

PUBLIC CHAPTER NO. 1032**SENATE BILL NO. 3419****By Johnson, Black, Raymond Finney****Substituted for: House Bill No. 3161****By John Deberry**

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 3, Part 5, relative to programs and services for children.

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

SECTION 1. Tennessee Code Annotated, Section 71-3-502, is amended by adding the following language as a new, appropriately designated subsection:

(l) The Department of Human Services shall make available to child care providers licensed by the department a curriculum guideline in any suitable format addressing personal safety containing a component related to the prevention of child sexual abuse and shall allow child care providers licensed by the department to choose terminology and instructional methods which accomplish the goal of providing clear, effective and appropriate instruction in personal safety. The department is encouraged to distribute a sample curriculum that is developmentally- and age-appropriate, child- and family-friendly, and designed to be acceptable to a broad range of providers, parents and legal guardians.

(1) The personal safety curriculum which will be implemented by the child care provider must be made available so parents and legal guardians have the opportunity to review it and so parents and legal guardians will be aware of this component of the child care provider's curriculum. The department shall develop a standard notification form to be provided to the parents or legal guardians by the child care agency. The notification form shall contain the following information:

(A) The method of instruction and sample terminology used in the personal safety/child sexual abuse curriculum.

(B) The availability of the instructional materials for review by the parents or legal guardians; and

(C) A place for the parents or legal guardians to sign acknowledging they have been provided an opportunity to review the personal safety curriculum, have been notified of the child sexual abuse/personal safety curriculum for their child and the individual record for each child shall include a copy of the signed notification form.

(2) If a parent has questions regarding the personal safety component of the quality early childhood education curriculum, then the provider or a representative of the provider shall meet with the parent and discuss the personal safety component of the curriculum.

(3) The Department of Human Services is expressly authorized and directed to implement by public necessity rules, effective October 1, 2008, a rule regarding implementation of this requirement for the personal safety curriculum; provided, any permanent rules shall be promulgated pursuant to the Uniform Administrative Procedures Act compiled in Title 4, Chapter 5.

SECTION 2. For purposes of promulgating rules, this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, this act shall take effect on October 1, 2008.

PASSED: May 7, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of May 2008



PHIL BREDESEN, GOVERNOR