

# HOUSE BILL 439

F1

71r1848  
CF 71r1849

---

By: **Delegates Cardin, Barkley, Barnes, Heller, Howard, Kaiser, Olszewski,  
Rice, Ross, Stein, and Stukes**

Introduced and read first time: February 5, 2007

Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Reporting Requirement – Class Size**

3 FOR the purpose of requiring the State Department of Education to develop a uniform  
4 data collection method to track a certain number of certain students in a certain  
5 teacher’s class; requiring a certain data collection method to reflect a certain  
6 number of certain students in a certain class as of a certain date; requiring each  
7 county board of education to implement a certain data collection method and  
8 report the results of this data collection to the Department on or before a certain  
9 date; requiring the Department to report to the General Assembly regarding  
10 certain data on or before a certain date; defining a certain term; and generally  
11 relating to a uniform data collection method to determine the number of  
12 students who participate in a classroom teacher’s class.

13 BY adding to  
14 Article – Education  
15 Section 7–116  
16 Annotated Code of Maryland  
17 (2006 Replacement Volume)

18 Preamble

19 WHEREAS, All children deserve an opportunity to learn with consideration  
20 given to each child’s learning style; and

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Children learn best in learning environments that allow the  
2 teacher to provide for individualization of the instructional program and quick  
3 attention to each child's problems and needs; and

4 WHEREAS, Research has shown the strong correlation between small class size  
5 and increased student achievement, particularly among minority students; and

6 WHEREAS, Class size data is collected on a random basis, if at all, and most  
7 often is recorded as pupil-teacher ratios rather than as actual class size; and

8 WHEREAS, Accurate and consistent class size data is essential; now, therefore,

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

11 **Article - Education**

12 **7-116.**

13 (A) (1) IN THIS SECTION, "CLASSROOM TEACHER" MEANS A TEACHER  
14 WHO IS PRIMARILY RESPONSIBLE AND ACCOUNTABLE FOR THE STUDENTS IN  
15 THAT CLASS.

16 (2) "CLASSROOM TEACHER" DOES NOT INCLUDE:

17 (I) CURRICULUM SPECIALISTS;

18 (II) GUIDANCE COUNSELORS;

19 (III) LIBRARIANS;

20 (IV) MEDIA SPECIALISTS;

21 (V) INSTRUCTIONAL AIDES;

22 (VI) ATTENDANCE PERSONNEL;

23 (VII) HEALTH SERVICES PERSONNEL;

24 (VIII) PSYCHOLOGISTS;

1                   **(IX) SOCIAL WORKERS;**

2                   **(X) CLERICAL PERSONNEL;**

3                   **(XI) COMMUNITY COLLEGE STAFF; OR**

4                   **(XII) ANY OTHER INDIVIDUAL WHOSE JOB DOES NOT**  
5 **REQUIRE SKILL IN THE FIELD OF EDUCATION AND WHO IS NOT RESPONSIBLE**  
6 **FOR THE DAY-TO-DAY INSTRUCTION OF THE SAME GROUP OF STUDENTS.**

7           **(B) (1) THE DEPARTMENT SHALL DEVELOP A UNIFORM DATA**  
8 **COLLECTION METHOD TO TRACK THE NUMBER OF STUDENTS WHO REGULARLY**  
9 **PARTICIPATE IN A CLASSROOM TEACHER'S CLASS.**

10                   **(2) THE UNIFORM DATA COLLECTION METHOD DEVELOPED**  
11 **UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REFLECT THE NUMBER OF**  
12 **STUDENTS WHO PARTICIPATE IN A CLASSROOM TEACHER'S CLASS AS OF**  
13 **SEPTEMBER 30 OF EACH YEAR.**

14           **(C) EACH COUNTY BOARD SHALL:**

15                   **(1) IMPLEMENT THE UNIFORM DATA COLLECTION METHOD**  
16 **DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION; AND**

17                   **(2) REPORT THE RESULTS OF THE DATA COLLECTION TO THE**  
18 **DEPARTMENT ON OR BEFORE NOVEMBER 1 OF EACH YEAR.**

19           **(D) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT**  
20 **SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246**  
21 **OF THE STATE GOVERNMENT ARTICLE, ON THE DATA OBTAINED UNDER**  
22 **SUBSECTION (C)(2) OF THIS SECTION.**

23           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2007.