



House Council on Education and  
Economic Development  
PK-12 Appropriations Committee  
Update on the Class Size Amendment  
February 11, 2009

Department of Education  
John Newman

# The Constitutional Amendment

## Limits Class Sizes

November 2002 establishing, by the beginning of the 2010-2011 school year, the maximum number of students in core-curricula courses assigned to a teacher in each of the following three grade groups:

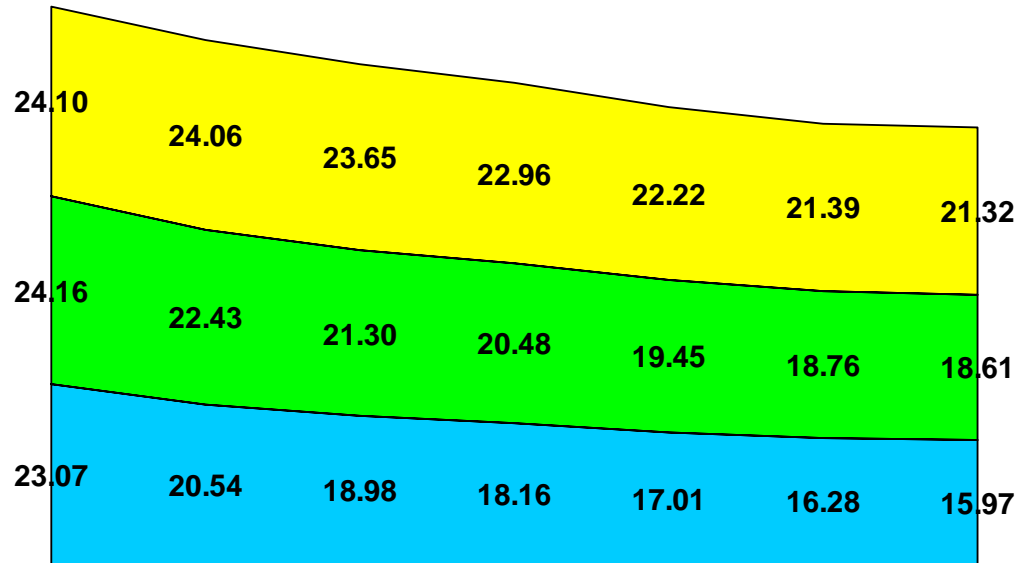
- ❖ 18 students in Prekindergarten through Grade 3.
- ❖ 22 students in Grades 4 through 8
- ❖ 25 students in Grades 9 through 12

**Section 1003.03(2), Florida Statutes,**  
**Schedule for Implementation of Compliance with**  
**the Constitutional Amendment**

Level at Which Compliance Will Be Measured  
For All Grade Groups by Year

| School Year             | Compliance Measured at |
|-------------------------|------------------------|
| 2003-04 through 2005-06 | District-Level         |
| 2006-07 through 2008-09 | School-Level           |
| 2009-10 & After         | Classroom-Level        |

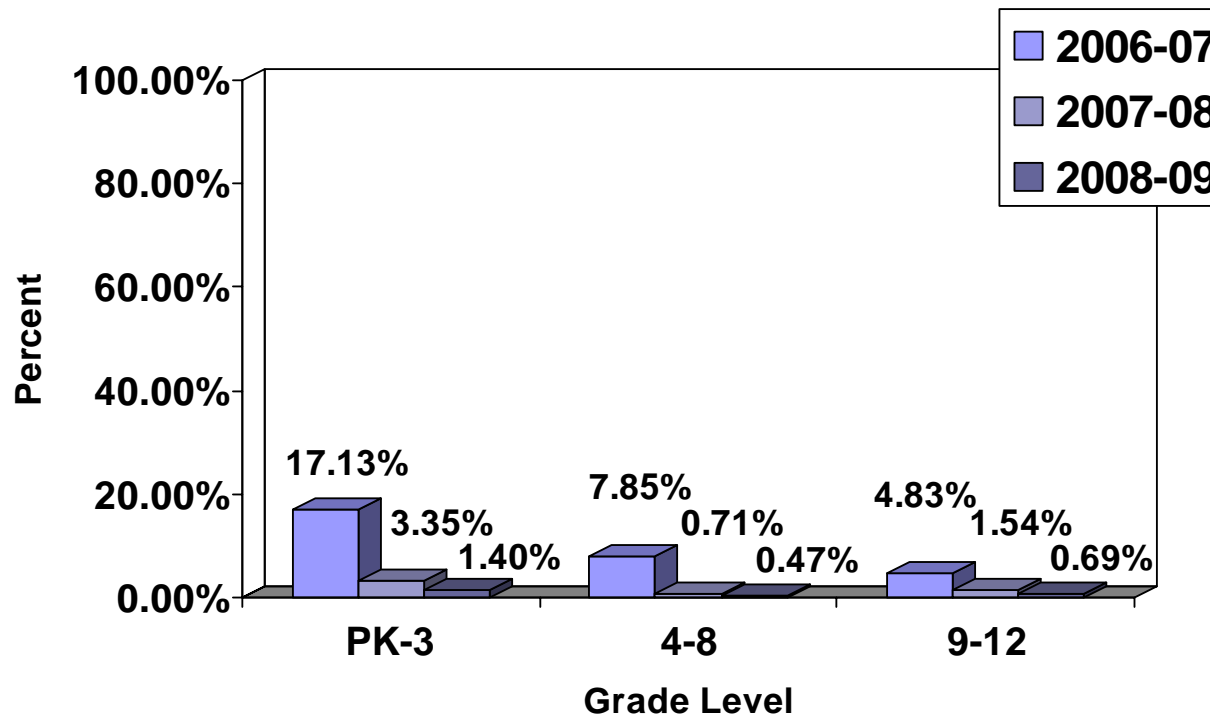
# Trends in Class Size Reduction 2002-03 to 2008-09



|             | 2002-2003 | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 | 2008-09 |
|-------------|-----------|-----------|-----------|-----------|-----------|-----------|---------|
| Grades 9-12 | 24.10     | 24.06     | 23.65     | 22.96     | 22.22     | 21.39     | 21.32   |
| Grades 4-8  | 24.16     | 22.43     | 21.30     | 20.48     | 19.45     | 18.76     | 18.61   |
| Grades PK-3 | 23.07     | 20.54     | 18.98     | 18.16     | 17.01     | 16.28     | 15.97   |

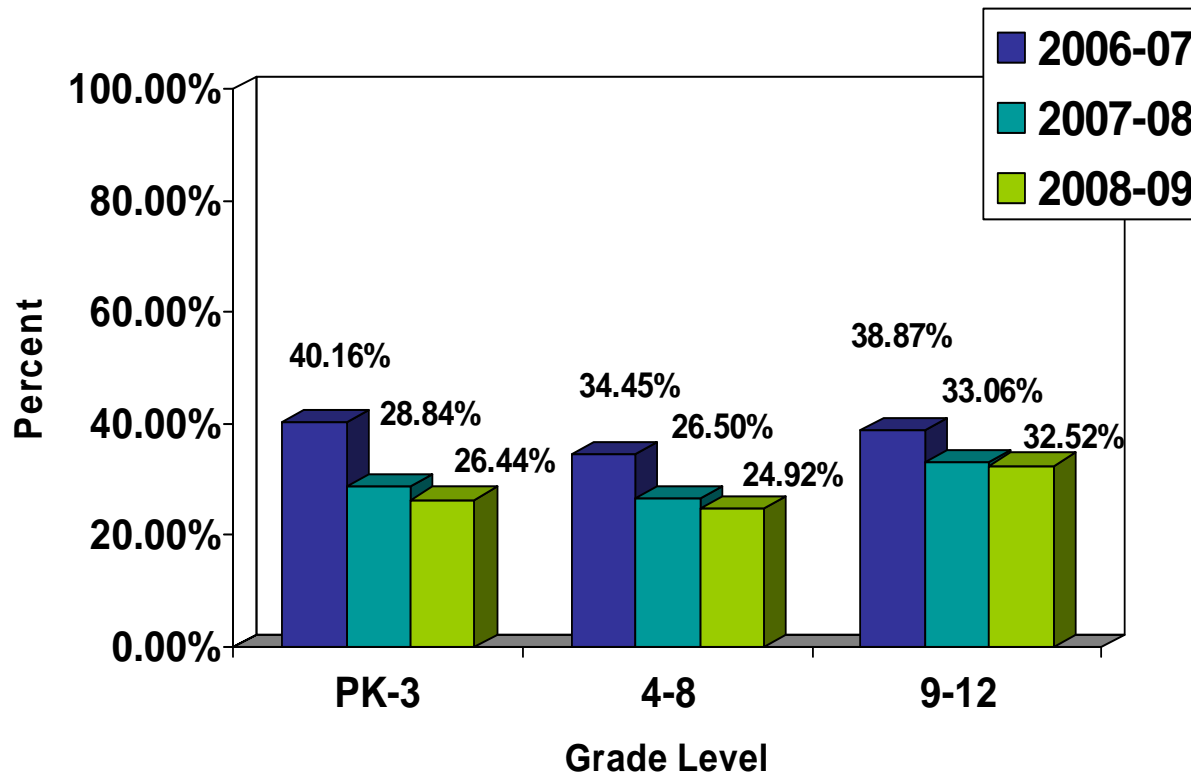
# Percent of Schools Over Class Size Cap

## Traditional Public Schools

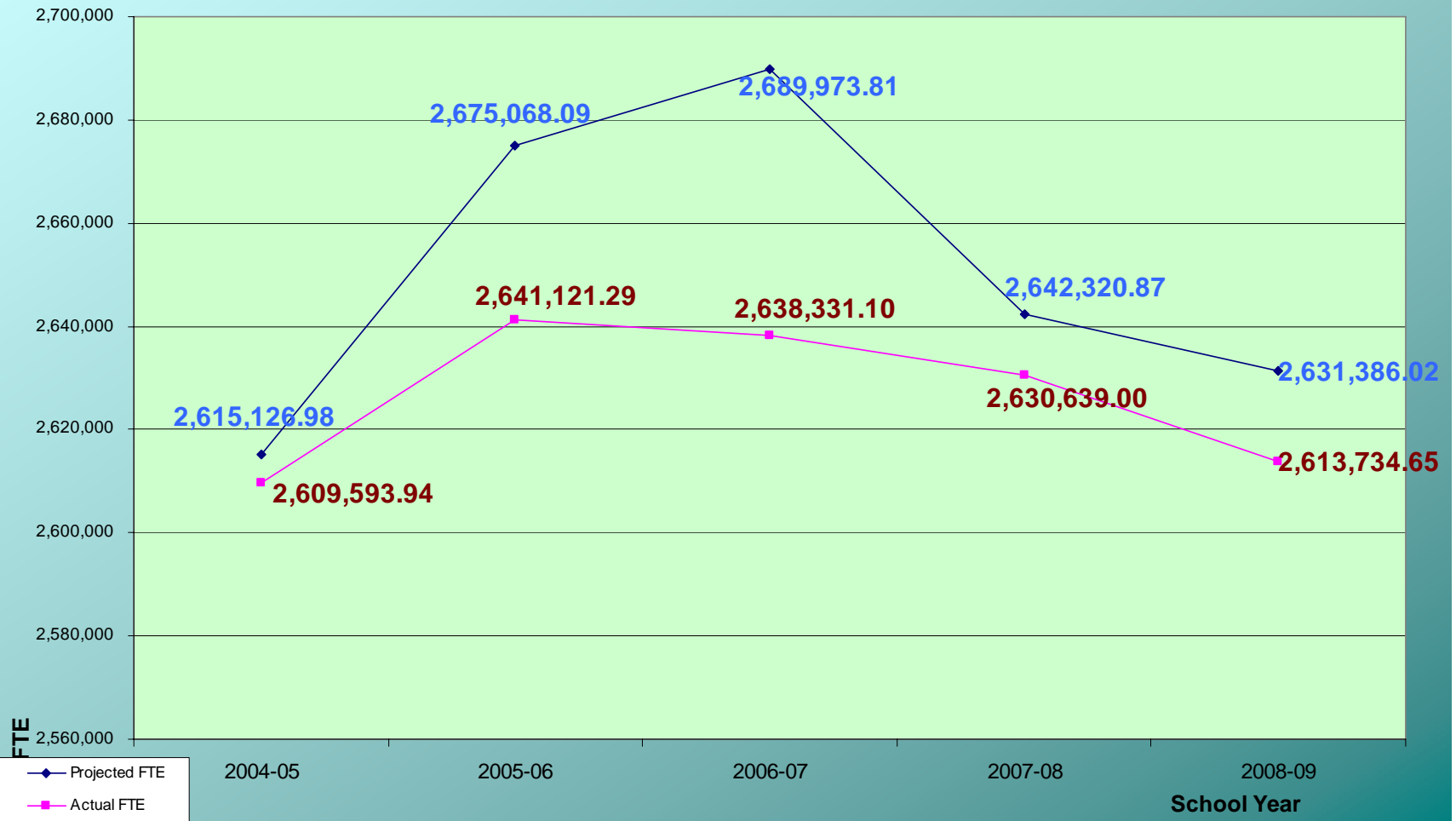


# Classrooms Over Cap

## Traditional Public Schools



### Projected vs. Actual FTE 2004-05 -- 2008-09



# 2008-09 Process and Timelines for Appeals

**November 24** – Districts receive October 2008 school-level class size averages and appeals process begins.

**December 19** – Deadline for submission of appeal and supporting documentation.

**January 5 – January 14** - Review of appeals.

**January 21** – State Board of Education approval of transfer calculations.

**February 13** – Legislative Budget Commission approval of final transfer calculations.

# The Renaissance Charter School, Inc., and The Lee Charter Foundation, Inc.

DOAH Final Order: December 17, 2008


- Charter schools are exempt from the School Code except for those laws listed in Section 1002.33(16), Florida Statutes.
- Department of Administrative Hearings (DOAH) Final Order ruled that the Department does not have authority to apply the class size statute to charter schools until the Legislature determines otherwise.
- The Final Order requires the Department to cease applying the maximum class size statute to charter schools, including the class size algorithm to determine whether charter schools have met the class size requirements.
- Pursuant to Section 1003.05(4), Florida Statutes, no transfers were calculated for charter schools for 2008-09.
- SB 278 includes provisions that would clarify that charter schools must comply with the class size statute.

# History of Class Size Appeals

|         | Number of Districts/Schools<br>Not in Compliance – Pre-<br>Appeals | Number of Districts/Schools<br>Not in Compliance – Post-<br>Appeals |
|---------|--|---|
| 2003-04 | 17 Districts   | 8 Districts   |
| 2004-05 | 18 Districts   | 9 Districts   |
| 2005-06 | 3 Districts  | 1 District  |
| 2006-07 | 177 Traditional Public Schools                                     | 86 Traditional Public Schools                                       |
| 2007-08 | 69 Traditional Public Schools                                      | 23 Traditional Public Schools                                       |
| 2008-09 | 39 Traditional Public Schools                                      | 0 Traditional Public Schools  |

# History of Class Size Transfer Calculation for Traditional Public Schools

|         | Pre-Appeals  | Post-Appeals |
|---------|--------------|--------------|
| 2003-04 | \$21,488,179 | \$1,479,948  |
| 2004-05 | \$11,354,475 | \$1,076,719  |
| 2005-06 | \$5,222,735  | \$496,059    |
| 2006-07 | \$7,836,834  | \$3,273,943  |
| 2007-08 | \$5,330,411  | \$333,302    |
| 2008-09 | \$1,396,108  | \$0          |



# School-Level Compliance 2008-2009 Prior to Appeals

- 39 traditional public schools (1.26%) were determined to not have met compliance with class size requirements
- 17 districts had at least 1 school out of compliance

# Cumulative Appropriations for Class Size Reduction

|         | Operating Funds | FCO Funds     | Total-to-Date  |
|---------|-----------------|---------------|----------------|
|         | -1-             | -2-           | -3-            |
| 2003-04 | 468,198,634     | 600,000,000   | 1,068,198,634  |
| 2004-05 | 972,191,216     | 100,000,000   | 1,072,191,216  |
| 2005-06 | 1,507,199,696   | 83,400,000    | 1,590,599,696  |
| 2006-07 | 2,108,529,344   | 1,100,000,000 | 3,208,529,344  |
| 2007-08 | 2,640,719,730   | 650,000,000   | 3,290,719,730  |
| 2008-09 | 2,729,491,033   | 0             | 2,729,491,033  |
|         | 10,426,329,653  | 2,533,400,000 | 12,959,729,653 |

# Following Appeals, 2008-09

- Action by the State Board of Education on January 21, 2009
  - Alternative transfer calculation for noncompliance with class size reduction requirements was approved
- Action by the Legislative Budget Commission
  - Consideration of alternative transfer calculation for noncompliance with class size reduction requirements

# Challenges and Considerations

## ■ Challenges

- Implementation problems at the classroom level
- Impact on non-core curricula classes
- Increasing instructional staff with declining funds

## ■ Considerations

- Delay classroom compliance to 2010
- Changes to the constitution



Presentation may be accessed at

<http://www.fldoe.org/classsize/>