

By: Zaffirini

S.B. No. 35

A BILL TO BE ENTITLED

1 AN ACT
2 relating to providing free full-day prekindergarten for certain
3 children.

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

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

7 (a-1) A district shall offer prekindergarten classes to any
8 child [~~if the district identifies 15 or more children~~] who is [~~are~~
9 ~~eligible under Subsection (b) and are~~] at least four years of age.
10 A school district may offer prekindergarten classes if the district
11 identifies 15 or more [~~eligible~~] children who are eligible under
12 Subsection (b)(1) [~~at least three years of age~~]. A district may not
13 charge tuition for a prekindergarten class offered under this
14 section.

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

17 (1) at least three years of age and:

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

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

21 (C) [~~(3)~~] is a homeless child, as defined by 42
22 U.S.C. Section 11434a, regardless of the residence of the child, of
23 either parent of the child, or of the child's guardian or other
24 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 (c) A prekindergarten class under this section shall be
15 operated on a full-day [~~half-day~~] basis. A district is not required
16 to provide transportation for a prekindergarten class, but
17 transportation, if provided, is included for funding purposes as
18 part of the regular transportation system.

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

24 SECTION 2. Section 29.1531(a), Education Code, is amended
25 to read as follows:

26 (a) A school district may offer on a tuition basis or use
27 district funds to provide[+]

1 ~~[(1) an additional half-day of prekindergarten~~
2 ~~classes to children eligible for classes under Section 29.153; and~~
3 ~~[(2)]~~ half-day and full-day prekindergarten classes
4 to children not eligible for classes under Section 29.153.

5 SECTION 3. Section 29.1532(c), Education Code, is amended
6 to read as follows:

7 (c) A school district that offers prekindergarten classes,
8 including a high quality prekindergarten program class under
9 Subchapter E-1, shall include the following information in the
10 district's Public Education Information Management System (PEIMS)
11 report:

12 (1) demographic information, as determined by the
13 commissioner, on students enrolled in district and campus
14 prekindergarten classes, including the number of students who are
15 eligible for classes under Section 29.153(b)(1) or (f) ~~[29.153]~~;

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

18 (3) the sources of funding for the prekindergarten
19 classes;

20 (4) the class size and ratio of instructional staff to
21 students for each prekindergarten program class offered by the
22 district and campus;

23 (5) if the district elects to administer an assessment
24 instrument to students enrolled in district and campus
25 prekindergarten program classes, a description and the results of
26 each type of assessment instrument; and

27 (6) curricula used in the district's prekindergarten

1 program classes.

2 SECTION 4. Section 29.166(a), Education Code, is amended to
3 read as follows:

4 (a) A school district is eligible for full-day [~~half-day~~]
5 funding under the Foundation School Program for each student who
6 satisfies eligibility requirements under Section 29.153(b) and who
7 is enrolled in a program class.

8 SECTION 5. This Act applies beginning with the 2017-2018
9 school year.

10 SECTION 6. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2017.