

## **BILL ANALYSIS**

Senate Research Center

H.B. 2729  
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Education  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Amidst an educator shortage, the requirement that every prekindergarten classroom have a certified teacher constrains Texas' ability to offer opportunities for children who would benefit the most from high quality early learning experiences.

H.B. 3 from the 86th Legislative Session required local education agencies to provide a full day of prekindergarten to eligible four-year-olds and a half day for eligible three-year-olds. H.B. 3 also required school districts to consider the possibility of sharing use of an existing child care program site as a prekindergarten site before establishing a new program. However, since passage of H.B. 3, it has become exceedingly rare for districts to contract with existing community-based providers to create public-private partnerships. Rather than contract with these providers, districts often seek to provide redundant services in district facilities. As districts develop, build, and renovate spaces to match those of private providers, they do not meet the full needs of working families. Once prekindergarten programs are fully operational, the drain of three- and four-year-old children from private child care settings inadvertently reduces access to high quality infant and toddler care as costs increase and private providers exit the market. This creates "child care deserts" that harm economic and childhood development.

H.B. 2729 seeks to remove obstacles to expanding access to high quality prekindergarten, alleviate pressure on the already strained teacher workforce, and encourage public-private partnerships to provide high quality prekindergarten programs by providing districts with more flexibility in finding and hiring personnel. H.B. 2729 sets out requirements for entities that are contracted by districts to provide child care programs to students, including supervision by a qualified person and an additional qualification required of a prekindergarten teacher.

H.B. 2729 amends current law relating to teacher requirements for high quality prekindergarten programs.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 29.167, Education Code, by amending Subsections (b) and (d) and adding Subsections (b-1), (b-2), and (b-3), as follows:

(b) Requires each teacher for a prekindergarten program class to:

(1) makes no changes to this subdivision; and

(2) have one of the following additional qualifications:

(A) an associate or baccalaureate degree in early childhood education or a related field;

(B)-(C) makes nonsubstantive changes to these paragraphs;

(D) at least eight years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program; or

(E)-(F) makes nonsubstantive changes to these paragraphs.

(b-1) Requires each teacher for a prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program, notwithstanding Subsection (b), to:

(1) be supervised by a person who meets the requirements under Subsection (b); and

(2) have one of the following qualifications:

(A) at least two years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program and:

(i) a Child Development Associate (CDA) credential or another early childhood education credential approved by the Texas Education Agency; or

(ii) certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education; or

(B) a qualification described by certain statutes.

(b-2) Authorizes a person who supervises a prekindergarten program provided by an entity with which a school district contracts for that purpose to supervise multiple prekindergarten classrooms to:

(1) ensure programmatic compliance; and

(2) support classroom instruction; the developmental needs of students; and continuous quality improvement, including professional development.

(b-3) Provides that Subsections (b-1) and (b-2) and this subsection expire September 1, 2029.

(d) Requires a school district or an entity with which the district contracts to provide a prekindergarten program to attempt to maintain an average ratio in any prekindergarten program class of not less than one qualified teacher or teacher's aide, rather than certified teacher or teacher's aide, for each 11 students.

SECTION 2. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 3. Effective date: upon passage or September 1, 2023.