

# HOUSE BILL 379

F1  
HB 119/08 – W&M

9lr1354  
CF SB 990

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By: **Delegates Olszewski, Cardin, Walker, Boteler, Braveboy, Bromwell, Frush, Griffith, Healey, Hixson, Howard, Hubbard, Ivey, Kach, Kaiser, Minnick, Pena-Melnyk, Rice, Ross, Schuler, Stukes, F. Turner, V. Turner, and Valderrama**

Introduced and read first time: February 2, 2009

Assigned to: Ways and Means

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Committee Report: Favorable

House action: Adopted

Read second time: March 23, 2009

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## CHAPTER \_\_\_\_\_

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

14 BY adding to  
15 Article – Education  
16 Section 7–119  
17 Annotated Code of Maryland  
18 (2008 Replacement Volume)

19 Preamble

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 WHEREAS, All children deserve an opportunity to learn with consideration  
2 given to each child's learning style; and

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

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

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

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

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

13 **Article - Education**

14 **7-119.**

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

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

19 (I) CURRICULUM SPECIALISTS;

20 (II) GUIDANCE COUNSELORS;

21 (III) LIBRARIANS;

22 (IV) MEDIA SPECIALISTS;

23 (V) INSTRUCTIONAL AIDES;

24 (VI) ATTENDANCE PERSONNEL;

25 (VII) HEALTH SERVICES PERSONNEL;

26 (VIII) PSYCHOLOGISTS;

27 (IX) SOCIAL WORKERS;

1 (X) CLERICAL PERSONNEL;

2 (XI) COMMUNITY COLLEGE STAFF; OR

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

6 (B) (1) BY THE BEGINNING OF THE 2012-2013 ACADEMIC YEAR, THE  
7 DEPARTMENT SHALL DEVELOP A UNIFORM DATA COLLECTION METHOD TO  
8 TRACK THE NUMBER OF STUDENTS WHO REGULARLY PARTICIPATE IN A  
9 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) BEGINNING WITH THE 2012-2013 ACADEMIC YEAR, EACH COUNTY  
15 BOARD SHALL:

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

18 (2) REPORT THE RESULTS OF THE DATA COLLECTION TO THE  
19 DEPARTMENT ON OR BEFORE DECEMBER 1 OF EACH YEAR.

20 (D) ON OR BEFORE JANUARY 31 OF EACH YEAR, THE DEPARTMENT  
21 SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246  
22 OF THE STATE GOVERNMENT ARTICLE, ON THE DATA OBTAINED UNDER  
23 SUBSECTION (C)(2) OF THIS SECTION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.