

By: Villarreal

H.B. No. 3390

A BILL TO BE ENTITLED

AN ACT

relating to a kindergarten-plus pilot project for certain children.

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

Article I. Definitions.

(1) The "commissioner" means the Texas Education Commissioner.

(2) The "agency" means the Texas Education Agency.

(3) "Economically disadvantaged" means:

(A) Students from a family with an annual income at or below the official poverty line; or,

(B) Students eligible for Temporary Assistance for Needy Families or other public assistance; or,

(C) Students who received a Pell Grant or comparable state program of need-based financial assistance; or,

(D) Students eligible for programs assisted under Title II of the Job Training Partnership Act; or,

(E) Students eligible for Benefits under the Food Stamp Act of 1977.

Article II. Kindergarten-Plus Program Pilot Project.

Subchapter E, Chapter 29, Education Code, is amended by adding Section 29.162 to read as follows:

SECTION 1. Duties of the Commissioner of Education.

(a) The commissioner shall:

(1) Establish a three-year study that extends

1 approved full-day kindergarten programs by 40 instructional days
2 for certain students in eligible school districts;

3 (2) Award grants to eligible school districts
4 from funds appropriated for the purpose;

5 (3) Adopt rules necessary to administer this
6 section, including campus application requirements, procedures for
7 evaluating applications for grants;

8 (4) Provide standards and a curriculum for the
9 Kindergarten-Plus program;

10 (5) Establish district reporting and evaluation
11 requirements.

12 SECTION II. Eligible Districts.

13 (a) This act applies to districts which reported to
14 the agency more than 56,000 students enrolled in 2005-2006, and,

15 (b) Who reported more than 81 percent of the student
16 population as economically disadvantaged or eligible for free or
17 reduced lunch in 2005-2006.

18 (c) A district may use funds received under this
19 subsection only for the purpose of the district's Kindergarten-Plus
20 program.

21 (d) A school district Kindergarten-Plus program must,
22 at a minimum, consist of:

23 (1) twenty additional instruction days for an
24 eligible child during the summer before the child will begin
25 kindergarten; and,

26 (2) twenty additional instruction days for an
27 eligible child during the summer after the child completes

1 kindergarten.

2 (3) a curriculum based on improving numeracy,
3 literacy and social skills in students.

4 (e) A school district receiving funds under this
5 section shall:

6 (1) Demonstrate that its Kindergarten-Plus
7 program will meet all state standards and employ only qualified
8 teachers and other staff.

9 (2) Compensate teachers at the same rate and
10 under the same terms for Kindergarten-Plus as teachers are paid for
11 regular full-day kindergarten programs.

12 (3) A teacher who teaches a Kindergarten-Plus
13 program is entitled to two additional professional development days
14 each school year.

15 (4) Employ a sufficient number of teachers as
16 provided by Section 25.112 of this section.

17 (5) Notify the population in the district whose
18 children are eligible for enrollment in Kindergarten-Plus of the
19 availability of the class. The system must include public notices
20 issued in English and Spanish.

21 SECTION III. Student eligibility.

22 (a) A child is eligible to participate in a school
23 district's Kindergarten-Plus program if the:

24 (1) Child's parent or guardian has applied for
25 the child to participate in the kindergarten-plus program in the
26 time and manner required by the district and the district has
27 accepted the child's application;

1 (2) Child qualified for a pre-kindergarten
2 program under **Section 29.153** of this section prior to reaching
3 school eligibility under **Section 25.001** of this section; or,

4 (3) Child is entitled to attend school in the
5 district under Section 25.001 of the Education Code; and the child
6 is:

7 (A) Unable to speak and comprehend the
8 English language; or,

9 (B) Educationally disadvantaged as
10 established under 42 U.S.C.S. Section 1751 et seq.; or,

11 (C) Homeless, as defined by 42 U.S.C
12 Section 11302 regardless of the residence of the child, of either
13 parent of the child, or of the child's guardian or other person
14 having lawful control of the child.

15 (b) A child enrolled in Kindergarten-Plus remains
16 eligible for the duration of the program, regardless of financial
17 status.

18 SECTION 2. As soon as practicable after the effective date
19 of this Act, the commissioner shall adopt rules relating to the
20 kindergarten-plus program provided for by Section 29.1511,
21 Education Code, as added by this Act.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2007.