

SUBJECT: Full-day pre-k provided by school districts and community providers

COMMITTEE: Public Education — committee substitute recommended

VOTE: 8 ayes — Eissler, Hochberg, Allen, Aycock, Jackson, Patrick, Shelton,
Weber

1 nay — Olivo

2 absent — Dutton, Farias

WITNESSES: For — Sandi Borden, Texas Elementary Principals and Supervisors Association; Portia Bosse, Texas State Teachers Association; Nancy Chick, Texas Licensed Child Care Association; Traci Dunlap; Pascal Forgione, Austin ISD; Ellen Frede, National Institute for Early Education Research; Kara Johnson, Texas Early Childhood Education Coalition; Duncan Klussman, Spring Branch ISD and Texas School Alliance; Marlene Lobberecht, League of Women Voters-Texas, Jean McClung, Texas Association of School Boards; Judy Needham, Fort Worth ISD; Peggy Pace, Women's Leadership Council San Antonio and Bexar County; Abelardo Saavedra, Houston ISD, TASA; Carol Shattuck, Collaborative for Children; Jason Sabo, United Ways of Texas; *(Registered, but did not testify:* Nestor Atkinson; Jay Barksdale, Dallas Regional Center; Valerie Bauhofer, Texas Association of Child Care Resource and Referral Agencies; Graciela Camargo; Mary Capello, TMC Teaching and Mentoring Communities; Bill Carpenter, Texas Council of Administrators of Special Education; Nan Clayton, League of Women Votes- Texas; Rhonda Spurlock Dahlke, Women Leadership Council of San Antonio, Texas; James Degaravilla; David Duty, Texas Association of Community Schools; Monty Exter, Association of Texas Professional Educators; Carol Folbre; Kye Fox, Women's Leadership Council- United Way San Antonio and Bexar; Lloyd Graham, La Porte ISD; Alexander Gray; Bill Grusendorf, Texas Association of Rural Schools; Lindsay Gustafson, Texas Classroom Teachers Association; Dwight Harris, Texas-AFT; Fred Lewis, Texans Together Education Fund; Ashley Love, Texas Association for the Education of Young Children; Noelita Lugo, Texans Care for Children; Sara Lyford; Margaret McGettrick, Texas Catholic Conference Roman Catholic Bishops of Texas; Jeff Miller, Advocacy Incorporated; Vernagene Mott, Pflugerville ISD; Blanca Munoz, Board of

Director, TMC; Shannon Noble, Texas Counseling Association; Martin Pena, South Texas Association of Schools; Wayne Pierce, Equity Center; Emily Pyeatt; Stephen Reeves, Christian Life Commission, Baptists General Convention of Texas; Debra Sahge, Raise Your Hand Texas; Hilda Salas, San Antonio Independent School District; Rona Statman, The Arc of Texas; Vic Suhm, North Texas Commission; Anita Uphaus; Jerry Valdez, Greater Houston Partnership- Houston, Texas; Gyl Wadge, Mental Health America of Texas; Jon Weist, Arlington Chamber of Commerce; Stephanie Werner, United Way of Metropolitan Dallas)

Against — (*Registered, but did not testify*: Bill Sample, Time to Grow Learning Centers, LLC)

On — Kathy Miller, Texas Freedom Network; Brooke Terry, Texas Public Policy Foundation; (*Registered, but did not testify*: Andrew Erben, TIER)

DIGEST:

CSHB 130, with funds appropriated for the purpose, would direct the commissioner of education to establish a grant program to award to school districts to implement a full-day prekindergarten program for a child at least three years old who:

- was unable to speak and comprehend the English language;
- was educationally disadvantaged;
- was a homeless child;
- was the child of an active duty member of the armed forces;
- was the child of a member of the armed forces who was injured or killed while serving on active duty; or
- was or ever had been in the conservatorship of the Department of Family and Protective Services.

Grants awarded to school districts. A school district could apply to the commissioner, and the commissioner would award grants in the priority listed:

- school districts that received grant funding for early childhood education in a lesser amount than the amount provided during the preceding year;
- school districts that were not eligible to receive any other existing early childhood grants awarded by the commissioner;
- school districts with a high percentage of students who were educationally disadvantaged.

The commissioner would determine the amount of each grant awarded to school districts, and the grant would provide an amount for each student in the program equal to 70 percent of the statewide average funding per student in an open-enrollment charter school, including all adjustments used in computing per-student funding. Grant funding would be in addition to any funding appropriated under the Foundation School Program. Grant funding would be paid directly to a school district or open-enrollment charter school and could not be used in any way that would resemble a voucher program.

Enhanced quality. A district could not enroll more than 22 students in a class, and would have to maintain an average ratio in the program of not less than one certified teacher or teacher's aide for each 11 students. Each class would have to have at least one certified teacher— an individual with a minimum of nine semester credit hours of college education courses emphasizing early childhood education. If a certified teacher was unavailable, the community provider would require a certified teacher within three years of receiving grant funding from a district. During that time the teacher would have to have, at minimum, a Child Development Associate certification with at least three years experience in early childhood education.

A school district would select and implement a curriculum for the program that included the prekindergarten guidelines established by TEA, and would be subject to all statutes governing prekindergarten programs.

Community providers partnerships. A school district would have to use at least 20 percent of grant funds provided to contract with one or more eligible community providers. The amount of reimbursement provided by a school district to a community provider would be negotiable between the district and the community provider based on the services provided. The district would reimburse the community provider for each student for which the community provider supplied the school facilities, certified teachers, personnel, and supplies in an amount not less than the sum of the district's adjusted basic allotment multiplied by 1.0 and any additional funding received by the district for the student under Foundation School Program formulas.

This reimbursement would not affect a community provider's eligibility to receive any other local, state, or federal funds to provide before-school, after-school, and summer child care.

Waivers. The commissioner could waive the requirement to spend 20 percent of grant funds to contract with a community provider on an annual basis if a school district demonstrated documentation that:

- the area served by the district did not have a sufficient number of eligible community providers;
- after a good faith effort, the district did not receive any applications or other indications of interest in contracting with the district from eligible community providers;
- after a good faith effort and for good cause, the district and one or more eligible community providers interested in contracting with the district were not able to reach an agreement.

The commissioner would send to the district and the affected community provider, if applicable, written notice granting or denying a request for a waiver no later than 30 days after the commissioner received the request.

Eligibility. To be eligible, a community provider would have to be center-based and licensed by and in good standing with the Department of Family and Protective Services. An eligible community provider also would have to:

- be certified through the school readiness certification system;
- be a Texas Early Education Model Participant;
- be a Texas Rising Star Provider with a three-star certification or higher; or
- be accredited by a research-based, nationally recognized, and universally accessible accreditation system approved by TEA that required a developmentally appropriate curriculum that included math, science, social studies, literacy, and social and emotional components.

Contracts. Each contract would have to be in writing, approved by the commissioner, and include several types of partnerships such as: school districts leasing school facilities to or from the community provider; the school district employing a certified teacher for the prekindergarten class and the community provider supplying the school facilities and all other personnel and supplies; or the community provider supplying the school facilities, certified teachers, personnel, and supplies.

Discrimination prohibited. A community provider would not be able to deny enhanced prekindergarten services on the basis of the student's race, religion, sex, ethnicity, national origin, or disability.

Annual report. A school district operating an enhanced program would provide an annual report to TEA no later than August 1 of each year. The report would include the percentage of the grant funds used to contract with community providers and data components that illustrate acquisition of knowledge and skills consistent with the prekindergarten guidelines established by TEA.

Program evaluation. Using an amount not to exceed \$150,000, the commissioner would contract for an evaluation of the effectiveness of the enhanced program in promoting student achievement and school readiness. The commissioner would deliver an interim report to the Legislature containing the preliminary results no later than December 1, 2012. The commissioner would deliver final report to the Legislature no later than December 1, 2016.

Duties of the commissioner of education. The commissioner would require regional service centers to assist school districts to inform parents of prekindergarten options, identify eligible community providers, and maintain an updated list of eligible community providers. The commissioner would require regional service centers to assist community providers in establishing contracts with school districts and provide eligibility information to community providers not currently eligible. The commissioner would encourage regional education service centers and school districts to use locally available child care resources and referral services. The commissioner could adopt rules as necessary to implement this bill.

Effective date. The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009, and apply beginning with the 2009-10 school year.

SUPPORTERS
SAY:

CSHB 130 would include high-quality, research-based components in prekindergarten programs, while maintaining district control and oversight. It would save millions of dollars in future costs to the state and be a wise investment. A Texas A&M study demonstrated that for every dollar Texas spends on prekindergarten, the state earns a return on

investment of \$3.50. Students who attend prekindergarten need less remediation and are less likely to enter the criminal justice system, more likely to graduate from high school, more likely to go to college, and more likely to become productive members of society with higher-paying jobs. The higher the quality of the program, the higher the return. Other states find they get back as much as \$8.00 or more.

The bill would increase the quality of prekindergarten programs by promoting collaboration between private providers and school districts to share best practices and resources. Partnerships would decrease the number of new classrooms that needed to be built to accommodate students.

The bill would help reduce the large class sizes and large student-to-adult ratios and increase the programs to full day. Full-day programs are a significant factor in closing the achievement gap between students, and children with early childhood intervention outperform other students. The bill would allow Texas to reach its most at-risk students as early as possible in order to have the greatest effect. Children who attend prekindergarten are more likely to be ready to begin learning in kindergarten and 44 percent less likely to drop out of school.

More students would participate in full-day prekindergarten programs because it would alleviate the need for midday transportation for working families. A shift from half-day to full-day programs would draw in the remaining eligible students. Many families do not participate in half-day programs because they cannot work out the logistics of picking up the child midday and transporting the child to daycare.

CSHB 130 would ensure that prekindergarten programs had a steady and reliable source of funding. Currently, Texas funds half-day programs for participating districts, but those districts must rely on grants or local funding to pay for the remainder of the day.

Claims that there is a “fade out” of the positive benefits of quality prekindergarten programs are unfounded because such results are from weak programs or weak research designs.

**OPPONENTS
SAY:**

This bill would represent an unnecessary increase in the role of government and would cost the state too much money. It would authorize a massive state spending increase of \$390.4 million in fiscal 2010-11,

which would be too extravagant during a severe recession, and \$584.7 million in fiscal 2012-13, when the state's fiscal situation is expected to be even worse.

Claims that this bill would increase quality are unfounded because the bill would not require all prekindergarten teachers to be properly certified—a four-year degree with a specialization in early childhood education. Prekindergarten instruction requires a special skill set and specialized knowledge in order to reap the benefits of early childhood education.

This bill would move the state closer to a universal prekindergarten system, which is not the direction in which the state should be moving. Prekindergarten benefits only the profoundly disadvantaged, and the positive effects have faded by middle school.

NOTES:

The LBB estimates the number of eligible students to be 89,300, of which 40 percent would be estimated to participate in full-day programs. The statewide average charter school funding per student in average daily attendance would be about \$6,737 in fiscal 2010, 70 percent of which is \$4,716, suggesting a grant program cost of about \$172 million in fiscal 2010 and \$218 million in fiscal 2011. The LBB estimates this amount could be higher if eligible children who currently do not participate begin participating in prekindergarten programs, and a shift from half-day to full-day programs could drive additional enrollment among this population.

The companion bill, SB 21 by Zaffirini was considered in a public hearing of the Senate Education Committee on April 23 and left pending.