

HB 2729 Frequently Asked Questions

Section 1: Applicability of Requirements

1.1 - Are all prekindergarten programs impacted by HB 2729?

The bill adds the following two options for meeting qualification requirements for all prekindergarten teachers:

- An associate or baccalaureate degree in early childhood education or related field
- At least eight years' experience of teaching in a Texas Rising star Program.

For a full list of additional qualifications, see TEA's [HQPK Additional Qualifications Options](#). The additional qualifications apply to all prekindergarten classes serving eligible 4-year-olds, but not to prekindergarten classes serving 3-year-olds.

All other provisions of the bill primarily impact prekindergarten partnership classes that serve eligible 4-year-olds.

Section 2: Effective Date

2.1 - The effective date of HB 2729 is September 1st; how does this affect LEAs that began prekindergarten instruction before that date?

LEAs may employ a teacher who is not certified but meets the other requirements in HB 2729 but may not draw down ADA funding for enrolled students until the law goes into effect on September 1, 2023.

2.2 – Are the changes made by this bill permanent?

No. The changes implemented by HB 2729 will expire on September 1, 2029.

2.3 - Are contracted entities permitted to use a long-term substitute until HB 2729 takes effect?

Yes.

2.4 - Could partnering entities begin on September 1st and adjust daily instructional time to meet the instructional minutes (e.g., 2-4 hours)?

Prekindergarten partnership classes, as with any public-school class, are not required to start on a specific date. Regardless of start date, the total number of required annual instructional minutes must be met.

Section 3: Supervisor Requirements

3.1 - Who qualifies as a supervisor?

A prekindergarten partnership supervisor must be certified under Texas Education Code, Chapter 21, Subchapter B, and have one of the following additional qualifications:

- An associate or baccalaureate degree in early childhood education or a related field
- A Child Development Associate (CDA) credential or another early childhood education credential approved by the agency.
- Certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education
- At least eight years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program
- 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.
- An equivalent qualification

3.2 - What does supervision of a prekindergarten partnership teacher entail?

A supervisor should ensure programmatic compliance and support classroom instruction, the developmental needs of students, and continuous quality improvement including professional development.

3.3 - Does the LEA or other entity (child care or Head Start program) employ the supervisor?

The decision regarding who employs the supervisor should be made by each partnership.

3.4 - How many classes can a prekindergarten supervisor supervise?

A person who supervises a prekindergarten program provided through a prekindergarten partnership may supervise multiple classes. Each partnership should determine the maximum number of classes that the person will supervise. This decision may be documented in the partnership contract or memorandum of understanding (MOU).

Section 4: Prekindergarten Partnership Teacher Qualifications

4.1 - What are the requirements for teachers in prekindergarten partnerships?

Each teacher for a prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program must have one of the following qualifications:

1. At least two years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program **and**:
 - a Child Development Associate (CDA) credential or another early childhood education credential approved by the agency; **or**

- certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education
- 2. An associate or baccalaureate degree in early childhood education or a related field
- 3. At least eight years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program
- 4. 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
- 5. An equivalent qualification

A prekindergarten partnership teacher must also be supervised by an individual who is certified under Texas Education Code, Chapter 21, Subchapter B, and has one of the following additional qualifications:

- An associate or baccalaureate degree in early childhood education or a related field
- A Child Development Associate (CDA) credential or another early childhood education credential approved by the agency.
- Certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education
- At least eight years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program
- 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.
- An equivalent qualification

4.2 - Do the teacher qualifications apply to teachers employed by an entity other than the LEA (ex: a private child care or Head Start)? Do they apply to teachers hired by LEAs?

The teacher qualifications apply to all prekindergarten partnership teachers, regardless of the employing entity.

4.3 - Do the teacher qualifications outlined in HB2729 apply to charter schools?

Yes.

4.4 – Can the prekindergarten partnership teacher be working towards their teacher certification while employed? How does alternative certification fit into HB 2729's requirements?

Yes, the prekindergarten teacher can work towards their teacher certification. A teacher working toward certification, including using an alternative certification program, would be permitted to teach in a prekindergarten partnership classroom if the teacher meets the prekindergarten partnership teacher qualifications under TEC, §29.167 (b-1).

4.5 - Is the teacher in a prekindergarten partnership still required to meet the science of teaching reading requirement? (TEC §21.048 (a-2))

TEC §21.048 (a-2) does not apply to any prekindergarten teachers, whether they are in a prekindergarten partnership or not.

4.6 - Who will conduct the performance evaluation of the qualified teacher in the prekindergarten partnership class, and what tool will they use?

It is a local decision to determine who does the performance evaluation for teachers. The decision regarding who conducts the performance evaluation of the qualified teacher should be made by the partnering entities.

4.7 – Can an entity choose to require a certified teacher in the prekindergarten partnership class instead of complying with HB 2729?

Entities can choose to use certified teachers in their prekindergarten partnership classes. However, all partnership programs must comply with the new supervisor requirement.

4.8 - Will the qualified teacher be required to be under a contract for the prekindergarten partnership class much like a prekindergarten teacher would be through the school district?

Teacher contracts for prekindergarten partnership classes are subject to local decision between the partnering entities and is something that partners should discuss during the development phase of the partnership contract or memorandum of understanding (MOU).

4.9 - Does the center have to be nationally accredited for the duration of service to count towards the number of required years?

Yes, if the prekindergarten partnership teacher is using the option that requires experience teaching at a nationally accredited center to fulfill the qualifications, the center should be nationally accredited during the entire 8 years.

4.10 - What is considered an “equivalent qualification” in Subsection (b)?

“Equivalent qualification” will be defined in the administrative rule that will be filed as proposed in the coming months..

4.11 - What degrees fall under “related fields” in Subsection (b)?

The definition of a “related” field will be defined in the administrative rule that will be filed as proposed in the coming months.

4.12- If the teacher is not certified and not employed by the LEA, how would they get on the “do not hire” list if an issue arises?

The Do Not Hire Registry applies to both certified and non-certified employees. Employees in a partnering entity must have a background check completed with the local education agency as well as the child care provider to comply with regulations for TEA and Child Care Regulation.

4.13- Would parents of students in the partnership classrooms need to be notified of a non-certified teacher providing instruction in the classroom?

Yes.

Section 5: Contracts and/or Memorandum of Understandings (MOUs)

5.1 - Do partners need to include plans for the support/supervision of the prekindergarten partnership teacher in the MOU? How will this be verified?

State law does not require partners to include specific plans for the support/supervision of a partnership teacher in a partnership contract or MOU.

5.2 - If entities engaged in an existing prekindergarten partnership adjust teacher qualifications to comply with HB 2729 requirements, will an updated MOU or addendum be required?

An updated MOU is not explicitly required in state law. However, partnerships may wish to amend their contract or MOU for clarity.

Section 6: Funding

6.1 - What is the pay scale for a qualified teacher employed by the LEA? Is there an expectation for it to be the same as a certified teacher?

Pay scales are determined at the local level by the entities involved in the partnership.

6.2 - Will hiring a qualified teacher (instead of a certified teacher) affect the amount of ADA funding that could be passed through to the child care program?

The amount of funding, including the amount of ADA, that is passed through to the partnering entity is determined at the local level by the entities involved in the partnership. It is something that partners should discuss during the contract or MOU development phase.

6.3 - If the LEA is not going to employ the teacher, how much ADA funding should be passed through? Are there any examples or models of funding for partnerships?

The amount of funding, including an amount or percent of ADA, that is passed through to the partnering entity is determined at the local level by the entities involved in the partnership. It is something that partners should discuss during the contract or MOU development phase.