

2014

TEXAS
EDUCATION
AGENCY

FREQUENTLY ASKED QUESTIONS ABOUT PREKINDERGARTEN



Curriculum Division

Early Childhood Education

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FREQUENTLY ASKED QUESTIONS AND ANSWERS ABOUT PREKINDERGARTEN

Category 1: Eligibility and Attendance

Question	Answer	Citation
1. Do schools have to have a prekindergarten program?	Yes, if a district identifies 15 or more eligible children who are at least four years of age by September 1 of the current school year. A school district may offer prekindergarten classes if the district identifies 15 or more eligible children who are at least three years of age.	TEC §29.153(a-1)
2. Who is eligible for public school prekindergarten?	To be eligible for enrollment in a prekindergarten class, a child must be at least three years of age and: <ol style="list-style-type: none"> 1. is unable to speak and comprehend the English language; or 2. is educationally disadvantaged; or 3. is homeless, as defined by 42 U.S.C. Section 1143a, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child; or 4. is the child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority; or 5. is the child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty; or 6. is or ever has been in the conservatorship of the Department of Family and Protective Services (<i>foster care</i>) following an adversary hearing held as provided by Section 262.201, Family Code. 	TEC §29.153(b) SAAH, Section 7.2 TEC 5.001 (4)
3. How is the prekindergarten program funded?	Eligible half-day prekindergarten students generate Average Daily Attendance (ADA) from the Foundation School Program (FSP).	SAAH, Section 7.2

Question	Answer	Citation
4. Does a school have to notify families about the availability of prekindergarten programs?	Yes. Each district offering a prekindergarten program must develop a system to notify families with eligible children of the availability of the program. Notice must be made in English and Spanish.	TEC §29.153(e)
5. Does the agency have any outreach materials to help schools notify communities?	Yes. The website www.prekindergartenprepares.com contains products including free downloadable, customizable materials for district outreach efforts in English, Spanish and Vietnamese, as well as English and Spanish radio and TV spots for local use and distribution. The Texas Early Learning Council (TELC) has developed www.littletexans.org .	TEC §29.1534(e)
6. What are some ways school districts can notify the availability of the prekindergarten program?	The following sources can be used for prekindergarten notification: <ul style="list-style-type: none"> • www.prekindergartenprepares.com • www.littletexans.org • letter of notification sent home with students • identification systems in place at times of registration of older siblings • newspaper articles • notices in public places • radio announcements • display on school marquee • community newsletters 	TEC §29.153(e)
7. If my child is eligible for special education programs due to having a disability, are they automatically eligible for prekindergarten as well?	No. A child with a disability is only eligible for prekindergarten if he or she meets the criteria for prekindergarten set forth by the Texas Education Code TEC §29.153(b) . The only time a prekindergarten student is eligible for a full day of ADA is if the student attends the prekindergarten program for half of the day and the Preschool Program for Children with Disabilities (PPCD) for the other half of the day. The student must meet the qualifications of both programs to be coded eligible full-day (ADA eligibility code 1). However, an ineligible child with a disability may participate in the prekindergarten program if the Admission Review and Dismissal (ARD) committee deems it appropriate in the	TEC §29.153(b) SAAH, Section 7.2 SAAH, Section 7.5

Question	Answer	Citation
	<p>Individual Education Program (IEP) <u>and only</u> if there is space available. An ineligible child cannot take the slot of a child who is eligible for prekindergarten.</p> <p>Students who attend the PK program for half of the day and the PPCD for the other half of the day and do not qualify for the PK program are coded as eligible students for ADA only for the time spent in the PPCD.</p>	
<p>8. May eligible students be excluded from eligibility if they are not potty trained or have frequent bathroom accidents?</p>	<p>No, they may not be excluded from eligibility. Eligible students are not required to be potty trained. TEA does not regulate procedures for assisting a child with bathroom capabilities. Local district policy governs hygiene assistance and it is recommended that the school and the parent or person standing in parental relation to the child establish written guidelines for managing these situations.</p>	<p>TEC §29.153(b)</p>
<p>9. Why isn't my child eligible for prekindergarten?</p>	<p>The Texas Legislature determines eligibility requirements for free, public prekindergarten in Texas. When the Texas legislature established the prekindergarten program the intent was, and still is, to provide early learning experiences to students who are most at risk for school failure. Therefore the eligibility is limited. The legislature believed that a high quality prekindergarten program could mitigate the impact of the at-risk characteristics, thereby assisting these students to become school ready when they enter kindergarten.</p>	<p>TEC §29.153(b) SAAH, Section 7.2</p>
<p>10. My child won't be five-years old until right after September 1, but is very smart and mature. Can he/she go to kindergarten instead of prekindergarten so they don't have to wait another year?</p>	<p>TEA and Texas public schools are governed by the Texas Education Code (TEC). A child must be at least five years of age on September 1 of the school year. A student younger than five years of age is entitled to the benefits of the Foundation School Program (i.e. kindergarten) if: (1) the student performs satisfactorily on the assessment instrument administered under Section 39.023(a) to students in the third grade; and (2) the district has adopted a policy for admitting students younger than five years of age.</p> <p>If a student is eligible for prekindergarten by the definition set forth in section 7.2, the student is eligible for PK funding even if the district serves the student in a kindergarten classroom.</p>	<p>TEC §29.151 TEC §42.003(d) SAAH, Section 3.11.4</p>

Question	Answer	Citation
11. What is the class size and student to teacher ratio for prekindergarten?	There is no rule or law regarding prekindergarten class size or student to teacher ratio; however school districts are encouraged to maintain student/teacher ratios in prekindergarten programs that, at a minimum, do not exceed the 22:1 ratio required for kindergarten through fourth grade. If a school district contracts with a private entity for the operation of the district's prekindergarten program, the program must, at a minimum, comply with the applicable child-care licensing standards adopted by Section 42.042, Human Resources Code by the Texas Department of Family and Protective Services.	TEC §25.112 TEC §29.1532(b)
12. What is the room size requirement (minimum square feet) for a prekindergarten classroom?	Classrooms for prekindergarten, kindergarten and first grade shall have a minimum of 36 square feet per pupil or 800 square feet per room.	TAC §61.1033(d)(2)(A)(i) TAC §61.1036(d)(5)(B)(i)
13. How do I prove my child's age and identification?	The documents considered acceptable for proof of identification and age are: <ol style="list-style-type: none"> 1. Birth Certificate; 2. Statement of the child's date of birth issued by the division of the Texas Department of State Health Services responsible for vital statistics for school admission purposes¹⁹¹ 3. Passport; 4. School ID card, records, or report card; 5. Military ID; 6. Hospital birth record; 7. Adoption records; 8. Church baptismal record; or 9. Any other legal document that establishes identity and age. 	SAAH, Section 7.3 Texas Health and Safety Code, §191.0046
14. How do we know if our child is the right age?	Age is always calculated as of September 1 of the current school year (for the purposes of establishing eligibility). If school starts before the student's birth date, the attendance is eligible for the entire school year as long as the student will be the required age on or before September 1 of the current school year.	SAAH, Section 14, Glossary

Question	Answer	Citation
15. Does my child have to go to prekindergarten if he or she is eligible?	No. Prekindergarten is not mandatory. However, on enrollment in prekindergarten, a child must attend school. All students are subject to compulsory school attendance rules while they are enrolled in school. If a child has not reached 6 years of age as of September 1 of the current school year, the child may be withdrawn from school without violating compulsory attendance rules.	TEC §25.085(b) and (c) SAAH, Section 3.5
Eligibility and Attendance-English Language Learners		
16. If a student is eligible based on limited English proficiency (LEP) and is receiving required services through the bilingual/ESL program and then moves out of the district, does the student have to re-qualify for the prekindergarten program in the new district?	No. The student remains qualified to attend prekindergarten in the new district provided documentation of the home language survey and testing are made available to the new district [See TAC 89.1225 (i)]. This requirement also applies to prekindergarten LEP three-year-olds who are promoted to the prekindergarten LEP four-year-old program.	SAAH, Section 7.2.2 TAC §89.1225(i)
17. If a student is eligible based on being limited English proficient (LEP) and is not receiving required services through the bilingual/ESL program because of a parental denial, and then moves out of the district, does the	No. The student remains eligible for prekindergarten if the student enrolls in the new district within 30 days provided documentation of the home language survey and testing are made available to the new district. However, the student must re-qualify for prekindergarten if the student enrolls in the district after 30 days. Also, if the LEP student is in a three-year-old prekindergarten program and has a parental denial, the student must re-qualify to be eligible for the four-year-old prekindergarten program. This requirement applies whether the student remains in the same district or transfers to another district.	SAAH, Section 7.2.2

Question	Answer	Citation
<p>student have to re-qualify for the prekindergarten program in the new district?</p>		
<p>18. For students who do not speak and comprehend the English language, what documentation is needed to determine eligibility?</p>	<p>If the student is eligible for prekindergarten because the student does not speak and comprehend the English language, the following documentation must be on file:</p> <ol style="list-style-type: none"> 1. Home language survey. The home language survey shall be administered in English and Spanish; for students of other language groups, the home language survey shall be translated into the home language whenever possible. The home language survey shall contain the following questions [19 TAC §89.1215 (b)]: <ol style="list-style-type: none"> a. "What language is spoken in your home most of the time?" b. "What language does your child (do you) speak most of the time?" 2. Proof of a qualifying score on an approved oral language proficiency test. The official scores must be documented in the student's records. 3. Documentation of the LPAC's identification of the student as an English language learner. <p>Many districts preregister prekindergarten students to determine and plan for the size of the next school year's prekindergarten program. However, your district must have all the documentation described above on file before claiming a student as eligible for prekindergarten funding on the basis of the student's being LEP. Starting on the first day of school, your district has up to 20 school days to complete this documentation; however, as stated before, your district may not claim a student as eligible for prekindergarten funding until this documentation is on file.</p>	<p>SAAH, Section 7.2.2.1</p>
<p>Eligibility and Attendance-Educationally Disadvantaged</p>		
<p>19. What is the definition of educationally disadvantaged?</p>	<p>The term <i>educationally disadvantaged</i> means that a student is eligible to participate in the national free or reduced-price lunch program established under 42 United States Code, Section 1751 et seq.</p>	<p>TEC §5.001(4)</p>

Question	Answer	Citation
20. What is the income level for a household to qualify as educationally disadvantaged?	The income level is based on the National School Lunch Program (NSLP) income eligibility guidelines established annually by the U.S. Department of Agriculture. Those guidelines may be found at http://www.squaremeals.org/Publications/IncomeEligibilityGuidelines.aspx#CACFP .	TEC §5.001(4)
21. What if the qualifying status of a student's family changes during the school year?	The student remains eligible. For example, a student who qualifies for prekindergarten because the student is eligible to participate in the National School Lunch Program (educationally disadvantaged) remains eligible for the entire school year even if the family's annual income increases above the qualifying level during the school year.	SAAH, Section 7.2.3 TEC §5.001(4)
22. Do I have to provide current income level documentation to the school for my child who qualifies as educationally disadvantaged?	<p>Yes. In order for a student to qualify for the National School Lunch Program (NSLP), the student's family is required to provide the school district with current income level documentation. Many districts preregister prekindergarten students to determine and plan for the size of the next school year's prekindergarten program. Since income level documentation must be current for a student to qualify for prekindergarten based on eligibility for the NSLP, your district must verify income level documentation no earlier than the April 1 before the next school year. Qualifying a student for prekindergarten on the basis of the student's meeting the NSLP income eligibility requirements does not automatically qualify the student for the NSLP. To qualify a student for the NSLP, your district must provide documentation to the TDA in accordance with the TDA's requirements.</p> <p>Income documentation is not necessary for children who are automatically eligible for NSLP under criteria in federal law 42 United States Code (USC):</p> <ul style="list-style-type: none"> • a child who is a member of a household receiving benefits from the Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families program, or Food Distribution Program on Indian Reservations • a child who is enrolled as a participant in Head Start or Even Start • a child who is considered a migrant child • a child who is considered homeless • a child who is considered a runaway 	SAAH, Section 7.2.3

Question	Answer	Citation
	<ul style="list-style-type: none"> • a child who is a foster child 	
<p>23. Can I use my SNAP or TANF documents for prekindergarten eligibility?</p>	<p>Yes. All children in a Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance for Needy Families (TANF) household are categorically eligible to receive NSLP assistance. When a household submits a complete application that contains the name of the child, a current SNAP or TANF group number and an adult signature, the determining official must approve the child for free meals. No further application information is required. Please note that <i>Lone Star Card account numbers are not acceptable SNAP case numbers on the application. If this occurs, contact the applicant to obtain the valid SNAP or TANF eligibility number.</i></p>	<p>ARM (Administrator's Reference Manual) for Texas Child Nutrition Programs, Section 4.11-4.12</p>
<p>24. What do I need to show my child is eligible for free and reduced lunch?</p>	<p>When providing written evidence of proof of income, parents or those standing in parental relation to the student must submit documents that show income received by the household during the month prior to verification. The document should contain the name of the person standing in parental relation, and amount and the date the income was received. A pay stub with no date would be insufficient. Gross income to be reported is any money received on a recurring basis including gross earned income. Specifically, gross income means all money earned before any deductions, such as income taxes, employee's social security taxes, insurance premiums, bonds, and charitable contributions. Acceptable documentation for earnings (wages and salary) include:</p> <ul style="list-style-type: none"> • Current paycheck stub • Current pay envelope • Letter from employer stating gross wages paid and how often they are paid • Unemployment, Worker's Compensation or Disability payment stub • Acceptable documentation for self-employment income include: <ul style="list-style-type: none"> ○ Business or farming documents, such as ledger books and/or self-issued paycheck stub ○ Last year's tax return <p>Acceptable documentation for cash income include:</p> <ul style="list-style-type: none"> • A letter from the employer stating wages paid and frequency 	<p>ARM (Administrator's Reference Manual) for Texas Child Nutrition Programs, Section 4.21</p>

Question	Answer	Citation
	Please refer to the ARM (Administrator's Reference Manual) for <i>Texas Child Nutrition Programs</i> for additional sources and examples of income documentation.	
25. If a child who is eligible for prekindergarten based on free or reduced-price lunch, enrolls and then withdraws from school and later returns to school within the same school year, is that child still eligible for prekindergarten?	Yes. Because NSLP applications are valid for the duration of the school year, the student remains.	ARM (Administrator's Reference Manual) for Texas Child Nutrition Programs, Section 4.26
26. If a student who is eligible based on being educationally disadvantaged (eligible to participate in the National School Lunch Program) moves to another district, does the student have to re-qualify for the prekindergarten program in the new district?	<p>No. If a student qualifies for prekindergarten on the basis of being educationally disadvantaged (eligible to participate in the NSLP) and then moves out of the district, the student would not have to re-qualify for the prekindergarten program in the new district. The student is eligible based on the original application. Even if the parents are above poverty line at the time that they moved to the second school district, the student will qualify for a free/reduced lunch based on the original application. The student would still be reported in PEIMS as educationally disadvantaged.</p> <p>When a student transfers to another district, the new district may accept the eligibility determination from a copy of the transferred student's meal application from the former district, however the accepting district will not incur liability for the accuracy of the initial determination made by the previous district. The accepting district should review the application for arithmetic errors and ensure the correct eligibility was determined. If an error was made, the accepting district must notify the household to submit a new application. The accepting district must make changes that occur as a result of verification activities or coordinated review findings conducted.</p>	SAAH, Section 7.2.3 ARM (Administrator's Reference Manual) for Texas Child Nutrition Programs, Section 4.47

Question	Answer	Citation
27. Does my child have to participate in the National School Lunch Program (NSLP) in order to qualify for prekindergarten?	No. To qualify for prekindergarten on the basis of being educationally disadvantaged means that a student is <i>eligible</i> to participate in the NSLP.	TEC §29.153
Eligibility and Attendance-Homeless		
28. What is the definition of “homeless?”	The term “homeless child,” as used in the prekindergarten statute, TEC, §29.153(b)(3) , is defined by 42 USC, §11434a. The definition of “homeless,” “homeless individual,” and “homeless person” in 42 USC, §11302, is similar, but not identical, to the definition of “homeless children and youths” in 42 USC, §11434a. As the general admission provision in the TEC, §25.001(b)(5) , references the homeless definition in 42 USC, §11302, the TEA advises school districts to apply 42 USC, §11434a, and 42 USC, §11302, when determining whether a prekindergarten student is eligible for enrollment. For both definitions, see the entry for “Homeless Students” in the Student Attendance Accounting Handbook, http://www.tea.state.tx.us/index2.aspx?id=7739 .	42 U.S.C. Section 11302(a) SAAH, Section 7.2.4 As defined by NCLB, Title X, Part C, Section 725(2) SAAH, Section 14, Glossary
29. How do I show my child is eligible based on being homeless?	If the student is eligible for prekindergarten because the student is homeless, the student must fit the definition of homeless as defined by 42 U.S.C. Section 11302 or 42 U.S.C. Section 11434(a) . The Texas Homeless Education Office (THEO) offers a variety of services to the state. THEO: http://www.utdanacenter.org/theo/ Contact: 1-800-446-3142	SAAH, Section 7.2.4
Eligibility and Attendance-Military		

Question	Answer	Citation
<p>30. What is the definition of member of the armed forces?</p>	<p>The term <i>member of the armed forces</i> includes:</p> <ul style="list-style-type: none"> • active duty uniformed members (parents or official guardians) of the Army, Navy, Marine Corps, Air Force, or Coast Guard who have eligible children residing in Texas; • activated/mobilized uniformed members of the Texas National Guard (Army or Air Guard), or activated/mobilized members of the reserve components of the Army, Navy, Marine Corps, Air Force, or Coast Guard who are Texas residents regardless of the location of the reserve unit; and who have eligible children residing in Texas; • uniformed service members who are Missing in Action (MIA). <p>Also, for purposes of eligibility for enrollment in a prekindergarten program, a child is considered to be the child of a member of the armed forces if: (a) the child is the biological or adopted child of the member of the armed forces, regardless of whether the child lives with that parent; or (b) the child is a step-child of the member of the armed forces and lives in the household of the member of the armed forces.</p>	<p>SAAH, Section 7.2.5</p>
<p>31. What do I need to show to demonstrate my child is eligible for prekindergarten based on the military criteria?</p>	<p>If a student is eligible for prekindergarten because the student is the child of an active duty, injured or killed member of the armed forces of the United States, including the state military forces or a reserved component of the armed forces, one of the following documents must be on file at the district:</p> <ol style="list-style-type: none"> 1. Documentation that a district employee verified the student’s US Department of Defense (DoD) photo identification for children of active duty service members. The documentation must include the printed name and signature of the person who verified the identification and the date that it was verified. <p>If the student has not been issued such an ID, then documentation must be on file that a district employee verified the military member’s DoD photo identification (or other DoD-issued documentation indicating that the person is an active-duty member of the military) and verified documentation showing that the student is a child of the military member. The documentation to be kept on file must include the printed name and signature of the person who verified the DoD and other documentation and the date that it was verified, as well as a photocopy of the documentation showing that the student is a child of the military member.</p>	<p>SAAH, Section 7.2.5.1</p>

Question	Answer	Citation
	<p>Important: Your district should not make a copy of DoD identification.</p> <p>2. A statement of service from the installation adjutant general director of human resources for children of active members, mobilized reservists, or members of the Texas National Guard. This office would use the military personnel systems and documentation to verify that the service member is in fact on active duty in Texas or a Texas mobilized reservist. For Texas National Guard members (army or air guard), the Texas National Guard’s Office of the Adjutant General may provide documentation or an official letter from a commander (at or above the lieutenant colonel or, for the navy, at the commander level) confirming active or mobilized status, which is acceptable documentation.</p> <p>3. A copy of the death certificate using the service-appropriate DoD form, or a DoD form that indicates death as the reason for the separation from service, for children of service members who died or were killed.</p> <p>If the DoD form is not available, the family would ask the casualty assistance office of the closest casualty area command (in Texas) to provide a memorandum signed by the casualty office stating that the service member was killed in action or died while serving.</p> <p>4. A copy of Purple Heart orders or citation for children of service members or mobilized reservists or guardsmen who were wounded or injured in combat.</p> <p>A copy of the line of duty determination documentation for children of service members or mobilized reservists or guardsmen who were injured while serving active duty but were <i>not</i> wounded or injured in combat.</p> <p>If this documentation is not available, a copy of an official letter from a commander (at or above the lieutenant colonel or, for the navy, at the commander level) that states that the service member was wounded or injured while on active duty is acceptable.</p>	

Question	Answer	Citation
	<p>A copy of a letter from the US Department of Veterans Affairs indicating that the service member is eligible for disability compensation is also acceptable.</p> <p>5. Documentation that a service member is MIA for children of service members who are MIA.</p>	
<p>32. What are the benefits to the school district for partnering with a military installation child care center for school readiness integration?</p>	<p>The centers located on military installations make excellent partners for the School Readiness Integration (SRI) model in a number of ways. They offer:</p> <ol style="list-style-type: none"> 1. food program operated by the U.S. Department of Agriculture, similar to the federal lunch program operated in the schools; 2. social work services; 3. state of the art facilities; 4. licensed child care facilities that meet National Association of Education of Young Children standards; 5. low student-teacher ratio; 6. special needs resource teams for special education students; 7. extended hours of operation (typically 5:30 am to 6:00 pm); 8. consistent attendance of children; 9. predictable mobility rates for children; and 10. well-trained staff by military early childhood specialists. 	
<p>33. What if the parent leaves military services during the school year?</p>	<p>The student remains eligible for enrollment in prekindergarten if the child's parent leaves the armed forces, or is no longer on active duty, after the student has begun a prekindergarten class.</p>	<p>TEC §29.153(f) SAAH, Section 7.2.5</p>
<p>Eligibility and Attendance-Foster</p>		
<p>34. Does a foster care student have to be currently in foster care to be eligible for prekindergarten?</p>	<p>No. Students who are in or who have ever been in the conservatorship of the Texas Department of Family and Protective Services (DFPS) (i.e., in foster care) following an adversary hearing are eligible for free prekindergarten. These students include not only students who are in or who have ever been in DFPS conservatorship but also students who have been adopted or returned to their parents after having been in DFPS</p>	<p>SAAH, Section 7.2.6</p>

Question	Answer	Citation
	conservatorship. If a student qualifies for prekindergarten on the basis of having ever been in foster care, the student remains eligible for enrollment after the student begins a prekindergarten class even if that student is no longer in foster care.	
35. What do I need to show to demonstrate my child is eligible for prekindergarten based on the foster care criteria?	If a student is eligible for prekindergarten because the student is or has ever been in the conservatorship of the Department of Family and Protective Services following an adversary hearing held as provided by Section 262.201, Family Code, the parent or caregiver of the child will be mailed a verification letter of prekindergarten eligibility. Districts are asked to accept the DFPS letter as proof of eligibility to enroll these children in free prekindergarten. For assistance in obtaining a letter, please contact the DFPS Education Specialist in your area for assistance or for a description of other forms of proof of eligibility.	SAAH, Section 7.2.6

Category II: Full/Half-Day Programs

Question	Answer	Citation
36. How are full-day programs funded?	Districts fund the second half of a full-day program in a variety of ways, including but not limited to, Title I, Title III, local funds, state, federal or foundation grants, compensatory education funds, etc.	N/A
37. May school districts offer both half-day and full-day prekindergarten programs?	The state funds a half-day prekindergarten program. However, districts may use other federal, state and local sources, including collaboration with local Head Start or licensed child care agencies to implement a full-day program or a program with wrap-around services.	TEC §29.153(c) TEC §29.1533 TEC §29.158
38. What is the length of a full-day and half-day prekindergarten programs?	A full-day program shall be at least seven hours each day including intermissions and recesses. A half-day program is a minimum of three hours.	TEC §25.082(a)

Question	Answer	Citation
39. What is the definition of an instructional day?	Instructional day is that portion of the school day in which instruction takes place. This does not include lunch, recess, rest time, etc.	SAAH, Section 13, Glossary

Category III: School Readiness Integration (SRI) Partnerships

Question	Answer	Citation
40. What is a School Readiness Integration (SRI) model?	<p>A School Readiness Integration (SRI) model can be described as a cost-effective way to develop an integrated approach to bring together school districts, child care providers and Head Start programs in a cohesive service model that dramatically improves early reading, math and social development.</p> <p>In an SRI classroom, a school district positions a certified teacher in a Head Start or child care classroom to provide a minimum of three hours of daily instruction to eligible students using state-adopted instructional materials. Districts may receive ADA funds for eligible prekindergarten students, who are enrolled in the Head Start or child care classroom served.</p>	TEC §29.158
41. May school districts contract with Head Start or child care organizations to provide public prekindergarten?	Yes. Before establishing a new prekindergarten program, a school district is required to consider the possibility of sharing use of an existing Head Start or other child-care program site as a prekindergarten site. To facilitate collaboration among district prekindergarten, licensed child care and Head Start programs, the agency has made available a manual for building community collaborations for early childhood care and education. The manual is available at http://www.childrenslearninginstitute.org/our-programs/program-overview/TX-school-ready/documents/PromotingSustainableCollaborations.pdf .	TEC §29.1533 TEC §29.158
42. How can the School Readiness Integration model assist school districts impacted by the requirement to serve military families	School districts may enter into SRI arrangements with existing nonprofit child care centers currently located on military installations and operated by the military or with other local community-based child care providers who are serving children of military families. On-base centers have been funded 50% by the military service and 50% by tuition payments	TEC §29.1533 TEC §29.158

Question	Answer	Citation
and their prekindergarten students?	from parents. As with other community-based child care centers, the center can continue to charge tuition for “wrap-around” care before and after public school services.	
43. Do School Readiness Integration models address the needs of prekindergarten children with special needs served in Preschool Programs for Children with Disabilities under IDEA-B and bilingual education?	Children with special needs served in a Preschool Programs for Children with Disabilities (PPCD) under IDEA-B and bilingual education will be served as they are in regular prekindergarten programs. All regulations that apply to public prekindergarten programs will apply in other settings. It is expected that additional funds provided to districts to serve such students will continue to be used for the benefit of the child regardless of the setting in which the child is placed.	N/A
44. If a child with a disability is served in an SRI model in a sliding scale, fee-based, or tuition-based licensed child care setting, how do we achieve the requirement that the program be at no cost to the parent?	<p>If the admission, review and dismissal (ARD) committee determines that the SRI model is the least restrictive environment (LRE) necessary to provide a free and appropriate education (FAPE) to a preschool child with a disability and in need of special education services, the program must be made available at no cost to the parent.</p> <p>The district or the partner program may waive the cost otherwise charged to the parent in favor of the other benefits the arrangement brings the community. All arrangements must be designed to ensure the parent incurs no cost for the program must be described and agreed to in the MOU between the partnering entity and the district.</p>	71 Fed. Reg. 46540,46589
45. How do I identify an appropriate Head Start or child care center for an SRI partnership?	Prior to selecting and approaching community-based early childhood education providers for partnership purposes, the steps on page 29 are suggested in the manual, http://www.childrenslearninginstitute.org/our-programs/program-overview/TX-school-ready/documents/PromotingSustainableCollaborations.pdf .	N/A

Category IV: Tuition

Question	Answer	Citation
46. May school districts serve ineligible children in prekindergarten?	<p>Yes. A school district may offer, on a tuition basis or using other funds, to half-day and full-day prekindergarten classes to children not eligible for classes under TEC Section 29.153. Districts must ensure that serving students who are not eligible for the program does not interfere with serving four-year-old students who are eligible for the program.</p> <p>As best practice, the TEA recommends that districts first serve all students who meet the eligibility requirements before serving those students paying tuition or other students that do not meet the eligibility requirements.</p>	<p>TEC §29.1531(a)(2) SAAH, Section 7.2.1</p>
47. May a school district charge tuition for children who qualify to attend prekindergarten?	<p>Yes. A school district may offer, on a tuition basis or using district funds, to an additional half-day of prekindergarten classes to children eligible for classes under TEC Section 29.153.</p>	<p>TEC §29.153(a) TEC §29.1531(a)(1)</p>
48. How much may a school district charge for tuition to attend prekindergarten?	<p>A district that offers a prekindergarten program on a tuition basis may not adopt a tuition rate for the program that is higher than necessary to cover the added costs of providing the program, including any costs associated with collecting, reporting, and analyzing data under Section 29.1532(c) and must submit the proposed tuition rate to the commissioner for approval. Tuition rate and approval information may found at TEA's tuition web page, http://www.tea.state.tx.us/index2.aspx?id=7515.</p>	<p>TEC §29.1531(b)(1) and (2)</p>

IV. Tuition - Guidelines for Offering a Tuition-Based Prekindergarten Program

District Program Description	District <u>may</u> offer tuition-based services
<ul style="list-style-type: none"> District operates a four-year-old program and <u>not</u> a three-year-old program. 	<ul style="list-style-type: none"> To ineligible four-year-old students <u>after</u> all eligible four-year-old students have been offered service. To eligible four-year-old students for an additional one-half day of service. To ineligible three-year-old students.
<ul style="list-style-type: none"> District operates a four-year-olds program and <u>not</u> a three-year-olds program. District offers the 4-year-old program at designated campuses only and, while there is capacity, parents decline to enroll due to location preferences. <i>For example: Some campuses are full and others have space. The parent is offered service on a campus with space, but chooses to not enroll the child because the parents would prefer the child attend a different campus.</i> 	<ul style="list-style-type: none"> To ineligible four-year-old students on campuses that have additional capacity after all eligible four-year-olds have been offered service in the district, as long as no eligible child is denied service. To eligible four-year-olds for an additional one-half day of service. To ineligible three-year-olds.
<ul style="list-style-type: none"> District operates a four-year-old program <u>and</u> a three-year-old program. 	<ul style="list-style-type: none"> To ineligible four-year-old students after all eligible four-year-old students have been offered service. To ineligible three-year-old students. To eligible three- and four-year-old students for an additional one-half day of service.

*A district may not maintain a waiting list for eligible four-year-old students and TEA will not approve a waiver to allow a district to maintain a four-year-old waiting list. If a district operates a three-year-old program, the district may maintain a three-year-old waiting list for eligible students without a waiver from TEA.

Category V: Prekindergarten Instruction

Question	Answer	Citation
49. Are there TEKS (Texas Essential Knowledge and Skills) or a required state curriculum for prekindergarten?	There are no Texas Essential Knowledge and Skills (TEKS) for prekindergarten nor is there a required state curriculum. However, in an effort to align the prekindergarten program with the TEKS, prekindergarten curriculum guidelines have been developed and distributed to school districts. The Texas Prekindergarten Guidelines provide challenging but achievable skills and concepts that children in high-quality prekindergarten programs are to know and be able to do in each subject area delineated in the kindergarten TEKS. The prekindergarten guidelines are organized into 10 skill domains that support integration of curriculum and build connections between and among all disciplines. Because there is no state required prekindergarten curriculum, use of these guidelines is voluntary.	TEC §28.002
50. How do I use the Texas Prekindergarten Guidelines with my special needs students?	The TEA commissioned a companion document to the Texas Prekindergarten Guidelines known as the Early Childhood Outcomes & Prekindergarten Guidelines Alignment . This document is designed to align each Prekindergarten Guideline to one or more of the three early childhood outcomes, and provide educators and families with discussion prompts to explain how each outcome relates to the guideline.	N/A
51. How can I get copies of the <i>Early Childhood Outcomes & Prekindergarten Guidelines Alignment</i> ?	The Early Childhood Outcomes & Prekindergarten Guidelines Alignment is available online for downloading- ESC Region 13 also provides print copies of the document on a cost-recovery basis.	N/A
52. Is there training available for the <i>Early Childhood Outcomes & Prekindergarten Guidelines Alignment</i> ?	ESC Region 13 was the lead agent in developing the document and training. You may contact your local ESC or Region 13 for training options.	N/A
53. Is prekindergarten included in the review	Yes. The State Board of Education (SBOE) is required to adopt a review and adoption cycle for instructional materials for elementary grade levels, including, for each subject in the required curriculum under TEC Section 28.002. In November 2010, the SBOE adopted instructional materials for prekindergarten systems. The new list and descriptions of	TEC §31.022(a)

Question	Answer	Citation
and adoption cycle for textbooks?	materials can be found at http://www.tea.state.tx.us/index2.aspx?id=2147486677 under the heading Proclamation 2011, Instructional Materials Adopted Under Proclamation 2011.	
54. How can I get copies of the Texas Prekindergarten Guidelines ?	The Texas Prekindergarten Guidelines are available online for download and use within Texas at no cost.	N/A
55. Are there physical education requirements for prekindergarten?	Full-day prekindergarten students are required to participate in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year as part of the district's physical education curriculum or through structured activity during daily recess. To the extent practicable, half-day prekindergarten students are required to participate in the same type and amount of physical activity as a student enrolled in full-day prekindergarten.	TEC §28.002(l)
56. What are the teacher certification requirements for public prekindergarten?	<p>The five basic requirements are:</p> <ol style="list-style-type: none"> 1. Obtain a Bachelor's Degree 2. Complete an Educator Preparation Program 3. Pass Appropriate Certification Exam(s) 4. Submit a State Application 5. Fingerprinting <p>The educator must hold an appropriate Texas educator certificate for the grade level which calls for those minimum requirements.</p> <p>For further information see http://www.tea.state.tx.us/index2.aspx?id=25769812519&menu_id=865&menu_id2=794.</p>	
57. Are teacher aides or assistants required in prekindergarten classrooms?	No. Policy regarding teacher aides/assistants in prekindergarten classrooms is a local district decision.	N/A
58. Are children required to have a rest time in prekindergarten?	Policy relating to rest time has always been determined at the local district level.	N/A

Question	Answer	Citation
59. What does a developmentally appropriate schedule for half-day and full-day prekindergarten look like?	Schedules give children a sense of structure throughout their day so they can anticipate when specific activities will occur and how long these activities will be. This sense of anticipation facilitates children beginning to regulate their attention and emotions. It gives them a plan of their daily routine. For sample schedules and additional information, please see page 21 of the Texas Prekindergarten Guidelines .	N/A
60. Does the state offer a resource that identifies the knowledge that an early childhood educator should be able to demonstrate?	Yes. The Texas Early Learning Council (TELC) developed the Texas Core Competencies for Early Childhood Practitioners and Administrators . The Core Competencies are statements about the knowledge and skills that early childhood professionals should be able to demonstrate to be successful in their careers.	N/A

Category VI: Five-Year-Olds and Three-Year-Olds

Question	Answer	Citation
61. May a child who is five-years-old on September 1 be enrolled in prekindergarten?	A child who is five years of age on September 1 of the current school year is not eligible for enrollment in a prekindergarten class. It is the agency's position that children who reach age five on September 1 are most appropriately served in kindergarten, and that the law specifically established the prekindergarten program to serve students who have not reached age five. Given the intent of the law, if a district enrolls a five-year-old student in the prekindergarten program, the student must be reported as ineligible for Average Daily Attendance (ADA).	SAAH, Section 7.2.1
62. May three- and four-year-old children be served in the same class?	Yes. Three- and four-year-old students may be served in the same class.	SAAH, Section 7.2.1

Question	Answer	Citation
63. May a district serve prekindergarten and kindergarten students in the same classroom?	Yes. Students of both grade levels may be served in the same classroom.	
64. Are school districts required to serve three-year-old students who are eligible?	No. A district may offer prekindergarten classes if the district identifies 15 or more eligible children who are at least three years of age. A child who is three years old is eligible for prekindergarten only if the district operates a three-year-old prekindergarten program.	TEC §29.153(a) SAAH, Section 7.2
65. May a child younger than five years of age enter kindergarten?	A student younger than five years of age is entitled to the benefits of the Foundation School Program if: (1) the student performs satisfactorily on the assessment instrument administered under TEC Section 39.023(a), to students in the third grade; and (2) the district has adopted a policy for admitting students younger than five years of age.	TEC §42.003(d)
66. May a child be retained in prekindergarten?	Districts are responsible for local policies on promotion and retention. However, prekindergarten is intended for three- and four-year-old students and not considered a proper placement for five-year-olds or older on September 1 and state prekindergarten funding is not provided for these children.	SAAH, Section 7.2.1

Category VII: Waiting Lists and Waivers

Question	Answer	Citation
67. May districts keep “waiting lists” of eligible children who are not being served?	No, not for eligible four-year-olds. By law, a school district must offer prekindergarten classes if it identifies 15 or more children who are eligible and are four years of age by September 1 of the current school year. If a district offers a program for eligible three-year-old students, a waiting list or lottery for three-year-olds only may be established under district policy. In this case, the district may not be serving ineligible four-year-old students	TEC §29.153(a)

Question	Answer	Citation
	until all eligible 4-year-olds have been served. See Guidelines for Offering Tuition-Based Prekindergarten in Category IV above.	
68. May TEA waive the requirement to begin a prekindergarten program?	Yes. On application of a district, the commissioner may exempt a district if the district would be required to construct classroom facilities in order to begin offering prekindergarten classes. A district waiver request must be accompanied by a plan from the district on how they will begin implementation of the program by the beginning of the school year following the request if the district continues to have 15 or more eligible students. Ongoing and continuous waivers and waivers requesting to not add students to an existing program will not be approved.	TEC §29.153(d)
69. May districts have prekindergarten teachers conduct home visits instead of classroom instruction?	A waiver must be obtained in order to conduct home visits instead of classroom instruction during the first weeks of school. However, unless a student is physically present in the classroom, the student must be counted absent.	N/A

Category VIII: Additional FAQs on Early Childhood

Question	Answer	Citation
70. What are the requirements for starting a prekindergarten program and/or child care facility that is not associated with a school district or open-enrollment charter school?	<p>If starting a private school, please visit the Texas Private School Accreditation Commission (TEPSAC) website. TEPSAC provides a link with guidance for starting a private school in Texas.</p> <p>Programs that are not associated with a school district, open-enrollment charter school, or a private school must be registered through the Texas Department of Family and Protective Services (DFPS), Child Care Licensing division. Please see http://www.dfps.state.tx.us/Child_Care/, for further information on the becoming a licensed child care provider.</p>	<p>Sec. 42.041, Human Resources Code</p> <p>http://www.statutes.legis.state.tx.us/Docs/HR/htm/HR.42.htm</p>

Question	Answer	Citation
71. May State Compensatory (52% direct cost) Education (SCE) fund prekindergarten?	Districts reporting prekindergarten programs receive Foundation School Program (FSP) funding for half-day of prekindergarten through the regular program. SCE funds <u>may only be used to supplement this regular education program</u> . This means SCE funds may only be used to extend prekindergarten half-day to full-day for the same students who meet the state and/or local eligibility criteria for at risk of dropping out of school. Costs cannot be charged to the SCE allotment for providing services to ineligible prekindergarten students.	TEC §29.081
72. May SCE (52% direct cost) funds be used to fund a prekindergarten program for students who do not meet the at-risk criteria?	No. SCE funds may only be used for costs of programs and/or services that are supplemental to the regular education program that are designed for students who meet the state and/or local eligibility criteria.	TEC §29.081
73. Are school districts required to provide transportation for students participating in a prekindergarten program?	No. However, if provided transportation is included for funding purposes as part of the regular transportation system.	TEC §29.153(c)
74. What is the purpose of the prekindergarten program?	A school district's prekindergarten program shall be designed to develop skills necessary for success in the regular public school curriculum, including language, mathematics, and social skills.	TEC §29.1532(a)
75. Do prekindergarten programs have to comply with child care licensing standards?	If a school district contracts with a private entity for the operation of the district's prekindergarten program, the program must, at a minimum, comply with the applicable child-care licensing standards adopted by the Texas Department of Family and Protective Services under Section 42.042 , Human Resources Code.	TEC §29.1532(b)
76. When was the law for prekindergarten education first enacted?	Among the reforms generated by the 68th Texas Legislature in 1983 was the emerging recognition of the importance of early childhood education for certain high-risk kindergarten students. During a special session in the summer of 1984, legislators passed House Bill 72. This bill mandated prekindergarten education for high-risk four-year-old students in Texas	N/A

Question	Answer	Citation
	public schools. The law for prekindergarten education, enacted in May 1985, became effective with the 1985-1986 school year.	
77. Does TEA have any resources on Foster Care?	Yes. Foster Care & Student Success page, http://www.tea.state.tx.us/FosterCareStudentSuccess/ , maintains resources and information for school district liaisons, educators, students, and others interested in supporting the educational success of students in foster care.	
78. What is the distinction between Prekindergarten (PK), Preschool Program for Children with Disabilities (PPCD), and Early Education (EE)?	Prekindergarten (PK) is a grade level for children ages three and four. This includes students in a state-funded prekindergarten program or a locally-funded prekindergarten program. Preschool Program for Children with Disabilities (PPCD) provides special education services for children with disabilities aged three through five. These students may have any disability recognized under IDEA-B in Texas including non-categorical early childhood (see definition). Developmental delay is not a recognized disability for children over age three in Texas. A student over age three with a developmental delay is subject to the two hours of instruction per day rule for membership. Early Education (EE) is for students between the ages of zero and five who have not been placed in prekindergarten or kindergarten. This includes students receiving special education services who do not meet the two hours of instruction per day requirement for membership and students in Head Start programs who do not meet the requirements for state funds. This also includes students served by PPCD teachers in a licensed child care facility working in a collaborative partnership with a school district.	SAAH, Section 13, Glossary