Texas Education Agency

To the Administrator Addressed

Commissioner Mike Morath

1701 North Congress Avenue • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • tea.texas.gov

DATE:	**August 20, 2026**
SUBJECT:	**HB 2 Requirements: Pre-K Partnerships and Pre-K Partnership Intermediaries**
CATEGORY:	**Pre-K Partnerships**
NEXT STEPS:	**Notify district leaders with Pre-K partnership, program, facilities, or tuition oversight**

Overview

TEC § 29.153(i), established by HB 2, updated requirements related to prekindergarten (Pre-K) partnerships between school districts or open-enrollment charter schools and private providers by establishing pass-through funding requirements, requiring determinations for Pre-K expansion and tuition, and designating Pre-K Partnership Intermediaries.

Pre-K Partnership Pass-through Funding Requirements

HB 2 requires that a partnership between a school district or charter school and a private prekindergarten provider must provide that at least 85% of funds are passed to the private prekindergarten provider:

> (i) A partnership entered into between a school district or open-enrollment charter school and a private provider for a prekindergarten class under this section must provide for the provider to receive funding for each district or school student enrolled in the class in an amount that is not less than 85 percent of the amount of funding that the district or school receives for the student. Notwithstanding Section 7.056(e)(3)(I), the commissioner may waive the requirement under this subsection on request by a school district or open-enrollment charter school in accordance with Section 7.056.

This provision applies beginning with the 2025–2026 school year.

The Texas Education Agency (TEA) is accepting waiver requests for the 2025–2026 and the 2026–2027 school years to support school system compliance with this requirement using the Pre-K Partnership Pass-Through Waiver. Waiver applications are due **October 30, 2026**.

Additional information about the 85% pass-through requirements, what constitutes the 85% of funding, and additional waiver information is available on the Pre-K Partnership webpage.

Determination Requirements for Pre-K Expansion and Tuition

For Pre-K services being offered in school year 2027-28, school systems must seek and receive determinations from a TEA-designated Pre-K Partnership Intermediary (additional details below) in two scenarios:

Pre-K Expansion:

TEC §29.153(g)(2) requires that, before a school district or open enrollment charter school may construct, repurpose, lease a classroom, or issue bonds for the construction or repurposing of a classroom facility to provide the prekindergarten classes required under this section, the district or

school must:

1. solicit and consider proposals for partnerships to provide those classes with community-based child-care providers who meet certain requirements and
2. have received an official determination to expand public Pre-K from a TEA-designated prekindergarten partnership intermediary

Pre-K Intermediaries will base their determination on the availability of high-quality Pre-K providers with capacity to serve students in the area.

Pre-K Tuition:
Additionally, TEC §29.1531(c) outlines a school district may offer a prekindergarten program on a tuition basis only if the district has received an official determination from a TEA-designated Prekindergarten partnership intermediary that no private prekindergarten providers that meet statutory qualifications per Section 29.153 are available to serve the students for whom the district plans to charge tuition.

Pre-K Partnership Intermediaries will begin making these determinations for programs that will operate in school year 2027-28. Additional information about the determination process, requirements, and available informational sessions will be available on the Pre-K Partnership webpage.

Pre-K Partnership Intermediaries

HB 2 requires TEA to designate Pre-K Partnership Intermediaries to support the development and expansion of public-private prekindergarten partnerships.

These intermediaries are intended to serve as regional experts and coordinators who help bridge the operational, financial, and administrative gaps to maximize partnership growth and Pre-K quality. Their primary functions are:

- Recruit High-Quality Pre-K Providers and Match with school systems
- Support Contracts, Financial Modeling, and Agreement Negotiations
- Ensure Pre-K Quality
- Provide Operational Support
- Make Determinations

TEA has designated five Pre-K Partnership Intermediaries effective immediately. These organizations have demonstrated their capacity to fulfill the Pre-K Intermediary functions and to provide technical assistance and guidance to school systems:

- **Child Care Associates**
  - Regions Served: 10, 11
- **United Way of Greater Austin**
  - Region Served: 13
- **Texas A&M University System**
  - Regions Served: All
- **Educational First Steps**
  - Regions Served: 10, 11
- **Neighborhood Schools, Inc.**
  - Regions Served: 4, 5, 6

More information on how and when to contact Pre-K Intermediaries will be shared in upcoming TEA webinars. Please see below for details.

Note: Additional Pre-K Intermediaries may be added to the list through an annual application process.

Resources and Next Steps

1. Review the Pre-K Partnership webpage for useful resources, informational materials, and FAQs.
2. Submit questions to the Pre-K Partnership Questions & Input Form for inclusion in future communications and resources.
3. Attend an upcoming Pre-K Intermediary Overview webinar:
    a. Option 1: September 2, 2026, 11:00 a.m.-12:00 p.m.
        i. Registration link for Option 1
    b. Option 2: September 15, 2026, 11:30 a.m.-12:30 p.m.
        i. Registration link for Option 2
    c. Option 3: September 28, 2026, 10:30 a.m.-11:30 a.m.
        i. Registration link for Option 3