

By: Zaffirini, Campbell

S.B. No. 801

A BILL TO BE ENTITLED

AN ACT

relating to a high quality prekindergarten program provided by public school districts.

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

SECTION 1. Section 12.104(b), Education Code, is amended to read as follows:

(b) An open-enrollment charter school is subject to:

(1) a provision of this title establishing a criminal offense; and

(2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading instruments and accelerated reading instruction programs under Section 28.006;

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under Section 28.025;

(F) special education programs under Subchapter

1 A, Chapter 29;

2 (G) bilingual education under Subchapter B,
3 Chapter 29;

4 (H) prekindergarten programs under Subchapter E
5 or E-1, Chapter 29;

6 (I) extracurricular activities under Section
7 [33.081](#);

8 (J) discipline management practices or behavior
9 management techniques under Section [37.0021](#);

10 (K) health and safety under Chapter 38;

11 (L) public school accountability under
12 Subchapters B, C, D, E, F, G, and J, Chapter 39;

13 (M) the requirement under Section [21.006](#) to
14 report an educator's misconduct; and

15 (N) intensive programs of instruction under
16 Section [28.0213](#).

17 SECTION 2. Section [25.001](#)(a), Education Code, is amended to
18 read as follows:

19 (a) A person who, on the first day of September of any school
20 year, is at least five years of age and under 21 years of age, or is
21 at least 21 years of age and under 26 years of age and is admitted by
22 a school district to complete the requirements for a high school
23 diploma is entitled to the benefits of the available school fund for
24 that year. Any other person enrolled in a prekindergarten class
25 under Section [29.153](#) or Subchapter E-1, Chapter 29, is entitled to
26 the benefits of the available school fund.

27 SECTION 3. Chapter 29, Education Code, is amended by adding

1 Subchapter E-1 to read as follows:

2 SUBCHAPTER E-1. HIGH QUALITY PREKINDERGARTEN PROGRAM

3 Sec. 29.164. DEFINITION. In this subchapter, "program"
4 means a high quality prekindergarten program provided free of
5 tuition or fees in accordance with this subchapter.

6 Sec. 29.165. HIGH QUALITY PREKINDERGARTEN PROGRAM. (a) From
7 funds appropriated for that purpose, the commissioner by rule shall
8 establish a funding program under which funds are awarded to school
9 districts and open-enrollment charter schools to implement a
10 prekindergarten program under this subchapter.

11 (b) A school district may participate in and receive funding
12 under the program if the district meets all program standards
13 required under this subchapter.

14 (c) A program is subject to any other requirements imposed
15 by law that apply to a prekindergarten program not provided in
16 accordance with this subchapter, except that to the extent a
17 conflict exists between this subchapter and any other provision of
18 law, this subchapter prevails.

19 Sec. 29.166. HIGH QUALITY PROGRAM FUNDING. (a) In addition
20 to funding granted under Subsection (b), a school district is
21 eligible for half-day funding under the Foundation School Program
22 for students enrolled in a program class.

23 (b) A school district is entitled to receive additional
24 funding in an amount determined by the commissioner for each
25 qualifying student described under Subsection (c) in average daily
26 attendance in a program class.

27 (c) A student qualifies for additional funding under

1 Subsection (b) if the student is four years of age on September 1 of
2 the year the student begins the program.

3 (d) A school district that receives the funding under this
4 section may use the funding only to improve the quality of the
5 district's prekindergarten programs.

6 Sec. 29.167. HIGH QUALITY CURRICULUM AND TEACHER
7 REQUIREMENTS. (a) A school district shall select and implement a
8 curriculum for a prekindergarten program under this subchapter that
9 includes the prekindergarten guidelines established by the agency
10 and measures the progress of students in meeting the recommended
11 learning outcomes.

12 (b) Each teacher for a program class must be certified under
13 Subchapter B, Chapter 21.

14 Sec. 29.168. PARENT ENGAGEMENT PLAN. A school district
15 shall develop and implement a parent engagement plan to assist the
16 district in achieving and maintaining high levels of parental
17 involvement and positive parental attitudes toward education.

18 Sec. 29.169. PROGRAM EVALUATION. A school district shall:

19 (1) select and implement appropriate methods for
20 evaluating the district's program classes by measuring student
21 progress; and

22 (2) make data from the results of program evaluations
23 available to parents.

24 Sec. 29.170. PROGRAM FUNDING EVALUATION. (a) The
25 commissioner shall evaluate the use and effectiveness of funding
26 provided under this subchapter in improving student learning. The
27 commissioner shall identify effective instruction strategies

1 implemented by school districts under this subchapter.

2 (b) Not later than December 1, 2018, the commissioner shall
3 deliver a report to the legislature containing the results of the
4 evaluation.

5 (c) This section expires December 31, 2018.

6 Sec. 29.171. RULES. The commissioner may adopt rules
7 necessary to implement this subchapter.

8 SECTION 4. Section 42.003(b), Education Code, is amended to
9 read as follows:

10 (b) A student to whom Subsection (a) does not apply is
11 entitled to the benefits of the Foundation School Program if the
12 student is enrolled in a prekindergarten class under Section 29.153
13 or Subchapter E-1, Chapter 29.

14 SECTION 5. This Act applies beginning with the 2015-2016
15 school year.

16 SECTION 6. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2015.