
Standards for School Administered Child Care Programs Rule 0520-12-01

The Background:

T.C.A. § 49-1-302 requires the state board to set standards for school administered child care programs. In accordance with T.C.A. §§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 T.C.A. §49-1-302(I). 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 and 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. Since first reading significant changes have been made to ensure clarity and readability of the rules for all providers and families.

Below is a summary of the changes made since first reading (Page numbers refer to the version with tracked changes):

- **Page 1:** Renames rule “Standards for School Administered Child Care Programs” and updates the programs subject to the rule to align to state statute.
- **Pages 2-7:** Deletes redundant and unnecessary definitions.
- **Pages 9:** Updates the process for program approval.
- **Page 10:** Adds “Verification of enrollment of at least five (5) school-aged children enrolled in kindergarten through grade twelve (12).”
- **Page 12:** Changes temporary certificate days from 120 days to 90 days; Clarifies renewals must be made “Prior to October 1” to align with T.C.A. § 49-1-1108 (c).
- **Page 13:** Adds “T.C.A. § 49-1-1105(a)” for illegal operation.
- **Page 20:** Adds exception for homeless children and children in state custody to immunization and record requirements.
- **Page 31-36:** Updates all Adult:Child Ratio Charts to make expectations clearer for programs and schools.
- **Page 40:** Adds two hours of orientation to the requirements for staff.
- **Page 40:** Changes minimum age requirement for teachers from 18 years of age to 21 years of age.
- **Page 40:** Adds “Exception: Before and after school programs” to the 21 years of age requirement.
- **Page 41:** Requires certain trainings be reviewed annually for the safety of children. Additional trainings were spelled out for programs and schools (CCDBG).

- **Page 43:** Requires that training for teachers include at least six hours in developmentally appropriate literacy development to support the Read to be Ready initiative.
- **Page 47-48:** 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 47:** Removes “Department of Children’s Services Background Check and Sex Offender Registry” as DOE regulated programs do not have access to this registry.
- **Page 59-60:** 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 72:** Adds Chicken Pox and Hand, Foot, and Mouth disease to the illnesses that must be reported to parents.
- **Page 94:** Adds “fifteen (15) passenger vans are prohibited.”
- **Page 94:** Requires all children to be transported in rear seats to increase the safety and protection of transported children.
- **Page 96:** Requires bus drivers to complete CPR and First Aid trainings to increase the safety and protection of transported children.
- **Page 100:** Clarifies all programs/ schools providing transportation must submit transportation plans.
- **Page 106:** Changed “Adolescents” to “School-age.”

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 adoptoin of this item on final reading. The SBE staff concurs with this recommendation.