

By: Meyer

H.B. No. 4333

A BILL TO BE ENTITLED

AN ACT

relating to providing free full-day prekindergarten for certain children.

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

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

(a-1) A district shall offer prekindergarten classes to any child [~~if the district identifies 15 or more children~~] who is [~~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;

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 (G) [~~(7)~~] is the child of a person eligible for
14 the Star of Texas Award as:

15 (i) [~~(A)~~] a peace officer under Section
16 3106.002, Government Code;

17 (ii) [~~(B)~~] a firefighter under Section
18 3106.003, Government Code; or

19 (iii) [~~(C)~~] an emergency medical first
20 responder under Section 3106.004, Government Code; or

21 (2) at least four years of age.

22 (c) A prekindergarten class under this section shall be
23 operated on a full-day [~~half-day~~] basis. A district is not required
24 to provide transportation for a prekindergarten class, but
25 transportation, if provided, is included for funding purposes as
26 part of the regular transportation system.

27 (f) A child who is eligible for enrollment in a

1 prekindergarten class under Subsection (b)(1)(D) or (E) [~~(b)(4) or~~
2 ~~(5)~~] remains eligible for enrollment if the child's parent leaves
3 the armed forces, or is no longer on active duty, after the child
4 begins a prekindergarten class.

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

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

9 [~~(1) an additional half-day of prekindergarten~~
10 ~~classes to children eligible for classes under Section 29.153; and~~

11 [~~(2)~~] half-day and full-day prekindergarten classes
12 to children not eligible for classes under Section 29.153.

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

15 (c) A school district that offers prekindergarten classes,
16 including a high quality prekindergarten program class under
17 Subchapter E-1, shall include the following information in the
18 district's Public Education Information Management System (PEIMS)
19 report:

20 (1) demographic information, as determined by the
21 commissioner, on students enrolled in district and campus
22 prekindergarten classes, including the number of students who are
23 eligible for prekindergarten classes [~~under Section 29.153~~];

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

26 (3) the sources of funding for the prekindergarten
27 classes;

1 (4) the class size and ratio of instructional staff to
2 students for each prekindergarten program class offered by the
3 district and campus;

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

8 (6) curricula used in the district's prekindergarten
9 program classes.

10 SECTION 4. Subchapter E, Chapter 29, Education Code, is
11 amended by adding Section 29.1536 to read as follows:

12 Sec. 29.1536. ELIGIBLE PRIVATE PROVIDERS. (a) A school
13 district may enter into a contract with an eligible private
14 provider to provide services or equipment for or to establish a
15 prekindergarten program.

16 (b) To be eligible to contract with a school district to
17 provide a program or part of a program, a private provider must be
18 licensed by and in good standing with the Department of Family and
19 Protective Services. For purposes of this section, a private
20 provider is in good standing with the Department of Family and
21 Protective Services if the department has not taken an action
22 against the provider's license under Section 42.071, 42.072, or
23 42.078, Human Resources Code, during the 24-month period preceding
24 the date of a contract with a school district. The private provider
25 must also:

26 (1) be accredited by a research-based, nationally
27 recognized, and universally accessible accreditation system

1 approved by the commissioner;

2 (2) be a Texas Rising Star Program provider with a
3 three-star certification or higher;

4 (3) be a Texas School Ready! participant;

5 (4) have an existing partnership with a school
6 district to provide a prekindergarten program not provided under
7 this subchapter; or

8 (5) be accredited by an organization that is
9 recognized by the Texas Private School Accreditation Commission.

10 (c) A prekindergarten program provided by a private
11 provider under this section is subject to the requirements of this
12 subchapter.

13 SECTION 5. Sections 29.166(a) and (c), Education Code, are
14 amended to read as follows:

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

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

21 [~~(1) satisfies eligibility requirements under Section~~
22 ~~29.153(b), and~~

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

25 SECTION 6. Section 29.153(d), Education Code, is repealed.

26 SECTION 7. This Act applies beginning with the 2019-2020
27 school year.

1 SECTION 8. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2019.