



April 10, 2013

RE: Protect Tennessee Children – Oppose SB 0132

Dear Senator:

On behalf of the American Civil Liberties Union of Tennessee and its supporters across the state, I write to ask you to protect Tennessee's children by opposing SB 0132, which would reduce Temporary Assistance to Needy Families (TANF) benefits to parents whose children do not "maintain satisfactory academic progress."

SB 0132 denies benefits to families in need if a child in that household fails to advance to the next grade, raising serious constitutional concerns. The denial of benefits necessary to the basic sustenance of life requires compliance with the constitutional protections of due process and equal protection under the law, as articulated in the Fourteenth Amendment.

Yet this bill creates a class of individuals based on their economic status and treats them differently from other Tennesseans also receiving subsidies from the government. Thus this discriminatory bill singles out low-income families for disparate treatment when it denies TANF recipients equal protection on the basis of a child's academic performance.

This legislation grossly oversimplifies complex systemic economic and educational issues, none of which are solved by denying resources to parents whose children are struggling in school. If the legislature is truly serious about improving academic performance and not just penalizing people for being poor, it should take the funds that will inevitably go into building the record-keeping bureaucracy this bill will create and invest them in providing more educational support for families.

Furthermore, no governmental interest has been offered to justify such unequal treatment other than unsubstantiated assertions that a child's poor academic performance will improve under the threat of denial of benefits. No direct connection has been established between punishing parents and improvement of children's academic performance.

Additionally, SB0132 makes no allowance for the due process rights of TANF recipients. When welfare is discontinued, only a pre-termination evidentiary hearing can provide the recipient with procedural due process.

Please stop Tennessee from becoming the first state in the country to target and punish low-income families by placing onerous requirements on parents already struggling to feed and clothe their families. Please vote no on SB 0132. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Hedy Weinberg".

Hedy Weinberg  
Executive Director

AMERICAN CIVIL  
LIBERTIES UNION  
OF TENNESSEE  
P.O. BOX 120160  
NASHVILLE, TN 37212  
T/ (615) 320-7142  
F/ (615) 691-7219  
WWW.ACLU-TN.ORG