

Senate Bill 72

By: Senators Thompson of the 33rd, Stoner of the 6th, Powell of the 23rd and Thompson of the 5th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-182, relating to program weights relative to state funding of
2 local school systems, so as to provide for compliance with maximum class size requirements
3 for each individual classroom; to prohibit determining compliance with maximum class size
4 requirements by system average; to revise or delete obsolete provisions; to restore provisions
5 enacted in 2000 and suspended during school years 2003-2004 and 2004-2005; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 20-2-182, relating to program weights relative to state funding of local school
10 systems, is amended by striking subsections (i) and (k) and inserting in lieu thereof the
11 following:

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

1 a manner consistent with State Board of Education rules. The State Board of Education
2 shall lower the current maximum class sizes set by state board rules in effect for the
3 1999-2000 school year, beginning with the 2000-2001 school year, ~~by a proportional~~
4 ~~amount each school year~~ so that, beginning with the ~~2003-2004~~ 2005-2006 school year,
5 State Board of Education rules are in compliance with this subsection ~~except as otherwise~~
6 ~~provided in subsection (k) of this Code section for the 2003-2004 and 2004-2005 school~~
7 ~~years only~~. An aide may be used in programs to increase class size as allowed by State
8 Board of Education rule, except that an aide shall not be used to increase the maximum
9 class size in kindergarten or grades one through three, ~~except as otherwise provided in~~
10 ~~subsection (k) of this Code section for the 2003-2004 and 2004-2005 school years only~~.
11 The maximum class size for the kindergarten and primary grades programs is defined as
12 the number of students in a physical classroom. Compliance with maximum class size
13 requirements shall not be determined by the system average. Maximum class sizes that
14 result in a fractional full-time equivalent shall be rounded up to the nearest whole number
15 as needed. The middle school program shall use the teacher-student ratio of the middle
16 grades program for the purpose of this subsection. The number of students taught by a
17 teacher at any time after the first 15 school days of a school year may not exceed the
18 maximum such number unless authorization for a specific larger number is requested of
19 the state board, along with the educational justification for granting the requested
20 exemption, and the state board has approved said request. The state board shall not reduce
21 class sizes without the authorization of the General Assembly if this reduction necessitates
22 added costs for facilities, personnel, and other program needs. Local boards of education
23 may reduce class sizes, build additional facilities, and provide other resources at local cost
24 if such actions are in the best interest of the local school systems' programs as determined
25 by the local boards of education."

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

1 ~~chapter, or to apply to any period of time other than the two fiscal years beginning July 1,~~
2 ~~2003, and ending June 30, 2005. This subsection shall be automatically repealed July 1,~~
3 ~~2005."~~

4 **SECTION 2.**

5 This Act shall become effective on July 1, 2005.

6 **SECTION 3.**

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