

1-1 By: Staples S.B. No. 1374
1-2 (In the Senate - Filed March 10, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Education; April 18, 2005,
1-4 reported favorably, as amended, by the following vote: Yeas 7,
1-5 Nays 0; April 18, 2005, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Staples

1-7 Amend S.B. No. 1374 as follows:

1-8 (1) In amended Subsection (a), Section 25.113, Education
1-9 Code (Introduced version, page 1, line 28), strike "obtaining" and
1-10 substitute "applying for".

1-11 (2) Strike amended Subsection (b), Section 25.113,
1-12 Education Code (Introduced version, page 1, lines 42 - 48), and
1-13 substitute the following:

1-14 (b) A school district may not submit an application for an
1-15 exception to the commissioner before the 10th business day after
1-16 the date the district provides the [The] notice required by
1-17 Subsection (a) [must be provided not later than the 31st day after:

1-18 [(1) the first day of the school year, or

1-19 [(2) the date the exception is granted, if the exception is
1-20 granted after the beginning of the school year].

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to notice regarding an exception from elementary school
1-24 class size limits.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 25.113, Education Code, is amended to
1-27 read as follows:

1-28 Sec. 25.113. NOTICE OF CLASS SIZE. (a) Before obtaining
1-29 [A campus or district that is granted] an exception under Section
1-30 25.112(d) from class size limits, a campus or school district must
1-31 [shall] provide written notice of the application for an exception
1-32 to the parent of or person standing in parental relation to each
1-33 student affected by the exception. The notice must be in
1-34 conspicuous bold or underlined print and:

1-35 (1) specify the class for which an exception from the
1-36 limit imposed by Section 25.112(a) is sought [was granted];

1-37 (2) state the number of children in the class for which
1-38 the exception is sought [was granted]; and

1-39 (3) be included in a regular mailing or other
1-40 communication from the campus or district, such as information sent
1-41 home with students.

1-42 (b) The notice required by Subsection (a) must be provided
1-43 not later than the 10th business [31st] day after the date the
1-44 campus or school district submits the application for an exception
1-45 to the commissioner[+]

1-46 [(1) the first day of the school year, or

1-47 [(2) the date the exception is granted, if the
1-48 exception is granted after the beginning of the school year].

1-49 SECTION 2. Section 25.113, Education Code, as amended by
1-50 this Act, applies beginning with the 2005-2006 school year.

1-51 SECTION 3. This Act takes effect immediately if it receives
1-52 a vote of two-thirds of all the members elected to each house, as
1-53 provided by Section 39, Article III, Texas Constitution. If this
1-54 Act does not receive the vote necessary for immediate effect, this
1-55 Act takes effect September 1, 2005.

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