Chapter 102. Educational Programs

Subchapter AA. Commissioner's Rules Concerning Early Childhood Education Programs

§102.1001. Head Start Educational Component Grant Program.

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(1)   Eligible student--A child is eligible for enrollment in a prekindergarten class under this section if the child is at least three years of age and meets eligibility criteria consistent with the Texas Education Code (TEC), §29.153.

(2)   Licensed child care--Child care that meets the requirements adopted by the Texas Department of Family and Protective Services under the Human Resources Code, §42.002(3).

(3)   Nonprofit--An organization that meets the requirements of the United States Code, Title 26, Subtitle A, Chapter 1, Subchapter F, Part I, Section 501(a).

(4)   Partner--A non-public school organization collaborating with a public school to provide an educational component to eligible prekindergarten children.

(5)   Prekindergarten Early Start Grant Program--A program established in accordance with the TEC, §29.155, to administer grant funds to implement and expand prekindergarten programs.

(6)   Prekindergarten site--A public or non-public school classroom where 3 (P94t)-2 (h)-4 (g)-2 (a)14.3 (rtA54onde)4.29i

(12)   School ready or school readiness--A term that refers to a child being able to function competently

(1) Tier 1 funding. The highest percentage of available funding will be proportionately awarded to Tier 1 grantees. Funding will be provided for a period not to exceed five years from year one of grant application approval and will be based on annual accomplishment of grant objectives and requirements set forth in the application in subsequent years of the five-year cycle.

    (A) Grants will be awarded first to Tier 1 applicants whose average student performance over the last three consecutive years on the Grade 3 assessment instruments administered under the TEC, §39.023, is substantially below state average and whose application score meets a minimum score as defined in the grant application.

    (B) Any funds remaining after all grants for Tier 1 applicants meeting criteria defined in subparagraph (A) of this paragraph have been awarded may be awarded to Tier 1

    (2)   Each grantee must provide a prekindergarten program designed to develop children's school readiness that is aligned with the Texas Prekindergarten Guidelines.

    (3)   Each grantee must collaborate in a school readiness integration partnership as established in its grant application. In coordinating school readiness services under this section and in making any related decision to contract with partners such as local workforce development boards, Head Start and Early Head Start providers, licensed child care providers, or other licensed private for-profit or nonprofit child care services providers, a school district shall give preference to entities willing to commit through mutual agreement to implement proven school readiness components that are aligned with the Texas Prekindergarten Guidelines, including participation in:

        (A)   the SRCS in accordance with the TEC, §29.161;

        (B)   a nationally recognized accrediting organization approved by the Texas Workforce Commission and the Texas Department of Family and Protective Services; or

        (C)   the Texas Rising Star Provider certification program administered by the Texas Workforce Commission.

    (4)   Each grantee must develop and implement, throughout the duration of the grant period, a sustainability plan to continue the quality and level of services of the program after the grant period ends. The sustainability plan must include continuation of the school readiness integration plan and participation in the SRCS.

(i)   Continuation funding. All continuation funding will be awarded according to the tier funding structure described in subsection (e) of this section. To receive continuation funding for the Prekindergarten Early Start Grant Program, all grantees must reapply for funding each year of the grant cycle and meet all applicable performance standards included in the prior year's grant agreement. A Tier 2 grantee applying for funding in year three must present valid, research-based empirical data as evidence that the grantee has implemented a prekindergarten program that includes proven school readiness components.

(j)   Exemptions.

    (1)   The requirement in subsection (h)(3) of this section for a school readiness integration partnership may be exempted if Head Start and/or licensed child care programs required for school readiness integration planning are unavailable in a local community. A school district must provide proof of inability to enter into a school readiness integration partnership by submitting an Exemption Request form in the grant application signed by the superintendent or his/her designee, including a statement signed by the authorized member of the school district's board of trustees certifying inability to submit the required school readiness integration plan based upon unavailability of eligible entities and programs with which to coordinate. An open-enrollment charter school board may also provide a statement certifying inability to enter into a school readiness integration plan based on limitations of the approved charter.

    (2)   All requests for exemptions from program requirements must be submitted as part of the application.

    (3)   A Tier 2 grantee may request an exemption from the requirement in subsection (b)(2) of this section to participate in the SRCS if the Tier 2 grantee was not using a Kindergarten reading diagnostic instrument compatible with the SRCS by April 2, 2009, the original adoption date of this section. The grantee will be required to establish a policy for providing another source of valid and reliable data to demonstrate program effectiveness. Approval of a request for an exemption from the requirement to participate in the SRCS will also apply to the condition of operation

periodic activity/progress reports, final evaluation reports, and other relevant data from grantees, selected grantees and their school readiness integration partners will be required to participate in the technical assistance.

(l)   Evaluation. Each grantee operating a prekindergarten program using Prekindergarten Early Start Grant Program funds must comply with evaluation procedures consistent with the TEC, §29.154, in a manner established by the commissioner. Annual submission of evaluation reports based on program quality and student performance will be required in the manner and time set forth in the application for funding.

(m)   Revocation.

    (1)   The commissioner may revoke a grant award for the Prekindergarten Early Start Grant Program based on the following factors:

        (A)   noncompliance with application assurances and/or the provisions of this section;

    (7)   is the child of a person eligible for the Star of Texas Award as:

        (A)   a peace officer under Texas Government Code, §3106.002;

        (B)   a firefighter under Texas Gover(a)45hu(§102.)3 (A)5.1 (C /P 2 (( )1G)5.11731)19.4 (6 T;6.9 (g2 (,)3 f).1

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(1)   report the curriculum used in the high-quality prekindergarten program classes as required by subsection (b) of this section;

(2)   report a description and the beginning- and end-of-year results of each commissioner-approved prekindergarten instrument used in the high-quality prekindergarten program classes as required by subsection (c) of this section;

(3)   report:

   (A)   a description of each commissioner-approved multidimensional kindergarten readiness instrument used in the district or charter school to measure the effectiveness of the district's or charter school's high-quality prekindergarten program classes as required by subsection (c) of this section; and

   (B)   the results for at least 95% of the district's or charter school's kindergarten students on the commissioner-

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