

Prekindergarten Programs

Universal Academy open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by the Texas Education Code or a rule adopted under that code, relating to prekindergarten programs under Subchapter E, Chapter 29, Texas Education Code.

(TEC §12.104(b)(2)(H))

Remove the following if the school does not have elementary grades:

It is the policy of the Universal Academy open-enrollment charter school to offer prekindergarten classes if the school identifies 15 or more children who are eligible under Subsection 29.153(b), Texas Education Code, and are at least four years of age.

(TEC §29.153(a-1))

Students who are eligible include students who are:

- 1) unable to speak and comprehend the English language
- 2) educationally disadvantaged;
- 3) homeless children, as defined by 42 U.S.C. Section 11434a, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child;
- 4) children of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority;
- 5) children of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty; or

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- 6) under or were under conservatorship of the Department of Family and Protective Services following an adversary hearing held as provided by Section [262.201](#), Family Code.

(TEC §29.153(b))

Notification

The Universal Academy open-enrollment charter school shall develop a system to notify residents within the school's geographic boundaries with students who are at least three and younger than six and who are eligible for enrollment in a special education program of the availability of the program.

(TEC § 29.009)

Remove the following if the school does not have elementary grades:

Preschool-Aged Children

If Universal Academy open-enrollment charter school offers preschool, Universal Academy must provide a free appropriate public education (FAPE) in the least restrictive environment to preschool-aged students even if Universal Academy does not provide free preschool programs to all preschool-aged children.

(34 C.F.R. §§300.101(a)-(b) and §300.116)

Universal Academy may provide opportunities for the participation of the preschool students with disabilities in other preschool programs operated by public agencies or by locating classes for preschool students with disabilities in regular elementary schools. However, Universal Academy is not required to initiate preschool programs or to establish extensive contact programs with private schools which serve both students with disabilities and students without disabilities solely to satisfy the requirements regarding placement in the least restrictive environment. (OSEP Policy Memo 89-23; 34 C.F.R. §300.102(a))