

BILL ANALYSIS

Senate Research Center

S.B. 76
By: Zaffirini
Education
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Enrolled

DIGEST AND PURPOSE

Current Texas law may make it difficult for some parents to determine whether their children are eligible for certain subsidized child care and early childhood development programs due to the structure of such programs. S.B. 76 allows certain state agencies to coordinate with early childhood development program providers regarding prekindergarten, Head Start, and after-school child-care programs, and to streamline eligibility and registration procedures for such programs. In addition, this bill allows for the coordination of agencies and service providers in a quality rating demonstration project or a coordination of resources demonstration project. S.B. 76 also requires the establishment of an advisory committee on child-care coordination to evaluate the feasibility of coordinating child-care programs.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 29, Education Code, by adding Section 29.1533, as follows:

Sec. 29.1533. ESTABLISHMENT OF NEW PREKINDERGARTEN PROGRAM.

Requires a school district, before establishing a new prekindergarten program, to investigate the possibility of sharing use of an existing Head Start or other child-care program site as a prekindergarten site.

SECTION 2. Amends Section 29.155, Education Code, by adding Subsections (g) through (j), as follows:

(g) Authorizes the commissioner of education (commissioner), from amounts appropriated for the purposes of this subsection, to also provide for: coordinating early childhood care and education programs; developing and disseminating for programs described by Subdivision (1) prekindergarten instructional materials and school-readiness information for parents; and developing standards for model early childhood care and education coordination.

(h) Requires the model program standards developed under Subsection (g) to focus on pre-literacy skills, including language acquisition, vocabulary development, and phonological awareness.

(i) Authorizes a school district or open-enrollment charter school, in carrying out the purposes of Subsection (g), to use funds granted to the district or school under this subsection in contracting with another entity, including a private entity.

(j) Authorizes the commissioner, if a school district or open-enrollment charter school returns

to the commissioner funds granted under this section, to grant those funds to another entity, including a private entity, for the purposes of Subsection (g).

SECTION 3. Amends Subchapter E, Chapter 29, Education Code, by adding Section 29.1561, as follows:

Sec. 29.1561. ADMINISTRATION OF EARLY CHILDHOOD CARE AND EDUCATION PROGRAMS. (a) Authorizes the commissioner to waive a law or rule relating to early childhood care and education programs to the extent that the law or rule is more restrictive than required by federal law, or to the extent necessary to comply with federal law.

(b) Authorizes the commissioner, notwithstanding any restriction imposed by this title, to administer grants for early childhood care and education programs under Section 29.155 or 29.156, including Head Start and Early Head Start programs, in a manner that provides the greatest flexibility allowed under federal law.

SECTION 4. Amends Subchapter E, Chapter 29, Education Code, by adding Sections 29.158, 29.159, and 29.160, as follows:

Sec. 29.158. COORDINATION OF SERVICES. (a) Requires each prekindergarten program provider, Head Start and Early Head Start program provider, and provider of an after-school child-care program provided at a school, in a manner consistent with federal law and regulation, to coordinate with the Texas Education Agency (TEA), the Texas Workforce Commission (TWC), and local workforce development boards regarding subsidized child-care services.

(b) Sets forth elements that must be included in the coordination required by this section.

(c) Sets forth elements that may be included in the coordination required by this section.

(d) Requires TEA, TWC, local workforce development boards, and each prekindergarten program provider, Head Start and Early Head Start program provider, and provider of an after-school child-care program provided at a school, in coordinating child-care services under this section and in making any related decision to contract with another provider for child-care services, to consider the quality of the services involved in the proposed coordination or contracting decision and to give preference to services of the highest quality. Authorizes any appropriate indicator of quality services to be considered under this subsection. Sets forth indicators that may be considered.

(e) Provides that any coordination required by this section that involves a prekindergarten program must be approved by the commissioner.

Sec. 29.159. PROVISION OF CERTAIN INFORMATION. (a) Requires each provider of government-funded child-care services, except as otherwise provided by this section, at the time that a child is enrolled with the provider, to furnish the child's parent certain information.

(b) Requires a provider that does not have sufficient resources to provide the information specified by Subsection (a) to furnish parents with certain other information or referrals.

Sec. 29.160. DEMONSTRATION PROJECTS. (a) Authorizes the State Center for Early Childhood Development (SCECD), in conjunction with a school district, regional education

service center, institution of higher education, local government, local workforce development board, or community organization, to develop a quality rating system demonstration project under which prekindergarten program providers, licensed child-care facilities, or Head Start and Early Head Start program providers are assessed under a quality rating system.

(b) Entitles SCECD, in developing the quality rating system demonstration project, to certain access, assistance, and support.

(c) Authorizes a school district, regional education service center, institution of higher education, local government, local workforce development board, or community organization to develop one or more coordination of resources demonstration projects under which government-funded child-care services are operated in a coordinated manner. Requires an entity that develops a proposed demonstration project under this subsection to obtain approval of the project from the state agency or agencies with regulatory jurisdiction over the subject matter involved in the project.

(d) Entitles an entity that obtains approval of a coordination of resources demonstration project to a waiver or modification of any existing rule, policy, or procedure of TEA, TWC, or the Department of Protective and Regulatory Services that impairs the coordinated provision of government-funded child-care services, provided that the waiver or modification does not adversely affect the health, safety, or welfare of the children receiving services under the project. Requires the appropriate state agency, in addition, if applicable, to seek on behalf of the entity any available federal waiver from a federal rule, policy, or procedure imposed in connection with a Head Start program that impairs the coordinated provision of government-funded child-care services. Requires a state agency, not later than the 30th day after the date on which it becomes aware of an applicable federal waiver under this subsection, to notify the appropriate entity of the date by which the state agency intends to seek the waiver.

(e) Requires SCECD and any other entity that implements a demonstration project under this section to provide a report to the legislature and to the state agency or agencies with regulatory jurisdiction over the subject matter involved in the project. Sets forth items that the report must include.

(f) Requires the report required by Subsection (e) to be provided at the time specified jointly by the state agency or agencies with regulatory jurisdiction over the subject matter involved in the demonstration project.

SECTION 5. (a) Requires the director of SCECD to establish a 15-member advisory committee on child-care coordination to evaluate the feasibility of coordinating government-funded child-care programs in a manner that promotes access to child-care programs and results in improved school readiness. Sets forth organizations and agencies, a representative of which must be included on the advisory committee.

(b) Provides that the advisory committee is not subject to Chapter 2110 (State Agency Advisory Committees), Government Code.

(c) Prohibits a member of the advisory committee from receiving compensation for serving on the committee.

(d) Requires the director of SCECD to designate a member of the committee to serve as presiding officer.

(e) Requires the advisory committee to meet at the call of the presiding officer of the committee.

(f) Provides that a member of the advisory committee serves at the will of the director of SCECD.

(g) Authorizes the advisory committee to coordinate its activities with the activities of the Office of Early Childhood Coordination advisory committee established under Section 531.286 (Advisory Committee), Government Code.

(h) Requires the advisory committee, not later than September 1, 2004, to prepare and deliver a report to certain persons. Sets forth requirements regarding the report.

(i) Abolishes the advisory committee as of December 31, 2004, and provides that this section expires on that date.

SECTION 6. Effective date: September 1, 2003.