

## BILL ANALYSIS

Senate Research Center  
77R10183 BDH-D

C.S.S.B. 596  
By: Duncan  
Education  
3/22/2001  
Committee Report (Substituted)

### DIGEST AND PURPOSE

Currently, Texas funds half-day pre-kindergarten programs for eligible students. A recent attorney general opinion prohibits school districts from offering tuition-based pre-kindergarten programs for children not eligible for the state-funded programs. C.S.S.B. 596 allows school districts, on a voluntary basis, to offer tuition-based or district-financed pre-kindergarten programs to students not eligible for the state-funded program. This bill also requires the Texas Education Agency to include all state and federally funded pre-kindergarten programs in its Public Information Management System data collection and District Effectiveness and Compliance monitoring.

### RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 29E, Education Code, by amending Section 29.153 and adding Sections 29.1531 and 29.1532, as follows:

Sec. 29.153. New heading: FREE PREKINDERGARTEN FOR CERTAIN CHILDREN.

(a) Prohibits a district from charging tuition for a prekindergarten class offered under this section. Deletes language stating that any school district may offer prekindergarten classes. Adds language regarding children eligible under Subsection (b).

(b) Adds language regarding a child eligible under this section and makes a conforming change.

(c) Makes a conforming change.

(e) Makes a conforming change.

Sec. 29.1531. TUITION-SUPPORTED AND DISTRICT-FINANCED

PREKINDERGARTEN. (a) Authorizes a school district to offer on a tuition basis or use district funds to provide an additional half-day of prekindergarten classes to children eligible for classes under Section 29.153 and half-day and full-day prekindergarten classes to children not eligible under Section 29.153.

(b) Prohibits a district that offers a prekindergarten program on a tuition basis from adopting a tuition rate for the program that is higher than necessary to cover the added costs of providing the program, including any costs associated with collecting, reporting, and analyzing data under Section 29.1532(c), and requires the proposed tuition rate to be submitted to the commissioner of education for approval.

Sec. 29.1532. PREKINDERGARTEN PROGRAM REQUIREMENTS. (c) Requires a

school district that offers prekindergarten classes to include certain information in the district's Public Education Information Management System (PEIMS) report.

SECTION 2. Provides that this Act applies beginning with the 2001-2002 school year.

SECTION 3. Effective date: upon passage or September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

Differs from original in SECTION 1, Section 29.1531, Education Code, by changing the section heading from "Tuition-Supported Prekindergarten" to "Tuition-Supported and District-Financed Prekindergarten." Adds language to Section 29.1531 to authorize a school district to offer prekindergarten classes on a tuition basis or through the use of district funds. Adds language to specify that costs of providing the program include any costs associated with collecting, reporting, and analyzing data under Section 29.1532(c), and to require the proposed tuition rate to be submitted to the commissioner of education for approval.

Differs from original by deleting original SECTION 2 relating to the evaluation of prekindergarten programs by the Texas Education Agency (agency) and the creation of indicators by the agency, in cooperation with other specified groups, to be used for the evaluations.

Renumbers original SECTIONS 3 and 4, relating to application of this Act and the effective date of the Act, to SECTIONS 2 and 3.