

July 10, 2017

**TO THE ADMINISTRATOR ADDRESSED:**

**SUBJECT: Prekindergarten Program Funding and High-Quality Requirements**

The General Appropriations Act, Article III, Rider 78, as set out below, was passed by the 85<sup>th</sup> Texas Legislature, 2017, and signed by Governor Abbott on June 12, 2017. Rider 78 ensures that state-funded prekindergarten programs implement high-quality prekindergarten consistent with the High-Quality Prekindergarten program requirements in Texas Education Code (TEC) §29.167 – 29.171 and consistent with the provisions of TEC Chapters 41 and 42. These requirements include use of a curriculum aligned with the Texas Prekindergarten Guidelines, increased prekindergarten teacher training and/or qualifications, implementation of student progress monitoring, program evaluation and development of a family engagement plan. For program implementation, please refer to the rider, statute, resources and guidance listed below.

***Article III, Rider 78, FSP Formula Funding for High-Quality Prekindergarten Programs:***

*Included in the amount appropriated above in Strategy A.1.1, FSP - Equalized Operations, is an estimated \$1,580 million in the 2018-19 biennium for formula funding entitlement for prekindergarten programs. Of this amount, the Commissioner shall ensure that school districts and charter schools receiving these funds shall use not less than 15 percent of their entitlement, an estimated \$236 million statewide, to implement prekindergarten consistent with the requirements of a High-Quality Prekindergarten program, as established in Education Code, §§29.167 - 29.171, and consistent with the provisions of Education Code, Chapters 41 and 42.*

**High-Quality Prekindergarten Program 15% Minimum Quality Allocation**

Rider 78 ensures that school districts expend 15% of the districts' prekindergarten foundation school program (FSP) funding on High-Quality Prekindergarten programs over the period of the biennium. As an example, the TEA State Funding Division has calculated the 15% minimum to be allocated for High Quality Prekindergarten programs in the 2018-19 biennium based on the four-year-old prekindergarten half-day average daily attendance (ADA). TEA will implement monitoring as necessary to ensure that FSP funds are used as described. Please see attached calculation for your school district or charter school.

**The TEA Office of Early Childhood Education will provide guidance and technical assistance regarding implementation of the following High-Quality Prekindergarten programs as specified in statute:**

*TEC §29.167, Curriculum, Progress Monitoring and Teacher Requirements*

- a) A school district shall select and implement a curriculum for a prekindergarten grant program under this subchapter that:
  - 1. includes the prekindergarten guidelines established by the agency;
  - 2. measures the progress of students in meeting the recommended learning outcomes; and
  - 3. does not use national curriculum standards developed by the Common Core State Standards Initiative.
  
- b) Each teacher for a prekindergarten program class must:
  - 1. be certified under Subchapter B, Chapter 21; and
  - 2. have one of the following additional qualifications:
    - A. a Child Development Associate (CDA) credential or another early childhood education credential approved by the agency;
    - B. certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education;
    - C. at least eight years' experience of teaching in a nationally accredited child care program;
    - D. be employed as a prekindergarten teacher in a school district that has received approval from the commissioner for the district's prekindergarten-specific instructional training plan that the teacher uses in the teacher's prekindergarten classroom; or
    - E. an equivalent qualification.
  
- 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. Training may not include national curriculum standards developed by the Common Core State Standards Initiative.
  
- d) A school district must attempt to maintain an average ratio in any prekindergarten program class of not less than one certified teacher or teacher's aide for each 11 students.

*TEC §29.168, Family Engagement Plan*

- a) A school district shall develop and implement a family engagement plan to assist the district in achieving and maintaining high levels of family involvement and positive family attitudes toward education. The family engagement plan must be based on family engagement strategies established under Subsection (b).
- b) The agency shall collaborate with other state agencies, including the Health and Human Services Commission, that provide services for children from birth through five years of age to establish prioritized family engagement strategies to be included in a school district's family engagement plan. A parent-teacher organization, community group, or faith-based

institution may submit to the agency recommendations regarding the establishment of family engagement strategies, and the agency, in establishing the family engagement strategies, shall consider any received recommendations. The engagement strategies must be:

1. based on empirical research; and
2. proven to demonstrate significant positive short-term and long-term outcomes for early childhood education.

*TEC §29.169, Program Evaluation*

- a) A school district shall:
  1. select and implement appropriate methods for evaluating the district's program classes by measuring student progress; and
  2. make data from the results of program evaluations available to parents.
- b) A school district may administer diagnostic assessments to students in a program class to evaluate student progress as required by Subsection (a) but may not administer a state standardized assessment instrument.
- c) An assessment instrument administered to a prekindergarten program class must be selected from a list of appropriate prekindergarten assessment instruments identified by the commissioner.

*TEC §29.170, Program Funding Evaluation*

- a) The commissioner shall evaluate the use and effectiveness of funding provided under this subchapter in improving student learning. The commissioner shall identify effective instruction strategies implemented by school districts under this subchapter.
- b) Beginning in 2018, not later than December 1 of each even-numbered year, the commissioner shall deliver a report to the legislature containing the results of the evaluation.
- c) This section expires December 31, 2024.

*TEC §29.171, Eligible Private Providers*

- a) A school district participating in the grant 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:

1. be accredited by a research-based, nationally recognized, and universally accessible accreditation system approved by the commissioner;
2. be a Texas Rising Star Program provider with a three-star certification or higher;
3. be a Texas School Ready! participant;
4. have an existing partnership with a school district to provide a prekindergarten program not provided under this subchapter; or
5. be accredited by an organization that is recognized by the Texas Private School Accreditation Commission.
6. A prekindergarten program provided by a private provider under this section is subject to the requirements of this subchapter.

**For purposes of program implementation, please refer to the resources and guidance below:**

High-Quality PreK Programs	Resources and Support
<p style="text-align: center;"><b>TEC §29.167, Curriculum</b></p>	<ul style="list-style-type: none"> <li>• <a href="#">Texas Prekindergarten Guidelines</a></li> <li>• <a href="#">Currently Adopted Instructional Materials (Curriculum)</a> for PreK Learning Systems adopted by the State Board of Education (SBOE).</li> <li>• <a href="#">Curriculum guidance</a> (§102.1003, Section C)</li> <li>• <a href="#">CLI Engage</a> for Classroom Activities for Teachers</li> </ul>
<p style="text-align: center;"><b>TEC §29.167, Prekindergarten Progress Monitoring</b></p>	<ul style="list-style-type: none"> <li>• Commissioner’s List of Approved <a href="#">Prekindergarten</a> and <a href="#">Kindergarten</a> Assessment Instruments 2017-2021</li> <li>• <a href="#">Prekindergarten Progress Monitoring and Kindergarten Assessment Instrument guidance</a> per §102.1003. Section D</li> <li>• <a href="#">CLI Engage</a> for CIRCLE Progress Monitoring (no cost)</li> </ul>
<p style="text-align: center;"><b>TEC §29.167, Teacher Qualifications</b></p>	<ul style="list-style-type: none"> <li>• <a href="#">Teacher Qualifications guidance</a> per §102.1003. Section E</li> </ul>
<p style="text-align: center;"><b>TEC §29.168, Family Engagement Plan</b></p>	<ul style="list-style-type: none"> <li>• <a href="#">Family Engagement guidance</a> per §102.1003. Section F</li> <li>• <a href="#">CLI Engage, Parents</a></li> </ul>
<p style="text-align: center;"><b>TEC §29.169, Program Evaluation</b></p>	<ul style="list-style-type: none"> <li>• <a href="#">High Quality Prekindergarten Self-Assessment</a></li> <li>• <a href="#">Program Evaluation guidance</a> per §102.1003. Section H</li> <li>• <a href="#">CLI Engage</a> for CIRCLE Progress Monitoring (no cost)</li> </ul>

	<ul style="list-style-type: none"> <li>• <a href="#">CLI Engage</a> for Texas Kindergarten Entry Assessment (TX-KEA) (no cost)</li> <li>• Commissioner’s List of Approved <a href="#">Prekindergarten</a> and <a href="#">Kindergarten</a> Assessment Instruments 2017-2021</li> </ul>
<b>TEC §29.171, Eligible Private Providers</b>	<ul style="list-style-type: none"> <li>• <a href="#">CLI Engage, Early Childhood Partnerships</a></li> </ul>

**Data Collection**

The High-Quality Prekindergarten program data collection process will continue without change via the Texas Student Data System.

**Questions and Additional Information**

For questions or assistance regarding Rider 78 and the High-Quality Prekindergarten program requirements in TEC §29.167– 29.171, please contact a member of the Office of Early Childhood Education:

<b>Name</b>	<b>Email</b>	<b>Area of Specialty</b>
Marnie Glaser	<a href="mailto:Marnie.Glaser@tea.texas.gov">Marnie.Glaser@tea.texas.gov</a>	Executive Director
Scott Bodnar	<a href="mailto:Scott.Bodnar@tea.texas.gov">Scott.Bodnar@tea.texas.gov</a>	ECE Manager
Howard Morrison	<a href="mailto:Howard.Morrison@tea.texas.gov">Howard.Morrison@tea.texas.gov</a>	PreK Eligibility, Data/Reports and Laws and Regulations
Tamala Olsby	<a href="mailto:Tamala.Olsby@tea.texas.gov">Tamala.Olsby@tea.texas.gov</a>	High Quality PreK Programs
Anna Gu	<a href="mailto:Anna.Gu@tea.texas.gov">Anna.Gu@tea.texas.gov</a>	Prekindergarten Private Provider Partnerships

Thank you for ensuring that all Texas children enter school with the foundational knowledge and skills to be curious, confident and successful learners!

With gratitude,

**Marnie Glaser**

Executive Director of Early Childhood Education  
 Academics Division  
 Texas Education Agency