

Senate Bill 157

By: Senators Johnson of the 1st, Stephens of the 51st, Paul of the 40th, Ladd of the 41st, Perdue of the 18th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-182 of the Official Code of Georgia Annotated, relating to the
2 program weights' reflection of instructors' salaries and benefits, and maximum class sizes,
3 so as to provide that rules adopted for maximum class sizes shall apply only to schools which
4 have received a C, D, or F grade; to provide that such rules shall continue to apply to such
5 schools until the schools have received a grade of A or B for two consecutive years; to delete
6 provisions allowing local systems to exceed the maximum class size for a specified period;
7 to delete provisions for lowering the maximum class size annually until the 2003-2004
8 school year; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Code Section 20-2-182 of the Official Code of Georgia Annotated, relating to the program
11 weights' reflection of instructors' salaries and benefits, and maximum class sizes, is amended
12 by striking subsection (i) in its entirety and inserting in lieu thereof the following:

13 "(i)(1) The State Board of Education shall adopt for each instructional program
14 authorized pursuant to Part 3 of this article and the middle school program provided for
15 in Code Section 20-2-290 the maximum number of students which may be taught by a
16 teacher in an instructional period. Such maximum class sizes shall be equal to or greater
17 than the teacher-student ratios used in the calculation of the program weights as set forth
18 in subsection (b) of Code Section 20-2-161.

19 (2)(A) The provisions of this paragraph shall apply only to a school which has received
20 a grade of C, D, or F on the established absolute student achievement standard, as
21 provided for in paragraph (1) of subsection (d) of Code Section 20-14-33. The
22 provisions of this paragraph shall continue to apply to such a school until the school has
23 received a grade of A or B on the established absolute student achievement standard,
24 as provided for in paragraph (1) of subsection (d) of Code Section 20-14-33, for two
25 consecutive years.
26

1 (B) The State Board of Education shall, for each instructional program that is
 2 authorized pursuant to Part 3 of this article and the middle school program provided for
 3 in Code Section 20-2-290, adopt the maximum number of students which may be
 4 taught by a teacher in an instructional period. Such maximum class sizes shall be equal
 5 to or greater than the teacher-student ratios used in the calculation of the program
 6 weights as set forth in subsection (b) of Code Section 20-2-161 but shall not exceed the
 7 funding class size by more than 20 percent, unless specifically authorized by the State
 8 Board of Education; provided, however, that in no case shall the 20 percent maximum
 9 be exceeded for mathematics, science, social studies, or English classes; provided,
 10 further, that the maximum class size for grades one through three shall not exceed 20
 11 percent over the funding ratio except for art, music, or physical education classes;
 12 provided, further, that the maximum class size for special education, gifted, and English
 13 for speakers of other languages classes shall be set by the State Board of Education.
 14 ~~For a period not to exceed four years, beginning with the 2000-2001 school year, local~~
 15 ~~school systems shall be allowed to exceed the maximum class sizes set forth in this~~
 16 ~~subsection in a manner consistent with State Board of Education rules. The State Board~~
 17 ~~of Education shall lower the current maximum class sizes set by state board rules in~~
 18 ~~effect for the 1999-2000 school year, beginning with the 2000-2001 school year, by a~~
 19 ~~proportional amount each school year so that, beginning with the 2003-2004 school~~
 20 ~~year, State Board of Education rules are in compliance with this subsection. An aide~~
 21 ~~may be used to increase the maximum class size in kindergarten from 18 to 20 and may~~
 22 ~~be used in all other programs to increase class size as allowed by State Board of~~
 23 ~~Education rule, except that an aide shall not be used to increase the maximum class size~~
 24 ~~in grades one through three. The maximum class size for the kindergarten and primary~~
 25 ~~grades programs is defined as the number of students in a physical classroom.~~
 26 ~~Maximum class sizes that result in a fractional full-time equivalent shall be rounded up~~
 27 ~~to the nearest whole number as needed. The middle school program shall use the~~
 28 ~~teacher-student ratio of the middle grades program for the purpose of this subsection~~
 29 ~~paragraph.~~

30 (3) The number of students taught by a teacher at any time after the first 15 school days
 31 of a school year may not exceed the maximum such number established by the applicable
 32 state board rule pursuant to this subsection unless authorization for a specific larger
 33 number is requested of the state board, along with the educational justification for
 34 granting the requested exemption, and the state board has approved said request. The
 35 state board shall not reduce class sizes without the authorization of the General
 36 Assembly, if this reduction necessitates added costs for facilities, personnel, and other
 37 program needs. Local boards of education may reduce class sizes, build additional

1 facilities, and provide other resources at local cost if such actions are in the best interest
2 of the local school systems' programs as determined by the local boards of education."

3 **SECTION 2.**

4 All laws and parts of laws in conflict with this Act are repealed.