

## **CHAPTER 639**

**(House Bill 379)**

AN ACT concerning

### **Education – Reporting Requirement – Class Size**

FOR the purpose of requiring the State Department of Education to develop a uniform data collection method to track a certain number of certain students in a classroom teacher’s class by the beginning of a certain academic year; requiring a certain data collection method to reflect a certain number of certain students in a certain class as of a certain date; requiring each county board of education to implement a certain data collection method and report the results of this data collection to the Department on or before a certain date; requiring the Department to report to the General Assembly regarding certain data on or before a certain date; defining a certain term; and generally relating to a uniform data collection method to determine the number of students who participate in a classroom teacher’s class.

BY adding to

Article – Education  
Section 7–119  
Annotated Code of Maryland  
(2008 Replacement Volume)

#### **Preamble**

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

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

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

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

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

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

**Article – Education**

**7-119.**

**(A) (1) IN THIS SECTION, “CLASSROOM TEACHER” MEANS A TEACHER WHO IS PRIMARILY RESPONSIBLE AND ACCOUNTABLE FOR THE STUDENTS IN THAT CLASS.**

**(2) “CLASSROOM TEACHER” DOES NOT INCLUDE:**

- (I) CURRICULUM SPECIALISTS;**
- (II) GUIDANCE COUNSELORS;**
- (III) LIBRARIANS;**
- (IV) MEDIA SPECIALISTS;**
- (V) INSTRUCTIONAL AIDES;**
- (VI) ATTENDANCE PERSONNEL;**
- (VII) HEALTH SERVICES PERSONNEL;**
- (VIII) PSYCHOLOGISTS;**
- (IX) SOCIAL WORKERS;**
- (X) CLERICAL PERSONNEL;**
- (XI) COMMUNITY COLLEGE STAFF; OR**

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

**(B) (1) BY THE BEGINNING OF THE 2012-2013 ACADEMIC YEAR, THE DEPARTMENT SHALL DEVELOP A UNIFORM DATA COLLECTION METHOD TO TRACK THE NUMBER OF STUDENTS WHO REGULARLY PARTICIPATE IN A CLASSROOM TEACHER’S CLASS.**

**(2) THE UNIFORM DATA COLLECTION METHOD DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REFLECT THE NUMBER OF**

**STUDENTS WHO PARTICIPATE IN A CLASSROOM TEACHER'S CLASS AS OF SEPTEMBER 30 OF EACH YEAR.**

**(C) BEGINNING WITH THE 2012–2013 ACADEMIC YEAR, EACH COUNTY BOARD SHALL:**

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

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

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

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

**Approved by the Governor, May 19, 2009.**