

By: Giddings

H.B. No. 140

A BILL TO BE ENTITLED

AN ACT

relating to calculation of average daily attendance for school districts providing certain full-day prekindergarten programs.

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

SECTION 1. Section 42.005, Education Code, is amended by adding Subsection (a-3) to read as follows:

(a-3) Notwithstanding Section 29.153(c), in computing the sum of attendance under Subsection (a) for a school year, a school district may include full days of attendance for each prekindergarten student who attends a full-day prekindergarten program offered by the district, provided that:

(1) the student is eligible for prekindergarten under Section 29.153;

(2) the district does not charge tuition for the student's enrollment in the program; and

(3) the program complies with the requirements regarding high quality specified in Subchapter E-1, Chapter 29.

SECTION 2. Section 42.005(i), Education Code, as added by H.B. 2442, Acts of the 85th Legislature, Regular Session, 2017, is amended to read as follows:

(i) A district or charter school operating under Chapter 12 that operates a prekindergarten program is eligible to receive one-half of average daily attendance under Subsection (a) if the district's or charter school's prekindergarten program provides at

1 least 32,400 minutes of instructional time to students. The
2 commissioner by rule may specify the minutes of instructional time
3 that must be provided to students for a district or charter school
4 to receive full average daily attendance under Subsection (a) for a
5 full-day prekindergarten program, as authorized by Subsection
6 (a-3).

7 SECTION 3. This Act takes effect September 1, 2017, if this
8 Act receives a vote of two-thirds of all the members elected to each
9 house, as provided by Section 39, Article III, Texas Constitution.
10 If this Act does not receive the vote necessary to take effect
11 September 1, 2017, this Act takes effect on the 91st day after the
12 last day of the legislative session.