

Tennessee bill grants governor the power to unilaterally keep schools open as pandemic surges

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This Sunday, April 18, at 4pm EDT, the Tennessee Educators Rank-and-File Safety Committee will meet to discuss the political situation in Tennessee, across the US and globally. We will develop a fighting strategy to contain the pandemic and oppose the efforts by Governor Lee and all the state's politicians to dismantle public education and other vital social services. Register today and invite your coworkers and friends!

On April 2, Senate Bill 103 passed the Tennessee state senate, granting Republican Governor Bill Lee the power to override local school boards and force schools to remain open for in-person learning. The passage of the bill coincides with the deepening of the COVID-19 pandemic, with a surge taking place in Michigan and a growing number of states, largely driven by school reopenings.

The bill was proposed and passed in response to an earlier conflict between the Governor Lee and Metro Nashville Public Schools (MNPS) and Shelby County Schools (SCS), when the school districts refused to offer face-to-face instruction due to the pandemic. At the time the bill was passed, both districts were already offering in-person classes after the state legislature threatened to cut funding to the schools.

The new law effectively circumvents the power of health departments to close schools, while also granting school boards and charter schools' governing boards the power to keep schools open, regardless of the health risks. The governor can then veto the decision of school boards through an executive order, in effect ensuring that schools remain open.

While Republicans hold a sizable majority in the state House, holding 73 seats compared to the Democrats' 26 seats, the anti-democratic legislation encountered virtually no resistance from Democrats. The bill passed 85 to 2,

with 12 Democrats voting for it.

Lee, who previously refused to issue a statewide mask mandate or state lockdown, has no concern for the children he is forcing back into poorly ventilated classrooms where social distancing is impossible. Teachers and all school employees have faced the threat of illness, lingering health problems and even death. The multi-millionaire governor, whose home is a 1,000-acre horse and cattle farm in the state's richest county, serves the interests of the Business Roundtable and Chamber of Commerce, reopening schools so that parents will return to offices, factories and plants to produce corporate profits.

Lee's new powers have been granted amid a renewed surge of the COVID-19 pandemic, with the highly contagious B.1.1.7 variant now the dominant strain of the virus in some states. Noted epidemiologist Dr. Michael Osterholm, director of the Center for Infectious Disease Research and Policy in Minneapolis, has warned that children are highly susceptible to the variant.

According to data released by the Centers for Disease Control and Prevention (CDC) this week, an estimated 35 percent of new COVID-19 infections in Tennessee are caused by the B.1.1.7 variant.

The new legislation was passed amid Lee's deepening attacks on public education more broadly. Lee recently secured passage of legislation creating the eight-member Tennessee Public Charter School Commission, with members' terms set for three to five years. The Commission, packed with charter school supporters and administrators, has the final authority to license charter schools in the state. The Commission was proposed after school districts either balked at more charter schools or were taking steps to decertify them for failing to meet minimum performance guidelines.

Supporters of a Lee-proposed schools voucher program for Nashville/Davidson and Memphis/Shelby counties have appealed to the Tennessee Supreme Court to reverse the decision of two lower courts. Last November, the Liberty Justice Center appealed decisions of a Nashville Chancery Court and the Tennessee Appeals Court that Lee's voucher program was unconstitutional based on the Tennessee Constitution's "home rule" provision. Both cities had rejected the use of school vouchers. The state's Supreme Court announced in February that it would consider the appeal but has taken no action to date.

Along with the attacks on public education, throughout the pandemic Lee has continued to undermine the state's under-resourced healthcare system. Under the Trump administration, Tennessee requested and was named the first state approved for a Medicaid Block Grant. Under the program, the state would receive a lump sum payment from the federal government to run the Medicaid program. TennCare will have a specified spending cap and the state will share in any savings from "running" the program.

In 1994, Tennessee became the first state to essentially take over the Medicaid program when it was turned into "TennCare" under Democratic Governor Ned Ray McWherter. By 2005, Democratic Governor Phil Bredesen had cut 190,000 people off the program and drastically reduced services.

Michele Johnson, executive director of the Tennessee Justice Center, which presently represents recipients and has previously had to sue the state to provide TennCare services, often for children, called the Block Grant program "bad policy" in an interview with Associated Press. She said, "As far as I can see, the agreement gives Tennessee a lot of flexibility to do things that would result in less people covered and less protection for those people who are covered."

Johnson told KHN.org, "No other state has sought a block grant, and for good reason. It gives state officials a blank check and creates financial incentives to cut health care to vulnerable families."

In a press release, American Cancer Society Cancer Action Network president Lisa Lacasse called the agreement "unconscionable," adding that the program would "weaken Medicaid" during a period of massive unemployment during the COVID-19 public health crisis. She called on the incoming Biden administration to put an end to it.

Medicaid was first established under President Lyndon B. Johnson's "Great Society" programs in the 1960s as a

health care entitlement program. Under the program, the government pays states a percentage of the cost of health care for "eligible" recipients. In contrast, block grants are fixed pots of money provided by the federal government to states, which are not allocated proportionate to need.

Neither the Biden administration nor the Democratic Party overall have moved to overturn the Trump administration's reactionary Block Grant program, although Biden has the power to do so.

Two years ago, the *World Socialist Web Site* warned of the impact of such changes to the Medicaid program implemented by the Trump administration. We wrote: "The Trump budget would impose the biggest cuts in Medicaid and Medicare in history, nearly \$2 trillion over 10 years. Medicaid would be converted into block grants to the states, with spending increases limited to the rate of overall inflation, not the much higher rate of health care cost inflation, forcing almost immediate cuts by the states."

The moves by Lee and the entire political establishment in Tennessee to force educators and students to remain in unsafe schools, and their efforts to eviscerate public education, health care and all social services, underscore the deepening rightward shift in US politics which has been exacerbated by the pandemic.

It is critical that the working class take matters into its own hands and organize independently of the pro-corporate unions and both big business parties, through the building of networks of rank-and-file committees in every industry. We urge Tennessee educators, parents, students and all workers to attend Sunday's meeting of the Tennessee Educators Rank-and-File Safety Committee to discuss this perspective.



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