



Legislative Report

Volume 20, No. 24

for the week ending April 23, 2010

Budget Squabble Will Likely Delay End of Session Debate Centers Around Plugging \$135 Million Gap

As the 106th General Assembly was beginning to enter the “home stretch,” partisan debate surrounding efforts to balance the budget for the 2010-2011 fiscal year are threatening to take the session well into May. Gov. Bredesen has proposed that a \$135 million shortfall be bridged by eliminating sales tax breaks for cable television services and expensive items. Republicans have taken the position that any sales tax “increase” would be unacceptable, and have pressed for cuts to make up the shortfall. TEA has serious concerns that any proposed cuts might affect education funding, including employee salaries or benefits. This latest partisan fight definitely raises the possibility that the session will extend considerably beyond the original plan to conclude around the first of May. Both the Senate and House Education Committees have closed “subject to the call of the chair.” Most other committees – with the exception of the finance committees – should wind down the week of April 26. TEA will be closely monitoring the budget debates and will work to protect education funding as the process moves forward. The Association will also keep our members informed as votes are taken on these issues which so critically impact public education and education employees.

Bill Seeks Teacher Mental Background Checks Issue Surfaces as Result of Knoxville Tragedy

Controversial legislation is pending which seeks to prevent an individual who has a history of mental illness from receiving a license to teach, or to be admitted to teacher training programs. The bill is a direct result of the school situation in Knoxville which left a principal and assistant principal seriously injured. A portion of the language in an amendment to **SB 3875/HB 3794** states in part that: *No person shall receive a license to teach if such person has been adjudicated as a mental defective, has been judicially committed to or hospitalized in a mental institution, has had a court appoint a conservator for the applicant by reason of a mental defect, has been judicially determined to be disabled by reason of mental illness, developmental disability or other mental incapacity, or has, within seven (7) years from the date of application, been found by a court to pose an immediate substantial likelihood of serious harm, because of mental illness.*

Many issues have been raised regarding the potential application of this language and TEA lobbyists fully expect that the eventual passage of the bill will reflect a compromise which will be more focused on safety training to prevent violence in schools.

Bill Bans Sex Offender Access to School Grounds Some Parents and Legal Guardians Are On “List”

Legislation has passed which will ban parents and legal guardians who are registered sex offenders from events held on school grounds. These individuals will have to obtain written permission from the principal or administrator before attending conferences, and are to provide written notice of their status upon their child’s enrollment, in order to drop off or pick up their child. Prior to the passage of **SB 2988/HB 3263**, parents who were on the sex offender list did not have such restrictions.

Status Report on Selected Education Bills
Updated as of April 22, 2010

- **Vouchers – HB 3688/SB 2741** -- by Rep. J DeBerry (D-Memphis) and Sen. Brian Kelsey (R-Germantown). Would set up a voucher program for private and religious schools. TEA strongly opposes. Referred by Education Oversight by the House Education Committee and failed in the Senate Education Committee by a vote of 3-3-3.
- **Teacher Non-Renewal Date Change – HB 2772/SB 3067** -- by Rep. Richard Montgomery (R-Sevierville) and Sen. Jamie Woodson (R-Knoxville). Changes the date to notify teachers of non-renewal from April 15 to May 15. TEA does not oppose. Passed the House 96-0 on March 22 and the Senate 30-0 on April 5. Signed by the Governor on April 19.
- **Personal Leave Approval – HB 3107/SB 2630** – by Rep. Gerald McCormick (R-Chattanooga) and Sen. Dolores Gresham (R-Somerville). Requires approval by director (or his/her designee) before taking personal leave on days scheduled for parent-teacher conferences or in-service days. Amendment proposed by TEA requires dates covered by this legislation to be on a calendar approved prior to the start of the school year. TEA does not oppose amended bill. Passed the House 97-0 on Thursday, March 31 and the Senate as amended 23-9 on Thursday, March 25. Signed by the Governor on April 14. Public Chapter 759.
- **Teacher Code of Ethics – HB 3130/SB 2416** – by Rep. Beth Harwell (R-Nashville) and Sen. Dolores Gresham (R-Somerville). Places TEA's current Code of Ethics into state law. TEA does not oppose. Scheduled on the House Finance, Ways & Means Committee calendar for April 27. Passed the Senate as amended 33-0 on March 3.
- **Kindergarten Entrance Age – HB 2820/SB 3208** – by Rep. Ty Cobb (D-Columbia) and Sen. Lowe Finney (D-Jackson). Would require children entering kindergarten to be age five prior to August 1. TEA opposes reduction in education funding tied to legislation. Failed to pass on vote of 5-5 in K-12 Subcommittee of House Education and pending in Senate Education Committee.
- **Charter School Expansion -- HB 3869/SB 3253** by Rep. Ulysses Jones (D-Memphis) and Sen. Reginald Tate (D-Memphis). Would allow any "at risk" student to attend a charter school. Deferred in K-12 Subcommittee of the House Education Committee and assigned to the General Subcommittee of the Senate Education Committee. TEA opposes!
- **Teacher Background Checks – Mental Illness – SB 3875/HB 3794** – sponsored by Sen. Eric Stewart (D-Belvidere) and Rep. Les Winningham (D-Huntsville). Caption Bill. Scheduled for Senate Floor calendar on April 26 and pending in House Education Committee.
- **Testing/Student Accountability – SB 3427/HB 3545** – sponsored by Sen. Lowe Finney (D-Jackson) and Rep. Mark Maddox (D-Dresden). Caption Bill. Pending in the House and Senate Finance, Ways & Means Committees.
- **ESP Health Insurance – SB 3125/HB 3193** – sponsored by Sen. Charlotte Burks (D-Monterey) and Rep. Johnny Shaw (D-Bolivar). Authorizes the provision of group medical health insurance for support staff of an LEA. Amends TCA, Title 8, Chapter 27, Part 3. Pending in the Senate Finance, Ways, and Means Committee and placed behind the budget in House Finance, Ways, and Means Committee.

Resolution Honors Teachers on “National Teacher Day”

HOUSE JOINT RESOLUTION 961

By Winningham

A RESOLUTION designating Tuesday, May 4, 2010 as
"National Teacher Day" in Tennessee.

WHEREAS, it is fitting that this General Assembly designate May 4, 2010, as "National Teacher Day" in recognition of our teachers and of the fact that they are one of our more important resources for building the future; and

WHEREAS, teachers in this country do more than teach our children to read and write, they also impart to our children the essence of our culture, our ethics, and our conscience; and

WHEREAS, teachers open children’s minds to the magic of ideas, knowledge, and dreams;
and

WHEREAS, teachers keep American democracy alive by laying the foundation for good citizenship; and

WHEREAS, teachers fill many roles, serving as listeners, explorers, role models, motivators, and mentors; and

WHEREAS, teachers continue to influence us long after our school days are only memories;
now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that we hereby designate Tuesday, May 4, 2010, as "National Teacher Day" in Tennessee for the purpose of providing public recognition and appreciation for our teachers’ dedication to their profession and their many contributions to the children of this state.

TEA Members - - - - Stay Informed as Legislature Winds Down!

This will be the last regular TEA Legislative Report for the legislative session. A detailed summary report on the 2010 Legislative Session will be available around the first of August. Since most individual bills dealing with education have been passed or defeated, the focus now will almost totally shift to resolving issues around the state budget for fiscal year 2010-2011. Although this is the last formal report, **TEA will keep you informed right up to the legislature's adjournment!** Here's how you can best stay informed:

- ✓ Sign up for TEA's G-R-E-A-T Team by sending your request to GreatTeam@tea.nea.org. Please include your first and last name, your local association, and your HOME e-mail address. You will automatically receive any e-mail alerts regarding legislative activities.
- ✓ Check the TEA website frequently at www.teateachers.org.

TEA MEMBERS CAN REST ASSURED THAT YOUR LOBBYISTS WILL BE ON THE HILL UNTIL THE CLOSING GAVEL -- TO BE YOUR VOICE AND TO KEEP YOU INFORMED!