

By: Virdell

H.B. No. 3956

A BILL TO BE ENTITLED

AN ACT

relating to a parent-directed supplemental services and instructional materials program for public school students; authorizing a fee.

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

SECTION 1. Chapter 29, Education Code, is amended by adding Subchapter S to read as follows:

SUBCHAPTER S. PARENT-DIRECTED SUPPLEMENTAL SERVICES PROGRAM

Sec. 29.801. DEFINITIONS. In this subchapter:

(1) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003.

(2) "Parent" has the meaning assigned by Section 29.041.

(3) "Supplemental instructional materials" includes textbooks, computer hardware or software, other technological devices, and other materials suitable for addressing an educational need of a public school student.

(4) "Supplemental services" means an additive service that provides an educational benefit to a public school student including:

(A) virtual, advanced, and trade-related programs;

(B) extracurricular activities;

1                    (C) private tutoring and other supplemental  
2 private instruction or programs; and

3                    (D) college credit.

4            Sec. 29.802. ESTABLISHMENT AND ADMINISTRATION OF PROGRAM.

5    (a)    The agency by rule shall establish and administer a  
6 parent-directed program for public school students through which a  
7 parent of a student who meets the eligibility requirements for  
8 participation in the program may select supplemental services and  
9 supplemental instructional materials for use by the parent's  
10 student. From funds appropriated for the purpose, the agency shall  
11 provide each student approved for participation in the program  
12 under this subchapter a grant as provided by Section 48.319 to  
13 purchase supplemental services and supplemental instructional  
14 materials.

15            (b) In administering the program, the agency shall maintain  
16 a system of online accounts to provide to an eligible student's  
17 parent access to the grant described by Subsection (a).

18            (c) The agency shall designate one or more regional  
19 education service centers to administer the program under this  
20 section.

21            (d) The agency shall establish a procedure by which a  
22 student may initiate a transfer of control of the account, from the  
23 parent to the student, for the use of unexpended money in the  
24 account at the time of the student's graduation in accordance with  
25 Section 29.806(d).

26            Sec. 29.803. APPLICATION FOR GRANT ON BEHALF OF STUDENT.

27 The agency shall establish an application process for an eligible

1 student's parent to apply for a grant held in an online account  
2 maintained under Section 29.802(b) and assigned to the student  
3 under Section 29.805.

4 Sec. 29.804. PROGRAM ELIGIBILITY CRITERIA. (a) The agency  
5 shall establish eligibility criteria for the approval of an  
6 application submitted under Section 29.803.

7 (b) The eligibility criteria established under this section  
8 must:

9 (1) require that the student be enrolled in the  
10 current school year at a school district or open-enrollment charter  
11 school; and

12 (2) prioritize students for whom a school district or  
13 open-enrollment charter school is entitled to the compensatory  
14 education allotment under Section 48.104.

15 (c) A student may receive a grant once under this subchapter  
16 while enrolled in kindergarten through grade 12. A student may  
17 receive an additional grant under this subchapter if the  
18 legislature appropriates money for that purpose.

19 Sec. 29.805. APPROVAL OF APPLICATION; ASSIGNMENT OF  
20 ACCOUNT. The agency shall approve each student who meets the  
21 program eligibility criteria established under Section 29.804 and  
22 assign to the student an account maintained under Section  
23 29.802(b). The account may only be used by the student's parent or  
24 the student as provided by Section 29.802(d) to purchase  
25 supplemental services or supplemental instructional materials for  
26 the student, subject to Sections 29.806 and 29.807.

27 Sec. 29.806. ACCOUNT USE RESTRICTION. (a) Money in an

1 account assigned to a student under Section 29.805 may be used only  
2 for supplemental services, supplemental instructional materials,  
3 and expenditures for tuition and fees as authorized under  
4 Subsection (d).

5 (b) Any supplemental services purchased under the program  
6 under this subchapter must be provided by an agency-approved  
7 provider.

8 (c) If the agency has approved vendors for a category of  
9 supplemental instructional materials under Section 29.807,  
10 supplemental instructional materials must be purchased from an  
11 agency-approved vendor for that category of supplemental  
12 instructional materials. If the agency does not establish criteria  
13 for agency approval for a category of supplemental instructional  
14 materials, money in the student's account may be used to purchase  
15 the supplemental instructional materials from any vendor.

16 (d) The commissioner by rule shall authorize the use of  
17 money in an account assigned to a student under Section 29.805 to be  
18 spent on tuition and fees at an institution of higher education or  
19 private or independent institution of higher education, including  
20 any unexpended money in a student's account at the time of the  
21 student's graduation from high school. Any remaining unexpended  
22 money in a student's account on the sixth anniversary of the  
23 student's graduation from high school shall be returned to the  
24 agency for purposes of the program.

25 Sec. 29.807. AGENCY-APPROVED PROVIDERS AND VENDORS:  
26 CRITERIA AND APPLICATION. (a) The agency shall establish criteria  
27 necessary for agency approval for each category of provider of a

1 professional service that is a supplemental service, as identified  
2 by the agency.

3 (b) The criteria established under this section must  
4 require a provider of a category of professional service to be  
5 appropriately licensed or accredited in this state to provide that  
6 service.

7 (c) The agency shall provide a procedure for providers of  
8 supplemental services to apply to the agency to become an  
9 agency-approved provider.

10 (d) The agency may establish criteria for agency approval of  
11 vendors for each category of supplemental instructional materials  
12 identified by the agency.

13 (e) If the agency establishes criteria for agency approval  
14 for a vendor of a category of supplemental instructional materials,  
15 the agency shall provide a procedure for vendors of that category to  
16 apply to the agency to become an agency-approved vendor.

17 Sec. 29.808. PUBLIC SCHOOL PROVIDERS. A school district or  
18 open-enrollment charter school provider approved under Section  
19 29.807 may charge a fee for supplemental instructional materials or  
20 supplemental services provided to a student under this subchapter  
21 that otherwise would not have been provided to the student by the  
22 district or school.

23 Sec. 29.809. ADMISSION, REVIEW, AND DISMISSAL COMMITTEE  
24 DUTIES. (a) A student's admission, review, and dismissal  
25 committee shall develop a student's individualized education  
26 program under Section 29.005, in compliance with the Individuals  
27 with Disabilities Education Act (20 U.S.C. Section 1400 et seq.),

1 without consideration of any supplemental services or supplemental  
2 instructional materials that may be provided under the program  
3 under this subchapter.

4 (b) Unless the district determines that an account has been  
5 assigned to the student under Section 29.045, the admission,  
6 review, and dismissal committee of a student approved for  
7 participation in the program shall provide to the student's parent  
8 at an admission, review, and dismissal committee meeting for the  
9 student:

10 (1) information regarding the types of supplemental  
11 services or supplemental instructional materials available under  
12 the program and provided by agency-approved providers for which an  
13 account maintained under Section 29.802(b) for the student may be  
14 used; and

15 (2) instructions regarding accessing an account  
16 described by Subdivision (1).

17 Sec. 29.810. DETERMINATION OF COMMISSIONER FINAL.  
18 Notwithstanding Section 7.057, a determination of the commissioner  
19 under this subchapter is final and may not be appealed.

20 Sec. 29.811. RULES. The commissioner shall adopt rules as  
21 necessary to administer the supplemental services and  
22 instructional materials program under this subchapter.

23 SECTION 2. Subchapter G, Chapter 48, Education Code, is  
24 amended by adding Section 48.319 to read as follows:

25 Sec. 48.319. PARENT-DIRECTED SUPPLEMENTAL SERVICES PROGRAM  
26 GRANT. (a) A student to whom the agency awards a grant under  
27 Subchapter S, Chapter 29, is entitled to receive a grant equal to

1 \$1,000 or a greater amount provided by appropriation.

2 (b) The agency shall use money appropriated to the agency  
3 for purposes of this section to award grants under Subchapter S,  
4 Chapter 29.

5 SECTION 3. Not later than December 1, 2026, the  
6 commissioner of education shall adopt all rules necessary for the  
7 establishment and administration of the parent-directed  
8 supplemental services program required under Subchapter S, Chapter  
9 29, Education Code, as added by this Act.

10 SECTION 4. 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, 2025.