

By: Miles

S.B. No. 301

A BILL TO BE ENTITLED

AN ACT

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

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

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

(a) Except as otherwise authorized by this section, a school district may not enroll more than 18 students in a prekindergarten class or 22 students in a kindergarten, first, second, third, or fourth grade class. A limit imposed by this subsection [~~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.

(d) On application of a school district, the commissioner may except the district from a [~~the~~] limit imposed by [~~in~~] Subsection (a) 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.

(e) A school district seeking an exception under Subsection (d) shall notify the commissioner and apply for the exception not later than the later of:

1 (1) October 1; or

2 (2) the 30th day after the first school day the
3 district exceeds a ~~[the]~~ limit imposed by ~~[in]~~ Subsection (a).

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

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

11 (1) specify the class for which an exception from a
12 ~~[the]~~ 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) be included in a regular mailing or other
16 communication from the campus or district, such as information sent
17 home with students.

18 SECTION 3. This Act applies beginning with the 2023-2024
19 school year.

20 SECTION 4. This Act takes effect August 1, 2023.