

Class Size Penalties - CalEdFacts

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California *Education Code (EC)* sections 41376 and 41378 prescribe the maximum class sizes and penalties for districts with any classes that exceed the limits established in 1964.

- Kindergarten—average class size not to exceed 31 students; no class larger than 33 students
- Grades one through three—average class size not to exceed 30 students; no class larger than 32 students
- Grades four through eight—in the current fiscal year, average number of students per teacher not to exceed the greater of 29.9 (the statewide average number of students per teacher in 1964) or the district's average number of students per teacher in 1964

The intent of these laws is to encourage the reduction of class size and the ratio of students to teachers. If the above limits are exceeded, statute requires the Superintendent of Public Instruction to reduce the district's revenue limit apportionment for each student over the limit. In short, this means that the penalty for exceeding the limit is a loss in all revenue limit funding for each student over the limit. Regulations related to class size penalties are in *California Code of Regulations*, Title 5, sections 15100 – 15112.

Class size penalties are applied at the Second Principal Apportionment from information reported to the California Department of Education (CDE) on the *Report of Regular Day Classes and Enrollment for Kindergarten and Elementary Grades*. The report is part of the Principal Apportionment attendance software located on the CDE [Software and Forms](#) Web page. It includes enrollment information through the last full school month ending on or before April 15 and is due to the CDE in early May each year.

School districts that choose to increase these maximums may submit waiver requests to the State Board of Education (SBE) and, if the SBE approves the waiver, the penalty will be adjusted.

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Last Reviewed: Tuesday, June 29, 2021
