

## Class Size

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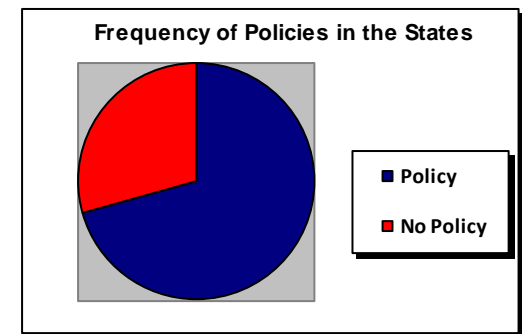
### Maximum P-12 Class-Size Policies

By Kyle Zinth

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#### Overview

The majority of states – 36 – currently have at least one policy via statute or regulation at the state level that places a limit on the number of students that may be in any one general-education classroom.



#### Different categories of policies:

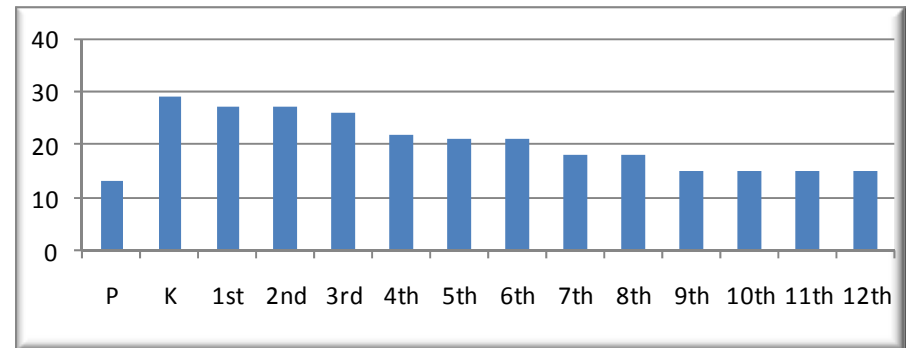
- **Hard caps:** Caps are in place and districts or schools *may not use* average class sizes to meet requirements of policy; **twenty-five states** have policies that can be classified as hard caps in place.
- **Semi-hard caps:** Caps are in place and districts or schools *may use* average class sizes to meet requirements of policy; **seven states** have policies in place that can be classified as semi-hard caps on classroom size.
- **Mandates that can be waived:** Policies provide for provisions by which a district or school may be excused from implementing class-size limitations; **fifteen states** explicitly provide for methods by which a school may waive or otherwise be excused from classroom-size limitations. This typically is achieved through application to the state department of education or the state superintendent.
- **Recommended maximums:** Policies provide for a *recommended* maximum class size; **four states** provide recommendations regarding the optimal maximum class size in their states.
- **No policy:** No policy located in either state's statutes or regulations; **fifteen states** and the District of Columbia have no identified policies at the statewide level limiting class sizes.

## Summary Charts

### Of states with policies, at what grade levels are these found most frequently?

As shown on the graph to the right, states that do have class-size limitations most frequently tend to enact policies at the kindergarten level, and at the high school and preschool levels less frequently. A total of 13 states explicitly provide for class-size limitations at the pre-kindergarten level, while 15 states have similar policies in place for grades 9-12 classrooms. The highest number of states – 29 – had policies in place at the kindergarten level, while at least 26 states had policies in place for each of grades 1st-3rd.

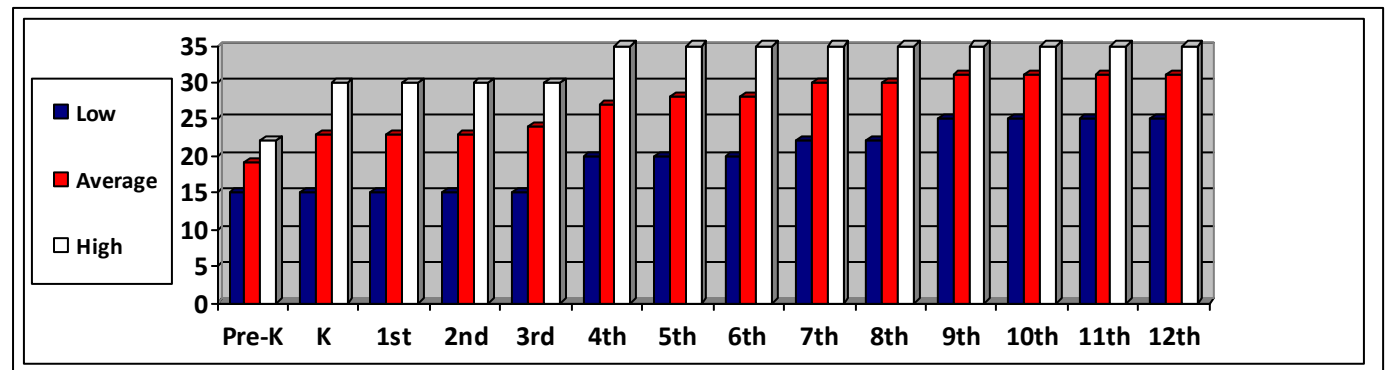
States that have implemented class-size limitations have clearly shown a preference for policies at the elementary level, and especially for K-3rd grades.



### What are the low-, average- and high-class-size limitations?

On average, when state policymakers have seen fit to place limitations on class-size, they have shown a preference for class sizes of less than 24 for P-3, while showing a tolerance for larger classes for higher grades.

This is especially visible when comparing P-3 with the average cap of 31 students for classrooms in grades 9-12.



### Limitations of this StateNote

Listed policies are not necessarily synonymous with class-size reduction policies that exist in most states. Policies — whether pilot programs or ongoing revenue streams — that aim to reduce class sizes in certain grades are examined in a separate [StateNote](#), “State Policies Focusing on Class-size Reduction.”<sup>1</sup> Policies listed here also do not generally pertain to special education, physical education, music, or gifted and talented classrooms, although states commonly limit class sizes in those settings as well.

Only the most stringent requirements in a state are included below. In other words, while a state might set a maximum on class size, it also might list separate *recommended* maximum class sizes. In instances like those, the requirement is noted instead of the recommendation. In instances where *only* a recommendation exists (not a requirement), the recommendation is reflected.

While care was taken to accurately reflect policy in each of the states, due to the diversity among the states it is difficult to accurately and succinctly summarize the array of policies that states have in place. Corrections and additions to policies listed are welcome. Email: [kzinth@ecs.org](mailto:kzinth@ecs.org)

## State Summary Table

	Hard Cap	Semi-Hard Cap	Mandate Can Be Waived/ Exempted	Recommend Max	No Policy Identified	P	K	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	Color Key		
																	Below 20	20-25	26+
Alabama	X		X			--	18	18	18	18	26	26	26	29	29	--	--	--	--
Alaska					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Arizona					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Arkansas	X					20 <sup>1</sup>	20 <sup>2</sup>	25	25	25	28	28	28	30	30	30	30	30	30
California					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Colorado					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Connecticut					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Delaware			X			--	22	22	22	22	--	--	--	--	--	--	--	--	--
District of Columbia					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Florida		X <sup>3</sup>				18	18	18	18	18	22	22	22	22	22	25	25	25	25
Georgia			X <sup>4</sup>			--	18 <sup>5</sup>	21	21	21	23	23	28	28	28	--	--	--	--
Hawai'i	X <sup>6</sup>			X <sup>7</sup>		--	25	25	25	--	--	--	--	--	--	--	--	--	--
Idaho				X		--	20	20	20	20	26	26	26	--	--	--	--	--	--
Illinois					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Indiana		X				--	30	30	30	30	30	30	30	30	30	30	30	30	30
Iowa	X					20	--	--	--	--	--	--	--	--	--	--	--	--	--
Kansas					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Kentucky	X		X			--	24	24	24	24	28	29	29	31	31	31	31	31	31
Louisiana	X		X			--	26	26	26	26	33	33	33	33	33	33	33	33	33
Maine	X		X			15	20	25	25	25	25	25	25	25	25	30	30	30	30

<sup>1</sup> No more than 10 students to one teacher in a classroom, or no more than 20 students to one teacher and a qualified adult aide.

<sup>2</sup> Maximum may be no more than 22 with a one-half-time instructional aide being employed for those classes.

<sup>3</sup> Requirement is being phased in. Beginning with the 2010-11 school year, calculations must be made at individual classroom level, not averaged at the school level.

<sup>4</sup> Due to an "unforeseen and unprecedented downturn in Georgia's Economy," for the 2009-10 school year, class-size limits were increased by two students per class above those stipulated in GA. CODE ANN. § 20-2-182. *Text of email sent by Kathy Cox, Georgia State Superintendent of Schools, to local School Superintendents on 01/08/2009 at 02:06 PM.,*

<http://www.doe.k12.ga.us/DMGetDocument.aspx/GaDOE%20Waiver%20Request%20Letter%20and%20Information.pdf?p=6CC6799F8C1371F6D75E81A462FB23085752B797FE849F24CE0C64A73399F083&Type=D> (accessed 10/9/2009).

<sup>5</sup> Limit for classes without a full-time aide is 18, with a full-time aide the limit is 20.

<sup>6</sup> Board of Education, State of Hawai'i, Department of Education, Board of Education Policies, *Policy 2237: Class Size,*

<http://lilinode.k12.hi.us/STATE/BOE/POL1.NSF/85255a0a0010ae8285255340060479d/6052f4516c4a68eb0a256f720001ae21?OpenDocument> (accessed 10/13/2009).

<sup>7</sup> Hawai'i's state board holds that the optimum class size for 4th-12th grades is 26.

	Hard Cap	Semi-Hard Cap	Mandate Can Be Waived/ Exempted	Recommend Max	No Policy Identified	P	K	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	Color Key			
																	Below 20	20-25	26+	
Maryland		X				20	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Massachusetts		X				--	25	--	--	--	--	--	--	--	--	--	--	--	--	--
Michigan					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Minnesota					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Mississippi	X		X			22	27	27	27	27	27	30	30	30	30	33	33	33	33	33
Missouri	X					--	25	25	25	27	27	30	30	33	33	33	33	33	33	33
Montana	X					--	20	20	20	28	28	30	30	30	30	30	30	30	30	30
Nebraska					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Nevada	X		X			--	15	15	15	15	--	--	--	--	--	--	--	--	--	--
New Hampshire	X		X			--	25	25	25	30	30	30	30	30	30	30	30	30	30	30
New Jersey	X					15	25	--	--	--	--	--	--	--	--	--	--	--	--	--
New Mexico	X	X <sup>8</sup>	X <sup>9</sup>			--	20	22	22	22	24	24	24	27	27	30	30	30	30	30
New York	X					20	--	--	--	--	--	--	--	--	--	--	--	--	--	--
North Carolina	X					--	24	24	24	24	--	--	--	--	--	--	--	--	--	--
North Dakota	X <sup>10</sup>	X <sup>11</sup>				--	25	25	25	25	30	30	30	30	30	30	30	30	30	30
Ohio				X		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Oklahoma	X		X			20	20	20	20	20	20	20	20	--	--	--	--	--	--	--
Oregon					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Pennsylvania	X			X		20	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Rhode Island	X					--	--	--	--	--	--	--	--	30	30	30	30	30	30	30
South Carolina	X					20	30	30	30	30	30	30	30	35	35	35	35	35	35	35
South Dakota					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Tennessee	X		X			20	25	25	25	25	30	30	30	35	35	35	35	35	35	35
Texas	X		X			--	22	22	22	22	22	--	--	--	--	--	--	--	--	--
Utah					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Vermont		X	X			--	19	19	19	19	24	24	24	24	24	--	--	--	--	--
Virginia	X					--	29	30	30	30	35	35	35	--	--	--	--	--	--	--
Washington					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
West Virginia	X		X			20	20	25	25	25	25	25	25	--	--	--	--	--	--	--
Wisconsin					X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Wyoming				X		--	20	20	20	20	--	--	--	--	--	--	--	--	--	--
<b>Total:</b>	<b>25</b>	<b>7</b>	<b>15</b>	<b>5</b>	<b>16</b>	<b>13</b>	<b>29</b>	<b>27</b>	<b>27</b>	<b>26</b>	<b>22</b>	<b>21</b>	<b>21</b>	<b>18</b>	<b>18</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>15</b>

<sup>8</sup> Hard cap for kindergarten and 7th-12th-grade required English courses.

<sup>9</sup> Average classroom size used for 1st-6th grades.

<sup>10</sup> K-3rd-grade classes may not exceed 25 students per class.

<sup>11</sup> For secondary, junior high and middle grade levels, a school unit is allowed 3% of the total number of classes taught to exceed 30 students to a maximum of 34 students per class without citation.

## State Summaries

### Alabama

Maximum teacher-pupil ratio is based on the most current board [resolution](#) regarding class size.<sup>2</sup> State superintendent reviews waiver requests from local school districts on a case-by-case basis as long as each waiver request individually includes a remedy plan for implementing the pupil-teacher ratios within the district. It is not the intention of the state board's resolution that districts use local funds to achieve smaller class sizes.<sup>3</sup>

<i>Self-Contained</i>	(K)	1:18**
	(1-3)	1:18**
	(4-6)	1:26*
	(7-8)	1:29*
<i>Non Self-Contained</i>	(1-3)	1:18**
	(4-6)	1:26*
	(7-12)	1:29/750 per week*

\*Does not include physical education, musical performing groups, ROTC, or typing. The limit for these subjects is 1,000 student contacts per week. High schools (grades 9-12), junior high schools (grades 7-9), unit schools (grades K-12) and area vocational centers also are required to maintain overall student/total professional staff ratio of 21:1.

\*\* Classes with aides reviewed as an exception by the state superintendent of education.

### Arkansas

Maximum class size limitation is based on rules promulgated by the state board of education, pursuant to statutory authority.<sup>4</sup> Schools are required to adopt policies implementing class-size limitation.

#### Class Size and Teaching Load

- Early childhood education programs: no more than 10 students in a classroom or no more than 20 students and a qualified adult aide.
- Kindergarten: no more than 20 students in a classroom; no more than 22 with a one-half-time instructional aide.
- The average student/teacher ratio for grades 1-3 in a district may be no more than 23 students per teacher in a classroom, with no more than 25 students per teacher in any classroom.
- The average student/teacher ratio for grades 4-6 in a district may be no more than 25 students per teacher in a classroom, with no more than 28 students per teacher in any classroom.
- In grades 7-12, an individual academic class may not exceed 30 students, provided that, in exceptional cases or for courses that lend themselves to large group instruction, these ratios may be increased.

### Delaware

#### Maximum student-instructor ratio requirements<sup>5</sup>

The ratio of students to instructors in any K-3 class may not exceed 22 students as of the last school day of October. In calculating the ratio, a classroom instructional aide counts as equal to half a teacher. The policy only applies to core academic subjects of English/Language Arts, mathematics, science and social studies.

Local boards may seek to waive the requirement at a public meeting noticed in advance for that purpose.

## **Florida**

### **Constitutional Class-Size Maximums<sup>6</sup>**

Pursuant to the state Constitution, beginning in the 2010-11 school year, the maximum number of students assigned to each teacher in a core-curricula course in a public school classroom may not exceed:

- Grades Pre-K-3: 18
- Grades 7-8: 22
- Grades 9-12: 25.

### **Implementation:**

- Fiscal years 2010-11 and beyond: calculation will be at individual classroom level.

## **Georgia**

Two Georgia laws govern maximum class sizes.

GA. CODE ANN. § 20-2-161 stipulates what class size the state will fund. For general education, the state will provide funds for the following maximum class sizes:

- Kindergarten: 15
- Grades 1-3: 17
- Grades 4-5: 23
- Grades 6-8: 23
- Grades 9-12: 23.

GA. CODE ANN. § 20-2-182 places limits on the maximum students that may be in one classroom for general education:

- Kindergarten without full-time aide: 18
- Kindergarten with full-time aide: 20
- Grades 1-3: 21
- Grades 4-5: 23
- Grades 6-8: 28.

Local school systems may apply to the state board for a system waiver by submitting a written application including:

- A description of the students who will be affected by the proposed waiver, including school names, grade level and/or courses, and estimated number of students
- The maximum individual class size for K-8 regular education courses, or maximum system average for grades 9-12 regular education courses
- Documentation of the facts precipitating the need for the waiver request
- The specific larger number being requested.<sup>7</sup>

Due to an “unforeseen and unprecedented downturn in Georgia’s economy,” for the 2009-10 school year, class-size limits were increased by two students per class above those stipulated in GA. CODE ANN. § 20-2-182.<sup>8</sup>

## **Hawai‘i**

Adopted by the state board in 2004, Hawai‘i’s class-size policy declares that the optimum class size for grades K-3 is 20, while the maximum class size for is 25. The optimum class size for grades 4-12 is 26.

## **Idaho**

Districts are encouraged to lower all class sizes as funds become available.<sup>9</sup> Districts should strive to achieve ratios consistent with state class size ratio goals:

- Grades K-3: 20
- Grades 4-5: 26.

## **Indiana**

Indiana's school accreditation policies require that the average pupil-teacher ratio for a single school not exceed 30:1. Ratios are figured on a full-time equivalency basis only on regular classroom teachers assigned to instruction.<sup>10</sup>

## **Iowa**

Approved local preschool programs are required to adopt preschool program standards and meet certain other requirements, including that there be no more than 20 children per classroom.<sup>11</sup>

## **Kentucky**

The maximum number of pupils enrolled in a class

- Grades K-3: 24
- Grade 4: 28
- Grades 5-6: 29
- Grades 7-12: 31

Except for those schools that have implemented school-based decisionmaking, the commissioner of education is directed to enforce maximum class sizes for every academic course requirement in all grades except in vocal and instrumental music, and physical education classes.<sup>12</sup> Exemptions may be granted by the department of education upon recommendation of the superintendent that unusual circumstances exist, including, but not limited to, a lack of classroom space.<sup>13</sup>

## **Louisiana**

The maximum enrollment in a class or section

- Grades K-3: 26 students
- Grades 4-12: 33 students

The systemwide, student classroom teacher ratio in grades K-3 shall be a maximum of 20 students to one classroom teacher.<sup>14</sup>

The department of education (DOE) may waive class-size requirements up to two students over the maximum allowable upon receipt of the following:

- A letter from the local superintendent detailing each class that exceeds the class size
- Documentation from the principal and the superintendent showing how efforts have been made to comply with standards
- A copy of the school's master schedule, with class sizes included
- Class sizes above the limit of two will go directly to the appropriate board committee with an executive recommendation from the DOE.<sup>15</sup>

## **Maine**

Classroom student-teacher ratios:<sup>16</sup>

- Pre-K: 15
- Kindergarten: 20
- Grades 1-8: 25
- Grades 9-12: 30

School administrative units unable to comply with this section must annually detail in their Comprehensive Education Plan a proposed method for achieving this ratio with an emphasis on compliance first in the early elementary grades.

Exceptions:

- Band and chorus instruction classes are exempt.
- The number of students enrolled in a laboratory course may not exceed the number for which the laboratory was designed and is equipped to serve.
- A higher ratio may be allowed for non-traditional scheduling or large group instruction in grades 1-12 with approval of the commissioner, and for occasional instruction at the option of the school board.
- In cases of enrollments that are unexpectedly large, the maximum ratio for schools and classes may be exceeded for up to 45 calendar days at the discretion of the school board. If the enrollment problem remains unresolved, the superintendent shall submit a written request to the commissioner for a student-teacher ratio waiver prior to the end of the 45-day period. The commissioner may grant a waiver of ratios when undue hardship exists due to limited financial, physical or human resources. Such a waiver will include stipulated conditions deemed necessary to the health, safety or education of affected students.

## **Maryland**

Local school systems are required to maintain an average staff- student ratio of 1:10 with an average of 20 students per classroom in preschool programs.<sup>17</sup>

## **Massachusetts**

All school districts shall provide kindergarten education for all eligible children. Class size for kindergartens shall not exceed an average of 25.<sup>18</sup>

## **Mississippi**

To qualify for funds provided under the Mississippi Accountability and Adequate Education Act, school districts may not exceed the following pupil-teacher ratios:

- Kindergarten: 22 (27 with a classroom aide)<sup>19</sup>
- Grades 1-4: 27.<sup>20</sup>

Districts may apply to the state board for approval of a waiver by submitting and justifying an alternative educational program to serve the needs of enrollment in grades K-4.

Class sizes for grades 5-12 are determined based on accreditation standards developed by the Mississippi Commission on School Accreditation. Current standards are:

- Grades 5-8: 30 in self-contained classes
- Grades 5-12: 33 in departmentalized academic core classes.<sup>21</sup>



## **Missouri**

The minimum standard for student enrollment in individual classes are consistent with the following guidelines:<sup>22</sup>

- Grades K-2: 25
- Grades 3-4: 27
- Grades 5-6: 30
- Grades 7-12: 33

Class sizes in all categorically-funded programs must meet the class-size standards for that program. The department of elementary and secondary education cites situations in which individual classes do not meet the minimum standard, but does not penalize the district for those exceptions.<sup>23</sup>

## **Montana**

Maximum class sizes for single-grade classrooms<sup>24</sup>

- Grades K-2: 20
- Grades 3-4: 28
- Grades 5-8: 30
- Grades 9-12: 30

Multi-grade classrooms that cross grade-level boundaries are required to use the maximum of the lower grade. Instructional aides are mandatory when class size or teacher load exceed the standards.

## **Nevada**

After the last day of the first month of the school year, the ratio in each school district of pupils per licensed teacher designated to teach, on a full-time basis, in classes where core curriculum is taught in grades K-3 will be 15.

The state board may grant a school district a variance from the limitation on the number of pupils per class for good cause, including the lack of available financial support specifically set aside for the reduction of pupil-teacher ratios.<sup>25</sup>

Districts are required to develop plans to reduce the pupil-teacher ratio per class in grades K-3 — within the limits of available financial support specifically set aside for this purpose — and submit that plan to the state board.

Districts in a county whose population is less than 100,000 may develop a plan to reduce the district's pupil-teacher ratios per class for specified grade levels in elementary schools. The alternative pupil-teacher ratios must not exceed:

- Grades 1-3: 22
- Grades 4-6: 25

The State Board is required to approve a plan submitted pursuant to subsection 2 if the plan:

- Reduces the district's pupil-teacher ratio in the elementary schools within the school district
- Is fiscally neutral such that the plan will not cost more to carry out than a plan that complies with the ratios prescribed in paragraph (a) of subsection 1 of NEV. REV. STAT. § 388.700.<sup>26</sup>

## ***New Hampshire***

The maximum class size for instructional purposes in each school:<sup>27</sup>

- Grades K-25: 25
- Grades 3-5: 30
- Grades 6-12: 30

Districts may apply for alternative standards under N.H. ADMIN. R. ED. 306.29.

## ***New Jersey***

**Maximum class sizes:**

- Preschool: 15<sup>28</sup>
- Kindergarten: 25, 21 in an Abbott district

District boards of education are responsible for ensuring that one appropriately certified teacher and one teacher assistant are provided for every preschool class of 15 children. Class size shall not be greater than 15 children.<sup>29</sup> The county superintendent of schools may give permission to increase the number of students in a non-Abbott classroom to any number he or she chooses, provided another teacher, an auxiliary teacher or a teacher aide is employed full-time to provide for the increased size.<sup>30</sup>

## ***New Mexico***

The individual class load for elementary school teachers may not exceed 20 students for kindergarten. Any teacher in kindergarten with a class load of 15-20 students is entitled to the assistance of an educational assistant.

Additional requirements:

- Grades 1-3: Average class load at an individual school may not exceed 22 students when averaged among 1st, 2nd and 3rd grades.
- Grades 4-6: Average class load at an individual school may not exceed 24 students when averaged among 4th, 5th and 6th grades.
- Grades 7-8: Daily teaching load for teachers of required English courses may not exceed 27 students per class.
- 9-12: Daily teaching load for teachers of required English courses in 9th-12th grades may not exceed 30 students per class.<sup>31</sup>

## ***New York***

The maximum class size for a pre-kindergarten class is 20 children. For classes of up to 18 students, there must be one teacher and one paraprofessional assigned to each class. For classes of 19 or 20 students, there must be one teacher and two paraprofessionals assigned to each class.<sup>32</sup>

## ***North Carolina***

Individual class maximum:<sup>33</sup>

- Grades K-3rd: 24 (All classes with the LEA max-average: 21)
- Grades 4-9: 29 (All classes with the LEA max-average: 26)
- Grades 10-12: 32 (All classes with the LEA max-average: 29)

LEAs are not required to maintain the maximum average or individual class size maximums for grades 4-12 and may repurpose state-funded positions in those grade spans if it deems appropriate. The 21:1 maximum average class size and 24:1 individual class size maximum requirements are still in place for grades K-3.

## **North Dakota**

Class sizes for single-grade classrooms:<sup>34</sup>

- Grades K-3: Recommended to be 20 students, but may not exceed 25
- Grades 4th-8: Recommended to be 25, but may not exceed 30
- Grades 9th-12: Recommended to be 25, but may not exceed 30.

For secondary, junior high and middle grade levels, a school unit is allowed 3% of the total number of classes taught to exceed 30 students to a maximum of 34 students per class without citation.

## **Ohio**

For fiscal years 2008 and 2009, Ohio's General Assembly resolved that a ratio of one base classroom teacher per 20 students is necessary for an adequate education. The average compensation for base classroom teachers is \$56,754 for fiscal year 2008. The average compensation for base classroom teachers is \$58,621 for fiscal year 2009. Based on a ratio of 20 students per base classroom teacher, these amounts equal \$2,838 per pupil in fiscal year 2008 and \$2,931 per pupil in fiscal year 2009.<sup>35</sup>

## **Oklahoma**

### **Early Childhood**

The number of children in an early childhood education class may not exceed 20. The child:adult ratio may not exceed 10:1. Any enrollment that exceeds 10 requires the employment of a teacher assistant.<sup>36</sup>

### **Kindergarten**

No kindergarten student may be included in the average daily membership of a school district for the purpose of computing and paying state-appropriated funds if that child is regularly assigned to a teacher or to a class that includes more than 20 students.

### **1st-3rd Grades**

No child may be included in the average daily membership of a school district for the purpose of computing and paying state-appropriated funds if that child is regularly assigned to a teacher or to a class that includes more than 20 students.

If a class or classes in a grade exceed the class-size limitation, the class-size limitation and penalty shall not apply if:

- The creation of an additional class would cause a class to have fewer than 10 students
- A teacher's assistant is employed to serve with each teacher in a class that exceeds the class size limitation.

### **4th-6th Grades**

No child may be included in the average daily membership of a school district for the purpose of computing and paying state-appropriated funds if that child is regularly assigned to a teacher or to a class that includes more than 20 students.

Any school district which at the beginning of the school year does not have sufficient classrooms to meet the class size limitation provided for in this section as determined by guidelines established by the State Board of Education shall not be penalized for failure to meet the class-size limitations if:

- The district has voted indebtedness, at any time within the five years preceding the year the district exceeds the class size limitations or during the year the district exceeds the class size limitations, through the issuance of bonds or approval by voters of issuance of new bonds for more than 85% of the maximum allowable pursuant to the provisions of the Oklahoma Constitution as shown on the school district budget filed with the State Equalization Board for the current school year and certifications by the Attorney General prior to February 1 of the current school year; and
- On the date of filing of the school district budget with the State Equalization Board, the school district is voting the maximum millage allowable for the support, maintenance and construction of schools as provided for in the Oklahoma Constitution.<sup>37</sup>

### ***Pennsylvania***

Pre-kindergarten programs must have a student-teacher ratio of no more than 20 students for one teacher and one teacher aide in a classroom.<sup>38</sup>

### ***Rhode Island***

For secondary schools, class size may not exceed 30 pupils, except in special areas (choral and instrumental classes, physical education, etc.) and in academic classes where team teaching is conducted on a regular or experimental basis.<sup>39</sup>

### ***South Carolina***

Class sizes may not exceed the following student-teacher ratios:<sup>40</sup>

- Pre-kindergarten: 20:1
- Grades K-3: 30:1
- Grades 4-5, English language arts and mathematics: 30:1
- Grades 4-5, all other subjects: 35:1
- Grade 6, English language arts and mathematics: 30:1
- Grade 6, all other subjects: 35:1
- Grades 7-8: 35:1
- Grades 9-12: 35

### ***Tennessee***

Local boards of education are required to have policies providing for class sizes in grades K-12 in accordance with the following:<sup>41</sup>

- Pre-K: Maximum class size of 20
- Grades K-3: Average class-size of 20, with a maximum of 25
- Grades 4-6: Average class-size of 25, with a maximum of 30
- Grades 7-12: Average class-size of 30, with a maximum of 35

The director of each school district must submit to the commissioner of education requests for waivers on class size limits before November 15 of the school year. Following November 15, if monthly attendance reports reveal that additional classrooms do not comply with state class-size maximum limits, the directors shall request from the commissioner a waiver on class-size limits by the 15th day of the next calendar month. Such waivers, if granted by the commissioner, shall be made available by the commissioner to local news media and to state and local education associations.<sup>42</sup>

### ***Texas***

A school district may not enroll more than 22 students in a grades K-4 classes. On application of a school district, the commissioner may exempt the district from the limit if the commissioner finds the limit works an undue hardship on the district.<sup>43</sup>

## **Vermont**

At the elementary level, classes in grades K-3, when taken together, must average fewer than 20 students per teacher. In grades 4-8, when taken together, classes must average fewer than 25 students per teacher.

Upon request of a school board, the commissioner may waive the above class and caseload size requirements where:

- It is necessary to carry out locally-established objectives
- Student learning will not be adversely affected
- Classroom control will not be compromised
- It is otherwise in the best interests of student learning.<sup>44</sup>

## **Virginia**

Each school board is required to assign licensed instructional personnel in a manner that produces division-wide ratios of students in average daily membership to full-time equivalent teaching positions that are not greater than the following ratios:<sup>45</sup>

- 24 to one in kindergarten with no class being larger than 29 students
- 24 to one in grades 1-3, with no class being larger than 30 students
- 25 to one in grades 4-6, with no class being larger than 35 students
- 24 to one in grades 6-12 English classes.

## **West Virginia**

County boards of education are responsible for providing sufficient personnel, equipment and facilities as will ensure the following maximum class sizes:

- Pre-kindergarten: 20 students
- Kindergarten: 20 students
- Grades 1-2: 25 students
- Grades 3-6: 25 students.

For grades K-6, the state superintendent may exempt a specific classroom upon application by a county board. The state superintendent is also authorized to:

- Permit on a statewide basis, in grades 4-6, more than 25 students per teacher in a classroom for the purposes of instruction in physical education
- Permit more than 20 pupils per teacher in a specific kindergarten classroom and 25 pupils per teacher in a specific classroom in grades 1-6 during a school year in the event of extraordinary circumstances, as determined by the state superintendent after application by a county board of education.<sup>46</sup>

## **Wyoming**

School districts within the state shall endeavor to maintain, when practicable, in grades K-3, an average class size of no more than 20 students per teacher.<sup>47</sup>

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## Helping State Leaders Shape Education Policy

<sup>1</sup> State Policies Focusing on Class-size Reduction, Kyle Zinth, Education Commission of the States, September 2009 url: <http://www.ecs.org/clearinghouse/81/95/8195.pdf>

<sup>2</sup> Alabama State Board of Education, *Approved Teacher/Pupil Ration Resolution*, September 11, 1997 url: <http://www.alsde.edu/boe/TEACHERPUPIL.doc>

290-5-1-.01 Minimum Standards For Organizing Kindergarten Programs In Alabama Schools.

<sup>3</sup> Correspondence with Alabama State Department of Education, September 18, 2009.

<sup>4</sup> Arkansas Department of Education, *Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts*, 10.02 CLASS SIZE AND TEACHING LOAD, [http://arkansased.org/rules/pdf/current/ade\\_282\\_standards\\_1107\\_current.pdf](http://arkansased.org/rules/pdf/current/ade_282_standards_1107_current.pdf) (Accessed September 24, 2009).

<sup>5</sup> DEL. CODE ANN. TIT 14, § 1705A

<sup>6</sup> FLA. STAT. ANN. § 1003.03.

<sup>7</sup> GA. COMP. R. & REGS. 160-1-3-.02.

<sup>8</sup> *Text of email sent by Kathy Cox, Georgia State Superintendent of Schools, to local School Superintendents*, 01/08/2009,

<http://www.doe.k12.ga.us/DMGetDocument.aspx/GaDOE%20Waiver%20Request%20Letter%20and%20Information.pdf?p=6CC6799F8C1371F6D75E81A462FB23085752B797FE849F24CE0C64A73399F083&Type=D> (Accessed 10/9/2009).

<sup>9</sup> IDAHO ADMIN. CODE § 08.02.02.110.

<sup>10</sup> IND. ADMIN. CODE TIT. 511, R.1-4-1.

<sup>11</sup> IOWA ADMIN CODE r. 281-16.3(256C).

<sup>12</sup> KY. REV. STATE. ANN. § 157.360.

<sup>13</sup> 702 KY. ADMIN. REGS. 3:190.

<sup>14</sup> LA. ADMIN. CODE TIT. 28, § 913. Promulgated in accordance with the authority of LA. REV. STATE. ANN. § 17:174.

<sup>15</sup> LA. ADMIN. CODE TIT. 28, § 345.

<sup>16</sup> CODE ME. R. 05-071 CH. 125, § 7 Promulgated in accordance with the authority of ME. REV. STAT. ANN. TIT. 20-A § 4502.

<sup>17</sup> MD. REGS. CODE TIT. 13A, § 06.02.05.

<sup>18</sup> MASS. REGS. CODE TIT. 603, § 8.01.

<sup>19</sup> MISS. REG. 36-000-071.

<sup>20</sup> MISS. CODE ANN. § 37-151-77, MISS. REG. 36-000-001.

<sup>21</sup> Mississippi Public School Accountability Standards, 2008 (pg 24) url: [http://www.mde.k12.ms.us/accred/2008%20final\\_Account\\_Std.pdf](http://www.mde.k12.ms.us/accred/2008%20final_Account_Std.pdf) (Accessed 10/22/2009).

<sup>22</sup> Accreditation Standards for Public School Districts in Missouri Class, Size/Assigned Enrollments 2.1, <http://www.dese.mo.gov/divimprove/sia/msip/Fourth%20Cycle%20Standards%20and%20Indicators.pdf> (Accessed 10/23/2009).

<sup>23</sup> Correspondence with Missouri Department of Elementary and Secondary Education staff, 10/27/2009.

<sup>24</sup> MONT. ADMIN. R. 10.55.712 (K-8th grades), MONT. ADMIN. R. 10.55.713 (high-school level).

<sup>25</sup> NEV. REV. STAT. § 388.700.

<sup>26</sup> NEV. REV. STAT. § 388.720.

<sup>27</sup> N.H. ADMIN. R. Ed. 306.17.

<sup>28</sup> N.J. ADMIN. CODE § 6A:13A-4.3.

<sup>29</sup> N.J. ADMIN. CODE § 6A:13A-4.3.

<sup>30</sup> N.J. ADMIN. CODE § 6A:32-8.3.

<sup>31</sup> N.M. STAT. ANN. § 22-10A-20.

<sup>32</sup> N.Y. COMP. CODES R. & REGS. TIT. 8, § 151-1.3.

<sup>33</sup> N.C. GEN. STAT. § 115C-301, N.C. S.B. 202 (2009), url: <http://www.ncleg.net/Sessions/2009/Bills/Senate/PDF/S202v8.pdf> (Accessed 11/10/2009).

<sup>34</sup> N.D. ADMIN CODE § 67-19-01-36.

<sup>35</sup> OHIO REV. CODE ANN. § 3317.012.

<sup>36</sup> OKLA. ADMIN. CODE § 210:35-5-41.

<sup>37</sup> OKLA. STAT. TIT. 70, § 18-113.1, OKLA. ADMIN. CODE § 210:35-5-42.

<sup>38</sup> 22 PA. ADMIN. CODE § 4.20.

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<sup>39</sup> CODE R.I. RULES § 08-060-002.

<sup>40</sup> S.C. CODE REGS. § 43-205, S.C. CODE REGS. § 43-205 (Pre-k), S.C. CODE REGS. § 43-231 (K-5th grades), S.C. CODE REGS. § 43-232 (6th-8th grades), S.C. CODE REGS. § 43-234 (9th-12th grades).

<sup>41</sup> TENN. CODE ANN. § 49-6-104 (Pre-K), TENN. COMP. R. & REGS. § 0520-1-3-.03 (K-12th grades).

<sup>42</sup> TENN. CODE ANN. § 49-6-3110.

<sup>43</sup> TEX. EDUC. CODE § 25.112.

<sup>44</sup> Code Vt. Rules § 22-000-003 (2120.8.2).

<sup>45</sup> VA. CODE ANN. § 22.1-253.13:2.

<sup>46</sup> W. VA. CODE OF STATE RULES § 126-28-8 (Pre-K), W. VA. CODE § 18-5-18A (K-6th grades).

<sup>47</sup> WYO. STAT. § 21-9-101.