

IDEA PUBLIC SCHOOLS BOARD POLICY MANUAL
POLICY GROUP 2 – INSTRUCTION
PREKINDERGARTEN PROGRAM

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Sec. 1. TUITION-FREE PROGRAM

If authorized by the IDEA Public Schools (“IDEA”) charter contract or subject to waiver by the Commissioner of Education, IDEA shall offer tuition-free prekindergarten classes if it identifies 15 or more eligible children who are at least four years of age. IDEA may offer tuition-free prekindergarten classes if it identifies 15 or more eligible children who are at least three years of age.

Tex. Educ. Code § 29.153(a-1).

For purposes of this policy, “child” includes a stepchild and “parent” includes a stepparent.

a) *Program Eligibility*

A child is eligible for enrollment in free prekindergarten if the child is at least three years of age and:

1. Is unable to speak and comprehend the English language;
2. Is educationally disadvantaged;
3. Is homeless, 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;
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:
 - a. the conservatorship of the Department of Family and Protective Services (“DFPS”) following an adversary hearing under Texas Family Code § 262.201; or
 - b. foster care in another state or territory, if the child resides in this state;
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;
 or
8. Is the child of a person employed as a classroom teacher at a school in IDEA that offers a prekindergarten class under this policy.

A child who is eligible for enrollment under item 4 or 5 above remains eligible if the child’s parent leaves the armed forces, or is no longer on active duty, after the child begins the prekindergarten class.

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A child who is eligible for enrollment for free prekindergarten at the age of three and enrolls in prekindergarten class at the age of three remains eligible for enrollment in a prekindergarten class for the following school year.

Tex. Educ. Code § 29.153(a)-(b), (e-1)-(f).

b) Notice

The Superintendent shall develop a system to notify the population in the community with children eligible or enrollment of the availability of the program. The system must include public notices issued in English and Spanish. *Tex. Educ. Code § 29.153(e).*

c) Half-Day or Full-Day

A free prekindergarten class may be operated on a half-day basis for children under four years of age and shall be operated on a full-day basis for children who are at least four years of age. *Tex. Educ. Code § 29.153(c).*

d) Transportation

IDEA is not required to provide transportation for a prekindergarten class. If transportation is provided, it is included for funding purposes as part of the regular transportation system. *Tex. Educ. Code § 29.153(c).*

e) High-Quality Prekindergarten Required

A free prekindergarten class for children who are at least four years of age must comply with the program standards required for high-quality prekindergarten programs under Texas Education Code Chapter 29, Subchapter E-1. *Tex. Educ. Code § 29.153(c-1).*

f) Exemption

IDEA may apply to the Commissioner for an exemption from the requirement that it provide a free prekindergarten program if IDEA would be required to construct classroom facilities in order to provide the program or if implementing the program would result in fewer eligible children being enrolled in a prekindergarten class under Texas Education Code § 29.153. *Tex. Educ. Code § 29.153(d)-(d-2).*

g) Constructing, Repurposing, or Leasing a Facility

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Before IDEA may construct, repurpose, or lease a classroom facility, or issue bonds for the construction or repurposing of a classroom facility to provide prekindergarten classes, IDEA must:

1. Solicit and consider proposals for partnerships to provide those classes with community-based child-care providers who:
 - a. Are a Texas Rising Star Program provider with a three-star certification or higher;
 - b. Are nationally accredited;
 - c. Are a Head Start program provider;
 - d. Are a Texas School Ready! participant; or
 - e. Meet the requirements under Texas Education Code § 29.1532; and
2. Have received an official determination from a prekindergarten partnership intermediary designated under Texas Education Code § 29.153(g-1) that the providers from which the school has considered proposals as described above are unable to serve the students for whom the school plans to provide prekindergarten classes in the classroom facility to be constructed, repurposed, or leased.
 - a.

Tex. Educ. Code § 29.153(g).

A facility or location at which prekindergarten classes are provided by IDEA in partnership with a private entity under Texas Education Code § 29.153:

1. Must comply with any municipal ordinance applicable to the operation of a private prekindergarten program; and
2. May not be required to comply with any municipal ordinance applicable to the operation of a prekindergarten program by a school district or open-enrollment charter school.

Tex. Educ. Code § 29.153(h).

A partnership entered into between IDEA and a private provider for a prekindergarten class under Texas Education Code § 29.153 must provide for the provider to receive funding for each school student enrolled in the class in an amount that is not less than 85% of the amount of funding that the school receives for the student. The Commissioner may waive this requirement on request in accordance with Texas Education Code § 7.056.

Tex. Educ. Code § 29.153(i).

Sec. 2. TUITION-SUPPORTED AND SCHOOL-FINANCED PREKINDERGARTEN

Except as provided below, IDEA may offer on a tuition basis or use school funds to provide:

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1. An additional half-day of prekindergarten classes to children eligible for free prekindergarten who are under four years of age; and
2. Half-day and full-day prekindergarten classes to children not eligible for free prekindergarten.

IDEA 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 Texas Education Code § 29.1532(c). IDEA

i. Exception

IDEA may offer a prekindergarten program on a tuition basis only if the school has received an official determination from a prekindergarten partnership intermediary designated under Texas Education Code § 29.153(g-1) that no private prekindergarten providers that meet the qualifications of Texas Education Code § 29.153(g)(1)(A), (B), (C), or (D) are available to serve the students for whom the school plans to charge tuition.

Tex. Educ. Code § 29.1531.

Sec. 3. PROGRAM REQUIREMENTS

IDEA's prekindergarten program shall be designed to develop skills necessary for success in the regular public school curriculum, including language, mathematics, and social skills. *Tex. Educ. Code § 29.1532(a).*

ii. Curriculum Requirements

IDEA shall select and implement a high quality prekindergarten program for eligible children who are at least four years of age required to be provided free of tuition or fees. IDEA shall select and implement a curriculum for a prekindergarten program that:

1. Includes the prekindergarten guidelines established by the Texas Education Agency ("TEA");
2. Measures the progress of students in meeting the recommended learning outcomes; and
3. Does not use national curriculum standards developed by the Common Core State Standards Initiative.

Tex. Educ. Code §§ 29.164, 29.167.

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iii. *Teacher Requirements*

Each teacher for a prekindergarten program class must be certified under Texas Education Code Chapter 21, Subchapter B and have one of the following additional qualifications:

1. An associate or baccalaureate degree in early childhood education or a related field;
2. A Child Development Associate (CDA) credential or another early childhood education credential approved by the TEA;
3. Certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education;
4. At least eight years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program;
5. Be employed as a prekindergarten teacher in a school that has received approval from the Commissioner for a prekindergarten-specific instructional training plan that the teacher uses in the teacher's prekindergarten classroom; or
6. An equivalent qualification.

IDEA may allow a prekindergarten teacher to receive the training required to be awarded a CDA credential from a regional education service center. Training may not include national curriculum standards developed by the Common Core State Standards Initiative.

IDEA must attempt to maintain an average ratio in any prekindergarten class of not less than one certified teacher or teacher's aide for each 11 students.

Tex. Educ. Code § 29.167(b), (c), (d).

iv. *Family Engagement Plan*

IDEA shall develop and implement a family engagement plan to assist IDEA in achieving and maintaining high levels of family involvement and positive family attitudes toward education. The family engagement plan must be based on family engagement strategies established by the TEA.

Tex. Educ. Code § 29.168(a).

v. *Program Evaluation*

IDEA shall:

1. Select and implement appropriate methods for evaluating its prekindergarten classes by measuring student progress; and
2. Make data from the results of program evaluations available to parents.

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IDEA may administer diagnostic assessments to prekindergarten students to evaluate student progress, but may not administer a state standardized assessment instrument. An assessment instrument administered to prekindergarten students must be selected from a list of appropriate prekindergarten assessment instruments identified by the Commissioner.

Tex. Educ. Code § 29.169.

vi. *Contracting with Private Entity*

IDEA may enter into a contract with an eligible private provider to provide services or equipment for its prekindergarten program. To be eligible to contract with IDEA, a private provider must be licensed by and in good standing with the DFPS. A private provider is in good standing if the DFPS has not taken an action against the provider's license during the 24-month period preceding the date of a contract with IDEA. The private provider must also:

1. Be accredited by a research-based, nationally recognized, and universally accessible accreditation system approved by the Commissioner;
2. Be a Texas Rising Star Program provider with a three-star certification or higher;
3. Be a Texas School Ready! participant;
4. Have an existing partnership with a district to provide a prekindergarten program not provided under Education Code Chapter 29, Subchapter E-1; or
5. Be accredited by an organization that is recognized by the Texas Private School Accreditation Commission.

Tex. Educ. Code § 29.171.

Each teacher for a prekindergarten class provided by an entity with which IDEA contracts to provide a prekindergarten program must:

1. Be certified under Texas Education Code Chapter 21, Subchapter B to teach prekindergarten or supervised by a person who meets the requirements under Section 3(ii) above; and
2. Have one of the following qualifications:
 - a. At least two years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program and:
 - i. a CDA credential or another early childhood education credential approved by TEA; or
 - ii. certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education; or
 - b. A qualification described by Texas Education Code § 29.167(b)(2)(A), (D), (E), or (F); and

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3. When appropriate, be appropriately certified or be supervised by a person who is appropriately certified to provide effective instruction to emergent bilingual students, as defined by Texas Education Code § 29.052, enrolled in the prekindergarten program.

Tex. Educ. Code § 29.167(b-1).

A prekindergarten program provided by a private provider is subject to the requirements of Texas Education Code Subchapter E-1 and the class size requirement for prekindergarten classes imposed under Texas Education Code § 25.112(a). *Tex. Educ. Code § 29.171(c).*

vii. *Shared Site*

Before establishing a new prekindergarten program, IDEA shall consider the possibility of sharing use of an existing Head Start or other child-care program site as a prekindergarten site. *Tex. Educ. Code § 29.1533.*

viii. *Partner Licensing Standards*

If IDEA contracts with a private entity to operate a prekindergarten program, the partner program shall at a minimum comply with the applicable child-care licensing standards adopted by the DFPS under Texas Human Resources Code § 42.042 and the class size requirement for prekindergarten classes imposed under Texas Education Code § 25.112(a). *Tex. Educ. Code § 29.1532(b).*

ix. *Daily Physical Activity*

Students in full-day prekindergarten shall participate in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year, as part of IDEA's physical education curriculum or through structured activity during a campus's daily recess.

To the extent practicable, students enrolled in prekindergarten on less than a full-day basis shall participate in the same type and amount of physical activity as a student enrolled in full-day prekindergarten.

If IDEA determines that requiring moderate or vigorous daily physical activity is impractical due to scheduling concerns or other factors, IDEA may require that students participate in moderate or vigorous physical activity for at least 135 minutes during each school week.

IDEA must provide an exemption for a student who is unable to participate in the required physical activity because of illness or disability.

Tex. Educ. Code § 28.002(l).

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Sec. 4. PREKINDERGARTEN EXPANSION GRANT

IDEA may use funds from grants administered by the Commissioner to expand an existing half-day prekindergarten program to a full-day basis or to implement a prekindergarten program on a campus that does not have a prekindergarten program. IDEA may use funds received under this program to employ teachers and other personnel for a prekindergarten program or to acquire curriculum materials or equipment, including computers, for use in prekindergarten programs. IDEA may use funds granted under this program in contracting with another entity, including a private entity. *Education Code 29.155.*

Sec. 5. READY TO READ GRANT

IDEA may apply for a Ready to Read grant if at least 75% of the children enrolled in the prekindergarten program are low-income students, as determined by Commissioner rule.

Grant funds shall be used for:

1. Professional staff development in prereading instruction;
2. Prereading curriculum and materials;
3. Prereading skills assessment materials; and
4. Employment of prereading instructors.

Tex. Educ. Code § 29.157.

Sec. 6. COORDINATION OF SERVICES

In a manner consistent with federal law and regulations, IDEA shall coordinate with the TEA, the Texas Workforce Commission, and local workforce development boards regarding subsidized child-care services. *Tex. Educ. Code § 29.158(a).*

Sec. 7. STATEWIDE INFORMATION AND REFERRAL NETWORK

On receipt of an electronic mail message from Texas Information and Referral Network (“TIRN”) staff described by Texas Government Code § 526.006(c)(3)(B), IDEA shall contact the applicant to verify information regarding the applicant’s eligibility for available child-care and education services and, on certifying eligibility, shall match the applicant with entities providing those services in the applicant’s community, including local workforce development boards, local child-care providers, or a Head Start or Early Head Start program provider. *Tex. Gov’t Code § 526.006(d).*

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IDEA shall cooperate with the TIRN as necessary in the administration of Texas Government Code § 526.006. *Tex. Gov't Code § 5526.006(e).*

Sec. 9. ADMINISTRATIVE PROCEDURES

IDEA shall formally implement administrative procedures as reasonably necessary to properly administer this policy and to adhere to applicable law and rule. In doing so, IDEA shall not adopt, and are prohibited from adopting, an administrative procedure that conflicts with applicable law or this policy. Accordingly, IDEA shall confer with the Board or legal counsel before deviating from the requirements set forth in this policy. In the event that a deviation from this policy becomes necessary, IDEA shall either recommend an amendment to this policy or the Board's approval of a specific deviation, including the purpose, scope and duration of the requested deviation.

Sec.10. DATE ADOPTED AND EFFECTIVE

As set forth in the pertinent minutes to the meeting of the Board, the Board adopted this policy on August 18, 2026, and it became effective on August 18, 2026. This policy shall be retained until superseded, expired, or discontinued and for five (5) years thereafter in accordance with state law.

Sec. 11. CERTIFICATION

The Undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of the Board Policy relating to Prekindergarten Program, as originally adopted by the Board on February 18, 2022, and as subsequently amended by the Board on August 18, 2026 which Policy, as amended, is in full force and effect and has not been revoked or amended.

Signed by:

 Ed Rivera, Secretary

8/19/2026
 Date Certified

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