

BILL ANALYSIS

H.B. 18
By: Eissler
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that when state resources are limited, the state and school districts have to make strategic resource allocation decisions. The parties further note that some school policy experts claim that class size limits have produced results in limited circumstances but that the broad impact of state-mandated class size reduction has not proven to produce significant widespread improvements in student achievement. The parties also note that there is growing consensus that teacher quality is more important than class size to increased student achievement and that some parents and administrators conclude that limited state dollars should be spent attracting, training, and supporting effective teachers instead of maintaining arbitrary class size limits.

H.B. 18 makes certain changes relating to class size limits in public schools.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 18 amends the Education Code to require, rather than authorize, the commissioner of education, on application of a school district, to except the district from the class size limit of 22 students in a kindergarten, first, second, third, or fourth grade class and removes the condition that the commissioner find that the limit works an undue hardship on the district for the commissioner to make such an exception.

H.B. 18 prohibits the commissioner from granting an exception from class size limits to a school district if the exception would allow the district to enroll more than 25 students in a class at a grade level subject to the limit; result in the district exceeding a district-wide average enrollment of 22 students in classes at grade levels subject to the limit; or negatively affect the education of students enrolled in the district or at a district campus, as applicable, as determined by the commissioner. The bill authorizes the board of trustees of a school district to adopt a policy authorizing the superintendent of the district to apply on behalf of the district, as needed, for an exception to the class size limit.

H.B. 18 requires a campus or district that is granted an exception from class size limits, as an alternative to providing written notice of the exception, to post notice of the exception on the district's Internet website. The bill specifies that such notice must be in conspicuous bold or underlined type and exempts a notice posted on the district's Internet website from a requirement that the notice be included in a regular mailing or other communication from the campus or district.

H.B. 18 makes its provisions applicable beginning with the 2011-2012 school year.

EFFECTIVE DATE

On passage or, if the bill does not receive the necessary vote, the 91st day after the last day of the legislative session.