

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1431

By: Erwin

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 18-113.3, as amended by Section 7, Chapter 361, O.S.L. 1993 (70 O.S. Supp. 1994, Section 18-113.3), which relates to the number of students a teacher may instruct during a school day; increasing such number for teachers teaching certain grades; deleting language decreasing such number in the future; deleting archaic language; clarifying certain language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 18-113.3, as amended by Section 7, Chapter 361, O.S.L. 1993 (70 O.S. Supp. 1994, Section 18-113.3), is amended to read as follows:

Section 18-113.3 A. Class size, as used in Section 18-113.1 and Section 18-113.2 of ~~Title 70 of the Oklahoma Statutes~~ this title, shall be determined by the average daily membership divided by the full-time equivalency of the instructional staff assigned to each grade level by site; ~~provided, for computation of reduction of payment of state-appropriated funds for the 1990-91 school year only, average daily attendance shall be used rather than average daily membership.~~ Full-time equivalency of special education

teachers, Chapter 1 teachers, and teachers of classes not subject to class size limitations and the average daily membership of self-contained special education classes shall not be counted in class size computation.

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

C. Beginning with the ~~1993-94~~ 1995-96 school year, no teacher as specified in this subsection who is counted in class size computation for grades seven through twelve shall be responsible for the instruction of more than ~~one hundred forty (140)~~ one hundred sixty (160) students on any given six-hour school day. ~~Beginning with the 1997-98 school year, no teacher who is counted in class size computation for grades seven through twelve shall be responsible for the instruction of more than one hundred twenty (120) students on any given six-hour school day.~~

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

E. Provided, for the 1993-94 school year, upon application to and approval by the State Board of Education, a district board of education may deregulate from the provisions in subsection C of this section as it relates to student-teacher ratio for grades seven through twelve. The State Board of Education shall promulgate rules providing for such deregulation. The State Board of Education shall approve such deregulation application upon determination that the applicant district has complied with the following conditions:

1. The district board of education has caused a notice of intent to request deregulation pursuant to this subsection in grades seven through twelve to be published in a newspaper of general

circulation in the county where the district is located and has caused the notice of intent to be posted in a conspicuous place within the offices of the district's administration ten (10) days before the application for deregulation pursuant to this subsection is submitted to the State Board of Education; and

2. The school site for which deregulation has been requested has:

- a. consistently demonstrated performance which exceeds the fiftieth percentile on the state achievement tests, as provided in subsection A of Section 1210.508 of this title, in grades seven through twelve,
- b. a dropout rate which is less than the state average, and
- c. fully complied with the rules of the State Board of Education regarding deregulation.

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

SECTION 2. This act shall become effective July 1, 1995.

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

45-1-5818

MCD