

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 571

By: Standridge

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5
6 AS INTRODUCED

7 An Act relating to school class sizes; amending 70
8 O.S. 2011, Section 18-113.3, which relates to class
9 size limitations and penalties; directing each school
10 district to submit to the State Department of
11 Education by certain date a plan to reduce class
12 sizes; requiring the plan to include certain
13 estimates; providing an effective date; and declaring
14 an emergency.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 18-113.3, is
17 amended to read as follows:

18 Section 18-113.3. A. Class size, as used in Section 18-113.1
19 and Section 18-113.2 of this title, shall be determined by the
20 average daily membership divided by the full-time equivalency of the
21 instructional staff assigned to each grade level by site. Full-time
22 equivalency of special education teachers, Chapter 1 teachers, and
23 teachers of classes not subject to class size limitations and the
24 average daily membership of self-contained special education classes
25 shall not be counted in class size computation.

1 B. As used in this section, self-contained special education
2 classes are those classes whose students attend the same class for
3 three (3) or more class periods and who have individualized
4 education plans.

5 C. Beginning with the 1996-97 school year and each school year
6 thereafter, no teacher who is counted in class size count for grades
7 seven through twelve shall be responsible for the instruction of
8 more than one hundred forty (140) students on any given six-hour
9 school day. Class size count shall be taken during the month of
10 October of each school year on a date set by the State Board of
11 Education. If the class size count is in excess of the limits set
12 forth in this subsection, the school district shall be subject to
13 the penalties provided for in this section.

14 D. Students within a class which is not subject to class size
15 limitations pursuant to subsection D of Section 18-113.1 of this
16 title shall not be counted for purposes of the limitations set forth
17 in subsection C of this section.

18 E. No school district shall be penalized for exceeding class
19 size limitations set forth in this section if the limitations are
20 exceeded beginning after the first nine (9) weeks of the school
21 year.

22 F. The first year that a school district exceeds the class size
23 membership limitation as established and computed in subsection C of
24 this section, the district shall receive as a penalty a reduction in
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1 the State Aid for the district. For each child in excess of the
2 class size limitation, the reduction in State Aid to the district
3 shall be determined as follows:

4 1. Multiply the averaged number of the October class size count
5 of pupils which is in excess of the class size membership limit as
6 provided for in subsection C of this section by the grade weight and
7 by the Base Foundation Support Level for the current school year;

8 2. Multiply the averaged number of the October class size count
9 of pupils which is in excess of the class size membership limit as
10 provided for in subsection C of this section by the grade level
11 weight and by the Incentive Aid guarantee for the current school
12 year times twenty (20); and

13 3. Sum the products of paragraphs 1 and 2 of this subsection.

14 G. If a school district exceeds the class size membership
15 limitation as established and computed in subsection C of this
16 section for two (2) consecutive years, the district shall receive as
17 a penalty denial of accreditation in accordance with the
18 requirements of Section 3-104.4 of this title.

19 H. For the purpose of determining whether a penalty for
20 exceeding class size limitations shall apply, a federally funded
21 bilingual assistant shall not qualify as a teacher's assistant.

22 I. Any school district which at the beginning of the school
23 year does not have sufficient classrooms to meet the class size
24 limitation provided for in this section as determined by guidelines

1 established by the State Board of Education shall not be penalized
2 for failure to meet the class size limitations provided for in this
3 section if:

4 1. The school district has voted indebtedness, at any time
5 within the five (5) years preceding the year the district exceeds
6 the class size limitations or during the year the district exceeds
7 the class size limitations, through the issuance of bonds or
8 approval by voters of issuance of new bonds for more than eighty-
9 five percent (85%) of the maximum allowable pursuant to the
10 provisions of Section 26 of Article X of the Oklahoma Constitution
11 as shown on the school district budget filed with the State
12 Equalization Board for the current school year and certifications by
13 the Attorney General prior to February 1 of the current school year;
14 and

15 2. On the date of filing of the school district budget with the
16 State Equalization Board, the school district is voting the maximum
17 millage allowable for the support, maintenance and construction of
18 schools as provided for in subsections (a), (c), (d) and (d-1) of
19 Section 9 of Article X of the Oklahoma Constitution and Section 10
20 of Article X of the Oklahoma Constitution.

21 J. Any school district which exceeds the class size limitations
22 as set forth in this section shall submit a written report to the
23 State Board of Education, on or before July 1 of each year, setting
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1 forth the procedures that the district will follow in order to
2 comply with this section.

3 K. School districts which receive state-appropriated funds
4 pursuant to the provisions of Section 18-112.2 of this title and do
5 not comply with the provisions of this section shall be subject to
6 loss of State Aid for each child in excess of the class size
7 limitations as specified in this section.

8 L. By June 30, 2020, each school district in the state shall
9 submit to the State Department of Education a five-year plan
10 detailing how it proposes to reduce class sizes to meet the
11 provisions of this section and Sections 18-113.1 and 18-113.2 of
12 this title. The plan shall include an estimate of funding,
13 teachers, support personnel and other resources needed to implement
14 the plan over a five-year period.

15 SECTION 2. This act shall become effective July 1, 2019.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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