

By: Huberty, Deshotel, King of Hemphill,
Giddings, Ashby, et al.

H.B. No. 4

Substitute the following for H.B. No. 4:

By: Aycock

C.S.H.B. No. 4

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a high quality prekindergarten program provided by
3 public school districts.

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

5 SECTION 1. Subchapter B, Chapter 8, Education Code, is
6 amended by adding Section 8.058 to read as follows:

7 Sec. 8.058. CHILD DEVELOPMENT ASSOCIATE TRAINING. A
8 regional education service center may offer to teachers employed by
9 school districts the training required to be awarded a Child
10 Development Associate (CDA) credential.

11 SECTION 2. Section 12.104(b), Education Code, is amended to
12 read as follows:

13 (b) An open-enrollment charter school is subject to:

14 (1) a provision of this title establishing a criminal
15 offense; and

16 (2) a prohibition, restriction, or requirement, as
17 applicable, imposed by this title or a rule adopted under this
18 title, relating to:

19 (A) the Public Education Information Management
20 System (PEIMS) to the extent necessary to monitor compliance with
21 this subchapter as determined by the commissioner;

22 (B) criminal history records under Subchapter C,
23 Chapter 22;

24 (C) reading instruments and accelerated reading

- 1 instruction programs under Section 28.006;
- 2 (D) accelerated instruction under Section
- 3 28.0211;
- 4 (E) high school graduation requirements under
- 5 Section 28.025;
- 6 (F) special education programs under Subchapter
- 7 A, Chapter 29;
- 8 (G) bilingual education under Subchapter B,
- 9 Chapter 29;
- 10 (H) prekindergarten programs under Subchapter E
- 11 or E-1, Chapter 29;
- 12 (I) extracurricular activities under Section
- 13 33.081;
- 14 (J) discipline management practices or behavior
- 15 management techniques under Section 37.0021;
- 16 (K) health and safety under Chapter 38;
- 17 (L) public school accountability under
- 18 Subchapters B, C, D, E, F, G, and J, Chapter 39;
- 19 (M) the requirement under Section 21.006 to
- 20 report an educator's misconduct; and
- 21 (N) intensive programs of instruction under
- 22 Section 28.0213.

23 SECTION 3. Section 25.001(a), Education Code, is amended to

24 read as follows:

25 (a) A person who, on the first day of September of any school

26 year, is at least five years of age and under 21 years of age, or is

27 at least 21 years of age and under 26 years of age and is admitted by

1 a school district to complete the requirements for a high school
2 diploma is entitled to the benefits of the available school fund for
3 that year. Any other person enrolled in a prekindergarten class
4 under Section 29.153 or Subchapter E-1, Chapter 29, is entitled to
5 the benefits of the available school fund.

6 SECTION 4. Chapter 29, Education Code, is amended by adding
7 Subchapter E-1 to read as follows:

8 SUBCHAPTER E-1. HIGH QUALITY PREKINDERGARTEN PROGRAM

9 Sec. 29.164. DEFINITION. In this subchapter, "program"
10 means a high quality prekindergarten program provided free of
11 tuition or fees in accordance with this subchapter.

12 Sec. 29.165. HIGH QUALITY PREKINDERGARTEN PROGRAM. (a) From
13 funds appropriated for that purpose, the commissioner by rule shall
14 establish a funding program under which funds are awarded to school
15 districts and open-enrollment charter schools to implement a
16 prekindergarten program under this subchapter.

17 (b) A school district may participate in and receive funding
18 under the program if the district meets all program standards
19 required under this subchapter.

20 (c) A program is subject to any other requirements imposed
21 by law that apply to a prekindergarten program not provided in
22 accordance with this subchapter, except that to the extent a
23 conflict exists between this subchapter and any other provision of
24 law, this subchapter prevails.

25 Sec. 29.166. HIGH QUALITY PROGRAM FUNDING. (a) In addition
26 to funding granted under Subsection (b), a school district is
27 eligible for half-day funding under the Foundation School Program

1 for students enrolled in a program class.

2 (b) A school district is entitled to receive additional
3 funding in an amount determined by the commissioner for each
4 qualifying student described under Subsection (c) in average daily
5 attendance in a program class.

6 (c) A student qualifies for additional funding under
7 Subsection (b) if the student is four years of age on September 1 of
8 the year the student begins the program.

9 (d) A school district that receives the funding under this
10 section may use the funding only to improve the quality of the
11 district's prekindergarten programs.

12 Sec. 29.167. HIGH QUALITY CURRICULUM AND TEACHER
13 REQUIREMENTS. (a) A school district shall select and implement a
14 curriculum for a prekindergarten program under this subchapter that
15 includes the prekindergarten guidelines established by the agency
16 and measures the progress of students in meeting the recommended
17 learning outcomes.

18 (b) Each teacher for a prekindergarten program class must:
19 (1) be certified under Subchapter B, Chapter 21; and
20 (2) have been awarded a Child Development Associate
21 (CDA) credential.

22 (c) A school district may allow a teacher employed by the
23 district to receive the training required to be awarded a Child
24 Development Associate (CDA) credential from a regional education
25 service center that offers the training in accordance with Section
26 8.058.

27 Sec. 29.168. PARENT ENGAGEMENT PLAN. A school district

1 shall develop and implement a parent engagement plan to assist the
2 district in achieving and maintaining high levels of parental
3 involvement and positive parental attitudes toward education.

4 Sec. 29.169. PROGRAM EVALUATION. A school district shall:

5 (1) select and implement appropriate methods for
6 evaluating the district's program classes by measuring student
7 progress; and

8 (2) make data from the results of program evaluations
9 available to parents.

10 Sec. 29.170. PROGRAM FUNDING EVALUATION. (a) The
11 commissioner shall evaluate the use and effectiveness of funding
12 provided under this subchapter in improving student learning. The
13 commissioner shall identify effective instruction strategies
14 implemented by school districts under this subchapter.

15 (b) Not later than December 1, 2018, the commissioner shall
16 deliver a report to the legislature containing the results of the
17 evaluation.

18 (c) This section expires December 31, 2018.

19 Sec. 29.171. REPORT OF ADDITIONAL INFORMATION REQUIRED. In
20 addition to information reported under Section 29.1532(c), a school
21 district that offers a prekindergarten program under this
22 subchapter shall include the following information in the
23 district's Public Education Information Management System (PEIMS)
24 report:

25 (1) the class size and ratio of instructional staff to
26 students for each prekindergarten program class offered by the
27 district; and

1 (2) each type of assessment instrument administered to
2 students enrolled in district prekindergarten program classes and
3 the results of each type of assessment instrument.

4 Sec. 29.172. ELIGIBLE PRIVATE PROVIDERS. (a) A school
5 district participating in the program under this subchapter may
6 enter into a contract with an eligible private provider to provide
7 services or equipment for the program.

8 (b) To be eligible to contract with a school district to
9 provide a program or part of a program, a private provider must be
10 licensed by and in good standing with the Department of Family and
11 Protective Services. For purposes of this section, a private
12 provider is in good standing with the Department of Family and
13 Protective Services if the department has not taken an action
14 against the provider's license under Section 42.071, 42.072, or
15 42.078, Human Resources Code, during the 24-month period preceding
16 the date of a contract with a school district. The private provider
17 must also be accredited by a research-based, nationally recognized,
18 and universally accessible accreditation system approved by the
19 commissioner.

20 (c) A prekindergarten program provided by a private
21 provider under this section is subject to the requirements of this
22 subchapter.

23 Sec. 29.173. RULES. The commissioner may adopt rules
24 necessary to implement this subchapter.

25 SECTION 5. Section 42.003(b), Education Code, is amended to
26 read as follows:

27 (b) A student to whom Subsection (a) does not apply is

1 entitled to the benefits of the Foundation School Program if the
2 student is enrolled in a prekindergarten class under Section 29.153
3 or Subchapter E-1, Chapter 29.

4 SECTION 6. (a) Section 29.167(b), Education Code, as added
5 by this Act, requiring a prekindergarten teacher to have been
6 awarded a Child Development Associate (CDA) credential, applies
7 beginning with the 2016-2017 school year.

8 (b) Except as provided by Subsection (a) of this section,
9 this Act applies beginning with the 2015-2016 school year.

10 SECTION 7. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2015.