

BILL ANALYSIS

C.S.H.B. 4
By: Huberty
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that enhancing prekindergarten is the next step in continuing Texas' success in public education. The parties note that Texas public school districts currently receive half-day prekindergarten funding for their eligible student population. C.S.H.B. 4 seeks to allow districts to opt in to a high-quality prekindergarten program and receive additional funding per eligible student, with a focus on long-term prekindergarten success.

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 rulemaking authority is expressly granted to the commissioner of education in SECTION 4 of this bill.

ANALYSIS

C.S.H.B. 4 amends the Education Code to require the commissioner of education by rule to establish a funding program, from funds appropriated for the purpose, under which funds are awarded to school districts and open-enrollment charter schools to implement a high-quality prekindergarten program provided free of tuition or fees. The bill authorizes a school district to participate in and receive funding under the program if the district meets all program standards. The bill subjects a high-quality prekindergarten program to any other requirements imposed by law that apply to a prekindergarten program not provided in accordance with these provisions, except that to the extent a conflict exists between these provisions and any other provision of law, these provisions prevail.

C.S.H.B. 4 makes a school district eligible for half-day funding under the Foundation School Program (FSP) for students enrolled in a high-quality prekindergarten program class and entitles a school district to receive additional funding in an amount determined by the commissioner for each student in average daily attendance in a program class, provided the student is four years of age on September 1 of the year the student begins the program. The bill authorizes a school district that receives program funding to use the funding only to improve the quality of the district's prekindergarten programs. The bill requires a school district to select and implement a curriculum for a high-quality prekindergarten program that includes the prekindergarten guidelines established by the Texas Education Agency and measures the progress of students in meeting the recommended learning outcomes. The bill requires each teacher for a prekindergarten program class to be certified as an educator and have been awarded a Child Development Associate (CDA) credential. The bill authorizes a regional education service center to offer to teachers employed by school districts the training required to be awarded a CDA credential and authorizes a school district to allow a teacher employed by the district to receive

the training required to be awarded a CDA credential from a regional education service center that offers the training.

C.S.H.B. 4 requires a school district to develop and implement a parent engagement plan to assist the district in achieving and maintaining high levels of parental involvement and positive parental attitudes toward education. The bill requires a school district to select and implement appropriate methods for evaluating the district's program classes by measuring student progress and to make data from the results of program evaluations available to parents. The bill adds temporary provisions, set to expire December 31, 2018, requiring the commissioner to evaluate the use and effectiveness of program funding in improving student learning, to identify effective instruction strategies implemented by school districts under the program, and to deliver a report to the legislature containing the results of the evaluation not later than December 1, 2018.

C.S.H.B. 4 requires a school district that offers the prekindergarten program to include the following information in the district's Public Education Information Management System (PEIMS) report: the class size and ratio of instructional staff to students for each prekindergarten program class offered by the district and each type of test administered to students enrolled in district prekindergarten program classes and the results of each type of test. The bill authorizes a school district participating in the program to enter into a contract with an eligible private provider to provide services or equipment for the program and sets out provider eligibility requirements. The bill subjects a prekindergarten program provided by a private provider to the program's requirements. The bill authorizes the commissioner to adopt rules necessary to implement the program.

C.S.H.B. 4 subjects an open-enrollment charter school to a prohibition, restriction, or requirement, as applicable, relating to the high-quality prekindergarten program and entitles a person enrolled in a prekindergarten class under the program to the benefits of the available school fund and the FSP. The bill's provisions apply beginning with the 2015–2016 school year, except for the requirement that a prekindergarten program teacher have been awarded a CDA credential, which applies beginning with the 2016–2017 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

No equivalent provision.

SECTION 1. Section 12.104(b), Education Code, is amended.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 8, Education Code, is amended by adding Section 8.058 to read as follows:

Sec. 8.058. CHILD DEVELOPMENT ASSOCIATE TRAINING. A regional education service center may offer to teachers employed by school districts the training required to be awarded a Child Development Associate (CDA) credential.

SECTION 2. Same as introduced version.

SECTION 2. Section 25.001(a), Education Code, is amended.

SECTION 3. Chapter 29, Education Code, is amended by adding Subchapter E-1 to read as follows:

SUBCHAPTER E-1. HIGH QUALITY PREKINDERGARTEN PROGRAM

Sec. 29.164. DEFINITION.

Sec. 29.165. HIGH QUALITY PREKINDERGARTEN PROGRAM.

Sec. 29.166. HIGH QUALITY PROGRAM FUNDING.

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

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

Sec. 29.168. PARENT ENGAGEMENT PLAN.

Sec. 29.169. PROGRAM EVALUATION.

Sec. 29.170. PROGRAM FUNDING EVALUATION.

SECTION 3. Same as introduced version.

SECTION 4. Chapter 29, Education Code, is amended by adding Subchapter E-1 to read as follows:

SUBCHAPTER E-1. HIGH QUALITY PREKINDERGARTEN PROGRAM

Sec. 29.164. DEFINITION.

Sec. 29.165. HIGH QUALITY PREKINDERGARTEN PROGRAM.

Sec. 29.166. HIGH QUALITY PROGRAM FUNDING.

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

(b) Each teacher for a prekindergarten program class must:

(1) be certified under Subchapter B, Chapter 21; and

(2) have been awarded a Child Development Associate (CDA) credential.

(c) A school district may allow a teacher employed by the district to receive the training required to be awarded a Child Development Associate (CDA) credential from a regional education service center that offers the training in accordance with Section 8.058.

Sec. 29.168. PARENT ENGAGEMENT PLAN.

Sec. 29.169. PROGRAM EVALUATION.

Sec. 29.170. PROGRAM FUNDING EVALUATION.

Sec. 29.171. REPORT OF ADDITIONAL INFORMATION REQUIRED. In addition to information reported under Section 29.1532(c), a school district that offers a prekindergarten program under this subchapter shall include the following

information in the district's Public Education Information Management System (PEIMS) report:

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

(2) each type of assessment instrument administered to students enrolled in district prekindergarten program classes and the results of each type of assessment instrument.

Sec. 29.172. ELIGIBLE PRIVATE PROVIDERS. (a) A school district participating in the program under this subchapter may enter into a contract with an eligible private provider to provide services or equipment for the program.

(b) To be eligible to contract with a school district to provide a program or part of a program, a private provider must be licensed by and in good standing with the Department of Family and Protective Services. For purposes of this section, a private provider is in good standing with the Department of Family and Protective Services if the department has not taken an action against the provider's license under Section 42.071, 42.072, or 42.078, Human Resources Code, during the 24-month period preceding the date of a contract with a school district. The private provider must also be accredited by a research-based, nationally recognized, and universally accessible accreditation system approved by the commissioner.

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

Sec. 29.171. RULES.

SECTION 4. Section 42.003(b), Education Code, is amended.

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

Sec. 29.173. RULES.

SECTION 5. Same as introduced version.

(See SECTION 6(b) below.)

SECTION 6. (a) Section 29.167(b), Education Code, as added by this Act, requiring a prekindergarten teacher to have been awarded a Child Development Associate (CDA) credential, applies beginning with the 2016-2017 school year.

(b) Except as provided by Subsection (a) of

(See SECTION 5 above.)

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

this section, this Act applies beginning with the 2015-2016 school year.

SECTION 7. Same as introduced version.