

Chapter 102. Educational Programs

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

§102.1001. Head Start Educational Component Grant Program.

- (a) Each applicant seeking funding through the Head Start Educational Component Grant Program under the Texas Education Code, §29.156, must submit an application in a format prescribed by the commissioner of education through a request for application (RFA). Once funded, the applicant shall comply with the provisions of the Texas Education Code, §29.156, and the Texas Human Resources Code, Chapter 72.
- (b) Eligible applicants include public, private, nonprofit, or for-profit organizations or agencies operating a federal Head Start Program or similar government-funded early childhood care and education programs. Head Start Program is defined as the federal program established under the Head Start Act (42 United States Code, §9831 et seq.) and its subsequent amendments.
- (c) An eligible applicant receiving funds under this program must provide educational services to all children participating in the program so that each child is prepared to enter school and is ready to learn after completing the program. The educational services must include components designed to enable a child to:
 - (1) develop phonemic, print, and numeracy awareness, including the ability to:
 - (A) recognize that letters of the alphabet are a special category of visual graphics that can be individually named;
 - (B) recognize a word as a unit of print;
 - (C) identify at least ten letters of the alphabet; and
 - (D) associate sounds with written words;
 - (2) understand and use language to communicate for various purposes;
 - (3) understand and use an increasingly complex and varied vocabulary;
 - (4) develop and demonstrate an appreciation of books; and
 - (5) progress toward mastery of the English language, if the child's primary language is a language other than English.
- (d) Minimal levels of overall program performance, including education performance standards, must be incorporated into the program to ensure the school readiness of children participating in the program upon completion of the Head Start Program and prior to entering school.
- (e) Applicants will be required to assess the impact of the services provided to children to ensure that the children participating in the program are able to demonstrate the educational components specified in subsection (c) of this section.
- (f) Program funds must be used in accordance with the requirements stated in the RFA. All costs under the Head Start Educational Component Grant Program must be necessary and reasonable for carrying out the objectives of the program and for the proper and efficient performance and administration of the program.
- (g) For audit purposes, applicants must maintain documentation to support each of the requirements of this section.

Statutory Authority: The provisions of this §102.1001 issued under the Texas Education Code, §29.156.

Source: The provisions of this §102.1001 adopted to be effective December 26, 1999, 24 TexReg 11334.

§102.1002. Prekindergarten Early Start Grant Program.

- (a) **Definitions.** The following words and terms when used in this section shall have the following meanings, unless the context clearly indicates otherwise.

- (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 teachers work with three- and four-year-old children in a prekindergarten school readiness program.
- (7) Proven school readiness components--The components of proven school readiness are:
 - (A) a high-quality, developmentally appropriate, and rigorous curriculum, based on the Texas Prekindergarten Guidelines;
 - (B) continuous monitoring of student progress in the classroom; and
 - (C) professional development, including mentoring, to promote student achievement.
- (8) School district--For the purposes of this section, the definition of a school district includes an open-enrollment charter school.
- (9) School readiness certification system (SRCS)--In accordance with the TEC, §29.161, the school readiness certification system is a valid, research-based automated system provided by the State Center for Early Childhood Development through which an early childhood education program submits an application demonstrating the program's record of cognitive, social, and emotional development of young children to be certified as a school ready program.
- (10) School readiness integration--In accordance with the TEC, §29.158, school readiness integration refers to cooperative strategies to share resources across public and non-public program delivery organizations in a community or communities that may include, but are not limited to:
 - (A) sharing certified or highly qualified teachers so that every child in each targeted classroom receives a minimum of three hours daily of high-quality skill development consistent with developing children's social and emotional well-being;
 - (B) developing a comprehensive instructional framework, based on the Texas Prekindergarten Guidelines, consisting of common performance goals that encompass the unique characteristics of each individual organization responsible for preparing young children for school success;
 - (C) sharing physical space if one organization lacks capacity while another has available capacity;
 - (D) conducting joint professional development programs that focus on proven school readiness components, including the Texas Prekindergarten Guidelines; and
 - (E) adopting similar approaches to student progress monitoring to inform classroom instruction.
- (11) School readiness integration partnership--A collaboration among public prekindergarten programs and local workforce development boards, Head Start providers, college or university early childhood programs, and/or providers of private for-profit or nonprofit licensed child care services that provides a school readiness component to eligible prekindergarten students.

- (12) School ready or school readiness--A term that refers to a child being able to function competently in a school environment in the areas of early language and literacy, mathematics, and social skills as objectively measured by state-approved assessment instruments.
 - (13) Shared services arrangement (SSA)--An agreement between two or more school districts and/or education service centers (ESCs) that provides services for entities involved.
 - (14) State Center for Early Childhood Development (SCECD)--The state center for early childhood education research and training for early childhood teachers and caregivers administered by The University of Texas Health Science Center at Houston.
 - (15) Texas Prekindergarten Guidelines--Guidelines approved by the commissioner of education that offer detailed descriptions of expected behaviors across multiple skill domains that should be observed in four- to five-year-old children by the end of their prekindergarten experience. The guidelines are to prepare prekindergarten children to master the skills and concepts in each subject area specified in §74.1 of this title (relating to Essential Knowledge and Skills) in the kindergarten Texas Essential Knowledge and Skills.
 - (16) Tier 1 grantee--An applicant not currently eligible to receive funds under Tier 2 eligibility criteria.
 - (17) Tier 2 grantee--An applicant that participated as a Tier 2 grantee in the Prekindergarten Early Start Grant Program in school years 2009-2010 and 2010-2011 that is eligible to receive continuation funding.
- (b) Eligibility. Eligible applicants include school districts, open-enrollment charter schools, and ESCs operating as the fiscal agent of an SSA. An applicant may apply for Prekindergarten Early Start Grant Program funds if the applicant meets the criteria for a grantee as defined in subsection (a)(16) or (17) of this section and:
- (1) establishes a school readiness integration partnership;
 - (2) demonstrates how the applicant will measure student progress based on proven school readiness components and the SRCS in accordance with TEC, §29.161; and
 - (3) demonstrates a commitment to adopt a kindergarten reading diagnostic assessment instrument compatible with the requirements for submission of kindergarten data to the SRCS.
- (c) Application and grant award.
- (1) An eligible applicant must submit a Prekindergarten Early Start Grant Program application in accordance with the instructions provided by the Texas Education Agency (TEA).
 - (2) An applicant must document in the grant application its locally adopted procedures for:
 - (A) determining which eligible students will participate in the program;
 - (B) implementing a strategic plan encouraging eligible students to attend the program; and
 - (C) sustaining the level of program quality and services following the term of the grant period.
 - (3) Each applicant shall provide evidence that before establishing a new prekindergarten program, the school district considered the possibility of sharing use of an existing Head Start or other licensed child care prekindergarten site as a prekindergarten site.
- (d) Notification. The TEA will notify each applicant in writing of its selection or non-selection for funding. In the case of an application selected for funding, notification to the grantee will include the contractual conditions which the grantee must accept in accordance with state law.
- (e) Funding. Funding allocations may take into account the percentage of educationally disadvantaged students served in the district, in addition to other funding allocation methods as determined by the commissioner annually in the grant application. Contingent upon adequate appropriations, distribution of funds will be according to the following funding structure.

- (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 applicants whose average student performance over the last three consecutive years on the Grade 3 assessment instruments administered under the TEC, §39.023, is at or above the state average and whose application score meets a minimum score as defined in the grant application.
- (2) Tier 2 funding. A percentage of available funding will be awarded to Tier 2 grantees on a continuation basis. Continuation funding will be provided for a period not to exceed three years or through the 2011-2012 school year.
- (f) Allowable expenditures. Allowable expenditures include, but are not limited to, the following:
 - (1) expenditures related to the continuation of existing full-day prekindergarten programs;
 - (2) personnel costs related to the teaching personnel needed to expand prekindergarten programs to meet the requirements of at least six hours of instruction by a certified teacher each day;
 - (3) curriculum materials based on scientific research that are consistent with the Texas Prekindergarten Guidelines and designed to improve the school readiness of preschool children;
 - (4) equipment, including computers and other technology;
 - (5) leases for space for prekindergarten programs;
 - (6) costs associated with developing plans for and entering into integrated school readiness partnerships, including costs associated with infrastructure and administration of the program and partnership;
 - (7) training activities on proven school readiness components conducted by the SCECD or another provider;
 - (8) costs associated with the grantee's participation in the SRCS; and
 - (9) indirect costs.
- (g) Unallowable expenditures. Grant funds may not be expended on the following:
 - (1) portable buildings;
 - (2) construction of classroom space;
 - (3) renovation or remodeling of existing space; or
 - (4) expenditures related to students who are not eligible for the program.
- (h) Conditions of operation.
 - (1) Each grantee must agree to submit all information requested by the TEA through periodic activity/progress reports, a final evaluation report, and other activities related to the evaluation of the program. Reports must be submitted in the prescribed time and must contain all requested information in the prescribed format. These reports will be used by the TEA to evaluate the implementation and progress of grant-funded programs and to determine if modifications or adjustments to the program are necessary.

- (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 specified in subsection (h)(3)(A) of this section. However, a district receiving such an exemption will be required to allow evaluation of Kindergarten-Grade 2 student performance by the state, or its designee or its evaluator, using a Kindergarten reading diagnostic instrument compatible with the SRCS or any other developmentally appropriate diagnostic assessment instrument.
- (k) Technical assistance. The TEA or its contractors will provide technical assistance, contingent on available funding, to implement proven school readiness components to selected school districts and their school readiness integration partners. Based on a comprehensive analysis of student performance, SRCS results,

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;
 - (B) lack of program success as evidenced by progress reports and program data;
 - (C) failure to participate in data collection and audits;
 - (D) failure to meet performance standards specified in the application; or
 - (E) failure to provide accurate, timely, and complete information as required by the TEA to evaluate the effectiveness of the Prekindergarten Early Start Grant Program.
 - (2) A decision by the commissioner to revoke the grant award of a Prekindergarten Early Start Grant Program is final and may not be appealed.
- (n) Recovery of funds. The commissioner may audit the use of grant funds and may recover funds against any state provided funds.
- (o) Implementation. The funding structure delineated in subsection (e) of this section takes effect beginning with school year 2011-2012.

Statutory Authority: The provisions of this §102.1002 issued under the Texas Education Code, §29.155.

Source: The provisions of this §102.1002 adopted to be effective April 2, 2009, 34 TexReg 2129; amended to be effective June 26, 2011, 36 TexReg 3717.

§102.1003. High-Quality Prekindergarten Program.

- (a) School districts and open-enrollment charter schools providing a prekindergarten program must provide high-quality educational services established under the Texas Education Code (TEC), Chapter 29, Subchapter E-1, to qualifying students. A student is qualified to participate in a high-quality prekindergarten program if the student is four years of age on September 1 of the year the student begins the program and:
 - (1) is unable to speak and comprehend the English language;
 - (2) is educationally disadvantaged;
 - (3) is a homeless child, as defined by 42 United States Code §11434a, 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;
 - (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;
 - (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;
 - (6) is or ever has been in the conservatorship of the Department of Family and Protective Services following an adversary hearing held as provided by the Texas Family Code, §262.201; or

- (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 Government Code, §3106.003; or
 - (C) an emergency medical first responder under Texas Government Code, §3106.004.
- (b) A school district or an open-enrollment charter school shall implement a curriculum for a high-quality prekindergarten program that addresses the 2015 Texas Prekindergarten Guidelines in the following domains:
 - (1) social and emotional development;
 - (2) language and communication;
 - (3) emergent literacy reading;
 - (4) emergent literacy writing;
 - (5) mathematics;
 - (6) science;
 - (7) social studies;
 - (8) fine arts;
 - (9) physical development and health; and
 - (10) technology.
- (c) A school district or an open-enrollment charter school shall measure:
 - (1) at the beginning and end of the school year, the progress of each student in meeting the recommended end of prekindergarten year outcomes identified in the 2015 Texas Prekindergarten Guidelines using a progress monitoring tool included on the commissioner's list of approved prekindergarten instruments that measures:
 - (A) social and emotional development, which may be referred to as "health and wellness" in a progress monitoring tool;
 - (B) language and communication;
 - (C) emergent literacy reading;
 - (D) emergent literacy writing; and
 - (E) mathematics; and
 - (2) the preparation of each student for kindergarten using a commissioner-approved multidimensional kindergarten instrument during the first 60 days of school for reading and at least three developmental skills, including literacy, as described in TEC, §28.006.
- (d) Each teacher of record in a high-quality prekindergarten program must be certified under the TEC, Chapter 21, Subchapter B, and have one of the following additional qualifications:
 - (1) a Child Development Associate (CDA) credential;
 - (2) a certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education;
 - (3) at least eight years' experience of teaching in a nationally accredited child care program;
 - (4) a graduate or undergraduate degree in early childhood education or early childhood special education or a non-early childhood education degree with a documented minimum of 15 units of coursework in early childhood education;
 - (5) documented completion of the Texas School Ready Training Program (TSR Comprehensive); or

- (6) be employed as a prekindergarten teacher in a school district that has ensured that:
 - (A) prior to assignment in a prekindergarten class, teachers who provide prekindergarten instruction have completed at least 150 cumulative hours of documented professional development addressing the 2015 Texas Prekindergarten Guidelines in addition to other relevant topics related to high-quality prekindergarten over a consecutive five-year period;
 - (B) teachers who have not completed training required in subparagraph (A) of this paragraph prior to assignment in a prekindergarten class shall complete:
 - (i) the first 30 hours of 150 cumulative hours of documented professional development before the beginning of the next school year. The professional development shall address topics relevant to high-quality prekindergarten and may include:
 - (I) the 2015 Texas Prekindergarten Guidelines;
 - (II) the use of student progress monitoring results to inform classroom instruction;
 - (III) improving the prekindergarten classroom environment to enhance student outcomes; and
 - (IV) improving the effectiveness of teacher interaction with students as determined by an evaluation tool; and
 - (ii) the additional hours in the subsequent four years in order to continue providing instruction in a high-quality prekindergarten classroom; and
 - (C) at least half of the hours required by subparagraph (A) or (B) of this paragraph shall include experiential learning, practical application, and direct interaction with specialists in early childhood education, mentors, or instructional coaches.
- (e) A school district or an open-enrollment charter school shall develop, implement, and make available on the district, charter, or campus website by November 1 of each school year, a family engagement plan to assist the district in achieving and maintaining high levels of family involvement and positive family attitudes toward education. An effective family engagement plan creates a foundation for the collaboration of mutual partners, embraces the individuality and uniqueness of families, and promotes a culture of learning that is child centered, age appropriate, and family driven.
- (1) The following terms, when used in this section, shall have the following meanings.
 - (A) Family--Adults responsible for the child's care and children in the child's life who support the early learning and development of the child.
 - (B) Family engagement--The mutual responsibility of families, schools, and communities to build relationships to support student learning and achievement and to support family well-being and the continuous learning and development of children, families, and educators. Family engagement is fully integrated in the child's educational experience and supports the whole child and is both culturally responsive and linguistically appropriate.
 - (2) The family engagement plan shall:
 - (A) facilitate family-to-family support using strategies such as:
 - (i) creating a safe and respectful environment where families can learn from each other as individuals and in groups;
 - (ii) inviting former program participants, including families and community volunteers, to share their education and career experiences with current families; and

- (iii) ensuring opportunities for continuous participation in events designed for families by families such as training on family leadership;
- (B) establish a network of community resources using strategies such as:
 - (i) building strategic partnerships;
 - (ii) leveraging community resources;
 - (iii) monitoring and evaluating policies and practices to stimulate innovation and create learning pathways;
 - (iv) establishing and maintaining partnerships with businesses, faith-based organizations, and community agencies;
 - (v) identifying support from various agencies, including mental and physical health providers;
 - (vi) partnering with local community-based organizations to create a family-friendly transition plan for students arriving from early childhood settings;
 - (vii) providing and facilitating referrals to family support or educational groups based on family interests and needs;
 - (viii) communicating short- and long-term program goals to all stakeholders; and
 - (ix) identifying partners to provide translators and culturally relevant resources reflective of the home language;
- (C) increase family participation in decision making using strategies such as:
 - (i) developing and supporting a family advisory council;
 - (ii) developing, adopting, and implementing identified goals within the annual campus/school improvement plan targeting family engagement;
 - (iii) developing and supporting leadership skills for family members and providing opportunities for families to advocate for their children/families;
 - (iv) collaborating with families to develop strategies to solve problems and serve as problem solvers;
 - (v) engaging families in shaping program activities and cultivating the expectation that information must flow in both directions to reflect two-way communication;
 - (vi) developing, in collaboration with families, clearly defined goals, outcomes, timelines, and strategies for assessing progress;
 - (vii) providing each family with an opportunity to review and provide input on program practices, policies, communications, and events in order to ensure the program is responsive to the needs of families; and
 - (viii) using appropriate tools such as surveys or focus groups to gather family feedback on the family engagement plan;
- (D) equip families with tools to enhance and extend learning using strategies such as:
 - (i) providing families with updates at least three times a year that specify student progress in health and wellness, language and communication, emergent literacy reading, emergent literacy writing, and mathematics;
 - (ii) designing or implementing existing home educational resources to support learning at home while strengthening the family/school partnership;
 - (iii) providing families with information and/or training on creating a home learning environment connected to formal learning opportunities;

- (iv) equipping families with resources and skills to support their children through the transition to school and offering opportunities for families and children to visit the school in advance of the prekindergarten school year;
 - (v) providing complementary home learning activities for families to engage in at home with children through information presented in newsletters, online technology, social media, parent/family-teacher conferences, or other school- or center-related events;
 - (vi) providing families with information, best practices, and training related to age-appropriate developmental expectations;
 - (vii) emphasizing benefits of positive family practices such as attachment and nurturing that complement the stages of children's development;
 - (viii) collaborating with families to appropriately respond to children's behavior in a non-punitive, positive, and supportive way;
 - (ix) encouraging families to reflect on family experiences and practices in helping children; and
 - (x) assisting families to implement best practices that will help achieve the goals and objectives identified to meet the needs of the child and family;
- (E) develop staff skills in evidence-based practices that support families in meeting their children's learning benchmarks using strategies such as:
- (i) providing essential professional development for educators in understanding communication and engagement with families, including training on communicating with families in crisis;
 - (ii) promoting and developing family engagement as a core strategy to improve teaching and learning among all educators and staff; and
 - (iii) developing staff skills to support and use culturally diverse, culturally relevant, and culturally responsive family engagement strategies; and
- (F) evaluate family engagement efforts and use evaluations for continuous improvement using strategies such as:
- (i) conducting goal-oriented home visits to identify strengths, interests, and needs;
 - (ii) developing data collection systems to monitor family engagement and focusing on engagement of families from specific populations to narrow the achievement gap;
 - (iii) using data to ensure alignment between family engagement activities and district/school teaching and learning goals and to promote continuous family engagement;
 - (iv) ensuring an evaluation plan is an initial component that guides action;
 - (v) using a cyclical process to ensure evaluation results are used for continuous improvement and adjustment; and
 - (vi) ensuring teachers play a role in the family engagement evaluation process.
- (f) In a format prescribed by the Texas Education Agency (TEA), a school district or an open-enrollment charter school shall:
- (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-approved multidimensional kindergarten readiness instrument by the end of the TEA-determined assessment collection window;
- (4) report additional teacher qualifications described in subsection (d) of this section;
- (5) report the family engagement plan URL/website link described in subsection (e) of this section; and
- (6) report the prekindergarten program evaluation type.
- (g) A school district or an open-enrollment charter school shall:
 - (1) select and implement appropriate methods for evaluating the district's or charter school's high-quality prekindergarten program by measuring student progress; and
 - (2) make data from the results of program evaluations available to parents.
- (h) A school district or an open-enrollment charter school must attempt to maintain an average ratio in any prekindergarten program class of not less than one certified teacher or teacher's aide for every 11 students.
- (i) A school district or an open-enrollment charter school shall maintain locally and provide at the TEA's request the necessary documentation to ensure fidelity of high-quality prekindergarten program implementation.

Statutory Authority: The provisions of this §102.1003 issued under the Texas Education Code, §§29.1532, 29.167-29.169, and 29.172, and House Bill 3, §2.019, 86 Texas Legislature, 2019.

Source: The provisions of this §102.1003 adopted to be effective April 6, 2016, 41 TexReg 2480; amended to be effective February 13, 2020, 45 TexReg 895.