

By: Villarreal

H.B. No. 400

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of voluntary prekindergarten classes for  
3 certain children.

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

5 Section 1. Section 29.153, Education Code, Subsection (c)  
6 is amended to read as follows:

7 FREE PREKINDERGARTEN FOR CERTAIN CHILDREN. (a) A district shall  
8 offer prekindergarten classes if the district identifies 15 or more  
9 children who are eligible under Subsection (b) and are at least four  
10 years of age. A school district may offer prekindergarten classes  
11 if the district identifies 15 or more eligible children who are at  
12 least three years of age. A district may not charge tuition for a  
13 prekindergarten class offered under this section.

14 (b) A child is eligible for enrollment in a prekindergarten  
15 class under this section if the child is at least three years of age  
16 and is:

17 (1) unable to speak and comprehend the English  
18 language;

19 (2) educationally disadvantaged; or

20 (3) homeless, as defined by 42 U.S.C. Section 11302,  
21 regardless of the residence of the child, of either parent of the  
22 child, or of the child's guardian or other person having lawful  
23 control of the child.

24 (c) A prekindergarten class under this section shall be

1 operated on a ~~half-day~~ full day basis. A district is not required  
2 to provide transportation for a prekindergarten class, but  
3 transportation, if provided, is included for funding purposes as  
4 part of the regular transportation system.

5 (d) On application of a district, the commissioner may  
6 exempt a district from the application of this section if the  
7 district would be required to construct classroom facilities in  
8 order to provide prekindergarten classes.

9 (e) Each school district shall develop a system to notify  
10 the population in the district with children who are eligible for  
11 enrollment in a prekindergarten class under this section of the  
12 availability of the class. The system must include public notices  
13 issued in English and Spanish.

14 Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

15 Amended by Acts 1999, 76th Leg., ch. 62, Sec. 4.01, eff. Sept. 1,

16 1999; Acts 2001, 77th Leg., ch. 596, Sec. 1, eff. June 11, 2001.