

By: Guillen, Rodriguez, Martinez, Flores

H.B. No. 635

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of the Texas Education Agency to seek,  
3 accept, determine eligibility for, and distribute grants available  
4 for the benefit of public education.

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

6 SECTION 1. Subchapter B, Chapter 7, Education Code, is  
7 amended by adding Section 7.031 to read as follows:

8 Sec. 7.031. GRANTS. (a) The agency may seek, accept, and  
9 distribute grants awarded by the federal government or any other  
10 public or private entity for the benefit of public education,  
11 subject to the limitations or conditions imposed by the terms of the  
12 grants or by other law.

13 (b) Unless otherwise prohibited by federal law, the  
14 commissioner may determine, solely for purposes of the program's  
15 eligibility to receive federal grant funds, for the purpose of  
16 technology services and support, that a Head Start program operated  
17 in this state by a school district or a community-based  
18 organization serves the function of an elementary school by  
19 providing elementary education at one or more program facilities.

20 (c) A determination by the commissioner under Subsection  
21 (b):

22 (1) does not entitle a Head Start program to receive  
23 state funds for which the program would not otherwise be eligible;

24 (2) may not reduce the amount of federal grant funds

1 available for school districts and open-enrollment charter  
2 schools; and

3 (3) may not be appealed.

4 SECTION 2. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2009.