



Senate Education Committee Hearing Friday, May 15, 2009

The Senate Education Committee met on Thursday, May 14, 2009 to hear testimony on several House bills including **HB 130**, filed by **Rep. Patrick**, which would create full day pre-kindergarten programs for certain districts through a grant program. Although several bills were heard, only HB 130 received significant testimony. Many individuals gave oral testimony for the bill although several also registered their support, including **Martin Pena** on behalf of the **South Texas Association of Schools**. We have included a summary of testimony for this bill below. Also included is a list of bills heard in committee with their current status. Every bill heard was passed out of the committee with the exception of HB 130, which remains pending.

HB 130 **Patrick, Diane**

Relating to an enhanced quality full-day prekindergarten program provided by public school districts in conjunction with community providers.

Remarks: Engrossed: Establishes a grant program which would allow school districts to implement an enhanced quality full-day prekindergarten program for eligible children. More details to come.

Testimony: **Sen. Zaffirini** introduced the bill and discussed various changes it has undergone include that it is now a grant program targeting low performing campuses, that it would require an 11 to 1 student to staff ratio, that 20 percent of funds must be used to partner with other organizations. She explained that these measures are included to ensure this is educational and not a “babysitting” program. The Senator explained that she and **Rep. Patrick** are working on a committee substitute to address previous testimony. In consideration of testimony and concerns voiced by legislators, they will examine the enhancement of teacher quality through increased teacher requirements and address the funding mechanism as there is a concern that \$25 million currently allocated for the program is insufficient.

Sen. Shapiro questioned both **Sen. Zaffirini** and **Rep. Patrick**, who was present for the hearing, about their explanation for LBB’s fiscal note for the bill which set the ADA cost at \$8,366. She noted that half day pre-kindergarten averages approximately \$3,600 per ADA, and even if this were doubled to represent the full day expansion, it still is above expected costs. **Sen. Zaffirini** explained that there is no specific reason for the high amount but stated that high quality pre-kindergarten is expensive. **Rep. Patrick** added that the cost estimate reflects both a teacher and an aide for a full day. At this point, **Sen. Shapiro** noted that the bill’s language tied cost to charter schools and suggested the language be changed and tied to costs based on research that details the true costs of pre-kindergarten.

Public testimony began with **Patti Quinzi** from the **Texas-American Federation of Teachers (TX-AFT)** who spoke in support of the bill and emphasized the importance of teacher certification. She also pointed the committee to Texas A&M study demonstrating that every dollar invested in full-day pre-kindergarten sees a \$3.50 rate of return in Texas. **Jason Sabo** of the **United Way of Texas** also supported the bill and stated that these programs cost money. He went on to explain that any funds attached to the program must be tied to inflation which is where the charter connection derives from. He explained that charter funding automatically adjusts for inflation. Mr. Sabo expressed concern with an amendment that was added that states teachers “may” have a high school GED. He explained that a GED is an insufficient credential for this purpose and requested a revision.

Kara Johnson, Executive Director of the **Texas Early Childhood Education Coalition**, spoke next in support of the bill. She offered information regarding the benefits of full day vs. half day pre-kindergarten and referred to various studies that support this claim.

Susan Kellner, school board President for **Spring Branch ISD**, offered neutral testimony on the bill. She explained that although she previously gave supportive testimony for both SB 21 and HB 130, she now is neutral because of the insignificant funds attributed to the bill. Primarily, she is concerned it would leave out the high performing districts, such as Spring Branch ISD. She explained the success her district has had with a challenging demographic by offering full day pre-kindergarten through grant programs and local support. **Sen. Shapiro** asked for Spring Branch’s cost per child to which Ms. Kellner responded that it costs approximately \$5,500 with the majority allocated for teacher pay.

Sen. Shapiro next called three individuals who spoke in opposition to the bill including **MerryLynn Gerstenschlager** with the **Texas Eagle Forum**, **Bill Hammond** of the **Texas Association of Business**, and **Andy Urban** for the **Texas Institute of Education Reform**. **Ms. Gerstenschlager’s** testimony focused primarily on concerns with the sort of curriculum that might be offered in a pre-kindergarten classroom. **Mr. Hammond** was opposed to the high costs associated with full day pre-kindergarten and was concerned that private vendors would not be fully utilized in this model. **Mr. Urban** echoed previous sentiments regarding high costs and suggested that diagnostic testing occur for students prior to pre-kindergarten and only successful programs, determined by these tests, should be funded.

Later in the hearing the bill was also opposed by **Peggy Venable** with **Americans for Prosperity** due to the cost and a belief that four year olds should not be students. **Brooke Terry** with the **Texas Public Policy Foundation** also opposed the bill and stated that it is an unwise investment because it will not lead to the desired the outcomes for students. She cited various studies stating that student to teacher ratios and teacher quality are not essential for pre-kindergarten students to succeed.

Several individuals registered their support for the bill including **Martin Pena** for the **South Texas Association of Schools**, **Casey McCreary** with **TASA**, and **Julie Shields** for **TASB**.

The bill was left pending.

HB 635 Guillen

Relating to the authority of the Texas Education Agency to seek, accept, and distribute grants available for the benefit of public elementary and secondary education.

Remarks: House Engrossed: The agency may seek, accept, and distribute grants awarded by the federal government or any other public or private entity for the benefit of public education, subject to the

limitations or conditions imposed by the terms of the grants or by other law. The commissioner may determine to receive federal grant funds for technology services and support that a Head Start program operated in this state by a school district or a community-based organization serves the function of a public elementary school under state law by providing elementary education at one or more program facilities. Such a determination by the commissioner does not entitle a Head Start program to receive state funds for which the program would not otherwise be eligible, may not reduce the amount of federal grant funds available for school districts and open-enrollment charter schools and the commissioner's decision may not be appealed.

The bill was passed out of committee and placed on the local and uncontested calendar.

HB 829 Hochberg

Relating to the jurisdiction of the commissioner of education to hear appeals arising under the school laws of this state.

Remarks: House Engrossed: A person is not required to appeal to the commissioner before pursuing a remedy under a law outside of Title 1 or this title to which Title 1 or this title makes reference or with which Title 1 or this title requires compliance.

The bill was passed out of committee and placed on the local and uncontested calendar.

HB 1020 Deshotel

Relating to the use, exhibition, or possession of a firearm by public school students participating in certain school-sponsored programs and activities sponsored or supported by the Parks and Wildlife Department.

Remarks: House Engrossed: Protects public school students from expulsion for the sole reason of the student's use, exhibition or possession of a firearm if it occurs: at an approved target range facility that is not located on a school campus; and while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization working with the department.

The bill was passed out of committee and placed on the local and uncontested calendar.

HB 1423 Guillen

ShapiroRelating to granting charters to public junior colleges for open-enrollment charter schools.

Remarks: House Engrossed: The SBOE may grant a charter on the application of a public junior college for an open-enrollment charter school to operate on the campus of the public junior college or in the same county in which the campus of the public junior college is located.

The bill was passed out of committee and placed on the local and uncontested calendar.

HB 2480 Hochberg

Relating to school district agreements with junior colleges for courses for joint high school and junior college credit.

Remarks: House Engrossed: A public junior college may enter into an agreement with a school district, organization, or other person that operates a high school to offer a course as provided by this section regardless of whether the high school is located within the service area of the junior college district.

The bill was passed out of committee and placed on the local and uncontested calendar.

HB 2893 Hochberg

Relating to the technology demonstration sites project.

Remarks: House Engrossed: Changes the “technology immersion pilot project” to the “technology demonstration sites project.” TEA may by rule establish the technology demonstration sites project to demonstrate the use of technology for improving teaching and learning, using digital tools and resources to extend learning opportunities from school to home, and exemplify instructional practices and lessons that support academic learning in the classroom and at home.

The demonstration site project shall leverage existing home computing devices or provide access through electronic device check-out options to extend learning at home. Electronic devices shall be made available to each student in a participating school to allow students at school and home to implement the use of software, on-line courses, and other appropriate learning technologies that have been shown to improve academic achievement.

The bill was passed out of committee and placed on the local and uncontested calendar.

HB 4152 Rose

Relating to certification of an educator in Texas who is certified in another state or country.

Remarks: House Engrossed: The board shall (not may) issue a certificate to an educator who applies for a certificate and hold a certificate or credential issues by another state or country to teach math, science, special education, or any other subject area the commissioner determines has a shortage area.

The bill was passed out of committee and placed on the local and uncontested calendar.