

## PRE-K TEACHERS' EMPLOYMENT RIGHTS AND BENEFITS



All teachers in Tennessee's state-funded pre-K classrooms must possess the same qualifications and meet the same employment standards. However, their employment rights and benefits vary based on the entity – LEA or non-LEA – that employs them. Just over 90 percent of the state's pre-K teachers are LEA employees, and their rights and benefits appear equal to the K-12 teachers in their district. While the number of pre-K teachers not employed by an LEA is comparatively small (88 out of 934 teachers), it is in these cases where divergence between the employment rights and benefits for K-12 teachers and pre-K teachers exists.

This report documents the various employment rights and benefits available to pre-K teachers who teach in Tennessee's two state-funded pre-K programs. Conclusions in the report are primarily based on responses to a 2008 OEA survey of state-funded pre-K coordinators.

- **Employment rights and benefits for pre-K teachers who are employed by LEAs appear equal to the K-12 teachers in their district.** Over 90 percent of school districts that responded to a 2008 OEA survey reported their VPK teachers possess the same employment rights and benefits as the K-12 teachers in their district.
- **Employment rights and benefits for pre-K teachers who are not employed by LEAs may differ from the K-12 teachers in their districts.** Approximately 10 percent of survey respondents either reported differences in rights or benefits or identified recruitment or retention issues related to compensation (including salary and benefits).
- **Recruitment and retention of pre-K teachers not employed by an LEA appears to be an issue for some pre-K programs.**
- **Pre-K teachers' employment rights and benefits differ from district to district and program to program.** Minimum rights and benefits for teachers are outlined in statute. However, the specifics (e.g., contribution levels for insurance plans and types and number of paid leave days) are largely determined at the local level, which explains differences in both pre-K and K-12 teachers' rights and benefits among districts and across programs.
- **Tennessee's laws, rules, and regulations pertaining to education do not always make reference to pre-K or to pre-K teachers.** Consequently, many laws, as well as State Board of Education rules and regulations, do not specifically refer to pre-kindergarten programs, teachers, or staff (e.g., regarding requirements for duty-free lunch and planning time).

### Policy Considerations:

**Policymakers at the state and local level may wish to consider whether pre-K teachers not employed by an LEA should be provided the same employment rights and benefits as K-12 teachers.** OEA has outlined two options for state and local policymakers to consider: 1) requiring that all pre-K teachers be employed by the LEA or 2) including equal rights and benefits language in local contracts.

**The General Assembly may wish to consider a review of relevant statutes, rules, and regulations to determine the appropriateness of standardizing references to pre-K programs, teachers, and/or staff.** Explicit reference to pre-K, where appropriate, would clarify state policy regarding the inclusion of pre-K teachers in the state's teaching corps.

### Administrative Recommendation:

**The Department of Education's Office of Early Learning should examine this report's survey results in reference to their oversight of the state's pre-K programs.** Survey information was self-reported by respondents, and OEA did not verify pre-K programs' specific policies and practices. DOE officials may recognize in the survey responses a need among the state's pre-K coordinators for guidance on and improved understanding of pre-K teachers' rights and benefits.