

Senator Howard A. Stephenson proposes the following substitute bill:

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 modifies the requirements for the class size reduction appropriation.

Highlighted Provisions:

This bill:

- ▶ requires that, in order to receive money for the class size reduction program, a school district or charter school meet certain targets related to class sizes in kindergarten through grade 3, unless a paraprofessional is assigned to certain classrooms;
- ▶ establishes qualifications for a paraprofessional assigned to a class that exceeds the maximum class size requirement; and
- ▶ directs the State Board of Education to make implementing rules.

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



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

Section 1. Section **53A-17a-124.5** is amended to read:

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

(1) As used in this section:

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

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

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

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

(c) "Paraprofessional" means an individual who:

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

(ii) meets the qualifications established in Subsection (6).

~~[(+)]~~ (2) Money appropriated to the State Board of Education for class size reduction shall be used to reduce the average class size in kindergarten through ~~[the eighth]~~ grade 8 in the state's public schools.

~~[(2)]~~ (3) Each district or charter school shall receive its allocation based upon prior year average daily membership in kindergarten through grade ~~[eight]~~ 8 plus growth as determined under Subsection 53A-17a-106(3) as compared to the state total based on school districts and charter schools that are eligible subject to Subsection (4).

(4) (a) Except as provided in Subsection (4)(b), a school district or charter school is eligible to receive funds appropriated under this section if the district or charter school meets the annual target each year described in Subsection (5)(b).

(b) A school district or charter school that does not meet annual targets described in Subsection (5)(b) may receive funds appropriated under this section if a paraprofessional is assigned, for the entire duration of the core curriculum course, to each classroom in the school district or charter school that has a class size that exceeds the school district or charter school's annual target.

(5) (a) Beginning with the 2012-13 school year, a school district or charter school shall determine if its average class sizes in kindergarten through grade 3 exceed the following:

- 57 (i) 18 students for a kindergarten class;
 58 (ii) 20 students for a first grade class;
 59 (iii) 22 students for a second grade class; and
 60 (iv) 24 students for a third grade class.
- 61 (b) If a school district or charter school's average class sizes exceed the maximum class
 62 sizes listed in Subsection (5)(a), the school district or charter school shall set a goal that
 63 establishes an annual target that will result in the class sizes listed in Subsection (5)(a) by the
 64 2015-16 school year, achieved in approximately equal increments each year.
- 65 (6) A paraprofessional who is assigned to a class pursuant to Subsection (4)(b) shall
 66 have:
- 67 (a) (i) (A) earned a secondary school diploma or a recognized equivalent; and
 68 (B) (I) completed at least two years with a minimum of 48 semester hours at an
 69 accredited higher education institution; or
- 70 (II) obtained an associates or higher degree from an accredited higher education
 71 institution; or
- 72 (ii) satisfied a rigorous state or local assessment about the individual's knowledge of,
 73 and ability to assist in instructing students in, reading, writing, and mathematics; and
- 74 (b) received large group-, small group-, and individual-level professional development
 75 that is intensive and focused and covers curriculum, instruction, assessment, classroom and
 76 behavior management, and teaming.
- 77 ~~[(3)]~~ (7) (a) A district may use its allocation to reduce class size in any one or all of the
 78 grades referred to under this section, except as otherwise provided in Subsection ~~[(3)]~~ (7)(b).
- 79 (b) (i) Each district shall use 50% of its allocation to reduce class size in any one or all
 80 of grades kindergarten through grade ~~[two]~~ 2, with an emphasis on improving student reading
 81 skills.
- 82 (ii) If a district's average class size is below 18 in ~~[grades]~~ kindergarten through ~~[two]~~
 83 grade 2, it may petition the state board for, and the state board may grant, a waiver to use its
 84 allocation under Subsection ~~[(3)]~~ (7)(b)(i) for class size reduction in the other grades.
- 85 ~~[(4)]~~ (8) Schools may use nontraditional innovative and creative methods to reduce
 86 class sizes with this appropriation and may use part of their allocation to focus on class size
 87 reduction for specific groups, such as at risk students, or for specific blocks of time during the

88 school day.

89 ~~[(5)]~~ (9) (a) A school district may use up to 20% of its allocation under Subsection
90 ~~[(1)]~~ (2) for capital facilities projects if such projects would help to reduce class size.

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

94 ~~[(6)]~~ (10) This appropriation is to supplement any other appropriation made for class
95 size reduction.

96 ~~[(7)]~~ (11) The Legislature shall provide for an annual adjustment in the appropriation
97 authorized under this section in proportion to the increase in the number of students in the state
98 in kindergarten through grade ~~[eight]~~ 8.

99 (12) The State Board of Education shall make rules to implement common standards
100 that school districts and charter schools will use to set annual targets required in Subsection (5).

101 Section 2. **Effective date.**

102 This bill takes effect on July 1, 2012.