

BILL ANALYSIS

C.S.H.B. 2729
By: Harris, Cody
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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 development. C.S.H.B. 2729 seeks 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 setting out requirements for entities that are contracted by district contract to provide programs to students, including supervision by a qualified person and an additional qualification required of a prekindergarten teacher.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2729 amends the Education Code to require each teacher for a prekindergarten class provided by an entity with which a public school district contracts to provide a high quality prekindergarten program to meet the following requirements:

- be supervised by a person qualified to teach a prekindergarten class under the program; and
- have one of the additional qualifications required to teach such a class.

The bill includes eight years' experience of teaching in the Texas Rising Star Program among the additional qualifications a teacher may meet for purposes of teaching a program class. The bill authorizes a person who supervises a teacher for a program class provided by such an entity

to supervise multiple prekindergarten classes. The bill makes the entity subject to the requirement to attempt to maintain an average ratio in any program class of not less than one qualified teacher or teacher's aide for each 11 students.

C.S.H.B. 2729 applies beginning with the 2023-2024 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2729 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

With respect to every high quality prekindergarten program, the introduced required a high quality prekindergarten supervisor to be certified by the State Board for Educator Certification (SBEC) and removed that requirement for a high quality prekindergarten teacher, requiring a teacher to only have an additional qualification required to teach a program class. The substitute does not include these changes and instead includes the following, but only with respect to a high quality prekindergarten program provided by an entity that has been contracted by a district:

- a requirement for a high quality prekindergarten teacher to:
 - have an additional qualification required to teach a class; and
 - be supervised by a person who is qualified to teach a program class, which includes being certified by the SBEC; and
- an authorization for a high quality prekindergarten program supervisor to supervise multiple prekindergarten classes.

The substitute includes eight years' experience of teaching in the Texas Rising Star Program among the additional qualifications a teacher may meet to teach any high quality prekindergarten program class, which did not appear in the introduced.