

By: Coleman

H.B. No. 1845

A BILL TO BE ENTITLED

AN ACT

relating to the availability of free prekindergarten programs in public schools.

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

SECTION 1. Sections 29.153(a-1), (b), and (f), Education Code, are amended to read as follows:

(a-1) A district shall offer prekindergarten classes if the district identifies 15 or more children who are ~~[eligible under Subsection (b) and are]~~ at least four years of age. A school district may offer prekindergarten classes if the district identifies 15 or more ~~[eligible]~~ children who are eligible under Subsection (b)(1) ~~[at least three years of age]~~. A district may not charge tuition for a prekindergarten class offered under this section.

(b) A child is eligible for enrollment in a prekindergarten class under this section if the child is:

(1) at least three years of age and:

(A) ~~[(1)]~~ is unable to speak and comprehend the English language;

(B) ~~[(2)]~~ is educationally disadvantaged;

(C) ~~[(3)]~~ is a homeless child, as defined by 42 U.S.C. Section 11434a, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child;

1            (D) [~~(4)~~] is the child of an active duty member  
2 of the armed forces of the United States, including the state  
3 military forces or a reserve component of the armed forces, who is  
4 ordered to active duty by proper authority;

5            (E) [~~(5)~~] is the child of a member of the armed  
6 forces of the United States, including the state military forces or  
7 a reserve component of the armed forces, who was injured or killed  
8 while serving on active duty; or

9            (F) [~~(6)~~] is or ever has been in the  
10 conservatorship of the Department of Family and Protective Services  
11 following an adversary hearing held as provided by Section [262.201](#),  
12 Family Code; or

13            (2) at least four years of age.

14            (f) A child who is eligible for enrollment in a  
15 prekindergarten class under Subsection (b)(1)(D) or (E) [~~(b)(4) or~~  
16 ~~(5)~~] remains eligible for enrollment if the child's parent leaves  
17 the armed forces, or is no longer on active duty, after the child  
18 begins a prekindergarten class.

19            SECTION 2. Section [29.1532\(c\)](#), Education Code, is amended  
20 to read as follows:

21            (c) A school district that offers prekindergarten classes,  
22 including a high quality prekindergarten program class under  
23 Subchapter E-1, shall include the following information in the  
24 district's Public Education Information Management System (PEIMS)  
25 report:

26            (1) demographic information, as determined by the  
27 commissioner, on students enrolled in district and campus

1 prekindergarten classes, including the number of students who are  
2 eligible for classes under Section 29.153(b)(1) or (f) [~~29.153~~];

3 (2) the numbers of half-day and full-day  
4 prekindergarten classes offered by the district and campus;

5 (3) the sources of funding for the prekindergarten  
6 classes;

7 (4) the class size and ratio of instructional staff to  
8 students for each prekindergarten program class offered by the  
9 district and campus;

10 (5) if the district elects to administer an assessment  
11 instrument to students enrolled in district and campus  
12 prekindergarten program classes, a description and the results of  
13 each type of assessment instrument; and

14 (6) curricula used in the district's prekindergarten  
15 program classes.

16 SECTION 3. Section 29.166(c), Education Code, is amended to  
17 read as follows:

18 (c) A student qualifies for additional funding under  
19 Subsection (b) if the student[+]

20 [~~(1) satisfies eligibility requirements under Section~~  
21 29.153(b)], and

22 [~~(2)~~] is four years of age on September 1 of the year  
23 the student begins the program.

24 SECTION 4. Section 29.153(d), Education Code, is repealed.

25 SECTION 5. This Act applies beginning with the 2021-2022  
26 school year.

27 SECTION 6. This Act takes effect August 1, 2021.