

# Texas

## Background

### Texas Public School Prekindergarten (PSP)

Texas offers half-day pre-K for at-risk four-year-olds through Public School Prekindergarten (PSP). Children are eligible if they are homeless, qualify for free or reduced-price lunch (185 percent of the federal poverty level), have limited English proficiency, participated in foster care at one time, or have a parent on active military duty or who has been injured or killed on duty. School districts with fifteen or more eligible four-year-olds must offer the program; districts may also offer the program if they identify fifteen or more eligible children who are at least three years old. Funding is administered through the state's Foundation School Program (FSP).

Local education agencies, including charter schools, receive PSP funding through the school funding formula and can subcontract with private child care centers and Head Start operators to provide services. The Texas Education Agency (TEA) administers the Public School Prekindergarten program through the Department of Federal and State Education Policy.

### Charter schools in Texas

Texas law allows for four different types of charter schools:

- Home-rule district charter: A traditional local school district that has adopted a charter under which the entire school district operates. Home-rule district charters must be approved by registered voters.
- District campus or campus charters: A charter to operate a new charter campus or a charter program within an existing campus. Campus charters must be approved by the local school district board of trustees.
- Open-enrollment charters: Charters granted to eligible entities—most often 501(c)(3) organizations—by the state board of education.
- College or university charters: Charters that must meet specific academic and operational criteria granted to universities or junior colleges by the state board of education.<sup>1</sup>

Most charter schools were created as open-enrollment charters, authorized by the state board of education.<sup>2</sup> Multiple charter school campuses may be operated under one charter.



TOTAL SCORE

45/50

Texas's climate for charter schools to offer pre-K is **hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



## Process for Accessing Pre-K Funds


Charter schools interested in offering pre-K apply to their authorizer through the same application process they use to make other changes to their charter (unlike districts, charter schools are not required to offer pre-K). Once a charter school is approved to offer pre-K, it can count pre-K students toward its enrollment in the funding formula.

Charter schools that offer Public School Prekindergarten receive funding directly from the state through the FSP. FSP funding is calculated using aggregate, district-level attendance data, also referred to as average daily attendance (ADA). Both charter schools and districts include prekindergarten enrollment in their ADA calculations, but count PSP students as half-day enrollees and receive half-day FSP funding to serve them. Charter schools can elect to offer full-day PSP programs but must cover the cost of the other half-day through other means.


Only low-income students and those with other state-defined risk factors may be counted in a charter's or district's prekindergarten enrollment count. Charter schools may enroll other children in their pre-K programs but they do not receive state funding for those students.

## Barriers


### Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Both the state charter law and pre-K legislation allow charter schools to offer pre-K. Unlike districts, charter schools are not required to offer pre-K, even if they operate in communities with more than fifteen eligible students. Nearly two hundred charter school campuses in Texas offer pre-K.

### Is the funding level of the state pre-K program a barrier to charter access?

 **No.** The funding level is not a barrier to charters offering pre-K in Texas. Charter schools that offer half-day PSP services receive 75 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students.


### Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves more than 50 percent of all four-year-olds in the state.

### Is the application, approval, and/or funding process a barrier to charter access?


 **No.** The application, approval, and funding processes are not barriers to charter access to state pre-K funding.

### Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** There is no enrollment preference outlined in Texas legislation. TEA, however, has allowed charter schools that enroll pre-K students via lottery to automatically enroll those students into their kindergarten programs.

However, automatic enrollment creates challenges for some charter schools. Eligibility and enrollment policies differ for pre-K and charter schools. The PSP legislation limits state funding to at-risk children, but the charter school legislation requires that charters enroll students through a lottery that is open to all students. As a result, some Texas charter schools conduct two lotteries: one for the PSP-funded seats and one for tuition-funded pre-K seats. These charter schools then allow both sets of children to automatically enroll in their kindergarten program, while others require students who paid tuition to re-enter the kindergarten lottery.

### Are there any other barriers to charter access?

 **Yes.** Authorizer oversight of charter pre-K is weak. Texas has many charter schools serving preschool students. However, it does not appear that the state's major authorizer, the Texas Education Agency, has developed any standards or procedures to monitor the quality or student learning outcomes of charter schools' preschool programs—other than the metrics and standards TEA uses to monitor the quality and outcomes of K-12 schools.

## Recommendations

Texas currently has more charter school pre-K programs than any other state, but as noted above, several barriers remain. To address these barriers to charter access, Texas should:

- Establish policies that clarify how charter schools that offer pre-K should enroll PSP-funded and tuition-funded pre-K students.
- Require TEA to develop standards and procedures to monitor the quality of charter school pre-K programs.



	Public School Prekindergarten (PSP)	Charter schools in Texas
Year created	Launched in 1985 <sup>3</sup>	Charter law enacted in 1995 <sup>4</sup>
Children in state	795,737 three- and four-year-olds in Texas <sup>5</sup>	5,701,748 school-age children in Texas <sup>6</sup>
Children served	227,176 children served 6 percent of three-year-olds 52 percent of four-year-olds <sup>7</sup>	253,245 students served 4.4 percent of school-age population 689 charter school campuses <sup>8</sup>
Charters offering pre-K	195 charter school campuses in Texas offer pre-K. <sup>9</sup>	364 charter school campuses in Texas offer elementary programs. <sup>10</sup>
Funding	Local education agencies (LEAs), including charter schools, receive \$8,075 per pupil to offer PSP. <sup>11</sup>	Charter schools receive \$10,690 per pupil to serve K–12 students. <sup>12</sup>

## Endnotes

1 Texas Charter School Technical Assistance, “Charter Schools: General FAQ,” <http://www.txcharternetwork.org/domain/14#Q5>.

2 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Texas,” <http://www.publiccharters.org/get-the-facts/law-database/states/TX/>.

3 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

4 NAPCS, “Measuring Up: Texas.”

5 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” [www.census.gov/acs](http://www.census.gov/acs).

6 Ibid., all children in households, three to seventeen years old.

7 W. Steven Barnett et al., “The State of Preschool 2013.”

8 NAPCS, “Measuring Up: Texas.”

9 Texas Education Agency, “Reports,” <http://mansfield.tea.state.tx.us/TEA.AskTED.Web/Forms/ReportSelection.aspx>.

10 Texas Education Agency, “Map of Texas Charter Schools,” [http://www.tea.state.tx.us/index4\\_wide.aspx?id=25769814767](http://www.tea.state.tx.us/index4_wide.aspx?id=25769814767).

11 Interview with Texas Charter Schools Association representative, July 31, 2014. Note: Districts, including charter schools, should receive .5 FTE. In this table, the per-pupil funding for PSP is not .5 of the K–12 per pupil funding because the funding amounts are from different years.

12 Meagan Batdorff et al., “Charter School Funding: Inequality Expands,” Texas section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-tx.pdf>.