

Information Regarding 2012-2013 Class Size Resolutions for Local Boards of Education

SUMMARY:

Local school systems are required to submit a local board resolution to the Georgia Department of Education if class size maximums will exceed the requirements in current statute and State Board Rule 160-5-1-.08 Class Size for the 2012-2013 school year. The local board resolution must be approved at a local board meeting. Local boards of education must continue to meet all federal and state accountability requirements.

TABLE OF CONTENTS:

- 1. State Board of Education action item and additional detail
- 2. State Board of Education Resolution
- 3. Local Class Size Flexibility Considerations
- 4. Sample Class Size Resolution for use by Local Boards of Education
- 5. State Board Rule 160-5-1-.08 Class Size

Georgia Department of Education

Februar. State Board Meeting 2/16/2012 8:30:00 AM State Board of Education 2070 T. in Towers East Atlanta, Georgia

Printed: 2/20/2012 1:43 PM EST

ITEM:I.D.9.EAP. State Board of Education 2012-2013 Class Size Maximums Exemption - Adoption of Resolution

Recommendation

It is recommended that the State Board of Education adopt the attached resolution to grant an exemption of all statutory and regulatory class size maximums for the 2012-2013 school year.

Supporting Documents

Board Item

State Board Resolution

Class Size Flexibility Considerations for FY13

Sample - Local Board Resolution



Georgia Department of Education Item for State Board of Education Approval Other —

Item Name

EAP - State Board of Education 2012-2013 Class Size Maximums Exemption - Adoption of Resolution

Recommendation - Action Item

It is recommended that the State Board of Education adopt the attached resolution to grant an exemption of all statutory and regulatory class size maximums for the 2012-2013 school year.

Rationale

The State of Georgia continues to experience an unprecedented downturn in its economy. This downturn has caused and will continue to cause declines in local revenue collected to fund public education at the local school district level. The results of such a precipitous decline may mean a local board of education will not be able to comply with class size maximum requirements. O.C.G.A. § 20-2-244 (h) authorizes the State Board of Education to allow local school systems to exceed regulatory class size maximums in the event of financial exigency.

Details

If adopted by the State Board of Education, the exemption would be effective for the 2012-2013 school year only. In addition, local school districts will be required to submit a local board resolution to the Georgia Department of Education if class size maximums will exceed the requirements in current statute and State Board Rule 160-5-1-.08 Class Size. The local board resolution must be approved at a local board meeting. The purpose of the locally approved resolution is to ensure that all stakeholders are informed about the local school district's decisions regarding increases in class sizes. Lastly, local boards of education must continue to meet all federal and state accountability requirements.

Budget History (minimum of three years):

N/A

Performance, Criteria, and Results:

N/A

Summary

The State Board of Education previously adopted resolutions exempting all statutory and regulatory class size maximums for the 2011-2012 school year during the State Board of Education Meeting on February 10, 2011, and for the 2010-2011 school year at a called meeting on May 24, 2010. Adoption of the attached resolution will provide the same exemption for the 2012-2013 school year.

Contacts

Garry McGiboney, Associate Superintendent for Policy and Charter Schools Howard Hendley, Director of Policy



Georgia State Board of Education

Adoption of State Board of Education Resolution Regarding Class Size Exemptions for the 2012-2013 School Year

WHEREAS, the State Board of Education recognizes that Georgia continues to experience an unprecedented downturn in the economy resulting in financial exigency; and

WHEREAS, this downturn will continue to cause declines in local revenue collected to fund public education at the local school district; and

WHEREAS, the State Board of Education has the authority in O.C.G.A.

§ 20-2-182 to exempt class size requirements due to unforeseen events and occurrences which result in a local board of education's inability to comply with class size maximum requirement and the authority in O.C.G.A. § 20-2-244 (h) to provide a blanket waiver of class size requirements in the event of financial exigency; and

WHEREAS, local school boards must make FY 2013 budget decisions expeditiously; and

WHEREAS, the State Board of Education is committed to making policies that ensure maximum academic and financial accountability; and now

THEREFORE, be it resolved that effective for the 2012-2013 school year only, the State Board of Education is granting an exemption from all statutory and regulatory class size maximums for any local education agency whose local board submits a resolution to the Georgia Department of Education establishing class sizes beyond the maximum limits set forth in State Board of Education Rule 160-5-1-.08 Class Size;

IN WITNESS WHEREOF, we have set our hands and caused the Georgia State Board of Education Seal to be affixed this 16th day of February 2012.

Barbara Hampton, Chair John D. Barge **Chief Executive Officer** State Board of Education Elizabeth J. Ragsdale Linda M. Zechmann **Second Congressional District** First Congressional District Helen Odom Rice Daniel Israel **Fourth Congressional District** Third Congressional District Kenneth Mason Mike Royal Fifth Congressional District **Seventh Congressional District** Larry E. Winter Wanda T. Barrs Ninth Congressional District **Eighth Congressional District** J. Grant Lewis Brian K. Burdette **Tenth Congressional District Eleventh Congressional District** Mary Sue Murray Allen C. Rice

Twelfth Congressional District

Thirteenth Congressional District

Georgia Department of Education

2012-2013 State Board of Education Local Class Size Flexibility Considerations

For the 2012-2013 school year, the State Board of Education has allowed flexibility for school districts to adjust class size to meet the financial and staff constraints that school districts are experiencing. As school districts make adjustments in class size, it is also necessary to consider the needs of the students and other program requirements that may impact class size. Among the considerations for all students are:

- (1) The delivery of instruction in an effective manner so that the needs of the learner can be met in the classroom;
- (2) The safety of the students in larger classrooms;
- (3) The possibility for increased discipline issues if classrooms are too large; and
- (4) Adequate equipment or materials for the entire class. Moreover, there are many subgroups or special populations with learning challenges that require additional considerations.

Additional considerations and guidance regarding how to utilize the flexibility authorized by the State Board are addressed below.

Class Size Considerations

Federal requirements: The State Board did not waive any federal requirements. School districts must adhere to all federal requirements that impact any school setting or group. This will include accountability requirements to meet AYP performance targets for all students and subgroups, including students eligible under the IDEA and Title III (ESOL and Immigrant programs). In addition to the accountability requirements for meeting AYP performance targets, school districts are expected to meet the performance requirements of Title III for ESOL students and the IDEA performance requirements for special education students. Any penalties for not meeting federal accountability and performance targets will still apply. As always, school districts are expected to improve the performance of all populations. Further, school districts must meet all federal requirements for the delivery of services. In short, that means that programs must be designed to meet the needs of the students for whom they are intended, that instruction must be delivered in an appropriate and timely manner, and no program discriminates on the basis of race/ethnicity, religion, disability or economic status. Additionally, school districts must continue to provide a free appropriate public education to all students eligible for special education services under IDEA.

Models of delivery: Although the State Board granted flexibility for class size requirements, other program requirements were not waived. Districts should review all program requirements very carefully as they adjust class sizes.

1. Special populations or programs such as English language learners (ELL), special education, gifted education, alterative education programs, remedial education program (REP), or early intervention program (EIP) have models of delivery for the services or programs. Even though the specific class sizes may be increased, the school system must adhere to all model delivery requirements. For example, the Augmented model for REP will still require additional teaching staff although the class size may be larger than the class size permitted under the current State Board rule. A model that calls for a reduced class size must be smaller than the district's regular class size although the class size may be larger than the class size permitted under the current State Board rule.

2. If certain models of delivery contain requirements for paraprofessionals as part of the class, the school district must adhere to those requirements. For example, a special education class for students with profound intellectual disabilities must have a paraprofessional and a teacher. Although the number of students can increase beyond the class size permitted under the current State Board rule, the requirement to have paraprofessional in the classroom was not waived.

Eligibility limits: Some programs limit enrollment in the special program to a percentage of the school or district population. These enrollment limits were not waived. For example, EIP limits enrollment for services to 3% of the population in grades 2 - 5, this limit is still in place although more students may be served in a class.

Facility requirements: Facilities and some special programs require minimum space or other safety criteria. These space and safety requirements were not waived. For example, a special education classroom must contain 38 square feet per student. Classrooms for students with hearing impairments must have appropriate sound treatment or acoustical accommodations. Further, in career technical courses, national standards for industry certification and/or Occupational Safety and Health Administration (OSHA) standards will apply with their specific ratios of equipment/square footage to students.

Caseload requirements for special education: State Board Rule 160-4-7-.14 *Personnel, Facilities, and Caseloads,* limits the caseload for personnel providing services to students with disabilities. These caseload requirements were not waived, and school districts are expected to adhere to the caseload requirements of rule 160-4-7-.14.

Class Size Reporting during FTE: GaDOE's Data Collections Division is working to suppress over class size errors during the 2011-2012 school year Class Size data collection. Further information will be communicated to your FTE Coordinators during the Data Collections Conference at the beginning of September.

Utilizing the Class Size Flexibility Authorized by the State Board

- 1) School district personnel choosing to utilize class size exemptions must submit a resolution approved by the local board to the Georgia Department of Education.
- 2) District personnel are encouraged to utilize the sample resolution provided.
- 3) The resolution should indicate that class size exemptions for a particular district have been presented and approved at a meeting of the local board of education.
- 4) The resolution should be dated and signed by the superintendent and school board chairperson.
- 5) The resolution should be submitted to the address below:

Dr. Garry McGiboney, Associate Superintendent Policy and Charter Schools 2053 Twin Towers East 205 Jesse Hill Jr. Drive SE Atlanta, Georgia 30334

Sample County Board of Education

Resolution

WHEREAS, the State Board of Education recognizes that Georgia continues to experience an unprecedented downturn in the economy; and

WHEREAS, this downturn will continue to cause declines in local revenue collected to fund public education at the local school district; and

WHEREAS, the State Board of Education has granted an exemption from all statutory and regulatory class size maximums for the 2012-2013 school year; and

WHEREAS, the *Sample County* Board of Education understands that the local board of education is responsible for meeting all federal and state accountability rules; and

WHEREAS, the *Sample County* Board of Education understands that the local board of education is responsible for meeting all federal and state health and safety requirements; and

WHEREAS, the *Sample County* Board of Education understands that the local board of education is responsible for all federal and state reporting requirement; and now

THEREFORE, BE IT RESOLVED that effective for the 2012-2013 school year only, the *Sample County* Board of Education authorizes the Superintendent of Schools to increase the class size maximums to exceed the current requirements by:

1 to XX students in grades K-12 in Regular Education,

1 to XX students in English Language Learners (ELL),

1 to XX students in Gifted,

1 to XX students in Early Intervention Program (EIP),

1 to XX students in Remedial Education Program (REP),

1 to XX students in Vocational (CTAE),

1 to XX students in Alternative Education Program (AEP), and

1 to XX students in Special Education classes.

Adopted this the _______ *day of* ______ 2012.

Sample Georgia Department of Education January 30, 2012 Comment [ARM1]: Indicate here how many additional students you propose to ADD to a class BEYOND the current maximum class size. Do not indicate here the maximum class size you are creating. For example you should indicate 1-3 students in grades K-12 in Regular Education instead of 1-35 students in grades K-12 Regular Education. This applies similarly to all other instructional areas listed helpow

Board Chair Signature	
Superintendent's Signature	
Date:	

Sample Georgia Department of Education January 30, 2012

Code: IEC

160-5-1-.08 CLASS SIZE.

- (1) **DEFINITIONS.**
- (a) **Areas of Exceptionality** A reas of exceptionality with maximum class sizes are as follows.
 - 1. S/L: Speech-Language Impairment
 - 2. D/H H: Deaf/H ard of Hearing
 - 3. LD: Specific Learning Disability
 - 4. EBD: Emotional and Behavioral Disorder
 - 5. M ID: M ild Intellectual Disability
 - 6. SID: Severe Intellectual Disability
 - 7. M OID: M oderate Intellectual Disability
 - 8. OI: Orthopedic Impairment
 - 9. PID: Profound Intellectual Disability
 - 10. VI: Visual Impairment
 - 11. DB: Deaf-Blind
 - 12. SED: Severe, Emotional and Behavioral Disorder
 - 13. SDD: Significant Developmental Delay
- (b) **Early Intervention Program (EIP)** Program to serve students in grades K through 5 who are at risk of not reaching or maintaining academic grade level to obtain the necessary skills to reach grade-level performance in the shortest possible time as specified in Rule 160-4-2-.17 Early Intervention Program.
- (c) **Gifted Advanced Content Delivery Model** A chievement-grouped advanced classes in academic content areas. The curriculum is differentiated in content, pacing, process-skills emphasis, and expectation of student achievement to provide challenge for gifted learners. (Examples: middle school Algebra I; Honors/A P/IB courses)
- (d) **Gifted Resource Class Delivery Model** Classes for gifted students that emphasize interdisciplinary enrichment. Although the curriculum has academic content, the instruction focuses on thinking skills, problem solving, research and communication skills, and creative productivity. (Example: Elementary Pull-Out Enrichment Class)
- (e) Individual Class Size Funding Ratio The number of students needed to earn state funds, calculated on the base amount, to pay for a single class in each of the QBE formula programs.
- (f) **Instructional Extension** a state-funded instructional program beyond the regular school day to address the academic needs of low-performing students.
- (g) **Maximum Individual Class Size** M aximum number of students that may be taught by a teacher in a class segment.

160-5-1-.08 (Continued)

- (h) **Physical Classroom** The maximum class size for grades K-3 is applicable to the physical classroom. The physical classroom is the space used for the purposes of instruction to students. By way of example, to have more than twenty-one students in a K-3 classroom will require a divider, temporary or permanent. Whether the partition is temporary or permanent, the system shall obtain the approval of the fire marshal and the Facilities Division at the Georgia Department of Education.
- (i) **Remedial Education Program** an instructional program designed for students in grades 6-12 who have identified deficiencies in reading, writing, and math as identified by Rule 160-4-5-.01 Remedial Education
- (j) **Resource Delivery Model** Instruction for students with disabilities outside the regular classroom for three or few er segments of the instructional day.
- (k) **Self-Contained Delivery Model** Instruction for students with disabilities in one area of exceptionality for four or more segments of the instructional day.

(2) REQUIREMENTS.

- (a) Local boards of education and schools shall comply with maximum class sizes and schedules listed in Appendices A-F.
- (b) Paraprofessionals may be used to increase class size only as provided in the appendices. Local boards of education shall ensure that state funds earned for paraprofessionals in kindergarten shall be used to provide paraprofessional services to all kindergarten classes.
- (c) Local boards of education not complying with maximum class size requirements shall be subject to a loss of funding for the entire class or program that is out of compliance. A school shall not count for FTE purposes any class that exceeds the maximum class size as provided in the appendices. However, a school shall count vocational labs and remedial classes that exceed maximum class size only as regular classes, provided they do not exceed the maximum regular class size.
- (d) The number of students taught by a teacher at any time after the first 15 school days of a school year may not exceed the maximum such number unless requested authorization for a specific larger number is approved by the State Board. The State Board may approve a request only in the limited circumstances where educationally justified and where an act of God or other unforeseen event led to the precipitous rise in enrollment within that system, or led to another occurrence which resulted in the local board's inability to comply with the maximum class size requirement. The State Board may approve requests for increases to maximum individual class sizes only. It shall not approve requests for increases to system average class sizes and it shall not approve requests for language arts, math, science, or social studies in grades 9-12.

160-5-1-.08 (Continued)

- (e) The maximum class size for the kindergarten and primary grades programs is defined as the number of students in a physical classroom. The maximum individual class size for all other purposes shall be defined as the maximum number of students that may be taught by a teacher in a class segment.
- (f) Beginning with the 2007-2008 school year, each local board of education shall establish maximum class sizes for general education programs in mathematics, science, social studies, and language arts for grades 9 through 12 that shall not exceed the funding size by more than 39 percent (see Appendix A) and shall annually report to the state board and to each school council in its school system such class sizes established. Compliance with maximum class size requirements for all other subjects in grades 9-12 shall be determined by the system average for applicable programs and grades. Individual class size for such programs and grades shall not exceed the applicable maximum system average by more than two students.

A uthority O.C.G.A. § 20-2-151(b); 20-2-152(a); 20-2-153; 20-2-154; 20-2-182(g), (h).

Adopted: August 9, 2007 Effective: August 29, 2007

Appendix A Regular and Vocational Programs

Grade(s) Subject(s)	Funding Class Size	<u>Maximum Individual</u> <u>Class Size</u>
Regular Kindergarten	15	18
Regular Kindergarten With full-time paraprofessional	15	20
Regular Grades 1-3 No Paraprofessional	17	21
Regular Grade 1-3 With full-time paraprofessional	17	21
Grades 4-5 English, Math, Science, Social Studies	23	28
Grades 6-8 English, Math, Science, Social Studies	23	28
Grades 6-8 Middle Schools ± All academic classes as defined in Rule 160- 4-205 Middle School Program Criteria	20	28

Grade(s) Subject(s)	Funding Class Size	Maximum Individual Class Size
Fine Arts K-3	NA	33
Fine Arts & Foreign Language Instructional Programs Grades 4-5	NA	33
Fine Arts & Foreign Language Instructional Programs Grades 6-8	NA	33
Grades 4-8 All others (see exceptions)	23	33

160-5-1-.08 (Continued)

Grade(s) Subject(s)	Funding Class Size	Maximum Individual Class Size
Grades 9-12 English, Math, Social Studies, Science, Foreign Language	23	32*
Grade(s) Subject(s)	Funding Class Size	<u>Maximum System Avg. Class</u> <u>Size</u>
All other Subjects Grades 9-12	23	35
Vocational Labs	20	28
Remedial Grades 6-12 No paraprofessional	15	18
Remedial Grades 6-12 With full-time paraprofessional	15	24

^{*}Local boards of education shall establish class size maximums for these courses which shall not exceed the funding size by more than 39 percent.

160-5-1-.08 (Continued)

Exceptions to Maximum Class-size for Grades K-12 shall be as follows:

	Course	Maximum Individual Class Size
(i)	Typing/Keyboarding	35
(ii)	Instrumental Music (e. g, band)	100
(iii)	Choral Music	80
(iv)	Physical Education No paraprofessional	40
	Physical Education With paraprofessional (Elementary schools)	54
(v)	Co-op Supervision	56

^{*} Defined as class size by full-time equivalent reporting segment.

Appendix B
<u>Students with Disabilities</u>

Class Group/ Exception Program	Funding Class Size	Maximum Individ	dual Class Size **	Exception to Maximum 2 Segments Per Day Per Teacher With Paraprofessional
1. Group I (i) S/L-SC	8 8	11	15	+1
(ii) LD-SC	8	12	16	+1
2. Group II (i) MID-SC (ii) MID-R	6.5 6.5	10 10	13 13	+1 +1
3. Group III (i) SID-SC (ii) D/HH-SC (iii) S/L-R (iv) BD-R (v) LD-R (vi) BD-SC (vii) MOID-SC (viii) OI-SC	5 5 5 5 5 5 5	NA 6 7 7 8 8 NA NA	7 8 NA 10 10 11 11	+1 +1 NA +1 +1 +1 +1
4. Group IV (i) D/HH-R (ii) VI-R (iii) OI-R (iv) VI(DB)-SC (v) PID-SC	3 3 3 3	3 3 4 NA NA	4 4 5 6 6	+1 +1 +1 +1 0
5. Group V	8	NA	NA	NA

NOTE: Each paraprofessional is the equivalent to 1/3 teacher and affects individual class size proportionately. Various teacher/paraprofessional models shall be averaged independently.

160-5-1-.08 (Continued)

NOTE: If students from different exceptionalities programs are within the same segment, the maximum class size shall be determined by the program with the smallest class size.

NOTE: Middle school and high school students served in a departmental model shall have an individual maximum class size of seven without a paraprofessional and ten with a paraprofessional, provided the number of students of any one exceptionality within the class does not exceed the individual maximum class size for that exceptionality.

EXCEPTION TO INDIVIDUAL MAXIMUM CLASS SIZE: The individual maximum class size with a paraprofessional may be increased as noted for two segments per day per teacher for the remainder of the school year. Maximum teacher/pupil ratio without a paraprofessional may not be increased. (See also Rule 160-4-7).

*No paraprofessional ** With paraprofessional

APPENDIX C Gifted and Alternative Programs

Class / Group Exception Plan	Funding Class Size	Maximum System Average Class Size
GIFTED (i) Elementary Resource (K-5) (ii) Middle School Resource and Advanced Content (6- 8)	12 12	17 21
(iii) High School Resource and Advance Content (9 -12)	12	21

Class / Group Exception Plan	Funding Class Size	Maximum System Avg. Class Size
2. ALTERNATIVE PROGRAMS No paraprofessional With full-time paraprofessional	15 15	18 24*

^{*} The expectation is that a recommendation will be made that beginning with the 2008-2009 school year this will be reduced to 20.

APPENDIX D English to Speakers of Other Languages (ESOL)

Grade(s) Subject(s)		Maximum System Average Class Size		
Subject(s)		No Paraprofessional	With Paraprofessional	
K-3	7	11	13	
4-8	7	14	15	
9-12	7	18	20	

APPENDIX E Early Intervention Program (EIP)

Self-Contained and Pull-out Models

Grade(s) Subject(s)	<u>Funding</u> <u>Class Size</u>	Maximum System Avg. Class Size
Kindergarten	11	14
Grades 1-3	11	14
Grades 4-5	11	14

Self-contained classes may be multi-grade level classes as long as the class size does not exceed the maximum class size.

Augmented Class Model-Kindergarten

A state certified early childhood /elementary teacher will work for a minimum of one segment (45 minutes) with no more than 14 Early Intervention Program students.

Grade(s) Subject(s)	Funding Class Size	Maximum System Avg. Class Size
Kindergarten	15	18
Kindergarten with full-time paraprofessional	15	20

A maximum of 14 EIP students may be in an augmented ± class.

160-5-1-08 (Continued)

Augmented Class Model ± Grades 1-3

A state certified early childhood/elementary teacher will work for a minimum of one segment (45minutes) with no more than 14 Early Intervention Program students.

Grade(s) Subject(s)	Funding Class Size	Maximum System Avg. Class Size
Grades 1-3	17	21
Grades 1-3 with full± time paraprofessional	17	21

Augmented Class Model ± Grades 4-5

Grade(s) Subject (s)	Funding Class Size	Maximum System Avg. Class Size
Grades 4- 5	23	30*

A maximum of 14 EIP students may be in an augmented class.

^{*} The expectation is that a recommendation will be made that beginning with the 2008-2009 school year this will be reduced to 28.

160-5-1-08 (Continued)

Reduced Class Model ± Kindergarten

EIP Students	Non-EIP Students	Maximum Total in Class
1	14	15
2	13	15
3	11	14
4	10	14
5	9	14
6	7	13
7	6	13
8	5	13
9	3	12
10	2	12
11	1	12

A full-time paraprofessional may be used in the kindergarten models to increase class size by 2 students. The 2 additional students may be either EIP or regular students.

Reduced Class Model ± Grades 1-3 **

EIP Students	Non-EIP Students	Maximum Total in Class
1	16	17
2	14	16
3	13	16
4	12	16
5	10	15
6	8	14
7	7	14
8	5	13
9	4	13
10	2	12

Reduced Class Model ± Grades 4-5 **

EIP Students	Non-EIP Students	Maximum Total in Class
1	22	23
2	20	22
3	18	21
4	16	20
5	14	19
6	12	18
7	10	17
8	8	16
9	6	15
10	4	14
11	2	13
12	1	13

^{**} Paraprofessionals may not be used to reduce teacher/student ratio in grades 1-5.

Reading Recovery

The Reading Recovery Program may be used as a model for the Early Intervention Program.

<u>Funding Class</u> <u>Size</u>	Maximum System Avg. Class Size
11	14

Students served by Reading Recovery may be counted for one segment of EIP instruction for the entire year.

APPENDIX F Instructional Extension

	Funding Class Size	Maximum System Avg. Class Size
After-school, Saturday, Summer, and inter ± session programs	15	18