

Temple ISD's Request for Tex. Educ. Code § 29.153(d) Exemption

Summary

Texas Education Code section 29.153 requires school districts to provide prekindergarten for certain children. Temple ISD has fully complied with this requirement and in fact has passed a bond issue that will allow it to construct a stand-alone, state-of-the-art facility, for prekindergarten. However, Temple ISD cannot construct the facility because Texas Education Code section 29.153(g)(2), (g-1) requires an official determination by a Commissioner designated prekindergarten partnership intermediary based on TEA guidelines that Temple ISD has considered proposals from certain entities and those entities are unable to provide the needed services. Temple ISD cannot obtain such an official determination because no prekindergarten partnership intermediary has been designated nor has TEA adopted guidelines.¹ Temple ISD seeks an exemption under Texas Education Code section 29.153(d) from Texas Education Code section 29.153(g)(2) to allow it to construct a state-of-the-art prekindergarten.

History

In order to comply with its obligations under Texas Education Code section 29.153, Temple ISD provides prekindergarten services to eligible children through its early childhood program at Meredith-Dunbar Early Childhood Academy (MDECA). MDECA implements Frog Street Pre-K as its primary high-quality instructional curriculum, aligned with the Texas Prekindergarten Guidelines and designed to support development across literacy, mathematics, language, science, social studies, physical development, and social-emotional learning. Students participate in a balance of whole-group and purposeful small-group instruction, learning stations, independent practice, hands-on exploration, and intentional learning experiences. Instruction is differentiated based on student readiness, assessment data, language needs, IEP goals, teacher observation, and individual developmental needs. MDECA also provides Early Childhood Special Education services for eligible students ages three through five and bilingual/English learner services to support language development and access to prekindergarten instruction. Student progress is monitored through CIRCLE progress monitoring and ongoing formative

¹ Such guidelines would have to be adopted as rules. See Op. Tex. Att'y Gen. No KP-0440 2023 (Holding "to the extent any TEA guidelines have general applicability and implement, interpret, or prescribe law or policy, or describe the procedure or practice requirements of the agency, a court would have the basis under the APA for concluding that they should be promulgated through formal rule making.")

assessment, with assessment information used to differentiate instruction, provide targeted intervention and enrichment, and monitor individual student growth. Temple ISD also works collaboratively with Central Texas 4C, Inc. Head Start to expand educational opportunities and support for eligible children and families.

In 2023, Temple ISD had several meetings with the Executive Director, Janell Frazier, with Central Texas 4C, Inc., Head Start about continued future programming and partnerships prior to bond planning for a November 2025 election. One of the outcomes of these solicitation meetings was a property sale, that was Temple ISD Board Approved in a regularly schedule public board meeting, to Head Start located across the street from Temple ISD's Meridith-Dunbar Early Childhood Academy. Head Start then constructed a new facility that opened and is now serving pre-kindergarten students, while continuing our existing partnership. This was Temple ISD's due diligence and actionable steps with regards to soliciting proposals for partnerships with an approved public or private entity. Due to the growth in residential housing, HB2's requirement of teachers' children receiving free pre-k services, and current bond planning, it was agreed upon that adding four classrooms to our existing Meridith-Dunbar Early Childhood Academy campus in Temple would allow us to serve more students that were coming to our district as a result of growth and recent legislation. Without these classrooms, Temple ISD would serve about 75 less students, which would not cover our projected growth in our most recent demographic study. Further, our neighboring Head Start would not be able to accommodate these numbers due to their requirement of serving children much younger than age four. This partnership illustrates our intentional design between Head Start serving birth to age three students, while Temple ISD primarily serves age four in pre-k. This partnership design maximizes each of us in an efficient manner to accommodate families; and in fact, we actually advertise each other's services in this way. To continue the development of this design, Temple ISD passed a bond on November 4, 2025, with one of the projects being the addition of four campuses at Meridith-Dunbar Early Childhood Academy. Temple ISD explained these early childhood plans as part of 52 community presentations, and the bond passed by 57%.

The requirement for an official determination based on TEA guidelines was created by HB 2 during the 2025 Regular Session. which took effect immediately upon the Governor's signature. As there is no entity that can issue an official determination and no guidelines for it to make its determination, Temple ISD is precluded from constructing its state-or-the-art prekindergarten. This harms the children because they are unable to use a new facility built specifically to serve them.

Exemption Standards

The requirements for an exemption from Texas Education Code section 29.153 are set out in subsections (d)(d-1) and (d-2);

(d) Subject to Subsections (d-1) and (d-2), on application of a district, the commissioner shall exempt a district from the application of all or any part of this section, including all or any part of Subchapter E-1 for a prekindergarten class described by Subsection (c-1), if the commissioner determines that:

(1) the district would be required to construct classroom facilities in order to provide prekindergarten classes; or

(2) implementing any part of this section would result in fewer eligible children being enrolled in a prekindergarten class under this section.

(d-1) A district may not receive an exemption under Subsection (d) unless the district has solicited proposals for partnerships with public or private entities regarding prekindergarten classes required under this section in accordance with guidance provided by the agency regarding soliciting partnerships and considered submitted proposals at a public meeting. A decision of the board of trustees regarding a partnership described by this subsection is final.

(d-2) An exemption under Subsection (d) may not be granted for a period longer than three school years and may be renewed only once.

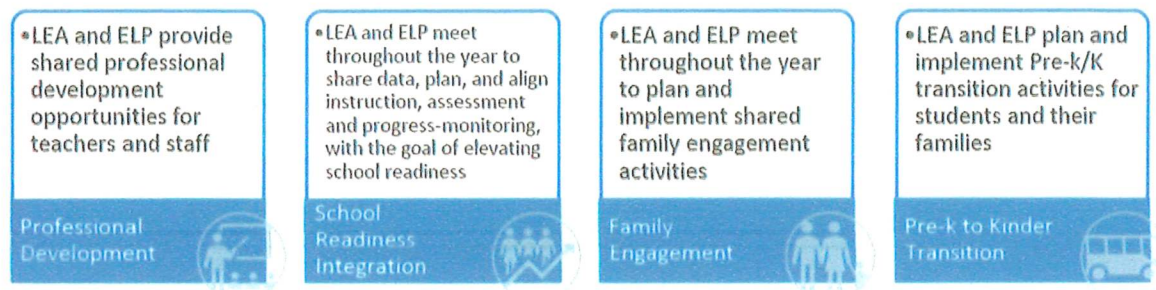
(Empasis added). To receive an exemption, a school district must show that it would either have to construct classroom facilities or that a requirement would result in fewer children being enrolled. The district must also solicit proposals with entities regarding prekindergarten classes in accordance with TEA guidance and the school board must vote on the proposals. [Unless this was done in the past, it will need to be done now.]

Reason for Exemption

Temple ISD is seeking an exemption because implementing subsection (g)(2) would result in fewer eligible children being served. Parents make the decision of whether to send their children to Temple ISD's prekindergarten. Temple ISD believes that more parents will make that decision if the children have a brand new, state-of-the art, facility.

Partnership

Temple ISD has a long-standing informal partnership with Head Start. The TEA Public-Private Prekindergarten Partnership Model lists four areas of informal engagement:



As to Professional Development, Temple ISD and Head Start Temple ISD and Head Start support shared professional learning through two Integration Specialists who serve as a bridge between MDECA and Head Start. MDECA's professional learning model includes ongoing training and support in the Texas Prekindergarten Guidelines, curriculum implementation, assessment, and developmentally appropriate early-childhood practices, reinforced through PLCs and instructional coaching. The Integration Specialists participate in MDECA's professional learning and periodically work with Head Start staff to share relevant learning, instructional practices, resources, and strategies. This structure extends relevant professional learning occurring at MDECA to Head Start staff and supports greater alignment of early-childhood instructional practices across the two programs.

As to School Readiness Integration Temple ISD and Head Start align their work around the Texas Prekindergarten Guidelines and collaborate to support school readiness. Temple ISD uses CIRCLE progress monitoring, ongoing formative assessment, PLCs, and collaborative data conversations to identify student strengths and needs and plan responsive instruction. The partnership also provides for the sharing of assessment and screening information between Temple ISD and Head Start to support students' continued progress and readiness for kindergarten.

As to Family Engagement Temple ISD provides multiple opportunities for families to connect with teachers, understand student progress, and participate in their child's learning, including Meet the Teacher/Open House, parent-teacher conferences, Panther Parent Academies, Student Growth Celebrations, and school and community events. Temple ISD and Head Start also collaborate to connect eligible children and families with appropriate educational programs, services, and supports.

As to Pre-k to Kinder Transition, Temple ISD and Head Start collaborate to support children and families as students transition into kindergarten. Temple ISD intentionally develops students' academic, language, social-emotional, behavioral, and independence skills in preparation for kindergarten. Temple ISD staff also participate in Head Start transition-to-kindergarten meetings with families, provide kindergarten enrollment and educational

information, and coordinate communication with Head Start staff to support a successful transition.

This partnership was proposed to the Temple ISD School Board and approved on August 8, 2022. See Exhibit A.

Length of Exemption

Temple ISD is requesting a three-year exemption to allow it to construct its free-standing prekindergarten. Temple ISD believes that this will be sufficient to complete construction.

Additional Information

Please let me know if any additional information is needed or would be helpful for your analysis of this request for exemption.

Conclusion

Temple ISD respectfully requested that it be granted a three-year exemption from Texas Education Code section 29.153(g)(2) so that it may use bond funds already approved for the purpose of constructing a state-of-the-art prekindergarten.



Central Texas 4C, Inc.

Head Start for children 0-5

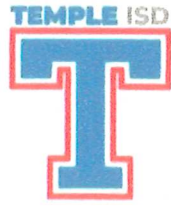
To Colleagues in Education
Re History of Collaboration Head Start and TISD
Date August 17, 2026

It was exactly 26 years ago that I was introduced to Temple Independent School District. Even as new as I was in my job at a Head Start program, being a former high school teacher gave me some insight into how this administration thinks about community collaboration. As a community based non-profit that is the grantee for federal funding for Head Start's early childhood education program, there was never any sense of competition for the children in Temple. The mutual feeling at the time was, "These are all Temple children and we both want the best education for all of them." I have often been thankful for both administrations that 4C has enjoyed partnering with—the former Battershell administration and the current Ott administration. They both had clear visions of what needed to be accomplished in order to bring Temple to the top ranks of public schools. And they both went after their visions by keeping the focus on positive progress and partnerships in our "village."

I'm not quite sure what enables Bobby Ott to cover so much ground and make the time meaningful for everyone he engages. I liken him to the Energizer Bunny except he's not quite that funny. But his leadership is just that. Leadership. Not managing (although I know he does that well too), but leading. He never coerces. He never threatens. He never raises his voice unless it is at a pep rally or a football game. (Or whatever sort of dance that was when he realized his high school got an "A.") He just is very present with whatever group or individual he happens to meet. His vision is excellence. Not perfection, but the ever evolving and involving of his influence. He always has time for some of us "little players," because his vision includes all of us who work with children, in whatever ways, in the community. No, TISD has not generated that aura simply because of Bobby Ott, but the people he surrounds himself with get the message of how to treat everyone with respect and with a deep sense of decency. Whether I am visiting with TISD's mentor teachers in our Head Start classrooms, or looking for a property to build a Head Start center on, he is there to suggest solutions. If I speak at a School Board meeting, I am greeted with the same acceptance. I am fortunate to live and work with a school like TISD.

Sincerely,

Janell J. Erazier
Executive Director



DEIC Meeting

August 24, 2026

Agenda

1. Connection
2. DEIC Purpose & Membership Overview
3. Pre-K Waiver

Next Meeting: October 1, 2026

2026-2027 DEIC Membership

Classroom Teachers	
Campus	2025-2027, 2 year term Elected in "odd" year
MDECA	Jennifer Edds
Sampson Howard Elementary	Arely Ramirez
Hector P. Garcia Elementary	Maria Perez
Jefferson Elementary	Kokie Cummings
Kennedy-Powell Elementary	Katie Utterback
Raye-Allen Elementary	Mickenze Kopko
Scott Elementary	Marisol Cortez
Thornton Elementary	Jordan Beeman
Western Hills Elementary	Robin Lewis
Bonham Middle School	Colleen Seibel
Lamar Middle School	VACANT
Travis Science Academy	Lynn Keeton
Temple High School	Daphne Woodall
Temple High School	Robert Hernandez
Temple High School	Kayla Stewart
Edwards/Wheatley	Jennifer Davis

Special Education	Sabrina Thomas
CAMPUS OR DISTRICT PROFESSIONAL STAFF (non-teaching)	
Elementary (2)	Kayleigh Lara Kimberly Lowe
Secondary (2)	Rebecca Kidder Clayton Rushing
Academics (2)	Erika Rains Pachinette Brown
HR/Student Services	Ike Hernandez
Finance/Operations	Ian Vestal



DEIC Meeting Minutes

August 24, 2026

Agenda & Minutes

1. Time: 4:15 - 4:43
2. Date: 8/24/26
3. Complete List of Membership:
 - a. Renota, Rogers; Lynn Keeton; Christine Beal; Kobie Reyes; Mickenze Kopko; Jennifer Davis; Ike Hernandez; Colleen Seibel; Clayton Rushing; Kayla Steward; Veronica Barrientos; Rebecca Kidder; Daphne Woodall; Marisol Cortez; Robot Hernandez; Jennifer Edds; Kimberley Lowe; Sabrina Thomas; Erika Rains; Arely Ramierz; Jordan Beeman; Suma Nandakumar Raju; Pachinete Brown; Ian Vestal; Robin Lewis; Katie Utterback; Kayleigh Lara; Jonna Taft; Bobby Ott; Ryan Raju; Cynthia Pawelek; Sabrina Thomas; Elaine McCoy; Joyce Adams
4. Connection
5. DEIC Purpose & Membership Overview
 - a. Purpose
 - b. Responsibilities - [shared document](#)
 - c. Value - Hear the "why" about things that some do not hear about and get to share the knowledge; bring concerns/questions to the DEIC representative
 - d. Thank parents and community members; must have community and parent partners
6. Waiver Consi
 - a. Dr. Ott presented - We passed a bond in November 2025. As part of bond planning, the community supported the idea of maximizing existing campuses before going out and building new schools. They also wanted to eliminate detached dilapidated facilities and rid the entire district of portables. We identified several elementary schools that were situated on enough land to add classrooms. Meridith-Dunbar was one of those. This bond's plan included tearing down the old Little Wildcat enrichment center which was a detached building separate from the main pre-k campus and included two undersized classrooms built many decades ago. This bond plan included adding those two classrooms back to the main building, so this was not a supplemental add, but rather a renovation of two existing classrooms and addressed safety concerns. However, in addition we also added four more classrooms as part of this bond plan to accommodate for the growth of our pre-k students. When adding pre-k classrooms, the state requires that we contact local providers prior to engaging in the actual construction of these pre-k classrooms. We reached out to HeadStart due to our longstanding partnership, including the most recent land sale which allowed them to build their new Temple facility and continue our partnership.

They have provided a letter of support for our partnership. Another part of this process is for the state to allow an intermediary to decide if we can go forward or not, even after our taxpayers, parents, and community supported this in the bond planning and the actual election results. We are seeking a waiver from this process to go ahead and move forward with the desire of our community, partnerships, parents, and other constituents who supported this plan from the very beginning. This exemption would allow us to move forward in constructing these four classrooms.

- b. Committee questions/comments:
 - i. Jennifer Edds - Spoke to the great need of this waiver; enrollment is still taking place; rooms are not large enough to house the large # of students
 - ii. Erika Rains: Good plan to help students; it is what tax payers wanted when they voted for the bond
 - iii. Ike Hernandez: These bonds will address safety, growth of the most vulnerable population;
 - iv. Woodal: How quickly will it allow the process to be expedited?
 - v. Ott - We are allowed to build; plan on a second bond sale next summer because it won't spike the tax rate of the community. It would be the first project of 6 classrooms and it is about a 1 year process. Can add to the "U" of the current building.
 - vi. Rebecca Kidder: Wildcat center will be knocked down; no asbestos issue
- c. I move the DEIC to adopt these written comments as to whether we should seek a waiver from the Commissioner at TEA. (Ike Hernandez made the motion)
 - i. Daphne Woodall second the motion
- d. Vote: Link: **30 votes for the waiver**
- e. Dr. Ott thanked everyone for their time; will take the recorded vote to the Sept Board meeting, if they vote the same, a waiver will be filed with TEA.



Next Meeting: October 1, 2026 @ the Administration building