

(PRE-FILED)

By: **Delegates Cardin, Morhaim, and Parker**
 Requested: October 31, 2005
 Introduced and read first time: January 11, 2006
 Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools - Size of Classes - Limitations**

3 FOR the purpose of establishing certain limitations on the countywide average class
 4 size for each grade in a public school system; exempting certain classes from a
 5 certain calculation; requiring the State Superintendent of Schools to enforce
 6 certain provisions of law; requiring the State Board of Education to adopt
 7 certain regulations; providing for the application of this Act; and generally
 8 relating to the establishment of limitations on the size of classes in public school
 9 systems.

10 BY adding to
 11 Article - Education
 12 Section 7-116
 13 Annotated Code of Maryland
 14 (2004 Replacement Volume and 2005 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Education**

18 7-116.

19 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE
 20 COUNTYWIDE AVERAGE CLASS SIZE FOR EACH GRADE IN A PUBLIC SCHOOL SYSTEM
 21 MAY NOT EXCEED:

22 (1) 15 STUDENTS FOR KINDERGARTEN THROUGH THIRD GRADE; AND

23 (2) 25 STUDENTS FOR GRADES 4 THROUGH 12.

24 (B) THE FOLLOWING CLASSES ARE EXEMPT FROM THE CALCULATION OF THE
 25 COUNTYWIDE AVERAGE CLASS SIZE UNDER SUBSECTION (A) OF THIS SECTION:

26 (1) VOCAL AND INSTRUMENTAL MUSIC;

1 (2) ART; AND

2 (3) PHYSICAL EDUCATION.

3 (C) THE STATE SUPERINTENDENT SHALL ENFORCE THE PROVISIONS OF THIS
4 SECTION.

5 (D) (1) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

6 (I) IMPLEMENT THE PROVISIONS OF THIS SECTION; AND

7 (II) INCLUDE PROCEDURES FOR A COUNTY SUPERINTENDENT OR
8 COUNTY BOARD TO REQUEST THE STATE BOARD TO EXEMPT A CLASS FROM THE
9 CALCULATION OF THE COUNTYWIDE AVERAGE CLASS SIZE UNDER SUBSECTION (A)
10 OF THIS SECTION.

11 (2) AFTER CONSIDERATION BY THE STATE BOARD OF A REQUEST TO
12 EXEMPT A CLASS FROM THE CALCULATION OF THE COUNTYWIDE AVERAGE CLASS
13 SIZE UNDER SUBSECTION (A) OF THIS SECTION, THE DECISION OF THE STATE BOARD
14 IS FINAL.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2006, and shall be applicable to all school years beginning with the
17 2008-2009 school year.