

CLASSROOM SIZE AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen W. Morgan

House Sponsor: Rebecca P. Edwards

LONG TITLE

General Description:

This bill imposes a maximum class size for kindergarten through grade 3.

Highlighted Provisions:

This bill:

▶ limits the number of students who may be assigned to a teacher who teaches a core curriculum course in kindergarten through grade 3, unless a paraprofessional is

assigned to the teacher's class for the duration of the core curriculum course; ~~§~~ [and] ~~§~~

▶ establishes qualifications for a paraprofessional assigned to a class that exceeds the maximum class size requirement ~~§~~ [-] ; and

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

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2012.

Utah Code Sections Affected:

~~§~~ **AMENDS:**

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

ENACTS:

53A-15-106, Utah Code Annotated 1953



24

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

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

27 **53A-15-106. Maximum class size in kindergarten through grade 3 -- Exception --**

28 **Qualifications of a paraprofessional assigned to a class that exceeds the maximum class**
 29 **size.**

30 (1) As used in this section:

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

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

34 (i) prepares the lesson and plans the instructional support activities the paraprofessional
 35 carries out; and

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

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

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

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

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

42 (a) ~~§~~ → [18] 20 ← ~~§~~ students for a kindergarten class, beginning with the 2012-13 school
 42a year;

43 (b) ~~§~~ → [20] 22 ← ~~§~~ students for a first grade class, beginning with the 2013-14 school year;

44 (c) 22 students for a second grade class, beginning with the 2014-15 school year; and

45 (d) 24 students for a third grade class, beginning with the 2015-16 school year.

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

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

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

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

53 (B) obtained an associates or higher degree from an accredited higher education
 54 institution; or

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

56a **§ → **Section 2. Section 53A-17A-124.5 is amended to read:****

56b **53A-17a-124.5. Appropriation for class size reduction.**

56c **(1) Money appropriated to the State Board of Education for class size reduction shall be used**
 56d **to reduce the average class size in kindergarten through the eighth grade in the state's public schools.**

56e **(2) (a) A school district or charter school is eligible to receive money**
 56f **appropriated under Subsection (1), if the school district or charter school complies with the**
 56g **requirements in Section 53A-15-106 to limit class size in kindergarten through grade 3 or**

56h **assign a paraprofessional to a class that exceeds the maximum class size.**

56i ~~[(2)]~~ **b** Each district shall receive its allocation based upon prior year average daily
 56j membership in kindergarten through grade ~~[eight]~~ **8** plus growth as determined under Subsection
 56k **53A-17a-106(3)** as compared to the state total **based on school districts and charter schools that are**
 56l **eligible pursuant to Subsection (2)(a)** .

56m **(3) (a)** A district **or charter school** may use its allocation to reduce class size in any one or all of
 56n the grades referred to under this section, except as otherwise provided in Subsection (3)(b).

56o **(b) (i)** Each district **and charter school** shall use **50%** of its allocation to reduce class size in
 56p any one or all of grades kindergarten through grade ~~[two]~~ **2** , with an emphasis on improving
 56q student reading skills.

56r **(ii)** If a district's **or charter school's** average class size is below 18 in grades kindergarten
 56s through ~~[two]~~ **2** , it may petition the state board for, and the state board may grant, a waiver to use its
 56t allocation under Subsection (3)(b)(i) for class size reduction in the other grades.

56u **(4)** Schools may use nontraditional innovative and creative methods to reduce class sizes with
 56v this appropriation and may use part of their allocation to focus on class size reduction for specific
 56w groups, such as at risk students, or for specific blocks of time during the school day.

56x **(5) (a)** A school district **or charter school** may use up to **20%** of its allocation under Subsection
 56y **(1)** for capital facilities projects if such projects would help to reduce class size.

56z **(b)** If a school district's **or charter school's** student population increases by **5%** or **700** students
 56aa from the previous school year, the school district **or charter school** may use up to **50%** of any
 56ab allocation it receives under this section for classroom construction.

56ac **(6)** This appropriation is to supplement any other appropriation made for class size reduction.

56ad **(7)** ~~[The]~~ **Subject to future budget constraints, the** Legislature shall provide for an annual
 56ae adjustment in the appropriation authorized under this section in proportion to the increase in the
 56af number of students in the state in kindergarten through grade eight. ~~←~~ ~~§~~

57 Section ~~§~~ ~~→~~ ~~[2]~~ ~~3~~ ~~←~~ ~~§~~ . Effective date.

58 This bill takes effect on July 1, 2012.

Legislative Review Note
as of 10-27-11 9:06 AM

Office of Legislative Research and General Counsel