

**OFFICE OF CHIEF OF RESEARCH AND DEVELOPMENT**  
**Summary of State Board of Education Agenda Items**  
**April 21, 2016**

**OFFICE OF DISTRICT ACCREDITATION**

07. Action: Approval of recommendations on exceptions to pupil-teacher ratio requirements for grades 1-4 [Goal 4 – MBE Strategic Plan]

Background Information: Mississippi Code Section 37-151-77 and 7 Mississippi Administrative Code Part 3, Chapter 19, Rule 19.1 – Class Size, indicates that the State Board of Education is authorized to waive the pupil-teacher requirements for districts with exceptions to the enrollment ratio of 27:1 in grades 1-4.

Mississippi Department of Education (MDE) staff reviewed the report of sections for thirty-one (31) districts with schools out of compliance with MS Code Section 37-151-77. Sixteen (16) districts were exempt for A or B Performance Classifications.

Total sections out of compliance in fifteen (15) districts	51
Sections that corrected data input errors	2
Sections with dropped enrollment since data entry	2
Sections corrected the excessive enrollment	19
Sections over the maximum due to a rotating schedule	0
Other Explanation	1
<b>Remaining sections not able to reduce the classroom ratio</b>	<b>27</b>

An interdepartmental committee will meet on **Friday, April 15, 2016**, to consider requests from six (6) districts for exceptions to the enrollment ratio of 27:1 in grades 1-4. The waiver requests are detailed in the attached back-up material.

If a school district does not meet the class size requirement for grades 1-4 as required by State Law 37-151-77, the state aid for the following fiscal year will be reduced. The reduction will be based on the required pupil-teacher ratio mandated in the statute. A waiver may be granted by the State Board of Education if school districts are making a good faith effort to comply with the statute but complying with the statute is physically impossible, and the cost of temporary classroom space cannot be justified.

This item references Goal 4 of the *Mississippi Board of Education 2016-2020 Strategic Plan*.

Recommendation: Approval

Back-up material attached

## Requests for Waiver of Excessive Enrollment in Grades 1 – 4

### 1. Forest Municipal School District

School	Performance Classification	Grade Level	Total Number of Classes with Overload	Waiver Requested Previous Year
Forest Elementary	D	1 <sup>st</sup>	2	No

#### Justification of Request

A first grade teacher resigned in August and the district has been unable to find a certified teacher to replace the teacher who resigned. University Teacher Career Fairs have been attended and universities have been contacted. This position has also been posted on the district website and the MDE vacancy list.

### 2. Holmes County School District

School	Performance Classification	Grade Level	Total Number of Classes with Overload	Waiver Requested Previous Year
William Dean Elementary	N/A	4 <sup>th</sup>	3	No

#### Justification of Request

The district is having difficulty finding certified teachers. They are currently looking for a certified teacher to relieve the overload. The district has a substantial number of individuals who have expert citizen licenses or are long term substitute teachers, and is actively recruiting certified teachers to fill vacancies. The district is also working with individuals to help them pass the Praxis, so they can become certified teachers who can be retained in the Holmes County Schools.

### 3. Jackson Public School District

School	Performance Classification	Grade Level	Total Number of Classes with Overload	Waiver Requested Previous Year
Boyd Elementary	C	3 <sup>rd</sup>	5	Yes
Brown Elementary	D	3 <sup>rd</sup>	1	No
Smith Elementary	C	2 <sup>nd</sup>	2	Yes
Spann Elementary	C	3 <sup>rd</sup> , 4 <sup>th</sup>	5	Yes
Watkins Elementary	C	1 <sup>st</sup>	1	No
Woodville Heights Elementary	F	3 <sup>rd</sup>	2	No

#### Justification of Request

There was an increase in student population and schools have no physical space to accommodate additional classrooms. The district plans to revisit zone lines in each area to reduce overcrowding in addition to adding another grade if student population dictates.

### 4. Lauderdale Co School District

School	Performance Classification	Grade Level	Total Number of Classes with Overload	Waiver Requested Previous Year
Northeast Lauderdale Elementary	C	1 <sup>st</sup>	1	No

#### Justification of Request

The district was previously unaware of this overload. Regular students did not cause this overload. However, two (2) inclusion students were added to this class which overloaded the class. The school plans to move students to a different period of the same class.

#### 5. Leland School District

School	Performance Classification	Grade Level	Total Number of Classes with Overload	Waiver Requested Previous Year
Leland Elementary	C	4 <sup>th</sup>	2	No

##### Justification of Request

Funds were not available to accommodate another teacher for the 2015-2016 school year. The district only has two (2) teachers for 4<sup>th</sup> grade due to students retained after the 3<sup>rd</sup> grade gate. The district had four (4) teachers last year. Two (2) of those teachers were moved to 3<sup>rd</sup> grade. For the 2016-2017 school year, the students in 3<sup>rd</sup> grade will be promoted to 4<sup>th</sup> grade. The two (2) teachers will then be moved back to 4<sup>th</sup> grade. The district feels this would resolve the situation.

#### 6. Ocean Springs School District

School	Performance Classification	Grade Level	Total Number of Classes with Overload	Waiver Requested Previous Year
Oak Park Elementary	N/A	3 <sup>rd</sup>	3	No

##### Justification of Request

An additional teacher unit was not budgeted for school year 2015-2016. Plans are in place to add an additional teacher unit to the third grade at Oak Park Elementary.



**Title 37 - EDUCATION**

**Chapter 151 - MISSISSIPPI ACCOUNTABILITY AND ADEQUATE EDUCATION PROGRAM ACT OF 1997**

**PUPIL-TEACHER RATIOS**

**§ 37-151-77 - Pupil-teacher ratio**

Miss. Code Ann. § 37-151-77 (2016)

To qualify for funds provided in this chapter, each school district shall not exceed a pupil-teacher ratio based on enrollment in Grades 1, 2, 3 and 4 as follows: 27:1.

For Grades Kindergarten and 5 through 12, pupil-teacher ratio shall be determined based on appropriate accreditation standards developed by the Mississippi Commission on School Accreditation.

Any local district may apply to the State Board of Education for approval of a waiver to this section by submitting and justifying an alternative educational program to serve the needs of enrollment in Grades Kindergarten and 1 through 4. The State Board of Education shall approve or disapprove of such waiver forty-five (45) days after receipt of such application. If a school district violates the provisions of this section, the state aid for the ensuing fiscal year to such school district shall be reduced by the percentage variance that the actual pupil-teacher ratios in such school district has to the required pupil-teacher ratios mandated in this section. Provided, that notwithstanding the provisions of this section, the State Board of Education is authorized to waive the pupil-teacher requirements specified herein upon a finding that a good faith effort is being made by the school district concerned to comply with the ratio provisions but that for lack of classroom space which was beyond its control it is physically impossible for the district to comply, and the cost of temporary classroom space cannot be justified. In the event any school district meets the highest levels of accreditation standards as determined by the State Board of Education in the state's accountability system, the State Board of Education may, in its discretion, exempt such school district from the maximum pupil-teacher ratio in Grades 1, 2, 3 and 4 prescribed herein.

**Chapter 19: Class Size Rule 19.1 Class Size. When the personnel report from each district is submitted to the Mississippi Department of Education the following procedure will be implemented:**

1. If the enrollment in any class in grades 1-4 is greater than 27 and/or the number of students taught by any individual teacher exceeds 150, MDE staff will notify the district in writing and request an explanation as to the reasons for the overage.
2. The district shall submit documentation that the situation has been corrected or request an exemption. The request for exemption will describe the situation and provide justification as to why the exemption should be approved. This request should include at a minimum:
  - a. the number of classes in that school that serve the same grade,
  - b. whether there is a school reasonably close by to which the children over the maximum could be transferred,
  - c. a clear description of why an additional class cannot be added to alleviate the overload, and
  - d. other emergency, hardship, or special situations which justify an exemption.
3. The Mississippi Department of Education staff (Exemptions Committee) will review the request for exemption and make a recommendation to the State Board.
4. The State Board shall disapprove or approve exemption requests.
5. A school district may appeal the denial of an exemption by submitting a request within fourteen (14) days of receipt of notification to the State Board.
6. The State Board's decision on an appeal is final.

If a school district violates the provisions of Mississippi Code 37-151-77, the state aid for the ensuing fiscal year to such school district shall be reduced by the percentage variance that the actual pupil-teacher ratios in such school district has to the required pupil-teacher ratios mandated in this section. Any district meeting the highest levels of performance are exempt from the maximum pupil teacher ratio in Grades 1, 2, 3, and 4.

*Source: MS Code 37-151-77 (Revised 2/2012)*