

SUBJECT: Limiting prekindergarten classes to 22 students

COMMITTEE: Public Education — committee substitute recommended

VOTE: 9 ayes — Dutton, Lozano, Allen, Allison, K. Bell, Bernal, Buckley, K. King, VanDeaver

1 nay — Huberty

3 absent — M. González, Meza, Talarico

WITNESSES: For — David Feigen, Texans Care for Children; (*Registered, but did not testify*: Andrea Chevalier, Association of Texas Professional Educators; Christel Erickson-Collins, Austin Justice Coalition; Jason Sabo, Children at Risk; Jennifer Toon, Coalition of Texans with Disabilities; Libby McCabe, Commit Partnership; Steven Aleman, Disability Rights Texas; Chandra Villanueva, Every Texan; Sarah Miller-Fellows, Girls Empowerment Network; Veronica Garcia, Good Reason Houston; Chloe Latham Sikes, Intercultural Development Research Association; Annalee Gulley, Mental Health America of Greater Houston; Charles Gaines, Raise Your Hand Texas; Hillary Lilly, San Antonio ISD; Grover Campbell, TASB; Dena Donaldson, Texas AFT; Kimberly Kofron, Texas Association for the Education of Young Children; Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Paige Williams, Texas Classroom Teachers Association; Mark Terry, Texas Elementary Principals and Supervisors Association; Clayton Travis, Texas Pediatric Society; Suzi Kennon, Texas PTA; Carrie Griffith, Texas State Teachers Association; Brittney Taylor, TexProtects; Jonathan Feinstein, The Education Trust in Texas; Molly Weiner, United Ways of Texas; and 10 individuals)

Against — (*Registered, but did not testify*: Starlee Coleman, Texas Public Charter School Association)

On — (*Registered, but did not testify*: Eric Marin and Monica Martinez, Texas Education Agency)

BACKGROUND: Education Code sec. 25.112 limits a school district from enrolling more than 22 students in a kindergarten, first, second, third, or fourth grade class, with certain exceptions.

Interested parties contend that establishing the same student-to-teacher ratio for prekindergarten classes would increase their effectiveness.

DIGEST: CSHB 41 would impose a class size limit for public school prekindergarten classes that did not exceed 22 students. The class-size requirement would apply to:

- a school district and open-enrollment charter school;
- a private entity operating a district's prekindergarten program under a contract;
- a private provider contracted to provide services or equipment for a district program; and
- a campus or program operated under a campus or campus program charter.

The bill would extend to charter schools the requirement that a campus or district that is granted an exception from class size limits must provide written notice of the exception to parents of affected students.

CSHB 41 would apply beginning with the 2021-2022 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

NOTES: According to the Legislative Budget Board, the bill would require school districts and charter schools that do not currently meet class size limits and ratio requirements to hire additional staff.