

a tuition basis only if the district has received an official determination from a prekindergarten partnership intermediary designated under Section 29.153(g-1) that no private prekindergarten providers that meet the qualifications of Section 29.153(g)(1)(A), (B), (C), or (D) are available to serve the students for whom the district plans to charge tuition.

(d) The commissioner may adopt rules under this section, including rules establishing the manner in which a prekindergarten partnership intermediary may determine whether a private prekindergarten provider is available.

SECTION 5.15. Section 29.1543, Education Code, is amended to read as follows:

Sec. 29.1543. EARLY EDUCATION REPORTS. The agency shall produce and make available to the public on the agency's Internet website annual district and campus-level reports containing information from the previous school year on early education in school districts and open-enrollment charter schools. A report under this section must contain:

(1) the information required by Section 29.1532(c) to be reported through the Public Education Information Management System (PEIMS);

(2) a description of the ~~[diagnostic]~~ reading instruments administered in accordance with Section 28.006(c-2) ~~[28.006(c) or (c-2)]~~;

(3) the number of students who were administered a ~~[diagnostic]~~ reading instrument administered in accordance with Section 28.006(c-2) ~~[28.006(c) or (c-2)]~~;

(4) the number of students whose scores from a ~~[diagnostic]~~ reading instrument administered in accordance with Section 28.006(c-2) ~~[28.006(c) or (c-2)]~~ indicate kindergarten readiness in reading ~~[proficiency]~~;

(5) the number of kindergarten students who were enrolled in a prekindergarten program, including a program offered through a partnership under Section 29.153, in the previous school years ~~[year]~~ in the same district or school as the district or school in which the student attends kindergarten;

(6) the number and percentage of students who perform satisfactorily on the third grade reading or mathematics assessment instrument administered under Section 39.023, disaggregated by whether the student was eligible for free prekindergarten under Section 29.153;

(7) the number of students described by Subdivision (6) who attended kindergarten in the district, disaggregated by:

(A) whether the student met the kindergarten readiness standard on a ~~[the]~~ reading instrument adopted under Section 28.006;

(B) whether the student attended prekindergarten in the district, including a program offered through a partnership under Section 29.153; and

(C) the type of prekindergarten the student attended, if applicable; and

(8) the information described by Subdivisions (6) and (7) disaggregated by whether the student is educationally disadvantaged.

SECTION 5.16. Section 29.161(c), Education Code, is amended to read as follows:

(c) The system must:

(1) be reflective of research in the field of early childhood care and education;

(2) be well-grounded in the cognitive, social, and emotional development of young children;

(3) apply a common set of criteria to each program provider seeking certification, regardless of the type of program or source of program funding; and

(4) be capable of fulfilling the reporting and notice requirements of Section ~~[Sections]~~ 28.006(d) ~~[and (g)]~~.

SECTION 5.17. Section 29.167, Education Code, is amended by amending Subsections (b-1) and (b-3) and adding Subsection (b-4) to read as follows:

(b-1) Notwithstanding Subsection (b), each teacher for a prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program must:

(1) be certified under Subchapter B, Chapter 21, to teach prekindergarten or supervised by a person who meets the requirements under Subsection (b); [and]

(2) have one of the following qualifications:

(A) at least two years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program and:

(i) a Child Development Associate (CDA) credential or another early childhood education credential approved by the agency; or

(ii) certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education; or

(B) a qualification described by Subsection (b)(2)(A), (D), (E), or (F); and

(3) when appropriate, be appropriately certified or be supervised by a person who is appropriately certified to provide effective instruction to emergent bilingual students, as defined by Section 29.052, enrolled in the prekindergarten program.

(b-3) Subsections (b-1), [and] (b-2), and (b-4) and this subsection expire September 1, 2029.

(b-4) Subsections (b-1) and (b-2) apply to any prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program under Section 29.153.

SECTION 5.18. Sections 29.934(b) and (d), Education Code, are amended to read as follows:

(b) To apply to be designated as a resource campus under this section, the campus must have received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) or 39.0546 of "Not Rated," for three [four] years over a 10-year period of time.

(d) To be designated as a resource campus, the campus must:

(1) implement a targeted improvement plan as described by Chapter 39A and establish a school community partnership team;

(2) adopt an accelerated campus excellence turnaround plan as provided by Section 39A.105(b) ~~[except that a classroom teacher who satisfies the requirements for demonstrated instructional effectiveness under Section 39A.105(b)(3) must also hold a current designation assigned under Section 21.3521];~~

(3) be in a school district that has adopted an approved local optional teacher designation system under Section 21.3521;

(4) satisfy certain staff criteria by:

(A) requiring a principal or teacher employed at the campus before the designation to apply for a position to continue at the campus;

(B) for a subject in the foundation curriculum under Section 28.002(a)(1):

(i) employing only teachers who have at least two [three] years of teaching experience; and

(ii) ensuring that at least 50 percent of teachers hold a current designation assigned under Section 21.3521;

(C) employing at least one school counselor for every 300 students; and

(D) employing at least one appropriately licensed professional to assist with the social and emotional needs of students and staff, who must be a:

(i) family and community liaison;

(ii) clinical social worker;

(iii) specialist in school psychology; or

(iv) professional counselor;

(5) implement a positive behavior program as provided by Section 37.0013;

(6) implement a family engagement plan as described by

Section 29.168;

(7) develop and implement a plan to use high quality instructional materials;

(8) if the campus is an elementary or middle school campus, operate the campus for a school year that qualifies for funding under Section 48.0051; and

(9) annually submit to the commissioner data and information required by the commissioner to assess fidelity of implementation.

SECTION 5.19. Effective September 1, 2028, Section 29.934, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) To apply to be designated as a resource campus under this section, the campus must have received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) of "Not Rated," for three ~~four~~ years over a 10-year period of time.

(b-1) Notwithstanding Subsection (b), a campus may apply to be designated as a resource campus under this section if the campus received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) or former Section 39.0546 of "Not Rated," for three years over a 10-year period of time. This subsection expires September 1, 2033.

SECTION 5.20. Section 31.0752, Education Code, is amended to read as follows:

Sec. 31.0752. OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL SUPPORT PROGRAM. (a) The agency shall develop and maintain a program to assist school districts and open-enrollment charter schools in adopting and using open education resource instructional material made available under this subchapter, including by assisting districts and schools to:

(1) maintain the instructional flexibility of classroom teachers to address the needs of each student; and

(2) schedule instructional periods in a manner that allows classroom teachers sufficient time to effectively prepare and present instructional material within the teacher's normal work day.

(b) The agency shall engage in efforts to meet the demand from school districts and open-enrollment charter schools that request assistance under this section for the 2024-2025 or 2025-2026 school year. A school district or open-enrollment charter school may apply assistance received under this subsection to offset the payment of costs related to implementing open education resource instructional material, regardless of whether the district or school incurred the cost before receiving the assistance. This subsection expires September 1, 2027.

SECTION 5.21. Subchapter B-1, Chapter 31, Education Code, is amended by adding Section 31.0754 to read as follows:

Sec. 31.0754. COMMUNICATION REGARDING HIGH QUALITY INSTRUCTIONAL MATERIALS. (a) Notwithstanding Chapter 2113, Government Code, the commissioner may enter into contracts or agreements and engage in efforts to communicate information to parents, classroom teachers, school districts, and open-enrollment charter schools regarding the educational value, particularly the impact on reading and math achievement, of open education resource instructional materials made available under this subchapter, including activities to promote, market, and advertise the content included in and how to use those materials.

(b) The commissioner may use appropriated funds or funds appropriated for the development of open education resource instructional materials under this subchapter to pay for activities authorized under this section.

SECTION 5.22. Section 38.003, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The State Board of Education shall identify the necessary criteria and elements that provide for universal screening ~~[Students enrolling in public schools in this state shall be screened or tested, as appropriate,]~~ for dyslexia and related



disorders for students ~~[at appropriate times in accordance with a program approved by the State Board of Education. The program must include screening at the end of the school year of each student]~~ in kindergarten and ~~[each student in the]~~ first grade.

(a-1) The criteria and elements identified under Subsection (a) must be included in the reading instruments adopted or approved under Section 28.0063 and administered in accordance with the timelines established under that section.

SECTION 5.23. Section ~~39.333~~, Education Code, is amended to read as follows:

Sec. 39.333. REGIONAL AND DISTRICT LEVEL REPORT. As part of the comprehensive biennial report under Section ~~39.332~~, the agency shall submit a regional and district level report covering the preceding two school years and containing:

(1) a summary of school district compliance with the student/teacher ratios and class-size limitations prescribed by Sections ~~25.111~~ and ~~25.112~~, including:

(A) the number of campuses and classes at each campus granted an exception from Section ~~25.112~~; and

(B) for each campus granted an exception from Section ~~25.112~~, a statement of whether the campus has been awarded a distinction designation under Subchapter G or has been identified as an unacceptable campus under Chapter ~~39A~~;

(2) a summary of the exemptions and waivers granted to campuses and school districts under Section ~~7.056~~ or ~~39.232~~ and a review of the effectiveness of each campus or district following deregulation;

(3) an evaluation of the performance of the system of regional education service centers based on the indicators adopted under Section ~~8.101~~ and client satisfaction with services provided under Subchapter B, Chapter 8; and

~~(4) [an evaluation of accelerated instruction programs offered under Section 28.006, including an assessment of the quality of such programs and the performance of students enrolled in such programs; and~~

~~[(5)]~~ the number of classes at each campus that are currently being taught by individuals who are not certified in the content areas of their respective classes.

SECTION 5.24. Section ~~48.0051~~, Education Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (b-1) to read as follows:

(a) ~~The [Subject to Subsection (a-1), the]~~ commissioner shall adjust the average daily attendance of a school district or open-enrollment charter school under Section ~~48.005~~ in the manner provided by Subsection (b) if the district or school:

(1) provides the minimum number of minutes of operational and instructional time required under Section ~~25.081~~ and commissioner rules adopted under that section over at least ~~175~~ ~~[180]~~ days of instruction; and

(2) offers an additional 30 days of half-day instruction for students enrolled in prekindergarten through ~~eighth~~ ~~[fifth]~~ grade.

(b) ~~Subject to Subsection (b-1), for [For]~~ a school district or open-enrollment charter school described by Subsection (a), the commissioner shall increase the average daily attendance of the district or school under Section ~~48.005~~ by the amount that results from the quotient of the sum of attendance by students described by Subsection (a)(2) for each of the 30 additional instructional days of half-day instruction that are provided divided by ~~175~~ ~~[180]~~.

(b-1) For a school district or open-enrollment charter school described by Subsection (a) that provides at least 200 full days of instruction to students described by Subsection (a)(2), the commissioner shall increase the amount computed for the district or school under Subsection (b) by 50 percent.

(d) This section does not prohibit a school district from providing the minimum number of minutes of operational and instructional time required under Section ~~25.081~~ and commissioner rules adopted under that section over fewer than ~~175~~ ~~[180]~~ days of instruction.

SECTION 5.25. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.0052 to read as follows:

Sec. 48.0052. INCENTIVE FOR ADDITIONAL INSTRUCTIONAL DAYS FOR READING INTERVENTIONS. (a) The commissioner shall adjust the average daily attendance of a school district or open-enrollment charter school under Section 48.005 in the manner provided by Subsection (b) if the district or school:

(1) does not qualify for funding under Section 48.0051;

(2) provides the minimum number of minutes of operational and instructional time required under Section 25.081 and commissioner rules adopted under that section; and

(3) offers up to an additional 30 days of half-day instruction consisting of reading interventions described by Section 28.0064 for students who are required to be provided reading interventions under that section.

(b) For a school district or open-enrollment charter school described by Subsection (a), the commissioner shall increase the average daily attendance of the district or school under Section 48.005 by 50 percent of the amount that results from the quotient of the sum of attendance by students described by Subsection (a)(3) for each of the additional instructional days of half-day instruction that are provided divided by 175.

(c) The agency shall assist school districts and open-enrollment charter schools in qualifying for the incentive under this section.

(d) The commissioner shall adopt rules necessary for the implementation of this section.

SECTION 5.26. Section 48.108, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (a-1) to read as follows:

(a) For each student in average daily attendance in kindergarten through third grade, a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.01.

(a-1) In addition to the allotment under Subsection (a), a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.1 for each student in average daily attendance in kindergarten through third grade who ~~[0.1 if the student]~~ is:

(1) educationally disadvantaged; or

(2) an emergent bilingual student, as defined by Section 29.052, and is in a bilingual education or special language program under Subchapter B, Chapter 29.

(b) Funds allocated under this section must be used to fund:

(1) the attendance of teachers employed by the district at teacher literacy achievement academies under Section 21.4552 or teacher mathematics achievement academies under Section 21.4553;

(2) prekindergarten programs under Subchapters E and E-1, Chapter 29; and

(3) programs and services designed to improve student performance in reading and mathematics in prekindergarten through third grade, including programs and services designed to assist the district in achieving the goals set in the district's early childhood literacy and mathematics proficiency plans adopted under Section 11.185.

(c) A school district is entitled to an allotment under each subdivision of Subsection (a-1) ~~[(a)]~~ for which a student qualifies.

SECTION 5.27. Subchapter C, Chapter 48, Education Code, is amended by adding Sections 48.1081 and 48.122 to read as follows:

Sec. 48.1081. DISTRIBUTION OF CERTAIN EARLY EDUCATION ALLOTMENT MONEY FOR PURPOSES OF FULL-DAY PREKINDERGARTEN. (a) This section applies only to money to which a school district is entitled under Section 48.108(a-1).

(b) Notwithstanding any other provision of this chapter, from the total amount of money to which school districts are entitled under Section 48.108(a-1), the agency shall, instead of