

By: Zaffirini

S.B. No. 50

A BILL TO BE ENTITLED

AN ACT

relating to early childhood education.

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

SECTION 1. Section 29.153, Education Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) Notwithstanding Subsection (d), the commissioner may not exempt a school district from the application of this section for a school year if a private entity in the district:

(1) is willing and able to contract with the district to operate a prekindergarten program that complies with the requirements of this code and commissioner rules regarding prekindergarten programs operated by a school district;

(2) meets any additional standards of the district for the operation of the district's prekindergarten program; and

(3) notifies the district and the commissioner in writing not later than June 1 of the entity's ability and commitment to operate a prekindergarten program on behalf of the district for the following school year.

SECTION 2. Sections 29.160(c) and (c-2), Education Code, are amended to read as follows:

(c) A school district, regional education service center, institution of higher education, local government, local workforce development board, or community organization may develop one or more coordination-of-resources demonstration projects under which

1 government-funded child-care and early education services,
2 including Head Start and Early Head Start, prekindergarten, and
3 after-school child-care program services, child-care services
4 provided by nonprofit or for-profit entities, and faith-based
5 child-care programs, are operated in a coordinated and integrated
6 manner. An entity that develops a proposed demonstration project
7 under this subsection must obtain approval of the project from the
8 state agency or agencies with regulatory jurisdiction over the
9 subject matter involved in the project. Approval of a project under
10 this subsection must be made contingent on development of a
11 memorandum of understanding regarding the child-care and early
12 education coordination and integration that [~~is~~]:

13 (1) is entered into by each entity participating in
14 the project;

15 (2) is certified by the State Center for Early
16 Childhood Development as meeting any standards developed under
17 Section 29.155(g); [~~and~~]

18 (3) is consistent with the applicable provisions of
19 this section and applicable laws and regulations in a manner that at
20 a minimum maintains existing child-care and early education program
21 requirements and does not waive or reduce any existing health and
22 safety standards; and

23 (4) contains provisions ensuring that the project does
24 not result in the reduction of existing services or the redirection
25 of existing expenditures.

26 (c-2) A demonstration project established under Subsection
27 (c) must include a program evaluation component that, in addition

1 to assessing child-care and early education outcomes for young
2 children, demonstrates:

3 (1) the extent to which program quality has been
4 enhanced and the cognitive, physical, social, and emotional
5 development of young children has been promoted;

6 (2) the extent to which the number of children being
7 served by full-day, full-year programs has increased;

8 (3) the extent to which professional development
9 training or activities engaged in by program staff has increased;
10 and

11 (4) that there has been no weakening of standards or
12 diminishment of services.

13 SECTION 3. Section 29.161(c), Education Code, is amended to
14 read as follows:

15 (c) The system must:

16 (1) be reflective of research in the field of early
17 childhood care and education;

18 (2) be well-grounded in the cognitive, physical,
19 social, and emotional development of young children; and

20 (3) apply a common set of criteria to each program
21 provider seeking certification, regardless of the type of program
22 or source of program funding.

23 SECTION 4. Subchapter G, Chapter 2308, Government Code, is
24 amended by adding Section 2308.3155 to read as follows:

25 Sec. 2308.3155. ENHANCED REIMBURSEMENT RATES FOR CERTAIN
26 CHILD-CARE PROVIDERS. To the extent that funds are appropriated
27 for that purpose, each board shall provide enhanced reimbursement

1 rates to certain licensed child-care providers for services
2 provided to children who are younger than six years of age.

3 SECTION 5. Section 42.0421, Human Resources Code, is
4 amended by adding Subsection (e) to read as follows:

5 (e) The department, in coordination with the State Center
6 for Early Childhood Development, shall develop or seek proposals
7 for the development of one or more online training modules to be
8 made available through the Internet as an acceptable option for an
9 employee to use in complying with the training required by
10 Subsection (a)(1).

11 SECTION 6. Effective January 1, 2009, Section 42.0421,
12 Human Resources Code, is amended by adding Subsection (f) to read as
13 follows:

14 (f) Except as provided by Subsection (e), the training
15 required by this section must be provided by a person who:

16 (1) is a training provider registered with the Texas
17 Early Care and Education Career Development System's Texas Trainer
18 Registry that is maintained by the Texas Head Start-State
19 Collaboration Office;

20 (2) is an instructor at a public or private secondary
21 school or at a public or private institution of higher education, as
22 defined by Section 61.801, Education Code, who teaches early child
23 development or another relevant course, as determined by rules
24 adopted by the executive commissioner of the Health and Human
25 Services Commission;

26 (3) is an employee of a state agency with relevant
27 expertise;

1 (4) is a physician, psychologist, licensed
2 professional counselor, social worker, or registered nurse;

3 (5) holds a generally recognized credential, such as a
4 certification to provide instruction in cardiopulmonary
5 resuscitation (CPR); or

6 (6) is approved by the executive commissioner of the
7 Health and Human Services Commission, based on the recommendation
8 of the Texas Council on Early Childhood Education Career
9 Development established under Subchapter C, Chapter 72.

10 SECTION 7. The heading to Chapter 72, Human Resources Code,
11 is amended to read as follows:

12 CHAPTER 72. EARLY CHILDHOOD EDUCATION SERVICES [~~HEAD START~~
13 ~~PROGRAMS~~]

14 SECTION 8. Chapter 72, Human Resources Code, is amended by
15 designating Section 72.001 as Subchapter A and adding a subchapter
16 heading to read as follows:

17 SUBCHAPTER A. GENERAL PROVISIONS

18 SECTION 9. Section 72.001, Human Resources Code, is amended
19 to read as follows:

20 Sec. 72.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

21 (1) "Council" means the Texas Council on Early
22 Childhood Education Career Development.

23 (2) [7] "Head Start program" means the federal program
24 established under the Head Start Act (42 U.S.C. Section 9831 et
25 seq.) and its subsequent amendments.

26 SECTION 10. Subchapter A, Chapter 72, Human Resources Code,
27 as designated by this Act, is amended by adding Section 72.0015 to

1 read as follows:

2 Sec. 72.0015. REQUIREMENTS APPLICABLE TO STATE CENTER FOR
3 EARLY CHILDHOOD DEVELOPMENT. The State Center for Early Childhood
4 Development shall:

5 (1) comply with the contract management requirements
6 prescribed by Chapter 2262, Government Code; and

7 (2) not later than December 1 of each even-numbered
8 year, prepare and submit to the presiding officers of the Senate
9 Finance Committee and the House Appropriations Committee a report
10 detailing the use of all state money provided to the center to fund
11 early childhood education services.

12 SECTION 11. Chapter 72, Human Resources Code, is amended by
13 designating Sections 72.002 and 72.003 as Subchapter B, renumbering
14 Sections 72.002 and 72.003 as Sections 72.051 and 72.052,
15 respectively, and adding a subchapter heading to read as follows:

16 SUBCHAPTER B. HEAD START PROGRAMS

17 Sec. 72.051 [~~72.002~~]. EDUCATIONAL SERVICES. To promote the
18 comprehensive health, safety, and well-being of children receiving
19 child care through Head Start programs, a program provider shall
20 provide educational services to children participating in the
21 program so that each child is prepared to enter school and is ready
22 to learn after completing the program. The educational services
23 provided must include components designed to enable a child to:

24 (1) develop phonemic, print, and numeracy awareness,
25 including the ability to:

26 (A) recognize that letters of the alphabet are a
27 special category of visual graphics that can be individually named;

- 1 (B) recognize a word as a unit of print;
- 2 (C) identify at least 10 letters of the alphabet;
- 3 and
- 4 (D) associate sounds with written words;
- 5 (2) understand and use language to communicate for
- 6 various purposes;
- 7 (3) understand and use an increasingly complex and
- 8 varied vocabulary;
- 9 (4) develop and demonstrate an appreciation of books;
- 10 and
- 11 (5) progress toward mastery of the English language,
- 12 if the child's primary language is a language other than English.

13 Sec. 72.052 [~~72.003~~]. COORDINATION OF SERVICES. (a) In a
14 manner consistent with federal law and regulations, each Head Start
15 and Early Head Start program provider shall coordinate with the
16 Texas Workforce Commission and local workforce development boards
17 regarding subsidized child-care services.

18 (b) The coordination required by this section must include
19 coordinating to ensure, to the extent practicable, that full-day,
20 full-year child-care services are available to meet the needs of
21 low-income parents who are working or participating in workforce
22 training or workforce education. The coordination may also
23 include:

- 24 (1) cooperating with the Texas Workforce Commission
- 25 regarding studies conducted by the commission;
- 26 (2) collecting data necessary to determine a child's
- 27 eligibility for subsidized child-care services or a Head Start or

1 Early Head Start program, when permissible;

2 (3) cooperating to provide for staff training and
3 professional development activities;

4 (4) identifying and developing methods for the
5 collaborative provision of subsidized child-care services and Head
6 Start or Early Head Start program services, including:

7 (A) sharing facilities or staff; and

8 (B) increasing the enrollment capacity of those
9 programs;

10 (5) identifying child-care facilities located in
11 close proximity to Head Start or Early Head Start programs; and

12 (6) coordinating transportation between child-care
13 facilities identified under Subdivision (5) and a Head Start or
14 Early Head Start program.

15 SECTION 12. Chapter 72, Human Resources Code, is amended by
16 adding Subchapters C and D to read as follows:

17 SUBCHAPTER C. TEXAS COUNCIL ON EARLY CHILDHOOD EDUCATION CAREER

18 DEVELOPMENT

19 Sec. 72.101. ESTABLISHMENT. The Texas Council on Early
20 Childhood Education Career Development is established to promote
21 the recognition of early childhood educators as professionals and
22 assist in the development of professional standards and educational
23 opportunities for those educators.

24 Sec. 72.102. COMPOSITION. The council consists of:

25 (1) a representative of the Texas Education Agency, as
26 designated by the commissioner of education;

27 (2) a representative of the Texas Workforce

1 Commission, as designated by the executive director of the
2 commission;

3 (3) a representative of the Office of Early Childhood
4 Coordination established by the Health and Human Services
5 Commission, as designated by the executive commissioner of the
6 commission;

7 (4) a representative of the Department of Family and
8 Protective Services with expertise relating to licensing of
9 child-care facilities, as designated by the commissioner of the
10 department; and

11 (5) to the extent feasible, representatives of the
12 following entities or stakeholder groups, as designated by the
13 executive commissioner of the Health and Human Services Commission:

14 (A) statewide associations of early childhood
15 education professionals;

16 (B) statewide organizations that certify or
17 provide other credentials to individuals working in the field of
18 early childhood education;

19 (C) child-care resource and referral agencies;

20 (D) two-year and four-year colleges and
21 universities in this state;

22 (E) public school districts that offer secondary
23 programs of study in the area of early childhood education;

24 (F) administrators of early childhood programs,
25 including Head Start programs and programs provided by school
26 districts, licensed day-care centers, and family homes, as defined
27 by Section 42.002; and

1 (G) parents with children receiving services
2 through early childhood programs.

3 Sec. 72.103. DUTIES. The council shall:

4 (1) in conjunction with the organization selected by
5 the Texas Education Agency under Section 72.155 to manage early
6 childhood education partnership projects established under
7 Subchapter D, develop criteria for determining the effectiveness
8 and performance of those partnerships;

9 (2) develop a model career path in accordance with
10 Section 72.106; and

11 (3) perform any other function specified by law or
12 identified as an appropriate function by the executive commissioner
13 of the Health and Human Services Commission.

14 Sec. 72.104. PRESIDING OFFICER. The executive commissioner
15 of the Health and Human Services Commission shall designate the
16 presiding officer of the council.

17 Sec. 72.105. EXPENSES AND STAFF. (a) A member of the
18 council may not receive compensation for serving on the council but
19 is entitled to reimbursement of travel expenses incurred by the
20 member while conducting the business of the council as provided by
21 the General Appropriations Act.

22 (b) The Health and Human Services Commission shall provide
23 staff assistance as necessary to enable the council to perform the
24 council's duties.

25 Sec. 72.106. CAREER PATH. (a) As a resource for early
26 childhood education professionals, the council shall develop a
27 model career path that identifies the educational credentials and

1 experience that an early childhood education professional may seek
2 to obtain over the course of the professional's career.

3 (b) The model career path must:

4 (1) specify progressive levels, with additional
5 educational and experience requirements applicable at each level;

6 (2) give emphasis at each level to the receipt of
7 training that is provided by qualified trainers and based on
8 applicable core knowledge and skills, as identified by experts in
9 the field of early childhood education; and

10 (3) be consistent with any applicable requirements
11 imposed by law regarding the training, education, or experience of
12 early childhood education professionals.

13 [Sections 72.107-72.150 reserved for expansion]

14 SUBCHAPTER D. EARLY CHILDHOOD EDUCATION PARTNERSHIP PROJECTS

15 Sec. 72.151. ESTABLISHMENT OF EARLY CHILDHOOD EDUCATION
16 PARTNERSHIP PROJECTS. (a) A partnership project may be
17 established in any area of this state in accordance with this
18 subchapter to facilitate increased participation in professional
19 development by early childhood education professionals and
20 encourage those professionals to seek additional education.

21 (b) A partnership project may include participation by any
22 interested person, including:

23 (1) employers and employees involved in early
24 childhood education services, such as school districts, licensed
25 child-care facilities, registered family homes, Head Start program
26 providers, and resource and referral agencies; and

27 (2) providers of early childhood education training

1 programs, such as public high schools, community colleges,
2 universities, regional education service centers, cooperative
3 extensions, and the P-16 Council established under Section 61.077,
4 Education Code.

5 Sec. 72.152. PROJECT PLAN. (a) A partnership project
6 must:

7 (1) develop a coordinated plan under which early
8 childhood education professionals or students participating in the
9 project are able to receive appropriate college credit or
10 professional training; and

11 (2) obtain approval of the plan from the council and
12 the organization selected by the Texas Education Agency under
13 Section 72.155.

14 (b) In addition to any other criteria required as a
15 condition of approval under Subsection (a)(2), the plan must:

16 (1) develop measurable objectives similar to those of
17 the Achieve Texas program administered by the Texas Education
18 Agency and the Closing the Gaps program administered by the Texas
19 Higher Education Coordinating Board;

20 (2) include training programs and nonduplicative
21 courses for which workforce certification and college credits may
22 be awarded;

23 (3) align training content with the Texas Early Care
24 and Education Career Development's Core Knowledge and Skills and
25 standards developed by the National Association for the Education
26 of Young Children and the National Child Care Association;

27 (4) implement practices that allow teachers to observe

1 classrooms and centers considered by the council to be excellent;

2 (5) develop preassessments and postassessments that
3 indicate an acceptable level of teacher learning, as determined by
4 secondary and higher education requirements;

5 (6) provide an opportunity for participating students
6 to earn three semester credit hours for the standard curriculum
7 resources course in an associate of applied science child
8 development degree by passing an assessment and submitting sample
9 materials;

10 (7) encourage colleges and universities to grant as
11 much credit as possible for students who completed an early
12 childhood professions or child care and guidance management and
13 services program in high school; and

14 (8) encourage universities to grant as much credit as
15 possible for students who have completed an associate of applied
16 science child development degree.

17 (c) The plan must also include a program evaluation
18 component that, in addition to assessing early childhood education
19 training opportunities, demonstrates:

20 (1) the extent to which an entity's early childhood
21 education training program quality has been enhanced;

22 (2) the extent to which the number of child-care
23 professionals receiving training has increased; and

24 (3) the extent to which professional development
25 training opportunities have increased.

26 Sec. 72.153. TRAINING REQUIREMENTS FOR PARTICIPATING
27 PROFESSIONALS. (a) Except as provided by Subsection (b), an early

1 childhood education professional who participates in a partnership
2 project must complete at least 48 hours of training within the
3 18-month period following the date on which the professional begins
4 participation.

5 (b) An individual with no previous training or employment
6 experience in a child-care facility may satisfy the training
7 requirement specified by Subsection (a) by completing at least 16
8 hours of preservice training and an additional 32 hours within the
9 18-month period following the date on which the individual begins
10 employment in a child-care facility.

11 (c) The total number of hours of training required under
12 Subsection (a) may be equal to three or four semester credit hours
13 in a participating accredited institution.

14 Sec. 72.154. STIPEND. A partnership project shall provide
15 a stipend for each early childhood education professional who:

- 16 (1) participates in the project;
17 (2) pursues a higher education degree; and
18 (3) indicates an intent to remain in the field of early
19 childhood education.

20 Sec. 72.155. MANAGING ORGANIZATION. (a) The Texas
21 Education Agency, in coordination with the council, shall select an
22 organization to manage project partnerships.

23 (b) The organization must be selected through a competitive
24 process developed by the Texas Education Agency and the council.

25 SECTION 13. Not later than December 1, 2009, the Texas
26 Council on Early Childhood Education Career Development, as
27 established by this Act, shall submit a report to the legislature

1 that evaluates the effectiveness of the changes in law made by this
2 Act. The report must specifically address any effect on the
3 recruitment, retention, and quality of early childhood education
4 providers, and any effect on associated student learning outcomes.

5 SECTION 14. Except as otherwise provided by this Act, this
6 Act takes effect September 1, 2007.