

1                                   **CLASSROOM SIZE REVISIONS**

2                                   2013 GENERAL SESSION

3                                   STATE OF UTAH

4                                   **Chief Sponsor: Rebecca P. Edwards**

5                                   Senate Sponsor: \_\_\_\_\_

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6  
7                                   **LONG TITLE**

8                                   **General Description:**

9                                   This bill imposes requirements pertaining to class size.

10                                  **Highlighted Provisions:**

11                                  This bill:

12                                  ▶ limits the number of students who may be assigned to a teacher who teaches a core  
13 curriculum course in kindergarten through grade 3, unless a paraprofessional is  
14 assigned to the teacher's class for the duration of the core curriculum course;

15                                  ▶ establishes qualifications for a paraprofessional assigned to a class that exceeds the  
16 maximum class size requirement; and

17                                  ▶ provides that a school district or charter school is eligible to receive money  
18 appropriated for class size reduction, if the school district or charter school complies  
19 with requirements to limit class size in kindergarten through grade 3 or assign a  
20 paraprofessional to a class that exceeds the maximum class size.

21                                  **Money Appropriated in this Bill:**

22                                  None

23                                  **Other Special Clauses:**

24                                  This bill takes effect on July 1, 2013.

25                                  **Utah Code Sections Affected:**

26                                  AMENDS:

27                                  **53A-17a-124.5**, as last amended by Laws of Utah 2010, Chapter 3



28 ENACTS:

29 **53A-15-106**, Utah Code Annotated 1953



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **53A-15-106** is enacted to read:

33 **53A-15-106. Maximum class size in kindergarten through grade 3 -- Exception --**  
34 **Qualifications of a paraprofessional assigned to a class that exceeds the maximum class**  
35 **size.**

36 (1) As used in this section:

37 (a) "Core curriculum course" means a language arts, mathematics, science, or social  
38 studies course.

39 (b) "Direct supervision of a licensed teacher" means the teacher:

40 (i) prepares the lesson and plans the instructional support activities the paraprofessional  
41 carries out; and

42 (ii) evaluates the achievement of the students with whom the paraprofessional works.

43 (c) "Paraprofessional" means an individual who:

44 (i) works under the direct supervision of a licensed teacher; and

45 (ii) meets the qualifications established in Subsection (4).

46 (2) Except as provided in Subsection (3), the maximum number of students assigned to  
47 a teacher who is teaching a core curriculum course may not exceed:

48 (a) 20 students for a kindergarten class, beginning with the 2013-14 school year;

49 (b) 22 students for a first grade class, beginning with the 2014-15 school year;

50 (c) 22 students for a second grade class, beginning with the 2015-16 school year; and

51 (d) 24 students for a third grade class, beginning with the 2016-17 school year.

52 (3) The number of students assigned to a teacher who is teaching a core curriculum  
53 course may exceed the maximum class size specified in Subsection (2) if a paraprofessional is  
54 assigned to the class for the entire duration of the core curriculum course.

55 (4) A paraprofessional who is assigned to a class pursuant to Subsection (3) shall have:

56 (a) (i) earned a secondary school diploma or a recognized equivalent; and

57 (ii) (A) completed at least two years with a minimum of 48 semester hours at an  
58 accredited higher education institution; or

59 (B) obtained an associate's or higher degree from an accredited higher education  
60 institution; or

61 (b) satisfied a rigorous state or local assessment of the individual's knowledge of, and  
62 ability to assist in instructing students in, reading, writing, and mathematics.

63 Section 2. Section **53A-17a-124.5** is amended to read:

64 **53A-17a-124.5. Appropriation for class size reduction.**

65 (1) Money appropriated to the State Board of Education for class size reduction shall  
66 be used to reduce the average class size in kindergarten through the eighth grade in the state's  
67 public schools.

68 (2) (a) A school district or charter school is eligible to receive money appropriated  
69 under Subsection (1) if the school district or charter school complies with the requirements in  
70 Section 53A-15-106 to limit class size in kindergarten through grade 3 or assign a  
71 paraprofessional to a class that exceeds the maximum class size.

72 [~~2~~] (b) Each district or charter school shall receive its allocation based upon prior  
73 year average daily membership in kindergarten through grade [~~eight~~] 8 plus growth as  
74 determined under Subsection 53A-17a-106(3) as compared to the state total based on school  
75 districts and charter schools that are eligible pursuant to Subsection (2)(a).

76 (3) (a) A district or charter school may use its allocation to reduce class size in any one  
77 or all of the grades referred to under this section, except as otherwise provided in Subsection  
78 (3)(b).

79 (b) (i) Each district or charter school shall use 50% of its allocation to reduce class size  
80 in any one or all of grades kindergarten through grade [~~two~~] 2, with an emphasis on improving  
81 student reading skills.

82 (ii) If a district's or charter school's average class size is below 18 in grades  
83 kindergarten through [~~two~~] grade 2, it may petition the state board for, and the state board may  
84 grant, a waiver to use its allocation under Subsection (3)(b)(i) for class size reduction in the  
85 other grades.

86 (4) Schools may use nontraditional innovative and creative methods to reduce class  
87 sizes with this appropriation and may use part of their allocation to focus on class size  
88 reduction for specific groups, such as at risk students, or for specific blocks of time during the  
89 school day.

90 (5) (a) A school district or charter school may use up to 20% of its allocation under  
91 Subsection (1) for capital facilities projects if such projects would help to reduce class size.

92 (b) If a school district's or charter school's student population increases by 5% or 700  
93 students from the previous school year, the school district or charter school may use up to 50%  
94 of any allocation it receives under this section for classroom construction.

95 (6) This appropriation is to supplement any other appropriation made for class size  
96 reduction.

97 (7) The Legislature shall provide for an annual adjustment in the appropriation  
98 authorized under this section in proportion to the increase in the number of students in the state  
99 in kindergarten through grade eight.

100 Section 3. **Effective date.**

101 This bill takes effect on July 1, 2013.

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**Legislative Review Note**  
**as of 2-14-13 8:00 AM**

**Office of Legislative Research and General Counsel**