

## **BILL ANALYSIS**

Senate Research Center  
81R23174 E

H.B. 635  
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Education  
5/12/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, privately operated, stand-alone Head Start programs are not eligible to apply for all federal grants, including the E-Rate Grant, even though the services these programs provide are the same as those services provided in public school Head Start programs. The problem that these stand-alone Head Start programs face is due to federal requirements. Current Texas law does not define stand-alone Head Start programs as schools and grant funds can only go to schools.

H.B. 635 authorizes the commissioner of education to determine whether a Head Start program operated outside of a public school facility is eligible for certain federal grants. This bill also gives the Texas Education Agency the authority to seek, accept, and distribute public education grants awarded by the federal government or any other public or private institution.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 7, Education Code, by adding Section 7.031, as follows:

Sec. 7.031. GRANTS. (a) Authorizes the Texas Education Agency to 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.

(b) Authorizes the commissioner of education (commissioner), unless otherwise prohibited by federal law, to determine, solely for purposes of the program's eligibility to receive federal grant funds, for the purpose of 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 an elementary school by providing elementary education at one or more program facilities.

(c) Provides that a determination by the commissioner under Subsection (b) 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 may not be appealed.

SECTION 2. Effective date: upon passage or September 1, 2009.