

By: Hancock

S.B. No. 623

A BILL TO BE ENTITLED

AN ACT

relating to state funding for certain children to attend certain private prekindergarten programs.

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

SECTION 1. Sections 29.1532(a) and (b), Education Code, are amended to read as follows:

(a) A school district's prekindergarten program:

(1) shall be designed to develop skills necessary for success in the regular public school curriculum, including language, mathematics, and social skills; and

(2) must comply with the standards for certification of effectiveness of the school readiness certification system adopted under Section 29.161.

(b) If a school district contracts with a private entity for the operation of the district's prekindergarten program, the program must at a minimum comply with:

(1) the applicable child-care licensing standards adopted by the Department of Family and Protective [and Regulatory] Services under Section 42.042, Human Resources Code; and

(2) the standards for certification of effectiveness of the school readiness certification system adopted under Section 29.161.

SECTION 2. Subchapter E, Chapter 29, Education Code, is amended by adding Section 29.1535 to read as follows:

1 Sec. 29.1535. STATE FUNDING FOR ELIGIBLE CHILDREN TO ATTEND
2 QUALIFIED PRIVATE PREKINDERGARTEN. (a) In accordance with this
3 section and rules adopted under this section, a school district
4 required or authorized under Section 29.153(a-1) to offer
5 prekindergarten classes shall pay the costs of a child eligible
6 under Section 29.153(b) for enrollment in a district
7 prekindergarten program to attend a prekindergarten program
8 provided by a private entity with which the district has not
9 contracted to operate the district's prekindergarten program.

10 (b) The amount of money for an eligible child that a school
11 district shall pay under this section is:

12 (1) an amount equal to the average total funding
13 amount for each prekindergarten student in the district during the
14 preceding school year for maintenance and operations, including
15 state and local funding; or

16 (2) if the district did not operate a prekindergarten
17 program during the preceding school year, the statewide average
18 amount of funding to which a district would be entitled under the
19 Foundation School Program for an additional student in average
20 daily attendance on a half-day basis.

21 (c) An eligible child who attends a private prekindergarten
22 program under this section:

23 (1) is included in determining the average daily
24 attendance under Section 42.005 of the school district in which the
25 student would otherwise attend school; and

26 (2) is considered to be enrolled in a prekindergarten
27 class under Section 29.153 for purposes of Section 42.003(b).

1 (d) A private entity may not charge an eligible child
2 attending a prekindergarten program under this section tuition or
3 required fees in addition to the amount paid by a school district
4 under Subsection (b).

5 (e) The commissioner by rule shall establish:

6 (1) standards with which the prekindergarten program
7 of a private entity must comply for the entity to be eligible to
8 receive payment under this section;

9 (2) a method for the application for and the delivery
10 of that payment; and

11 (3) the manner in which the parent of an eligible child
12 must apply for funding to permit the child to attend the
13 prekindergarten program.

14 (f) The standards established under Subsection (e)(1) must:

15 (1) provide a fair process for admission to the
16 prekindergarten program provided by the private entity that:

17 (A) may give preference to siblings of an
18 enrolled student or children residing in the same household as an
19 enrolled student;

20 (B) requires that the program not refuse to
21 enroll a child on the basis of the child's race, national origin,
22 ethnic background, religion, or disability; and

23 (C) establishes a policy to fill positions in
24 case a program has more applicants under this section than
25 available positions; and

26 (2) require that the program comply with:

27 (A) the standards for certification of

1 effectiveness of the school readiness certification system adopted
2 under Section 29.161; and

3 (B) any additional standards the commissioner
4 determines appropriate.

5 (g) The agency shall contract with the State Center for
6 Early Childhood Development for the center to provide technical
7 assistance to a private entity to assist the entity as necessary in
8 meeting the standards required by Subsection (f)(2). The center
9 shall charge the private entity an amount equal to the actual costs
10 of delivering the technical assistance.

11 (h) The commissioner shall adopt rules as necessary to
12 administer this section.

13 SECTION 3. (a) The changes in law made by this Act to
14 Section 29.1532, Education Code, apply to prekindergarten programs
15 offered beginning with the 2016-2017 school year.

16 (b) The commissioner of education shall adopt rules to
17 implement the provision of prekindergarten programs by private
18 entities as provided by Section 29.1535, Education Code, as added
19 by this Act, beginning with the 2016-2017 school year.

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2015.