

Senate Bill 252

By: Senators Meyer von Bremen of the 12th, Golden of the 8th, Lee of the 29th, Jackson of the 50th and Hecht of the 34th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to provide that compliance with maximum class
3 requirements shall be measured for each teacher and to prohibit averaging class sizes for a
4 program or grade; to exempt the middle grades program and the middle school program from
5 provisions allowing classes larger than the funding class sizes and provisions for phasing in
6 maximum class size requirements; to provide a specific maximum number of students daily
7 for each teacher who teaches five academic classes daily in the middle grades program or the
8 middle school program; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
12 secondary education, is amended in Code Section 20-2-182, relating to program weights and
13 funds for salaries and benefits, by striking subsection (i) in its entirety and inserting in lieu
14 thereof the following:

15 "(i) The State Board of Education shall adopt for each instructional program authorized
16 pursuant to Part 3 of this article and the middle school program provided for in Code
17 Section 20-2-290 the maximum number of students which may be taught by a teacher in
18 an instructional period. Except as otherwise provided in subsection (j) of this Code section,
19 such ~~Such~~ maximum class sizes shall be equal to or greater than the teacher-student ratios
20 used in the calculation of the program weights as set forth in subsection (b) of Code
21 Section 20-2-161 but shall not exceed the funding class size by more than 20 percent,
22 unless specifically authorized by the State Board of Education; provided, however, that in
23 no case shall the 20 percent maximum be exceeded for mathematics, science, social
24 studies, or English classes; provided, further, that the maximum class size for grades one
25 through three shall not exceed 20 percent over the funding ratio except for art, music, or
26 physical education classes; provided, further, that the maximum class size for special

1 education, gifted, and English for speakers of other languages classes shall be set by the
 2 State Board of Education. Except as otherwise provided in subsection (j) of this Code
 3 section and for For a period not to exceed four years, beginning with the 2000-2001 school
 4 year, local school systems shall be allowed to exceed the maximum class sizes set forth in
 5 this subsection in a manner consistent with State Board of Education rules. Except as
 6 otherwise provided in subsection (j) of this Code section, the The State Board of Education
 7 shall lower the current maximum class sizes set by state board rules in effect for the
 8 1999-2000 school year, beginning with the 2000-2001 school year, by a proportional
 9 amount each school year so that, beginning with the 2003-2004 school year, State Board
 10 of Education rules are in compliance with this subsection. An aide may be used to increase
 11 the maximum class size in kindergarten from 18 to 20 and may be used in all other
 12 programs to increase class size as allowed by State Board of Education rule, except that an
 13 aide shall not be used to increase the maximum class size in grades one through three. The
 14 maximum class size for the kindergarten and primary grades programs is defined as the
 15 number of students in a physical classroom. Maximum class sizes that result in a fractional
 16 full-time equivalent shall be rounded up to the nearest whole number as needed. ~~The~~
 17 ~~middle school program shall use the teacher-student ratio of the middle grades program for~~
 18 ~~the purpose of this subsection.~~ The number of students taught by a any teacher at any time
 19 after the first 15 school days of a school year may not exceed the maximum such number
 20 unless authorization for a specific larger number is requested of the state board, along with
 21 the educational justification for granting the requested exemption, and the state board has
 22 approved said request. Compliance with rules specifying maximum class sizes shall be
 23 measured for each teacher, without averaging class sizes for a program, grade in a program,
 24 or in a school. The state board shall not reduce class sizes without the authorization of the
 25 General Assembly, if this reduction necessitates added costs for facilities, personnel, and
 26 other program needs. Local boards of education may reduce class sizes, build additional
 27 facilities, and provide other resources at local cost if such actions are in the best interest of
 28 the local school systems' programs as determined by the local boards of education.

29 (j) After the first 15 school days of a school year, no teacher in the middle grades program
 30 or the middle school program who teaches five academic classes daily shall teach a total
 31 number of students daily exceeding 125 students. Compliance with this subsection
 32 regarding maximum class size shall be measured for each teacher, without averaging class
 33 sizes for a program, grade in a program, or in a school."

34 SECTION 2.

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