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

The Background:

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(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 and certified by the Department of Education and verified through inspection by the Department's child care program evaluators.

The department gathered written public comments, the vast majority of which focused on the effect the rule would have on the Montessori community, which uses multi-age/mixed-age grouping to group their students. In addition, the State Board of Education held a rulemaking hearing on June 13, 2016, at which public feedback from the rule change was gathered. A video of the rulemaking hearing is available for viewing on the [State Board of Education's YouTube channel](#).

This final 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.

Key revisions that have been made since first reading include (page numbers refer to the version with tracked changes):

- **Page 4:** Adds “Any early childhood program attached to a home school program falls under the jurisdiction of DHS” to Home School.
- **Page 4:** Updates the definition to Isolation and Restraint to support T.C.A. 49-10-1304.
- **Page 5:** Deletes “and must show an equal distribution of children between the ages at all times and 30% rule” under mixed age grouping.
- **Page 6:** Clarifies that school-administered programs must be serving 10 or more school-aged children.
- **Page 11:** Adds Transportation Plan to the items needed for application.
- **Page 13:** Changes “care without documentation must not exceed two weeks” to “program must have a written plan for obtaining records for children who are homeless and/or in state custody”.
- **Page 22-24:** Designs new age group charts to ease readability. Changed 3-6 year old ratio from 1:10 to 1:13.
- **Page 29:** Adds under site director “must be 21” to make more clear.
- **Page 29-32:** Updates professional development language. Added the soft increase in accordance with CCDBG mandate.

- **Page 33:** Updates language for background checks. Took out unnecessary language to ease readability.

The Fiscal Analysis Impact:

Tenn. Code Ann. § 49-1-212 requires that the Department of Education 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 adoption of this item on final reading. The SBE staff concurs with this recommendation.