

BILL ANALYSIS

Senate Research Center

C.S.S.B. 50
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Education
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current research demonstrates a relationship between the education, experience, and compensation of early childhood educators and the quality of teaching and care in early childhood learning programs. Early childhood educators lack incentives and face barriers when pursuing professional development and higher education opportunities.

C.S.S.B. 50 creates training opportunities and partnerships, establishes a means to increase compensation based on education and experience, and modifies standards and accountability as evaluated by the Texas Advisory Council on Early Childhood Education Career Development, as created by this bill, for licensing of early childhood educators. This bill also expands the Texas early education model sites throughout Texas while increasing reimbursement rates for early childhood education centers that meet certain standards.

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 Section 28.006, Education Code, by adding Subsection (d-1) and amending Subsection (d), as follows:

(d) Requires the superintendent of each school district to report each student's raw score on the reading instrument electronically to the Texas Education Agency (TEA) for use in the readiness system provided to the school district in accordance with Section 29.161 (e).

(d-1) Requires TEA to contract with the State Center for Early Childhood Development (center) to receive and use scores under Subsection (d)(3) on behalf of TEA.

SECTION 2. Amends Section 29.153, Education Code, by adding Subsection (d-1), to require the commissioner of education (commissioner) to encourage the school district requesting the exemption to make arrangements to provide prekindergarten classes through a school readiness integration project (readiness project) under Section 29.160, on receipt of an application for an exemption under Subsection (d).

SECTION 3. Amends the heading to Sections 29.160, Education Code, to read as follows:

Sec. 29.160. SCHOOL READINESS INTEGRATION PROJECTS.

SECTION 4. Amends Sections 29.160, Education Code, by amending Subsections (a) through (c) and (c-2) through (f) and adding Subsection (c-3), as follows:

(a) Authorizes the State Center for Early Childhood Development (center), in conjunction with certain entities, to develop readiness projects with certain entities, rather than a quality rating system demonstration project that includes a rating system.

(b) Updates a reference to the Department of Protective and Regulatory Services as the Department of Family and Protective Services (DFPS). Makes a conforming change.

(c) Authorizes certain entities to develop one or more readiness projects, rather than coordination-of-resources demonstration projects, under which government funded child-care and early education services, including certain services, are operated in a coordinated and integrated manner. Requires a coordinated demonstration project for government-funded child care and early education services under this subsection to contain provisions to ensure that the project does not result in a reduction of existing services or redirection of existing expenditures. Makes nonsubstantive changes. Makes a conforming change.

(c-2) Adds the promotion of the cognitive, physical, social, and emotional development of young children to the requirements of a functioning readiness project under Subsection (c).

(c-3) Provides that a readiness project established under Subsection (c) that obtains certification through the readiness certification system is eligible for funds available under Section 29.1561(c), Education Code, and is entitled to priority consideration in award of those funds. Authorizes funds awarded under that section to be used for certain purposes.

(d) Makes conforming changes.

(e) Requires the center or any other entity that implements a readiness project under Subsection (c) to provide a report to the state legislature and to the agency or agencies with regulatory jurisdiction over the subject matter involved in the readiness project. Requires the report to include an evaluation of the level of participation in the readiness project by each type of provider.

(f) Makes a conforming change.

SECTION 5. Amends Subchapter E, Chapter 29, Education Code, by adding Section 29.1601, as follows:

Sec. 29.1601. SCHOOL READINESS INTEGRATION PROJECT REGISTRY. (a) Requires the center to maintain a registry of qualified private entities that volunteer to participate in a readiness project.

(b) Requires the center to perform certain tasks.

(c) Requires the center to make the registry available to certain entities developing a readiness project.

SECTION 6. Amends Section 29.161, Education Code, by amending Subsection (c) and adding Subsections (d) through (h), as follows:

(c) Sets forth certain requirements of a school readiness certification system (certification system).

(d) Requires TEA to collect each student's raw score results on the reading instrument administered under Section 28.006 (Reading Diagnosis) from each school district using the certification system and to contract with the center for the purposes of this section.

(e) Requires the center, using funds appropriated for the certification system, to provide the certification system to each school district to report each student's raw score results on the reading instrument administered under Section 28.006.

(f) Requires TEA to provide certain assistance to the center and to require certain confidentiality and security measures by the center.

(g) Requires a program provider to meet certain criteria to be eligible for certification under the certification system, in addition to any other criteria applied by the certification system.

(h) Provides that a provider is in good standing with DFPS if DFPS has not taken an action against the provider's license, listing, or registration under Section 42.071 (Suspension, Evaluation, or Probation of License or Registration), 42.072 (License, Listing, or Registration Denial, Suspension, or Revocation), or 42.078 (Administrative Penalty), Human Resources Code, during the two-year period preceding the date of applying for certification.

SECTION 7. Amends Subchapter G, Chapter 2308, Government Code, by adding 2308.3155, as follows:

Sec. 2308.3155. ENHANCED REIMBURSEMENT RATES FOR CERTAIN CHILD-CARE PROVIDERS. (a) Provides that a licensed child-care provider that participates in a readiness project or obtains certification under the certification system, is eligible for enhanced reimbursement rates for child-care providers for services provided for children younger than six years of age at a level to be determined by each board but at least equal to the designated vendor rate provided by Section 2308.315, Government Code (Reimbursement Rates for Child Care).

(a-1) Provides that a licensed child-care provider that meets the Texas Rising Star Provider criteria described by 40 T.A.C. Section 809.15(b) is eligible for enhanced reimbursement rates for services provided to children who are younger than six years of age at a level to be determined by each board but at least equal to the designated vendor rate provided by Section 2308.315. Provides that a provider that receives increased reimbursement rates under this subsection is encouraged to use the funds to obtain certification under the readiness system.

(b) Requires local workforce development boards to use Temporary Assistance to Needy Families (TANF) funds, if available, in addition to funds from the child care development funds, to provide enhanced reimbursement rates under this section. Requires the Texas Workforce Commission to distribute the increased federal funds directly to local workforce development boards in the same proportion that child care development fund quality improvement money is distributed to local workforce development boards.

SECTION 8. Amends Section 42.0421, Human Resources Code, by adding Subsections (e) and (f), as follows:

(e) Authorizes DFPS, in coordination with the center and the Texas Advisory Council on Early Childhood Education Career Development (advisory council), to develop or seek proposals to develop or seek through a competitive process for certain purposes.

(f) Requires that the training modules developed and maintained under Subsection (e) meet certain criteria.

SECTION 9. Amends Section 42.0421, Human Resources Code, effective January 1, 2009, by adding Subsection (g), to set forth requirements of persons providing training for an employee of a day-care center or group day-care center.

SECTION 10. Amends the heading of Chapter 72, Human Resources Code, to read as follows:

CHAPTER 72. EARLY CHILDHOOD EDUCATION SERVICES

SECTION 11. Amends Chapter 72, Human Resources Code, by designating Section 72.001 as Subchapter A, and adds a heading to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 12. Amends Section 72.001, Human Resources Code, as follows.

Sec. 72001. New heading: DEFINITIONS. Defines "advisory council."

SECTION 13. Amends Subchapter A, Chapter 72, Human Resources Code, by adding Section 72.0015, as follows:

Sec. 72.0015. REQUIREMENTS APPLICABLE TO STATE CENTER FOR EARLY CHILDHOOD DEVELOPMENT. (a) Requires the center to comply with the contract management requirements of Chapter 2262 (Statewide Contract Management), Government Code, to prepare and submit a report detailing the use of appropriated funds to the center for the purposes of funding early childhood education services to the Senate Finance Committee and the House Appropriations Committee not later than December 1 of each even-numbered year, and to provide center staff to appear before a standing committee of the senate or house of representatives with jurisdiction over public primary and secondary education on request of the presiding officer of the committee.

(b) Requires the center to allow an external evaluation, by an organization under contract with TEA for that purpose, regarding the management and implementation of readiness projects in each even-numbered year.

(c) Requires the organization completing the external evaluation to be selected through a competitive bidding process developed by TEA.

SECTION 14. Amends Chapter 72, Human Resources Code, by designating Sections 72.002 and 72.003 as Subchapter B, renumbering Sections 72.002 and 72.003 as 72.051 and 72.052 respectively, and adding a subchapter heading to read as follows:

SUBCHAPTER B. HEAD START PROGRAMS

SECTION 15. Amends Chapter 72, Human Resources Code, by adding Subchapters C and D, as follows:

SUBCHAPTER C. TEXAS ADVISORY COUNCIL ON EARLY CHILDHOOD EDUCATION CAREER DEVELOPMENT

Sec. 72.101. ESTABLISHMENT. (a) Establishes the Texas Advisory Council on Early Childhood Education Career Development (council) to promote the recognition of early childhood educators as professionals and assist in the development of professional standards and educational opportunities for those educators.

(b) Requires the advisory council to coordinate its efforts with the Texas Head Start State Collaboration Office.

(c) Provides that the advisory council is not subject to Chapter 2110 (State Agency Advisory Committees), Government Code.

Sec. 72.102. COMPOSITION. Sets forth the composition of the advisory council.

Sec. 72.103. DUTIES. Sets forth the required duties of the advisory council.

Sec. 72.104. PRESIDING OFFICER. Requires the commissioner of education to designate the presiding officer of the council.

Sec. 72.105. EXPENSES AND STAFF. Prohibits members of the advisory council from receiving compensation, but authorizes reimbursement for travel expenses while conducting the business of the council as provided by the General Appropriations Act. Requires the Health and Human Services Commission to provide staff to assist the advisory council.

(b) Requires TEA to provide staff assistance as necessary to enable the advisory council to perform the advisory council's duties.

SUBCHAPTER D. EARLY CHILDHOOD EDUCATION PARTNERSHIP PROJECTS

Sec. 72.151. ESTABLISHMENT OF EARLY CHILDHOOD EDUCATION PARTNERSHIP PROJECTS. (a) Authorizes an early education partnership project (partnership project) to be established in any area of the state to facilitate increased participation in professional development and to encourage further education in regard to early childhood education professionals.

(b) Authorizes a partnership to include participation by any interested person, including certain persons.

(c) Prohibits participation in a partnership project from being contingent on participation in a readiness project.

Sec. 72.152. PROJECT PLAN. (a) Requires a partnership project to develop a coordinated plan in which students or professionals under the plan may receive college credit or professional training and obtain approval from the council and the organization selected under Section 72.155.

(b) Sets forth additional criteria required for the coordinated plan as a condition of approval.

(c) Requires the coordinated plan to develop an evaluation component that assesses and demonstrates certain measures.

Sec. 72.153. TRAINING REQUIREMENTS FOR PARTICIPATING PROFESSIONALS. (a) Requires an educator participating in a partnership project to complete 48 hours of training in the first 18-month period after the educator begins participation.

(b) Authorizes an individual with no previous training or employment to complete no less than 16 contact hours of preservice contact training and an additional 32 contact hours within the 18-month period following employment with a child-care facility to satisfy the contact training requirement.

(c) Authorizes the total number of contact hours of training to be equal to three or four semester credit hours in a participating accredited institution.

Sec. 72.154. QUALIFIED EXPENSES AND REIMBURSEMENT. (a) Requires a partnership project to pay qualified expenses, as determined by the project's managing organization, for each early childhood education professional who meets certain criteria.

(b) Sets forth certain authorized qualified expenses.

(c) Authorizes the partnership project to provide reimbursement to a child-care facility if an early childhood education professional is required to complete contact hours during the regular business hours of the child-care facility in accordance with procedures created by the partnership project's managing organization.

Sec. 72.155. MANAGING ORGANIZATION. (a) Requires TEA, based on the recommendation of the advisory council, to contract with an organization to manage partnership projects.

(b) Requires the organization to be selected through a competitive bidding process developed by TEA and the advisory council.

SECTION 16. Requires the Texas Advisory Council on Early Childhood Education Career Development to submit a report to the legislature evaluating the effectiveness of this Act not later than December 1, 2009.

SECTION 17. Effective date: September 1, 2007, except as otherwise provided by this Act.