

2017-2019 LWVTN SUPPORT POSITIONS

The following positions are in addition to positions taken by LWVUS:

EDUCATION

POSITION: Every child is entitled to an appropriate education which meets individual needs. Therefore we support the following:

- Coverage, implementation, and funding of the Tennessee Basic Education Program should be adequate to assure a high standard of public education.
- Regular classroom instruction, kindergarten, special education including but not limited to the gifted and the disabled, and vocational education should be adequately funded and every school district should provide for the special needs of its students.
- The rules, regulations, and minimum standards of the State Board of Education should be enforced.
- Teachers and administrators should be evaluated using procedures that ensure fairness, should receive adequate compensation, and should be eligible for incentive pay increments.
- Proficiency testing should begin in the primary grades and should be used for diagnostic purposes to determine remedial programs to improve students' competencies and basic skills.
- Superintendent of Schools should continue to be appointed by the local elected school board.
- Schools and school systems should be consolidated when consolidation will result in better education.
- A statewide kindergarten program should continue to be mandatory.

Adopted 1963, Amended 1971, 1972, 1979, 1984, 1991, 1997, 2007

SCHOOL VOUCHERS

POSITION: The League of Women Voters believes that a quality public education system is an essential element for maintaining a strong and viable democracy. We support state educational policies that raise levels of student achievement, address the needs of a diverse student population, and preserve students' health and safety.

In a democracy, public education serves many purposes. Regardless of the school setting, a quality education that supports high levels of academic achievement should be the primary objective for public investment of educational dollars. In addition, in our increasingly diverse society, public schools provide an important locus for building community across differences. While parental selection of educational options for their children has value, the League's position is that choice by itself should not be the primary goal for selecting the best ways to invest public dollars in education.

The League opposes the use of public funds for private school vouchers. Should the use of public funds for private school vouchers be considered at some point, the League believes the following criteria should apply:

- Eligibility criteria for students should be limited to those whose need is greatest, e.g., students who are eligible for free and reduced price lunch, students currently enrolled in low-

- performing schools, students with special needs, or students who are performing poorly.
- The private school must accept the voucher as full payment.
- Participation criteria for private schools should include approval by either the state or state-approved accrediting agencies.
- Private schools participating in a voucher program should be required to administer the same standardized assessments as those required in public schools. These assessments should be capable of providing data of students' academic growth (value added) from one year to the next.
- Private schools participating in a voucher program should comply with non-discrimination policies as provided by law.
- In determining whether to expand the voucher program, the program should be evaluated using objective, measurable criteria, such as student achievement gains as measured by a value-added analysis, graduation rates and retention rates.

Adopted 2013

ELECTORAL PROCESS

POSITION: The League of Women Voters of Tennessee supports action to simplify the election process, to protect the right of every citizen to vote, and to promote the full disclosure of income and expenditures by candidates, parties, and committees formed to support candidates. Therefore we support the following:

- Flexible hours and places for registration so that all eligible voters can register.
- Statewide uniformity of procedures to maintain accuracy of voter registration rolls and to clarify and simplify polling place procedures.
- The governing of all primaries by state statute, and administration of all primaries by duly constituted election officials.
- A nondiscriminatory arrangement of names and issues on the ballot.
- More flexibility in absentee voting regulations.

Adopted 1966, Amended 1968, 1974

FINANCING STATE AND LOCAL GOVERNMENT

POSITION: The League supports a balanced system of taxation that considers the ability of the taxpayer to pay and which produces sufficient revenues to fund essential services. Constitutional taxation provisions should be broad and sufficiently flexible to meet future revenue needs.

Therefore the state position includes the following:

- State Income Tax: The League supports a broad-based personal income tax and repeal of the Hall income tax in order to enhance the equity and balance of the tax structure and to produce adequate state and local government revenue. An occupational privilege tax (payroll tax) and retention of the Hall income tax is a less desirable second choice. The League opposes the levy of local option income or payroll taxes. The corporate excise (income) tax should be retained. The statewide income tax should be adopted by Legislative action rather than Constitutional amendment. For this reason, a flat-rate tax with a standard deduction and personal exemptions sufficient to reduce regressivity

would be acceptable.

- **Sales Tax:** The League opposes continued and increased reliance on sales tax for revenue. The local option sales tax rate should be no higher than currently authorized at 50 percent of the state levy. The sales tax on food for home consumption should be eliminated; broadening of the sales tax base and any raise in rate should be contingent upon the exemption of tax on food.
- **Property Tax:** The League supports classification of property for tax purposes into real, personal tangible, and personal intangible; the League opposes subclassification of real property and erosion of the property tax base. Income producing property, including that owned by religious and nonprofit charitable organizations but not used for religious and/or charitable nonprofit purposes (investment property), should be subject to the property tax. The League supports a mandatory periodic reappraisal program, accomplished by professional assessors, that is equitable statewide, and supports increased involvement of the state in the local reappraisal process. Property tax relief for low-income persons and families should be provided by state legislation coupled with a state income tax.
- **User Fees:** The League supports expanded local government levies of user fees providing they meet accepted League taxation criteria.
- **Intergovernmental Revenue:** A percentage of statewide personal income tax proceeds should be transferred to local government(s) earmarked principally for public education. State services mandated and performed by local government should be fully state funded. State/local transfer formulas should be equitable and consider the recipient local government's tax capacity and effort.

The League used the following criteria to evaluate a system of taxation:

1. Ability of the taxpayer to pay
2. Diversity of revenue sources
3. Economy of administration
4. Simplicity and convenience
5. Certainty
6. Sufficiency
7. Elasticity

Each tax should be considered and evaluated in relationship to all other state and local taxes. No single tax will meet all of the above criteria.

Adopted 1971, Amended 1977, 1983

HEALTH CARE

POSITION: The League of Women Voters of Tennessee believes that affordable access to healthcare should be available to all Tennessee residents. The League supports health care which covers disease prevention, health promotion and education, primary care, behavioral health care, acute care, and long term care. Tennessee health care policy goals should include the equitable distribution of services; efficient and economical delivery of appropriate health care; and a reasonable total state expenditure level for health care. Until the goal of a national health

insurance plan is reached, responsibility (including, but not limited to, fiscal responsibility) for health care starts with individuals and families; extends to educators, medical and assistive care providers; and should be shared by local, state and federal governments as well as medical insurance carriers including managed care entities.

Prevention and Education: LWVTN supports a strong emphasis on preventive healthcare and widespread health education efforts as the most cost-effective way to serve all Tennesseans.

Preventive care includes:

- Disease prevention and immunizations;
- Health and wellness promotion and education through schools and the media;
- Age appropriate physical education and family life education including education on reproductive health and disease prevention;
- Family planning and disease prevention services; and
- Support for WIC, school lunch programs and other targeted outreach programs.

Primary and Acute Health Care: LWVTN supports the availability of affordable care including:

- Primary and acute health care, including cost-effective prescription drug treatment for illness and injury;
- Reproductive, maternal and child health care;
- Behavioral health care including mental health services and services to promote recovery from substance use disorders; and
- Treatment and management of chronic diseases or conditions, such as diabetes, hypertension, serious mental illness and developmental disabilities.

Long Term Care: LWVTN supports long term care accessible to all in home- and community-based settings. Long term care includes:

- Medical care and supportive services for individuals with chronic illnesses or disabilities;
- Custodial and non-skilled help, such as assistance with activities of daily living, as well as services provided by licensed professionals; and
- Provision of care in homes, adult day care, hospitals, nursing homes, long term care facilities, or other supportive housing.

LWVTN supports the availability of hospice (including palliative) care for all who need it. If an individual, in consultation with his or her physician and family members, chooses to enter a hospice program, that program should be covered by current insurance programs and ultimately funded by a national health insurance program.

Covering Those Who Are Uninsured: LWVTN supports programs aimed at decreasing the number of individuals lacking health insurance, including:

- Expansion of Tennessee's Medicaid eligibility;
- Development of group insurance pools for employers with few employees and for the self-employed;

- Portability of commercial insurance for those who have changed or lost jobs;
- Implementation of an affordable insurance plan for individuals with catastrophic illnesses; and
- Establishment of a fair system of reimbursement of health services for people who are medically indigent.

These programs should continue and grow until a national health care system is implemented.
Adopted 2008, Amended 2009

JUDICIAL ORGANIZATION

POSITION: The League supports reform of the judicial system, particularly in the areas of redistricting, uniformity of structure, and methods for the discipline and removal of judges. The League supports retention of a merit-based selection and retention plan for selection of judges at the appellate level.

The following components of reform of Tennessee's judicial system were recommended:

- *Redistricting* - In order to provide equal access to the court system for all, the League concluded that redistricting was required to correct imbalances in caseloads then existing in the Tennessee court system. A redistricting plan should take into account geography, population, and caseload history. Districts should also be as compact as possible, thus alleviating excessive time required of judges in some areas to serve courts in their districts. The area within each district should also be demographically similar, i.e., urban or rural.
- *Restructuring* - The League found that a uniform structure of the court system, with flexibility to meet local needs, is important. Making the jurisdiction of the courts uniform throughout the state, having similar types of cases heard in the same type of court in each county or judicial district, would eliminate confusion and difficulty of access. Consolidation of trial-level courts would alleviate overlapping jurisdiction by combining the functions of these various courts into one trial court. The need for flexibility to meet local needs might be filled by the use of specialized judges rather than special courts and could be handled administratively by assignment.
- *Selection of Judges* - The merit-based selection and retention plan for selection of judges at the appellate level should be retained. Qualifications of residence and citizenship are valid, but also of importance is the requirement of license to practice law in the state. (This latter is not, however, intended to exclude law professors.)

Adopted 1978, Amended 2009

JUVENILE SERVICES

TROUBLED/AT RISK CHILDREN

POSITION: The League believes that state-provided services to troubled/at risk children should be comprehensive and accessible, emphasizing early screening and identification, prevention, and early intervention.

- Services should be individualized, community based, and include participation by the family, if appropriate. Services should be delivered and coordinated through a case management

system with agency linkage.

- Early screening and identification of children at risk should be available through health care providers such as health departments, hospital nurseries, and physicians. Prevention and early intervention services should be provided through the Department of Health and other community sources, e.g., schools, childcare centers, Head Start programs, and mental health centers.
- State services to troubled/at risk children and families should be available to all, regardless of ability to pay. The highest priority should be given to children who are abused, neglected, delinquent, mentally ill, or diagnosed with multiple risk factors.
- Perpetrators of abuse/neglect should have access to treatment, within the family structure if possible, to encourage family preservation.
- State and local government should share responsibility for providing services for troubled/at risk children and families.
- To assure effective action, the League supports adequate funding for state mandated programs.

Adopted 1987, Amended 1992

JUVENILE JUSTICE

POSITION: The League supports a statewide juvenile justice system based on uniformity, equity, accessibility, and accountability.

- Youthful offenders should remain with their families, within their own communities, and be diverted from the court whenever possible.
- The juvenile court should be required to select the least restrictive alternative program or placement. Consistent implementation of the least restrictive alternative concept should result in a more effective rehabilitation of children.

The League supports the improvement of the state supported institutions for children through:

- Employment of adequately trained and paid personnel, regional diagnostic and treatment centers, additional educational and rehabilitative programs and adequate after-care programs.
- A juvenile justice system should include the following:
 1. Juvenile court judges should be required to be licensed attorneys. It is recommended that they also have training and experience in juvenile law and child development.
 2. The state should provide funding for paying juvenile court judges in order to attract qualified attorneys with special interest in juvenile law. The state and counties should share the responsibility for funding court staff, training, and operations.
 3. All salaried and volunteer personnel working in juvenile institutions and detention centers should be provided with periodic, updated, and relevant training in child development, effective communication skills, juvenile law, and other related subjects.
 4. All salaried juvenile court personnel, except for clerical workers, should meet certain minimum education and/or experience requirements in juvenile social services, juvenile law, and/or related fields.
 5. Uniform intake procedures and standards, including detention screening

guidelines, should be adopted and mandated for all juvenile courts. Legal sufficiency to prosecute a case should be the primary intake/detention criterion with diversion being the primary option. Detention hearings should be expedited through the use of referees and other court personnel trained to conduct such hearings.

6. A uniform record-keeping system should be adopted and mandated for all juvenile courts, facilities, and institutions in Tennessee. Confidentiality of records should be strictly enforced.
7. The due process rights of youth and families should be fully protected and explained at all stages of the juvenile court system process.
8. Dispositional guidelines or sentencing ranges for each type of offense should be adopted to allow for uniformity, consistency, and fairness. This will include age, type of offense, record, etc.
9. Counseling services should be made available to all youth and their families who come into contact with the juvenile justice system.
10. Preference should be given wherever possible to public service or restitution programs in the disposition of delinquency cases. Such programs provide for effective rehabilitation through the development of a sense of responsibility for one's acts, and also provide for the repayment to the victims of offenses and to the community as a whole for the wrongs committed by juveniles.
11. Status offenders should not be incarcerated or detained except when necessary to protect them from immediate and serious danger. Whenever appropriate they should be left in their homes or with relatives or friends. The least restrictive appropriate alternative should be used. The development of emergency shelter resources should be encouraged for all children who need them.
12. Standards should be developed regarding the operation of, conditions in, and treatment of children in correctional institutions and detention facilities. Disciplinary procedures and behavioral expectations should be clearly spelled out, made known to the youths in the institutions, and applied uniformly and fairly. The use of isolation should be discouraged, and strict conditions and time limits placed on its use. Whenever isolation is used, the use and its reasons should be written into the juvenile's record. Corporal punishment should not be used in institutions and facilities for juveniles.
13. The placement of children in adult jails should be prohibited.

Adopted 1972, Amended 1973, 1982