

By: Eissler

H.B. No. 18

A BILL TO BE ENTITLED

AN ACT

relating to elementary class size limits in public schools.

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

SECTION 1. Section 25.112, Education Code, is amended by amending Subsection (d) and adding Subsections (d-1) and (e-1) to read as follows:

(d) On application of a school district, the commissioner shall ~~may~~ except the district from the limit in Subsection (a), except as provided by Subsection (d-1) [if the commissioner finds the limit works an undue hardship on the district]. An exception expires at the end of the school year for which it is granted.

(d-1) The commissioner may not grant an exception to a school district under Subsection (d) if the exception would:

(1) allow the district to enroll more than 25 students in a class at a grade level subject to the limit in Subsection (a);

(2) result in the district exceeding a district-wide average enrollment of 22 students in classes at grade levels subject to the limit under Subsection (a); or

(3) negatively affect the education of students enrolled in the district or at a district campus, as applicable, as determined by the commissioner.

(e-1) The board of trustees of a school district may adopt a policy authorizing the superintendent of the district to apply on behalf of the district, as needed, for an exception under

1 Subsection (d).

2 SECTION 2. Section 25.113(a), Education Code, is amended to  
3 read as follows:

4 (a) A campus or district that is granted an exception under  
5 Section 25.112(d) from class size limits shall provide written  
6 notice of the exception to the parent of or person standing in  
7 parental relation to each student affected by the exception or  
8 shall post notice of the exception on the district's Internet  
9 website. The notice under this subsection must be in conspicuous  
10 bold or underlined print or type and:

11 (1) specify the class for which an exception from the  
12 limit imposed by Section 25.112(a) was granted;

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

15 (3) unless posted on the district's Internet website,  
16 be included in a regular mailing or other communication from the  
17 campus or district, such as information sent home with students.

18 SECTION 3. This Act applies beginning with the 2011-2012  
19 school year.

20 SECTION 4. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect on the 91st day after the last day of the  
25 legislative session.