



As referenced in the July 18, 2019 [To the Administrator Addressed](#) letter, House Bill (HB) 3, 86th Texas Legislature, 2019, affects school districts and open-enrollment charter schools serving prekindergarten students in the following areas in HB 3:

- The early education allotment;
- Full-day high-quality prekindergarten for eligible four-year-olds;
- Expanded early education reporting;
- Early learning progress monitoring tools;
- Exemptions; and
- Partnerships.

School districts and open-enrollment charters shall offer full-day prekindergarten to all eligible four-year-old students and that the prekindergarten program meet the high-quality requirements. There is a provision for the Commissioner of Education to exempt a district or open-enrollment charter school, if the implementation of a full-day program would require the district or charter school to construct classroom facilities or result in fewer eligible children enrolled in prekindergarten.

A January 9, 2020 [To the Administrator Addressed](#) letter from Jacquie Porter, State Director of Early Childhood Education, outlined the process for submitting a waiver to exempt districts and charter schools from the full-day prekindergarten requirement. We have received additional clarification from the commissioner regarding charter schools and their prekindergarten status as follows:

- Charter schools that do not have prekindergarten as an approved grade level are not required to add prekindergarten as a grade level and will not need to complete the waiver requirement.
- Charter schools that do have prekindergarten as an approved grade level but are not currently serving that grade level and do not intend to in the future must remove prekindergarten as an approved grade level by submitting for commissioner approval a non-expansion amendment to remove prekindergarten as an approved grade span no later than April 15, 2020. Charter schools removing the prekindergarten grade level will not need to complete the waiver requirement.
- Charter schools that do have prekindergarten as an approved grade level but are not currently serving that grade level yet intend to in the future will need to complete the waiver requirement.
- Charter schools currently serving prekindergarten students in a half-day setting must abide by the requirements outlined in the January 9, 2020, TAA and submit their waiver request by March 2, 2020.
- Charter schools that do not have prekindergarten as an approved grade level and choose to begin a prekindergarten program will need to apply for and receive the commissioner's expansion

amendment approval prior to serving prekindergarten students. The charter would need to meet the full-day high-quality prekindergarten program requirements.

If you have any questions regarding full-day prekindergarten waivers under HB 3, please contact the Division of Early Childhood by email at earlychildhoodeducation@tea.texas.gov or email HB3info@tea.texas.gov.

In addition, the Division of Early Childhood Education is compiling answers to frequently asked questions to assist in your decision-making. This FAQ will soon be available on the <https://tea.texas.gov/hb3> webpage as well as TEA's [Early Childhood Education webpage](#).

If you have any questions regarding amendments, please email the charteramendments@tea.texas.gov.

Sincerely,

Heather Mauzé, Executive Director Division of Charter School Administration

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