

By: Villarreal

H.B. No. 309

A BILL TO BE ENTITLED

AN ACT

relating to public school prekindergarten programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 29.1532(a) and (b), Education Code, are amended to read as follows:

(a) The agency shall adopt guidelines for prekindergarten programs provided directly by a school district. A district may directly provide any [school district's] prekindergarten program that meets guidelines adopted by the agency under this subsection [shall be designed to develop skills necessary for success in the regular public school curriculum, including language, mathematics, and social skills].

(b) A [If a] school district may contract [contracts] with another [a private] entity to provide a [for the operation of the district's] prekindergarten program for the district on or off of district property. The [the] program must at a minimum:

(1) use stringent health and safety measures;

(2) for classes for four-year-old students:

(A) employ a sufficient number of teachers to maintain an average ratio of not less than one teacher for each 10 students enrolled in the program's classes for four-year-old students; and

(B) enroll not more than 20 students in a class;

(3) for classes for three-year-old students, in

1 accordance with rules adopted by the program:

2 (A) employ a sufficient number of teachers to  
3 maintain an average student/teacher ratio that is less than the  
4 ratio prescribed under Subdivision (2)(A); and

5 (B) enroll fewer than 20 students in a class;

6 (4) have on the premises during program operating  
7 hours at least one teacher who:

8 (A) has earned a bachelor's degree in childhood  
9 development; and

10 (B) is available to supervise other teachers;

11 (5) use curricula and a teaching process that, based  
12 on accepted scientific research, have been proven to prepare  
13 students for successful performance on reading and mathematics  
14 assessment instruments administered under Section 39.023 to  
15 students in grade three; and

16 (6) solicit and accept meaningful involvement by  
17 parents of students [~~comply with the applicable child-care~~  
18 ~~licensing standards adopted by the Department of Protective and~~  
19 ~~Regulatory Services under Section 42.042, Human Resources Code].~~

20 SECTION 2. Section 42.005, Education Code, is amended by  
21 adding Subsection (g) to read as follows:

22 (g) For purposes of this section, in computing attendance  
23 for a day of instruction in a prekindergarten program, a school  
24 district shall include attendance by a student enrolled in a class  
25 under Section 29.153:

26 (1) provided directly by the district; or

27 (2) provided on or off of district property by an

1 entity other than the district under contract with the district if  
2 the entity is providing the program to the student only because of  
3 the district's contract with the entity.

4 SECTION 3. Section 25.001(a), Education Code, is amended to  
5 read as follows:

6 (a) A person who is at least five years of age and under 21  
7 years of age on the first day of September of any school year is  
8 entitled to the benefits of the available school fund for that year.  
9 Any other person enrolled in a prekindergarten class under Section  
10 29.153 and included in computing attendance under Section 42.005(g)  
11 is entitled to the benefits of the available school fund.

12 SECTION 4. Section 42.003(b), Education Code, is amended to  
13 read as follows:

14 (b) A student to whom Subsection (a) does not apply is  
15 entitled to the benefits of the Foundation School Program if the  
16 student is enrolled in a prekindergarten class under Section 29.153  
17 and included in computing attendance under Section 42.005(g).

18 SECTION 5. This Act applies beginning with the 2003-2004  
19 school year.

20 SECTION 6. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2003.