

By: West

S.B. No. 1752

A BILL TO BE ENTITLED

AN ACT

relating to prekindergarten programs in public schools.

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

SECTION 1. Amend Subsection 29.153(c), Education Code, to read as follows:

(c) A prekindergarten class under this section shall be operated on a half-day basis or on a full-day basis as provided by section 29.1541. A district is not required to provide transportation for a prekindergarten class, but transportation, if provided, is included for funding purposes as part of the regular transportation system.

SECTION 2. Amend Section 29.1532, Education Code, as follows:

Sec 29.1532. PREKINDERGARTEN PROGRAM REQUIREMENTS. (a) A school district's prekindergarten program shall be designed to develop skills necessary for success in the regular public school curriculum, including language, mathematics, and social skills.

(b) The commissioner shall develop appropriate early childhood learning standards for all half-day and full-day prekindergarten programs. Districts and charter schools must select curricula that align with the commissioner's standards.

(b-1) Until the commissioner develops early childhood learning standards, pre-kindergarten programs shall use existing guidelines adopted by the commissioner for purposes of

1 instructional materials. This subsection expires September 1,
2 2016.

3 (c) [(b)] If a school district contracts with a private
4 entity for the operation of the district's prekindergarten program,
5 the program must at a minimum comply with the applicable child-care
6 licensing standards adopted by the Department of Protective and
7 Regulatory Services under Section 42.042, Human Resources Code.

8 (d) [(e)] Each teacher or aide assigned to a prekindergarten
9 class shall complete 30 hours of early childhood-specific education
10 every five years.

11 (e) A school district that offers prekindergarten classes
12 shall include the following information in the district's Public
13 Education Information Management System (PEIMS) report:

14 (1) demographic information, as determined by the
15 commissioner, on students enrolled in district prekindergarten
16 classes, including the number of students who are eligible for
17 classes under Section 29.153;

18 (2) the numbers of half-day and full-day
19 prekindergarten classes offered by the district; ~~and~~

20 (3) the number of students enrolled in each half-day
21 and full-day prekindergarten class offered by the district;

22 (4) the number of teachers and aides assigned to each
23 half-day and full-day prekindergarten class;

24 (5) the number of hours per week and hours per year for
25 each half-day and full-day program offered by the district; and

26 (6) [(3)] the sources of funding for the
27 prekindergarten classes.

1 (f) The commissioner may make rules to implement this
2 section.

3 SECTION 3. Add new Section 29.1541, Education Code, to read
4 as follows:

5 Section 29.1541 Full-day Prekindergarten Programs (a) A
6 school district or charter school may receive funding for a
7 full-day prekindergarten program for four year old students
8 eligible under Section 29.153 as provided by this section.

9 (b) A teacher at a prekindergarten program funded as a
10 full-day program under this section must meet the requirements
11 developed by the State Board for Educator Certification under
12 Section 21.1530.

13 (c) A full-day prekindergarten program funded under this
14 section must maintain a ratio of no more than ten students to a
15 teacher or aide and must assign at least one teacher to each
16 classroom.

17 (d) A district or charter operating a full-day
18 prekindergarten program funded under this section must implement a
19 local system approved by the commissioner to monitor the progress
20 of prekindergarten students through the school year and evaluate
21 program effectiveness. The commissioner shall provide multiple
22 options to comply with this subsection.

23 (e) A district or charter operating a full-day
24 prekindergarten program funded under this section must adopt an
25 instrument approved by the commissioner to evaluate the readiness
26 of all students entering kindergarten and report information
27 required by the commissioner through the Public Education

1 Information Management System.

2 (f) Nothing in this section shall be construed to require a
3 district or charter to operate a full-day prekindergarten program,
4 or to require compliance with this section in programs funded on a
5 half-time basis or full-time programs for ineligible students
6 funded with tuition under section 29.1531.

7 (g) A school district or charter may contract with a private
8 entity to provide a program under this section. A contract for
9 services may include the district or charter providing facilities,
10 teachers and aides or other services to a private provider. A
11 contract for services must ensure that all requirements of this
12 section for a full-day prekindergarten program are met by the
13 district or charter or the contracting private provider.

14 (h) The commissioner may make rules to implement this
15 section.

16 (i) The commissioner shall evaluate the effectiveness of
17 programs operated under this section and report to the legislature
18 no later than December 1, 2018. This subsection expires January 1,
19 2019.

20 (j) A district or charter must apply to the commissioner for
21 permission to receive funding for a full-day program operated
22 during the 2016-2017 school year. The commissioner may not approve
23 applications in an amount that exceeds a total additional state
24 cost set by appropriation. The commissioner shall adopt
25 application deadlines and prioritize districts with the greatest
26 percentage of students who meet the eligibility criteria in section
27 29.153 if applications for funding exceed the amount set by

1 appropriation. A decision by the commissioner under this
2 subsection is final and may not be appealed. This subsection
3 expires September 1, 2017.

4 SECTION 4. Add new Section 21.1530, Education Code, to read
5 as follows:

6 Section 21.1530 Prekindergarten requirements. (a) The
7 board shall determine appropriate education and professional
8 development requirements for teachers and aides in full-day
9 prekindergarten programs under Section 29.1541.

10 (b) The board may fulfill the requirements of this section
11 for teachers by:

12 (1) developing an early childhood education
13 certificate applicable to prekindergarten and kindergarten, which
14 may also apply to grades one through three; or

15 (2) developing an endorsement for existing
16 certificates that is based on appropriate education requirements to
17 enable a teacher to succeed in early childhood education; or

18 (3) adopting appropriate education or training
19 requirements for early childhood teachers, which may include a
20 Child Development Associate Certificate.

21 (c) The board may fulfill the requirements of this section
22 for aides by adopting appropriate education or training
23 requirements for early childhood staff, which may include a Child
24 Development Associate Certificate.

25 (d) This section only applies to a teacher or aide providing
26 instruction to students in a full-day prekindergarten program that
27 receives funding under Section 29.1530.

1 SECTION 5. Amend Section 25.001(a), Education Code, to read
2 as follows:

3 Sec. 25.001. ADMISSION. (a) A person who, on the first day
4 of September of any school year, is at least five years of age and
5 under 21 years of age, or is at least 21 years of age and under 26
6 years of age and is admitted by a school district to complete the
7 requirements for a high school diploma is entitled to the benefits
8 of the available school fund for that year. Any other person
9 enrolled in a prekindergarten class under Section 29.153 or 29.1541
10 is entitled to the benefits of the available school fund.

11 SECTION 6. Amend Section 42.003(b), Education Code, to read
12 as follows:

13 Sec 42.003(b) A student to whom Subsection (a) does not
14 apply is entitled to the benefits of the Foundation School Program
15 if the student is enrolled in a prekindergarten class under Section
16 29.153 or 29.1541.

17 SECTION 7. Implementation. (a) Except as provided in this
18 section, this act takes effect September 1, 2015.

19 (b) The requirement that teachers and aids assigned to
20 prekindergarten programs complete 30 hours of early
21 childhood-specific professional education in Section 29.1532(d) as
22 added by this act applies:

23 (1) to programs funded under Section 29.0541 beginning
24 with the 2017-2018 school year; and

25 (2) to all other prekindergarten programs beginning
26 with the 2019-2020 school year.

27 (c) The State Board for Educator Certification shall adopt

1 standards under Section 21.1530 as soon as practicable. Standards
2 for prekindergarten staff under Section 21.1530 apply beginning
3 with the 2018-19 school year.

4 (d) Students enrolled in full-day pre-kindergarten programs
5 under Section 29.1541, Education Code, as added by this Act, shall
6 be included in funding for the Foundation School Program beginning
7 with the 2017-18 school year.

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