

By: Ellis

S.B. No. 156

A BILL TO BE ENTITLED

1 AN ACT

2 relating to limits on the size of prekindergarten classes in public  
3 schools.

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

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

7 (a) Except as otherwise authorized by this section, a school  
8 district may not enroll more than 18 students in a prekindergarten  
9 class or 22 students in a kindergarten, first, second, third, or  
10 fourth grade class. A limit imposed by this subsection [~~That~~  
11 ~~limitation~~] does not apply during:

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

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

17 (d) On application of a school district, the commissioner  
18 may except the district from a [~~the~~] limit imposed by [~~in~~]  
19 Subsection (a) if the commissioner finds the limit works an undue  
20 hardship on the district. An exception expires at the end of the  
21 semester for which it is granted, and the commissioner may not grant  
22 an exception for [~~+~~

23 [~~1~~] more than one semester at a time.

24 SECTION 2. Section 25.113(a), Education Code, is amended to

1 read as follows:

2 (a) A campus or district that is granted an exception under  
3 Section 25.112(d) from class size limits shall provide written  
4 notice of the exception to the parent of or person standing in  
5 parental relation to each student affected by the exception. The  
6 notice must be in conspicuous bold or underlined print and:

7 (1) specify the class for which an exception from a  
8 [~~the~~] limit imposed by Section 25.112(a) was granted;

9 (2) state the number of children in the class for which  
10 the exception was granted; and

11 (3) be included in a regular mailing or other  
12 communication from the campus or district, such as information sent  
13 home with students.

14 SECTION 3. This Act applies beginning with the 2009-2010  
15 school year.

16 SECTION 4. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2009.