

BILL ANALYSIS

C.S.H.B. 274
By: Alvarado
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law limits class sizes in kindergarten through the fourth grade to 22 students, but allows a school district to apply for an exemption waiver for undue hardship. Interested parties note that recent cuts in education funding compelled several school districts to take advantage of these waivers, but that because these waivers have no reporting requirements, the legislature and relevant state agencies have no data regarding the current sizes of classes in exempted schools. C.S.H.B. 274 seeks to address this problem by adding and expanding reporting requirements related to school districts that obtain class-size limitation waivers, with the intention of shedding light on the condition of students in schools exempted from class-size limits.

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

C.S.H.B. 274 amends the Education Code to require a school district granted an exception from the class size limitation for a school campus on the basis of a finding by the commissioner of education of an undue hardship to report to the Texas Education Agency (TEA) the number of students in the largest class for each affected grade level at that campus and to include this information in the required content of TEA's regional and district level report. The bill's provisions apply beginning with the 2013-2014 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 274 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 25.112, Education Code, is amended by adding Subsection (h) to read as follows:

(h) A school district granted an exception under Subsection (d) must report to the agency the number of students added to each affected class and the resulting total

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 25.112, Education Code, is amended by adding Subsection (h) to read as follows:

(h) A school district granted an exception under Subsection (d) for a school campus must report to the agency the number of students in the largest class for each affected

number of students in each affected class.

grade level at that campus.

No equivalent provision.

SECTION 2. Section 39.333, Education Code, is amended to read as follows:

Sec. 39.333. REGIONAL AND DISTRICT LEVEL REPORT. The agency shall prepare and deliver to the governor, the lieutenant governor, the speaker of the house of representatives, each member of the legislature, the Legislative Budget Board, and the clerks of the standing committees of the senate and house of representatives with primary jurisdiction over the public school system a regional and district level report covering the preceding two school years and containing:

(1) a summary of school district compliance with the student/teacher ratios and class-size limitations prescribed by Sections 25.111 and 25.112, including:

(A) the number of campuses and classes at each campus granted an exception from Section 25.112; ~~and~~

(B) for each campus granted an exception from Section 25.112, a statement of whether the campus has been awarded a distinction designation under Subchapter G or has been identified as an unacceptable campus under Subchapter E; and

(C) for each campus granted an exception from Section 25.112, the number of students in the largest class for each affected grade level;

(2) a summary of the exemptions and waivers granted to campuses and school districts under Section 7.056 or 39.232 and a review of the effectiveness of each campus or district following deregulation;

(3) an evaluation of the performance of the system of regional education service centers based on the indicators adopted under Section 8.101 and client satisfaction with services provided under Subchapter B, Chapter 8;

(4) an evaluation of accelerated instruction programs offered under Section 28.006, including an assessment of the quality of such programs and the performance of students enrolled in such programs; and

(5) the number of classes at each campus that are currently being taught by individuals who are not certified in the content areas of their respective classes.

SECTION 2. This Act applies beginning

SECTION 3. Same as introduced version.

with the 2013-2014 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 4. Same as introduced version.