

By: Deshotel

H.B. No. 617

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the office of early learning within the Texas Education Agency.

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

SECTION 1. Subchapter E, Chapter 29, Education Code, is amended by adding Sections 29.15301 and 29.15302 to read as follows:

Sec. 29.15301. OFFICE OF EARLY LEARNING. (a) The commissioner by rule shall establish the office of early learning as a division within the agency to:

(1) provide oversight of prekindergarten programs and prekindergarten funding;

(2) provide guidance to school districts to ensure prekindergarten programs meet quality standards and best practices; and

(3) assist school districts in developing local solutions and improving prekindergarten programs.

(b) The office of early learning shall:

(1) monitor state funding of prekindergarten programs;

(2) adopt accountability standards for the use of public funds for prekindergarten programs;

(3) create a process for school districts to form partnerships with child-care centers to provide prekindergarten

1 programs;

2 (4) assist school districts in developing local  
3 strategies to promote early childhood development; and

4 (5) seek the assistance of the Children's Learning  
5 Institute of The University of Texas Health Science Center at  
6 Houston and regional education service centers to:

7 (A) determine the type of data needed from school  
8 districts to assess prekindergarten programs; and

9 (B) publish approved assessment instruments that  
10 may be administered to students in prekindergarten programs.

11 Sec. 29.15302. TEXAS EARLY LEARNING COUNCIL ADVISORY ROLE.

12 (a) The governor's Texas Early Learning Council shall act in an  
13 advisory role to the office of early learning and provide  
14 assistance when requested by the office.

15 (b) The governor's Texas Early Learning Council shall meet  
16 to discuss requests received from the office of early learning  
17 under Subsection (a) at least four times each year. The council may  
18 address issues relating to the office of early learning during any  
19 other scheduled meeting of the council.

20 SECTION 2. Section 29.1534, Education Code, is amended by  
21 amending Subsections (b), (c), and (e), and adding Subsection (f)  
22 to read as follows:

23 (b) The office of early learning [~~agency~~] shall develop  
24 joint strategies with other state agencies regarding methods to  
25 increase community awareness of prekindergarten programs through  
26 programs that provide information relating to public assistance  
27 programs.

1 (c) The office of early learning [~~agency~~] may develop  
2 outreach materials for use by school districts to increase  
3 community awareness of prekindergarten programs.

4 (e) The office of early learning [~~agency~~] shall provide  
5 information to school districts regarding effective methods to  
6 communicate to the parent of an eligible child the availability of  
7 prekindergarten programs, including information regarding  
8 prekindergarten programs through public, private, and nonprofit  
9 institutions that provide assistance and support to families with  
10 children eligible for prekindergarten programs.

11 (f) On an annual basis each school district shall submit to  
12 the office of early learning a report that details the district's  
13 plan for promoting and increasing community awareness of  
14 prekindergarten programs in the district.

15 SECTION 3. Section 29.154, Education Code, is amended to  
16 read as follows:

17 Sec. 29.154. EVALUATION OF PREKINDERGARTEN PROGRAMS. (a)  
18 The commissioner of education, in consultation with the executive  
19 commissioner of the Health and Human Services Commission and the  
20 office of early learning [~~human services~~], shall monitor and  
21 evaluate prekindergarten programs as to their developmental  
22 appropriateness. The commissioner, executive commissioner, and  
23 the office [~~commissioners~~] shall also evaluate the potential for  
24 coordination on a statewide basis of prekindergarten programs with  
25 government-funded early childhood care and education programs such  
26 as child care administered under Chapter 44, Human Resources Code,  
27 and federal Head Start programs. That evaluation shall use

1 recommendations formulated by the office of early learning under  
2 Subsection (b) [contained in the report to the 71st Legislature  
3 required by Chapter 717, Acts of the 70th Legislature, Regular  
4 Session, 1987]. For the purpose of providing cost-effective care  
5 for children during the full workday with developmentally  
6 appropriate curriculum, the commissioner, executive commissioner,  
7 and the office [commissioners] shall investigate the use of  
8 existing child-care program sites as prekindergarten sites.  
9 Following the evaluation required by this section, the  
10 commissioner, executive commissioner, and the office  
11 [commissioners], in cooperation with school districts and other  
12 program administrators, shall integrate programs, staff, and  
13 program sites for prekindergarten, child-care, and federal Head  
14 Start programs to the greatest extent possible.

15 (b) The office of early learning shall formulate  
16 recommendations based on national best practices for increasing the  
17 quality of the state's prekindergarten programs.

18 SECTION 4. Sections 29.158(a) and (d), Education Code, are  
19 amended to read as follows:

20 (a) In a manner consistent with federal law and regulations,  
21 each prekindergarten program provider, Head Start and Early Head  
22 Start program provider, and provider of an after-school child-care  
23 program provided at a school shall coordinate with the office of  
24 early learning [agency], the Texas Workforce Commission, and local  
25 workforce development boards regarding subsidized child-care  
26 services.

27 (d) In coordinating child-care services under this section

1 and in making any related decision to contract with another  
2 provider for child-care services, the office of early learning  
3 ~~[agency]~~, Texas Workforce Commission, local workforce development  
4 boards, and each prekindergarten program provider, Head Start and  
5 Early Head Start program provider, and provider of an after-school  
6 child-care program provided at a school shall consider the quality  
7 of the services involved in the proposed coordination or  
8 contracting decision and shall give preference to services of the  
9 highest quality. Any appropriate indicator of quality services may  
10 be considered under this subsection, including whether the provider  
11 of the services:

12 (1) meets Texas Rising Star Program certification  
13 criteria;

14 (2) is accredited by a nationally recognized  
15 accrediting organization approved by the Texas Workforce  
16 Commission and the Department of Family and Protective Services;

17 (3) meets standards developed by the State Center for  
18 Early Childhood Development; or

19 (4) has achieved any other measurable target relevant  
20 to improving the quality of child care in this state.

21 SECTION 5. Subchapter E, Chapter 29, Education Code, is  
22 amended by adding Section 29.162 to read as follows:

23 Sec. 29.162. MEMORANDUM OF UNDERSTANDING ON  
24 PREKINDERGARTEN PROGRAM COORDINATION. (a) The office of early  
25 learning, the Texas Workforce Commission, the Children's Learning  
26 Institute of The University of Texas Health Science Center at  
27 Houston, the Texas Head Start State Collaboration Office, the

1 Department of Assistive and Rehabilitative Services, the Health and  
2 Human Services Commission, and the Department of Family and  
3 Protective Services shall enter into a memorandum of understanding  
4 regarding the coordination of early childhood learning programs,  
5 including prekindergarten programs. The memorandum of  
6 understanding must:

7           (1) identify opportunities for and barriers to  
8 collaboration and coordination among federally funded and  
9 state-funded child development, child-care, and early childhood  
10 learning programs and services that are administered by the  
11 agencies that are party to the memorandum; and

12           (2) require the parties to the memorandum to implement  
13 steps to take advantage of the opportunities and eliminate the  
14 barriers identified under Subdivision (1) in an effort to establish  
15 a comprehensive, statewide system of early childhood care and  
16 education.

17           (b) Not later than August of each year, the office of early  
18 learning and the other agencies and organizations shall review and  
19 update the memorandum.

20           (c) The rulemaking body for each agency by rule shall adopt  
21 the memorandum of understanding and all revisions to the  
22 memorandum.

23           SECTION 6. Not later than January 1, 2016, the Texas  
24 Education Agency, the Texas Workforce Commission, the Children's  
25 Learning Institute of The University of Texas Health Science Center  
26 at Houston, the Texas Head Start State Collaboration Office, the  
27 Department of Assistive and Rehabilitative Services, the Health and

1 Human Services Commission, and the Department of Family and  
2 Protective Services shall enter into the memorandum of  
3 understanding required under Section 29.162, Education Code, as  
4 added by this Act.

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