

K-3 Class Size Restrictions Delayed One Year

On February 8, Republican legislative leaders introduced [HB90](#), allowing a phase in plan for smaller class sizes in grades K-3 until 2021-22 instead of the rigid mandate for the 2018-19 school year. In addition, legislators included in the bill a new allotment for enhancement teachers that grows to about \$246 million by FY 2021-22. This funding is calculated on one enhancement teacher for every 191 students in grades K-5.

School districts welcomed this additional funding while noting that many districts currently have a lower ratio with more teachers than this allotment pays for currently employed, meaning the legislature is still not fully funding enhancement teachers.

School officials and parents across North Carolina have been very vocal in their concerns about meeting the mandates to reduce class sizes. Since 2016, school districts reported to NCGA members the need for thousands of extra classrooms. They also reported they would be forced to fire arts, music, world languages and PE teachers to pay for additional K-3 teachers needed to meet the mandates. Further, school officials said they could not recruit and hire enough experienced, qualified teachers in time to lead the additional K-3 classes.

While [HB90](#) was an improvement over previous bills, significant capital costs and strengthening our teacher pipeline remain unaddressed. Many school districts are still struggling with how to find and pay for additional classroom space.

More on HB90

House Bill 90 also includes a plan to eliminate the Pre-K waiting list by adding funding for approximately 3,000 additional Pre-K seats over the next two years. This funding will expand NC Pre-K funding by about \$26 million in FY 2019-20, growing to \$36 million in FY 20-21. This replaces the nearly 6,000 slots cut since 2011. This funding is a positive step forward and validates the value of children coming to kindergarten better prepared to learn. Pre-K has a positive long-term effect on academic success for children who participate in the program. Some Pre-K experts think more funding will be needed to eliminate the waiting list, but all agree that this is a solid step forward.

House Bill 90 includes two other education funding provisions.

Low-wealth schools in counties “directly impacted by placement of the **Atlantic Coast Pipeline (ACP)** within their respective jurisdictions shall receive the benefit of any funds provided or gifted for the benefit of the State or the people of the State as a result of the ACP.” This money had been earmarked to mitigate any environmental impacts caused by the pipeline. The schools in this district currently need more funding. That funding should not be tied to unreliable sources from a negotiated settlement that may not be forthcoming since it is an agreement that can be abandoned without legal consequences. Next year when the biennial budget is developed, it must include improved funding for all low-wealth school districts as outlined in the **Leandro** case (that all children must have access to sound basic education).

HB90 is expanding VOUCHERS—Eligibility for Personal Education Savings Accounts (PESA) was also included in [HB90](#), which expands the eligibility criteria for the Personal Education Savings Accounts (PESAs) voucher program, granting eligibility to grade 2-12 students who had not previously been enrolled in a public school. Expanding eligibility will lead to the need to expand the funding for this program and does not “save the state” money with this new eligibility plan. This type of program has been rife with abuse in other states, and will expand privatization of public education.

What is Class Size Chaos?

The North Carolina General Assembly included new class size restrictions for grades K-3 in the 2017-18 budget, requiring school districts to reduce those class sizes while simultaneously taking away the funding flexibility districts have long relied upon to fund enhancement teachers for art, music, PE and world languages in those schools. The only funding for those positions was districts’ flexibility to use the classroom teacher allotment for enhancement teachers. The combined effect is a massive unfunded mandate that would have required larger districts to find new classroom space and teachers and districts of all sizes to reduce their enhancement staffing. Legislative analysts warned lawmakers that these complications would arise if class sizes and allotment usage were restricted in this manner.

In the ensuing months, as school districts commenced planning for the 2017-18 academic year, the problem became less theoretical and districts were on the verge of layoffs and staff restructurings that were unpopular with parents. The NC House unanimously passed a bill ([HB13](#)) that would have allowed average district-wide class sizes up to three students above the funded student-teacher ratio, and individual classes of up to six students above the new limits in order to restore the flexibility districts historically used to fund enhancement positions. However, Senate leaders accused districts of having misspent “tens of millions of dollars” (though clearly no House members shared those concerns) and refused to vote on the bill. Instead, the new legislative budget simply delayed the class size restrictions for one year and imposed onerous, duplicative reporting requirements on district officials.

In October 2017, lawmakers returned to Raleigh for a special session to pass budget corrections and override vetoes. The House included the original HB13's class size flexibility in its budget corrections bill, but the Senate did not, and it was the Senate version that ultimately passed both chambers.

SPECIAL SESSION

NCGA members returned to Raleigh on **January 10, 2018 for a special session but did not take any action until February, when they passed HB 90. The issue is still not fully resolved, as no additional state funding for infrastructure was provided to meet mandated class size reduction in the budget.** It is not fair for parents, teachers and school leaders to continue to worry about keeping their enhancement teachers as they try to meet mandated classroom space and staffing needs. Local district leaders cannot meet the fiscal or space requirements and have started to resort to worst case scenarios, including strategies like capping schools, laying-off teachers, doubling up classes, enhancement classes in hallways. This is on top of significantly increasing class sizes in grades 4 and 5, and potentially eliminating course offerings in middle school. All of this is just to find extra classroom space and money needed to keep their enhancement teachers. Obviously, this is not just a K-3 issue; it is a PreK-12 issue. This is a statewide issue, affecting urban, small, and rural districts alike.

What concerns remain?

How will school districts find the physical space to house the additional classrooms needed to lower K-3 class size? Wake County reports they will need to create space for 559 new classrooms—the equivalent of 14 additional schools to meet the mandate! There was no funding allocated for this in the most recent budget adjustments. Due to the lack of adequate funding, many schools will be forced to increase class sizes in later grades.

Where are school boards going to find enough teachers? Considering that North Carolina has had a teacher shortage for years, are we instead going to have larger numbers of untrained teachers or temporary and unqualified substitutes in our classrooms?

For school districts that do have extra space, will plans to expand the number of Pre-K classrooms in the school district have to be shelved? Large districts do not have the space the restrictions will necessitate, and smaller, economically disadvantaged districts do not have the funds for both the extra K-3 classes and their current programming.

Will small schools be able to offer all enhancement subjects? Under this plan, school districts are allotted one enhancement teacher for every 191 students in grades K-5. The funding formula for very small school districts may result in an inadequate number of teachers, as there may not be enough teachers allotted for all enhancement subjects.

Resources

Jeff Tiberii “Legislators Pass Class-Size Mandate, Delay Action on GenX” (Feb 13, 2018)

<http://www.wunc.org/post/legislators-pass-class-size-mandate-delay-action-genx#stream/0>

Jeffery C. Billman “The NCGA’s New Class-Size Bill Is Loaded With a Bunch of Other Crap You’re Not Going to Like” (Feb 8, 2018) <https://www.indyweek.com/news/archives/2018/02/08/the-nccga-new-class-size-bill-is-loaded-with-a-bunch-of-other-crap-youre-not-going-to-like>

WWAY News “Proposed Bill Phases in Smaller Class Sizes Removes Pre-K Waiting List” (Feb 8, 2018)

<https://www.wwaytv3.com/2018/02/08/proposed-bill-phases-in-nc-class-size-mandate-removes-pre-k-waitlist/>

Kris Nordstrom “General Assembly’s Class Size Bill Mixed Bag” (Feb 8, 2018)

<http://pulse.ncpolicywatch.org/2018/02/08/general-assemblys-class-size-bill-mixed-bag/>

Gary D. Robertson “Class-Size Fix Loaded With Other Changes, OK’d By Senate” (Feb 9, 2018)

<https://www.usnews.com/news/best-states/north-carolina/articles/2018-02-09/class-size-fix-loaded-with-other-changes-okd-by-senate>

Last revised September 6, 2018