

By: Menéndez

S.B. No. 818

A BILL TO BE ENTITLED

AN ACT

relating to class size limits and student/teacher ratios for
prekindergarten classes provided by or on behalf of public schools.

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

SECTION 1. Section 25.112(a), Education Code, is 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.

SECTION 2. Subchapter E, Chapter 29, Education Code, is
amended by adding Section 29.1535 to read as follows:

Sec. 29.1535. STUDENT/TEACHER RATIOS. A school district
that offers a prekindergarten program under Section 29.153 or a
private entity that provides a prekindergarten program under
contract with a school district must maintain an average ratio of:

(1) for a class of 16 students or more, not less than
one certified teacher or teacher's aide for each 11 students; and

(2) for a class of fewer than 16 students, at least one

1 certified teacher or teacher's aide for each class.

2 SECTION 3. Section 29.167(d), Education Code, is amended to
3 read as follows:

4 (d) A school district must [~~attempt to~~] maintain an average
5 ratio in any prekindergarten program class of:

6 (1) for a class of 16 students or more, not less than
7 one certified teacher or teacher's aide for each 11 students; and

8 (2) for a class of fewer than 16 students, at least one
9 certified teacher or teacher's aide for each class.

10 SECTION 4. Section 29.171(c), Education Code, is amended to
11 read as follows:

12 (c) A prekindergarten program provided by a private
13 provider under this section is subject to:

14 (1) the requirements of this subchapter, including the
15 student/teacher ratio requirements imposed under Section
16 29.167(d); and

17 (2) the class size requirement for prekindergarten
18 classes imposed under Section 25.112(a).

19 SECTION 5. This Act applies beginning with the 2019-2020
20 school year.

21 SECTION 6. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2019.