

By: Bolton

H.B. No. 1001

A BILL TO BE ENTITLED

AN ACT

relating to limits on the size of public school classes in
prekindergarten, kindergarten, and grades one through four.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 25.112(a) and (d), Education Code, are
amended to read as follows:

(a) Except as otherwise authorized by this section, a school
district may not enroll more than 22 students in a prekindergarten,
kindergarten, first, second, third, or fourth grade class. That
limitation does not apply during:

(1) any 12-week period of the school year selected by
the district, in the case of a district whose average daily
attendance is adjusted under Section 42.005(c); or

(2) the last 12 weeks of any school year in the case of
any other district.

(d) On application of a school district for a campus, the
commissioner may except the campus [~~district~~] from the limit in
Subsection (a) if the commissioner finds the limit works an undue
hardship on the campus [~~district~~]. An exception expires at the end
of the semester for which it is granted, and the commissioner may
not grant a campus an exception for:

(1) more than one semester at a time; or

(2) more than two semesters in a three-year period.

SECTION 2. Section 25.112, Education Code, as amended by

1 this Act, applies beginning with the 2009-2010 school year. For
2 purposes of Section 25.112(d), Education Code, as amended by this
3 Act, an exception granted to a campus under that subsection as it
4 existed before amendment by this Act for the 2007-2008 or 2008-2009
5 school year is included in determining the eligibility of the
6 campus for an exception in the 2009-2010 or 2010-2011 school year.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.