

By: Raymond

H.B. No. 169

A BILL TO BE ENTITLED

AN ACT

relating to mandatory kindergarten attendance in public schools.

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

SECTION 1. Section 25.085(b), Education Code, is amended to read as follows:

(b) Unless specifically exempted by Section 25.086, a child who is at least five [~~six~~] years of age on September 1 of the school year, or who is younger than five [~~six~~] years of age on September 1 of the school year and has previously been enrolled in prekindergarten or kindergarten [~~first grade~~], and who has not yet reached the child's 18th birthday shall attend school.

SECTION 2. Section 29.009, Education Code, is amended to read as follows:

Sec. 29.009. PUBLIC NOTICE CONCERNING PRESCHOOL PROGRAMS FOR STUDENTS WITH DISABILITIES. Each school district shall develop a system to notify the population in the district with children who are at least three years of age but younger than five [~~six~~] years of age and who are eligible for enrollment in a special education program of the availability of the program.

SECTION 3. Sections 42.003(a) and (d), Education Code, are amended to read as follows:

(a) A student is entitled to the benefits of the Foundation School Program if the student is:

(1) enrolled in kindergarten or is five [~~5~~] years of

1 age or older on September 1 of the school year; and

2 (2) under 21 years of age on September 1 of the school
3 year and has not graduated from high school.

4 (d) Notwithstanding Subsection (a), a student younger than
5 five years of age on September 1 of the school year who is not
6 otherwise [~~is~~] entitled to the benefits of the Foundation School
7 Program is entitled to the benefits of the program if:

8 (1) the student performs satisfactorily on the
9 assessment instrument administered under Section 39.023(a) to
10 students in the third grade; and

11 (2) the district has adopted a policy for admitting
12 students younger than five years of age.

13 SECTION 4. Sections 25.085(c) and 42.003(c), Education
14 Code, are repealed.

15 SECTION 5. This Act applies beginning with the 2007-2008
16 school year.

17 SECTION 6. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2007.