

SENATE BILL 1947

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 6, Part 1, relative to preschool programs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 1, is amended by adding the following language as a new section:

(a) The rural at-risk pre-kindergarten fund is created as a separate fund within the general fund to provide funding, subject to annual appropriations and in addition to any funds appropriated for voluntary pre-kindergarten programs under §§ 49-6-103 – 49-6-110, to increase the number of seats available in approved pre-kindergarten programs beginning with programs offered in the 2021-2022 school year.

(b) The rural at-risk pre-kindergarten fund, referred to in this section as the fund, is composed of moneys specifically appropriated by the general assembly for the fund and any gifts, grants, and other donations received for the fund.

(c) The department of education shall administer the fund and shall develop an application for LEAs to annually apply for funds in accordance with this section.

(d) The state treasurer shall invest moneys deposited in the fund for the benefit of the fund in accordance with § 9-4-603. Interest accruing on investments and deposits of the fund must be returned to the fund and remain part of the fund.

(e) Any unencumbered moneys and any unexpended balance of the fund remaining at the end of any fiscal year does not revert to the general fund, but must be carried forward until expended in accordance with this section.

(f) Moneys in the fund may only be expended with the approval of the department and in accordance with this section.

(g) To receive funding from the rural at-risk pre-kindergarten fund, an LEA must:

(1) Operate a voluntary pre-kindergarten program, as described in § 49-6-104, that has been approved by the department under § 49-6-105;

(2)

(A) Be located in an eligible county designated as a distressed rural county under § 67-6-104(b)(3)(B); or

(B) Be located in a rural county designated as an at-risk county by a regional economic development agency established as a federal-state partnership to address poverty and economic development in the Appalachian Region in accordance with the findings and purposes of the Appalachian Regional Development Act (40 U.S.C. § 14101 et seq.);

(3) Have a quality rating of "good" on the LEA's most recent, scored application for voluntary pre-kindergarten funding under § 49-6-105;

(4) Demonstrate a clear need for additional seats in the LEA's voluntary pre-kindergarten program, as determined by the office of early learning in the department of education. In determining need, the office of early learning shall consider the population factors of the children who are not served by the LEA's existing voluntary pre-kindergarten program, but who may be served if additional seats are funded, such as the factors listed in subsection (i); and

(5) Provide a matching amount of funds, based on the applicable state and local BEP classroom component ratio in effect for the LEA in which the program is located for any funding received by the LEA from the fund created in this section, in accordance with § 49-6-107.

(h) An LEA shall not use any funding received under this section to satisfy the LEA's match requirement for other state funds appropriated to the LEA for purposes of funding the LEA's voluntary pre-kindergarten program under § 49-6-107.

(i) The department of education shall grant LEAs flexibility in identifying the children who may be served by the LEA's voluntary pre-kindergarten program, if the LEA receives additional funding under this section. An LEA shall, when filling any additional seats funded under this section, consider population factors of the children who are not served by the LEA's existing voluntary pre-kindergarten program, but who may be served if additional seats are funded, such as whether the child's parent is in the military, whether the child resides in a home affected by opioid or other substance abuse, or whether the child has been diagnosed with a special need. Age is not a disqualifying factor, except that a child selected to fill an additional seat funded under this section must not be less than three (3) years of age or older than five (5) years of age when the child enters the LEA's voluntary pre-kindergarten program.

(j) A voluntary pre-kindergarten program that receives additional funding under this section must comply with the requirements of §§ 49-6-103 – 49-6-110.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.