

LOST

1 Senator Meyer von Bremen of the 12th offered the following amendment:

2 Amend the Senate committee substitute to HB 1190 by striking from lines 7 and 8 of page
3 1 the following:

4 "to change certain provisions regarding program weights;"

5 and inserting in lieu thereof the following:

6 "to change certain provisions relating to maximum class size for the 2004-2005 school
7 year; to provide for automatic repeal;"

8 By striking lines 23 through 36 of page 9 and lines 1 through 37 of page 10 and inserting in
9 lieu thereof the following:

10 **"SECTION 4.**

11 Said title is further amended in Code Section 20-2-182, relating to program weights,
12 maximum class sizes, reporting requirements, and the 2003-2004 school year, by striking
13 subsections (i) and (k) and inserting in lieu thereof the following:

14 '(i) The State Board of Education shall adopt for each instructional program authorized
15 pursuant to Part 3 of this article and the middle school program provided for in Code
16 Section 20-2-290 the maximum number of students which may be taught by a teacher in
17 an instructional period. Such maximum class sizes shall be equal to or greater than the
18 teacher-student ratios used in the calculation of the program weights as set forth in
19 subsection (b) of Code Section 20-2-161 but shall not exceed the funding class size by
20 more than 20 percent, unless specifically authorized by the State Board of Education;
21 provided, however, that in no case shall the 20 percent maximum be exceeded for
22 mathematics, science, social studies, or English classes; provided, further, that the
23 maximum class size for kindergarten and grades one through three shall not exceed 20
24 percent over the funding ratio except for art, music, or physical education classes;
25 provided, further, that the maximum class size for special education, gifted, and English
26 for speakers of other languages classes shall be set by the State Board of Education. For
27 a period not to exceed four years, beginning with the 2000-2001 school year, local school
28 systems shall be allowed to exceed the maximum class sizes set forth in this subsection in
29 a manner consistent with State Board of Education rules. The State Board of Education
30 shall lower the current maximum class sizes set by state board rules in effect for the
31 1999-2000 school year, beginning with the 2000-2001 school year, by a proportional
32 amount each school year so that, beginning with the 2003-2004 school year, State Board
33 of Education rules are in compliance with this subsection except as otherwise provided in

1 subsection (k) of this Code section for the 2003-2004 and 2004-2005 school year years
2 only. An aide may be used in programs to increase class size as allowed by State Board
3 of Education rule, except that an aide shall not be used to increase the maximum class size
4 in kindergarten or grades one through three, except as otherwise provided in subsection (k)
5 of this Code section for the 2003-2004 and 2004-2005 school year years only. The
6 maximum class size for the kindergarten and primary grades programs is defined as the
7 number of students in a physical classroom. Maximum class sizes that result in a fractional
8 full-time equivalent shall be rounded up to the nearest whole number as needed. The
9 middle school program shall use the teacher-student ratio of the middle grades program for
10 the purpose of this subsection. The number of students taught by a teacher at any time after
11 the first 15 school days of a school year may not exceed the maximum such number unless
12 authorization for a specific larger number is requested of the state board, along with the
13 educational justification for granting the requested exemption, and the state board has
14 approved said request. The state board shall not reduce class sizes without the
15 authorization of the General Assembly if this reduction necessitates added costs for
16 facilities, personnel, and other program needs. Local boards of education may reduce class
17 sizes, build additional facilities, and provide other resources at local cost if such actions are
18 in the best interest of the local school systems' programs as determined by the local boards
19 of education.'

20 '(k) For the 2003-2004 and 2004-2005 school year years, the maximum class sizes set by
21 the State Board of Education for the 2002-2003 school year shall apply for grades four
22 through 12. For the 2003-2004 and 2004-2005 school year years, the maximum class sizes
23 set by the State Board of Education for the 2003-2004 school year shall apply to
24 kindergarten and grades one through three, except that a kindergarten class may be
25 increased to 20 students if a paraprofessional is present in addition to the certificated
26 teacher. For the 2003-2004 and 2004-2005 school year years, compliance with maximum
27 class size requirements shall be determined by the system average for kindergarten and for
28 each grade and no class shall exceed the applicable maximum size by more than two
29 students. Except as otherwise provided in this subsection, other provisions of this Code
30 section shall apply. This subsection shall not be construed to repeal any other provision
31 of this Code section or this chapter, or to apply to any period of time other than the two
32 fiscal year years beginning July 1, 2003, and ending June 30, ~~2004~~ 2005. This subsection
33 shall be automatically repealed July 1, ~~2004~~ 2005."