

BILL ANALYSIS

Senate Research Center
78R729 CAS-D

S.B. 31
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Education
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DIGEST AND PURPOSE

Currently, Texas law authorizes, but does not require, school districts to offer free prekindergarten if the district identifies at least 15 children at least four years old who are unable to speak English, are educationally disadvantaged, or are homeless. School districts are also authorized to offer certain prekindergarten programs on a tuition basis if not required to do so free of charge. Preschool gives children an advantage that positively affects their performance in school; however, there has been no expansion of the Head Start program in Texas. As proposed, S.B. 31 expands the accessibility of prekindergarten by dropping the age threshold from three to four years old and requiring school districts to offer free prekindergarten if they identify 15 children or more who are unable to speak English, are educationally disadvantaged, or are homeless. S.B. 31 also provides that, in districts which offer prekindergarten programs, the sole enrollment criteria is that the student be at least three years old. The bill authorizes school districts not required to offer free kindergarten programs, to charge tuition or use district funds for prekindergarten programs.

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 the heading to Section 29.153, Education Code, to read as follows:

Sec. 29.153. FREE PREKINDERGARTEN IN CERTAIN DISTRICTS.

SECTION 2. Amends Section 29.153, Education Code, by amending Subsections (a) and (b) and adding Subsection (f), as follows:

- (a) Requires a school district to offer prekindergarten classes if the district identifies fifteen or more children who are at least three years of age and who meet certain requirements. Deletes text authorizing certain prekindergarten classes.
- (b) Provides that a child is eligible for enrollment in a prekindergarten class in a district that offers prekindergarten classes if the child is at least three years of age. Deletes text pertaining to certain requirements needed to enroll.
- (f) Prohibits a district from charging tuition for a prekindergarten class offered under this section.

SECTION 3. Amends Section 29.1531, Education Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

- (a) Makes a nonsubstantive change. Deletes text relating to using district funds to

provide half-day and full-day prekindergarten classes to children not eligible for classes under Section 29.153.

(a-1) Authorizes a school district that is not required to offer prekindergarten classes under Section 29.153 to offer prekindergarten classes on a tuition basis or to use district funds to provide half-day or full-day classes to all children who are at least three years of age.

SECTION 4. Provides that this Act applies beginning with the 2003-2004 school year.

SECTION 5. Effective date: upon passage or September 1, 2003.