HOUSE BILL NO. 18

AN ACT TO AMEND SECTION 37-151-77, MISSISSIPPI CODE OF 1972, TO ESTABLISH A MAXIMUM PUPIL-TEACHER RATIO OF 18:1 FOR KINDERGARTEN CLASSES UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 37-151-77, Mississippi Code of 1972, is amended as follows:

37-151-77. To qualify for funds provided in this chapter, each school district shall not exceed a pupil-teacher ratio based on enrollment in kindergarten equal to 18:1 and in Grades 1, 2, 3 and 4 equal to 27:1.

For Grades 5 through 12, the 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 kindergarten and Grades 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.

Notwithstanding the provisions of this section, the State Board of Education is authorized to waive the pupil-teacher requirements specified in this section 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 Level 4 or 5 accreditation standards, the State Board of Education *, in its discretion, may exempt such school district from the maximum pupil-teacher ratio in kindergarten and Grades 1, 2, 3 and 4 prescribed in this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.