to align with recent changes to the Child Care Development Block Grant Program. Changes have also been made to ensure the ease and readability of the rules for all providers and families.

Below is a brief summary of the changes (Page numbers refer to the version with tracked changes):

- **Page 1:** Adds "Criteria for Approval" to the Introduction to align with Tenn. Code Ann.
- **Page 2:** Changes "available space" to "usable space" to clarify the capacity does not include spaces that cannot be used in learning.
- **Page 2:** Deletes definition of "Caregiver or Care Provider." Staff are now defined as teachers on page 6.
- **Page 2:** Changes the date of Child's Age from September 30 to August 15 to align with changes in state law.
- **Page 3:** Deletes definitions of "Child Care Center" and "Child Care System" as the Department only regulates school-administered programs.
- **Page 3:** Adds definition of "Civil Penalty."
- **Page 5:** Adds definition of "Mixed Age Grouping" to indicate the expectation of early childhood programs using this type of grouping.
- **Page 5:** Expands definition of "Pre-kindergarten" to support all Pre-K programs in the state, not just Voluntary Pre-K.
- **Page 6:** Adds definition of "Safety Plan" as part of the complaint and investigation process.
- **Page 6:** Adds definition of Satellite/Umbrella Program in order to clarify that the department does not monitor these programs.
- **Page 7:** Adds definition of Teacher to replace all mentions of "caregiver or care provider."
- **Page 7:** Updated definition of "Temporary Approval" to align with Tenn. Code Ann. §49-1-1103 which requires a 90 day approval.
- **Page 7:** Updates the definition of "Toddler" to align with the Department of Human Services definition of toddler.

- **Page 10:** Adds language “must be contacted to start the certification process” to inform programs/schools of their responsibility to contact the Office of School-based Support Services.
- **Page 10:** Adds language “Any program found in operation without oversight from the department of education, will be found to be running an illegal operation, and will be turned over to local authorities (Tenn. Code Ann. §49-1-1105 (a))” to acknowledge action for illegal programs.
- **Page 10:** Changes temporary certificate days from 120 days to 90 days.
- **Page 11:** Clarifies renewals must be made “Prior to October 1” to align with Tenn. Code Ann. §49-1-1108 (c).
- **Page 14:** Adds exception for homeless children and children in state custody to enrollment restrictions.
- **Page 17:** Adds exception for homeless children and children in state custody to immunizations requirements.
- **Page 22-24:** Updates all Adult: Child Ratio Charts to make expectations clearer for programs and schools.
- **Page 27:** Adds two hours of orientation to the requirements for staff.
- **Page 28:** Requires certain trainings be reviewed annually for the safety of children. Additional trainings were spelled out for programs and schools (CCDBG).
- **Page 30:** Requires training for teachers include at least six hours in developmentally appropriate literacy development to support the Read to be Ready initiative.
- **Page 30:** Changes minimum age requirement for teachers from 18 years of age to 21 years of age.
- **Page 33:** Requires fingerprint samples to be provided “prior to employment” rather than “within 10 calendar days.” Additionally requires a new sample to be obtained for all employees, every five (5) years per new federal requirements.
- **Page 41-42:** Adds developmentally appropriate literacy practices to Educational Activities to support literacy development six weeks through Pre-K and to support the Read to be Ready initiative.
- **Page 43:** Deletes “Extended Care” since DOE programs/schools do not offer overnight “Extended Care.”
- **Page 46:** Adds Chicken Pox to the illnesses that must be reported to parents.
- **Page 61:** Requires all children to be transported in rear seats to increase the safety and protection of transported children.
- **Page 63:** Requires bus drivers to complete CPR and First Aid trainings to increase the safety and protection of transported children.
- **Page 65:** Clarifies all programs/ schools providing transportation must submit transportation plans.
- **Page 67:** removed links for Federal Motor Carrier Safety Administration website.

The Fiscal Analysis Impact:

Tenn. Code Ann. §49-1-212 requires that the Department prepare a fiscal analysis of any policy, rule or regulation proposed to the State Board of Education. To the extent programs are not currently meeting the proposed requirements there could be a fiscal impact. For example, programs not currently providing professional development would be fiscally impacted.

The Recommendation:

The Department of Education recommends acceptance of this item on first reading. The SBE staff concurs with this recommendation.