

CLASS SIZE REGULATION

A Dossier of International Comparisons

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RISE

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Introduction

Aims: The main aims of this project were to identify countries where class size was regulated, and to examine some of the methods adopted for its regulation. The focus was on class size in primary schools and the research also produced some comparative information on other age groups.

Methods: The information was collected from a variety of sources, including many telephone interviews with key informants in various countries, and extensive use of information published or otherwise provided by EURYDICE (the Education Information Network of the European Community). The amount of information which could be collected during the time span of the project varied considerably from country to country, and this is reflected in the varying lengths of the items on individual countries. Fuller details of the methodology are included as Appendix I.

Definitions: In planning this project, "class size" was taken to mean the number of pupils in one classroom at any one time under the supervision and instruction of one teacher. As the work proceeded it became clear that "class size" means different things to different people. For example enquiries about "class size" in the Netherlands and in Portugal produced information about space in the classroom. Elsewhere class size was discussed in terms of "pupil-teacher ratios". Pupil/teacher ratios are averages based on the number of (full-time equivalent) pupils divided by the number of (full-time equivalent) teachers. These ratios do not translate directly into "class size" figures because not all of every teacher's time is spent in the classroom supervising and instructing a class. For example more senior teachers may have managerial, administrative and/or pastoral duties outside the classroom.

A Summary of Findings

1. Some countries do have regulations imposing a direct limit on class size. Among the countries investigated, Denmark, Finland, France, Germany, Greece, Norway, and Scotland were found to have some regulations about maximum class size.
2. Other countries were found to be like England and Wales in having no regulations to impose a direct limit on class size. Australia has no legal limit on class size. Sweden has recently abandoned its national limit as part of a decentralisation programme whereby this and other issues would be decided locally. In the Netherlands, and in Portugal, there are regulations related to classroom space requirements. Belgium, New Zealand, Portugal use formulae based partly on pupil/teacher ratios in order to determine the funding of a school. In England and Wales, Local Management of Schools means that class size is determined by each school, but is influenced by the level of funding provided through the local formula for the allocation of the schools budget, and by the physical capacity of the school in relation to its roll. England and Wales did have a direct limit on class size introduced in 1944 but this was revoked in 1959. (See Appendix III for details) .
3. There are often variations in the class size limit for different categories of children. Children with special learning needs, either in their own separate classes, or integrated into "mainstream" classes, generally prompt a lower maximum class size figure. In some cases nursery, reception and/or mixed age classes are separately identified and given a lower maximum class size. Across the primary/secondary divide the situation is more mixed: there are examples where the class size maximum is constant across the full age range e.g. Denmark; other countries such as Finland increase the maximum as the children get older; still others have a lower maximum size for secondary age children. There is also at least one system, Greece, which restricts class size at the top end of the secondary school, in order to prepare pupils for final examinations. (See Appendix II for tables.)
4. There are various models for regulating class size. The regulations can derive from national legislation, as in Greece or Norway; or from policies made by individual sub-national governments, as in some American states and some German Länder. Alternatively, teachers' pay and conditions agreements can restrict class size, as in Scotland.
5. Many schemes have built in arrangements to allow for some flexibility, e.g. when children join a class too late in the year for reconstitution of classes to be practical. These arrangements are of two main types. One possibility is to keep each class well below the limit to start with, so that new arrivals can be added without going over the limit -- this arrangement appears to be common in Denmark. Alternatively, higher class size maxima can be allowed on a short-term and/or negotiated basis. For example in Scotland primary school classes are allowed to rise temporarily to 39 instead of the standard 33.
6. Without thorough studies of the political processes leading up to legislation in each country, it is not possible to identify with certainty the reasons why the regulations were brought in. However, the discussions the researcher had with key informants in various countries suggest a variety of factors including: teachers' concerns about their conditions of work; parents' worries about a safe environment in the classroom; a widespread belief that children with special needs require more adult attention; and support for particular teaching methods which require high levels of active participation by pupils.
7. It appears that difficulties in staying within class size maxima are greatest in urban areas where population pressures lead to schools where classes reach the maximum allowed, and where there may be pressures to exceed it, for example if there are shortages of trained teachers.

The Dossier

Countries which have some kind of regulation imposing a direct limit on class size are described in section A: Denmark, Finland, France, Germany, Greece, Norway, and Scotland.

Other countries, while not having regulations to limit class size directly, have addressed the issue in other ways. Some information about them is included in section B which describes the Netherlands, New Zealand, Portugal, and the USA.

Appendix III describes the class size limit which operated in England and Wales between 1944 and 1959.

Sources are listed in a short form at the end of each country description. Full references and sources are listed at the end.

Section A

Countries with legally binding regulations imposing a direct limit on class size

DENMARK

In 1975 the School Law of Denmark introduced legislation controlling class size. The maximum number of pupils in classes from Grades 1 to 10 is 28. In very exceptional circumstances the number may rise to 30. But there are no more than 10 such cases nationally in any one year. The circumstances for increasing a class size may be similar to those agreed in Scotland, where if one or two new children join a class near the end of term the number will rise to 30 rather than split the class at that stage in the year.

In the Danish Folkskoles the children are put into groups when they start school. There is a great deal of care and thought put into the groupings. Parents and teachers discuss how the children will be grouped. Each group tries to have an equal number of boys and girls. Friends are kept together and there is a mix of ability in each group. When formed this group will be together as a class throughout their life at Folkskole. They will also have the same class teacher all through school. It is thus very important that there is full discussion about how the groupings are formed. Class sizes tend to be well below maximum to allow for fluctuations so that these carefully considered groupings of children do not have to be split up later.

Discussion with pupils and teachers at a school just outside Copenhagen highlighted the matter of social groupings and pupils and teachers being together in one class throughout their time at school. It was found that constancy was of particular concern to everyone. It was found that there was overall support for a small planned class with one teacher because it was considered that it provided a secure and constant base for pupils from which to develop, compared with a lack of constancy and a high rate of change in many other aspects of society.

The statistical average class size in Denmark is 20. There is caution, however, about forming classes which are too small and this worry comes more from the parents than from any other source. There is the fear that, in the context of Danish schools in which a class is together for 10 years, very small groups can become exclusive, select and single-minded. The Ministry of Education and Research in Denmark has expressed a wish to see a national class size average of 21/22, higher than at present, but still well within the legal maximum.

The Danish Folkskoles see their purpose as preparing children for life and for further education. Classes are balanced to create a micro society, or small family, and to provide a stable environment in which children can develop and learn.

Pupils are involved every week in discussions to plan their work. The element of participation in planning what will be taught is enshrined in law. Parents, teachers and pupils are all involved in discussions concerning what will be taught and pupil assessment. The size of class is a contributory factor in enabling consultation, participation and partnership in the education process.

Special schools are subject to the same class size criteria as Folkskoles, but in practice maximum class sizes are 10. Policy is that children with special needs integrate as far as possible into Folkskoles.

Researchers on class size elsewhere have sometimes found that problems can arise from teaching practices in small classes. This happens where teacher training assumes a class size of at least 30. Such problems do not arise in Denmark, since teachers have been trained to work with groups averaging 20 pupils.

Sources:

Skole og Samfund

European Parents Association publications

- Macbeth, Danish Case Study and,

- Beattie-Smith, EPA Info, Spring 1992 and Winter 1993

Statens Pædagogiske Forsøgscenter, Rodovre

Undervisnings Ministeriet, The Ministry of Education and Research, Denmark

FINLAND

Finland has legislation which covers both class size and the number of teachers employed per minimum number of pupils.

Section 43 of the Finnish school law 27.11.1992/1174 states that in the first two years of schooling, Grades 1 to 2 of the comprehensive schools, the maximum number of pupils in a class is 25. This is from age 7. From Grade 3 to Grade 9, that is up to age 16, the maximum class size is 32.

Although compulsory schooling ends at age 16, Grade 9, the legislation extends to senior secondary schools, ages 16 to 19, where the maximum class size is 36.

Special needs classes have a maximum of 10 pupils from Grade 1 to 9.

Legislation for teacher vacancies, Section 82 of the same law is as follows:

MINIMUM NUMBER OF PUPILS	TEACHER VACANCIES
13	1
20	2
40	3
80	4
105	5
130	6
155	7
180	8
205	9
230	10

Sources:

Hem och Skola

OECD Indicators

FRANCE

National regulations concerning actual and average class sizes have been abolished in France except in the case of reception classes. There is a national maximum of 25 applied to a reception class.

At pre-elementary, elementary and specialised levels of schooling, the Ministry does not impose national norms. The former national regulations for average class sizes, (those which determined the conditions for opening a new class or closing one), have been disbanded and the decisions concerning classes and their size are now made in the responsible "départements", in negotiation with the teachers' unions.

Class Size Regulation

In Paris for example the following table, published by le Syndicat des Enseignants/FEN, illustrates the method used in Paris for determining the number of classes in a school according to the total number of pupils.

NO. OF CLASSES	One class is closed if the number of pupils in the school drops below:	Another class is opened if the number of pupils in the school rises above:
5	104	146
6	130	171
7	156	196
8	182	228
9	208	260
10	234	292
11	260	317
12	286	342
13	312	374
14	338	406
15	364	438
16	390	463
17	416	488
18	442	520
19	468	552
20	494	584
21	520	609
22	546	634

This is a method of determining average class size, but not actual class size. If all classes in the school were the same size the effect would be to ensure a new class was opened when one of them reached or exceeded 30. The teachers' union SE/FEN would like to see this adapted so that classes will not be closed if the average class size would exceed 25 after closure.

To continue with the example of Paris:- at secondary level, classes may be divided when the number of pupils in a class at premier cycle (6th to 3rd classes at college) reaches 35, and 40 pupils at second cycle (1st year onwards at lycée or lycée professionnel), but it is preferred to keep final year students together in groups of 35.

New education legislation, the Framework Education Act, was adopted on 10 July 1989. In the lead up to the implementation of the Act, recognition was given to the growing problem in France of increasing student numbers and not enough teachers. It was anticipated that there would be 180,000 additional pupils in the lycées by 1992 and a further 270,000 by 2000. In a report annexed to the Act there was the provision that by 1993 there should be no lycée class with more than 35 pupils.

Sources:

La Section de Paris du Syndicat des Enseignants - FEN
Nelson and O'Brien 1993
P. Benazet, et al
EURYDICE references (B) and (C)

GERMANY

The Federal Republic of Germany is divided into 17 autonomous Länder, six of which were part of East Germany prior to October 1990. At national level there is the Standing Conference of Ministers of Education and Cultural Affairs of the Länder. It is the Länder who decide on the laws for their own Land. Accordingly, there are great variations in legislation across the country.

The participatory nature of German education requires classes of a small size to allow full participation by all pupils. The pupils' level and type of participation in class forms part of their assessment and final grading at Hauptschule (lower secondary general education). There is a strong emphasis on oral teaching and on oral assessment which can count for up to 50% of the periodic grades at Gymnasium (secondary general education leading to Abitur). It could be said therefore that the size of a class has a direct influence on a pupil's opportunity to participate in class and thus on a pupil's ability to achieve.

In broad terms there are in most of the Länder maximum class sizes supported by legislation. For primary and early secondary levels of schooling the limit is generally 29. At kindergarten level, each Land has legislation restricting class size generally to a maximum of 25. There may be differences in staffing levels within the classes; for example a class may have one full time and one part time member of staff, or even two full-time members of staff, particularly at kindergarten and special needs levels.

In Schleswig-Holstein for example the maximum class size in the 1st to 5th forms (lower secondary) which is legislated for is 29 plus 10%, that is, it may rise to 31. The tendency is for classes to rise to the maximum legal level, particularly in the more densely populated areas. At upper secondary level pupils are on courses and not in classes as such. A course may start with no less than 12 pupils, although there are some exceptions to this rule. The number may be reduced for certain courses, such as those with a known low uptake, e.g. Latin or ancient Greek. Since 1993 courses have begun to operate on a pupil-teacher ratio, rather than class size basis. This has had the effect of increasing the number of pupils required in order to open a subject course. The average class size overall in Schleswig-Holstein is 24, but on the islands this average drops to 19.

Sources:

T. David 1993

KED

Department of Education and Science, HMI Report 1986

Secretariat of the Standing Conference of Ministers

GREECE

Greece has legislation for the number of pupils per teacher and per class. The law concerning education is 1566/85. The relevant Articles are given in brackets.

At nursery level there is a maximum responsibility level of 30 children to one teacher. (Article 3, para. 5.) Class size in primary schools depends partly on the size of the school. Very small schools with only one or two teachers are staffed on the basis of up to 25 pupils per teacher, whereas larger schools are staffed on the basis of up to 30 pupils per teacher (Article 4, para. 6.).

There is an additional rule that the number of pupils in a class or section of a class must not be more than 35. When the number of pupils reaches 35, classes are divided into sections.

Secondary education is in "Gymnasia" (Lower Secondary). This may be the only secondary education or

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pupils may graduate from the gymnasia and attend "Lycea" (Upper Secondary). At gymnasia there are 35 pupils maximum per class (Article 5, para. 10) and at lycea, 35 pupils for all classes except those in which pupils are studying for examinations for entry to higher education, in which the maximum number is 30 (Article 8, para. 8).

Both primary and secondary classes have children with special needs because one aim of the basic law on education was to integrate pupils with special needs into general education. Only those children with serious physical or mental disorders go to special schools.

Sources:

Greek Ministry of National Education and Religion
Eurydice references (A) and (D)

NORWAY

An Act of Parliament which came into force in 1985 legislated for class size in Norway. Primary school classes for children aged 7 to 13 may not exceed 28 pupils. Secondary school classes have a legal maximum of 30 up to age 16.

As in Denmark average class sizes in Norway are small. In primary schools the average is 18.3 and in secondary, 22.6. 30% of Norwegian schools (576) have a total size of less than 50 pupils.

In the large cities classes tend to rise to the maximum size, but in more rural areas there are many small schools with few pupils, especially in the North and West of Norway; thus the national average class size is low.

Sources:

FUG

SCOTLAND

Whilst in Scotland there is no statutory legislation governing class sizes, the teachers' contractual agreements which operate in practice have been tested in the courts and have been deemed to be binding.

In 1976 the Scottish Joint Negotiating Committee (SJNC) for Teaching Staff in School Education brought into effect national conditions of service for teachers. These conditions of service apply to teachers in all the Regions of Scotland, and are accepted as the minimum conditions. There are, in addition to the SJNC agreement, local agreements or arrangements. This applies especially in the case of absence cover.

It was the aspect of absence cover which was tested in the courts by one regional education authority, who lost the case. The SJNC scheme was upheld as being legally binding. It was suggested that, had the authority proposed improved conditions, or reached an agreement supported by both parties, then the SJNC scheme might have been overruled. It was ruled by the court that the scheme could not be changed without consent from both parties. Practising teachers as well as the regional education authorities adhere to the agreement on class size as if it were law.

The maximum number of pupils which a teacher may teach in a classroom at any one time is 33 at primary level. This applies from P1 to P7, that is from new entry level to final year at primary. For composite (mixed age) classes the maximum is 25.

At secondary level the maximum remains the same for the first two years, but from third year secondary to sixth year the maximum is reduced to 30. In practical classes the maximum is reduced still further to 20.

Special schools and units have the following maxima:

Pupils with special needs arising from

a) moderate learning difficulties	10
b) severe physical impairment or learning difficulties	8
c) pronounced hearing loss or visual impairment, communication difficulties, or social and emotional difficulties	6
d) profound learning difficulties	10

For d) this figure applies where teachers are complemented by support staff.

Under the agreement the education authorities provide the facilities for a local joint committee for teachers to discuss with them matters of local interest concerning teaching staff. If any questions arise concerning the rights of any teacher under the SJNC scheme, then the employing authority makes the decision, but the teacher has the right of appeal to the SJNC.

Although 33 is stipulated as the maximum class size at primary level to S2, there are circumstances in which it might rise to 39. Such circumstances might be when it is known that the increased size of class is a temporary fluctuation, or when new pupils are accepted too late in the term to split a class and employ an additional teacher.

It is very unusual for a class to rise to the maximum level and it is more common for a class to be below the maximum to allow for increases.

Sources:

Professional Association of Teachers
Scottish Joint Negotiating Committee

Section B

Countries without legally binding regulations imposing a direct limit on class size

THE NETHERLANDS

In the Netherlands the legislation regarding class size is for the physical space in a classroom, but only at primary level. The legislation is specifically about classroom space and not about the number of pupils in a class. It was the parents' associations who were active in bringing about legislation for classroom size because of their concern for their children's safety in crowded classrooms in which small children were lively and active.

The legislation states that each primary classroom must be a minimum of 42 square metres. The legislation was devised around a figure of 31 pupils in a class, but this number is not specified in the legislation. There is thus no per pupil space allowance. The average class size across the country is 28, but numbers can be as high as 38 or 39.

There are several factors which are tending to push up class sizes now. Firstly, schools receive a defrayment for every pupil on their roll. Each school's participation council (school board) decides on the size of classes at both primary and secondary level. Because of per pupil defrayment, there is a financial incentive to have more pupils in a class. The number of pupils in a primary school also determines the establishment of staff. But at senior secondary vocational level, there is block grant funding for all expenditure, including staff costs.

At the same time demographic trends – the rising birth rate and immigration – mean that pupil numbers are now expected to increase. This follows a period of declining rolls when the policy of the Dutch government was to bring about economies of scale in education. Schools were merged for this purpose, and nursery and primary schools are now integrated.

National parent associations are increasingly concerned about the number of pupils in a class, and there is some embarrassment that class sizes in the Netherlands compare unfavourably with other European countries.

Sources:

Netherlands Ministry of Education and Science

OPCO

OECD "Reviews" 1991

NEW ZEALAND

National regulations negotiated with the teacher unions provide for pupil-teacher "schedules" and "ratios" using a variety of formulae in different types and sizes of school. The formulae include extra staff time for particular purposes common to all schools e.g. teacher non-contact time; plus some additional staff time for

particular purposes that would apply only to some schools each year e.g. a beginner teacher time allowance. The current systems apply to the 2591 "payrolled schools", secondary schools, area schools and primary schools, relief teacher funding, and the Teacher Salaries Grant (TSG) Trial of 70 schools.

The complex details of the system vary for each category of schools, and are illustrated here by reference only to primary schools. In primary schools the formula is calculated by either a "schedule" or a "ratio" according to the size and type of school. In the "schedule" schools, which are the smaller ones, the formula has a more direct effect on class size, in that another full-time teacher is employed whenever one of the existing classes exceeds a particular number. In the "ratio" schools, additional pupils mean that the staff numbers rise proportionately but a part-time teacher would be appointed if the rise in numbers was relatively small. The staffing entitlement of a school also includes allowances for "discretionary" and "additional" staffing, which include such things as release time for headteachers, and specialist teaching for art. This additional teaching time is often supplied by part-time teachers employed in addition to the basic "ratio" or "schedule" entitlement.

A small primary school with a roll of 9-125 pupils has a 1:25 schedule, which means it employs one teacher for every group or part group of 25 pupils, e.g. 78 pupils would mean four full-time teachers.

For the next size category, the schedule changes from the 1:25 to 1:31. Thus a roll of 126-187 would have 6 full-time teachers and 196-214 would have 7. The school roll can expand to 231 at which point the "ratio" arrangement comes into play.

This uses the same 1:31 ratio, but only allows a full-time teacher for every complete unit of 31 pupils, plus a part-time component in proportion to any fraction of 31. For example 225 pupils would mean 7.3 teachers, i.e. 7 full-time and one part-time for 7.5 hours per week.

Under the last government there was an additional staffing policy implemented in 1985 which meant a ratio of 1:20 in schools with 5-7 year olds. This was part of a reading recovery programme. The programme was never fully implemented and in 1992 the scheme was dropped by the new government. By 1991 some schools had achieved the full 1:20 staffing, and the rest had 1:26.

Although there are the national regulations described above, there is also considerable management devolution to school level where decisions about the use of the allocated staff are made by the board of each school.

The former Parent Advocacy Council (disbanded in 1991 as part of the government changes) recorded class size as being one of the most frequently raised concerns of parents and in particular there was concern over where the responsibility lies for decisions on class size.

Sources:

New Zealand Educational Institute

New Zealand Ministry of Education, Department of Research and Statistics

S.Beattie in *Public Sector* Vol. 13

The New Zealand School Trustees Association

PORTUGAL

Portugal has legislation which provides for class sizes in primary and secondary schools to be determined by both the pupil-teacher ratio and the amount of space per pupil. There are also special arrangements for reducing class size to cater for pupils with special needs.

Pupil-teacher ratio arrangements

A legislative decree 35/88 of 4 February 1988 stated that the teaching staff of the schools should be determined according to the teacher-pupil ratio of a school, as follows:

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in schools with no more than 125 pupils

- a) up to 24 pupils, 1 teaching post
- b) 25 to 50 pupils, 2 teaching posts
- c) 51 to 75 pupils, 3 teaching posts
- d) 76 to 100 pupils, 4 teaching posts
- e) 101 to 125 pupils, 5 teaching posts.

In schools with 126 or more pupils the number of teaching posts is calculated as a quotient (rounded off to the nearest higher number) obtained by dividing the total number of pupils by 25.

Over and above the basic staffing levels there is an allowance for additional staffing, as follows:

- a) in schools with more than 4 and less than 11 posts, 1 teaching post
- b) in schools with 11 to 19 posts, 3 teaching posts, and
- c) in schools with 20 or more posts, 3 teaching posts.

The purposes of these posts are:

- a) to make possible the provision of support for pupils with a disability and/or learning difficulties; and
- b) to make possible the formation of classes composed of pupils transferred outside the normal registration period.

This second purpose reflects the severe shortage of schools in Portugal, which means that pupils might be attending classes at any time between 8 a.m. and 11.30 p.m.

Special needs

The legislation provides for pupils with special needs. Pupils with a certified disability are integrated but the maximum class size which a disabled child attends is 20 pupils. There may be two disabled pupils in such a class, but both children must have the same disability. Support for special needs pupils is provided by a second teacher. Small groups of pupils with homogeneous disabilities or learning difficulties may be formed and they are taught on a complementary basis by the support teacher or teachers. The support is temporary and part-time. The legislation specifies that the formation of small groups of special needs children can only take place in schools in which the existing installations and facilities can allow it.

Space allowance arrangements

The legislation concerning space allocation comes from Section III (Functioning of courses and Constitution of Classes) of Joint Ordinance 11/AE/EBS/86, published in *Diário da República*, 2nd Series, 18 June 1986), and states that

"The weekly utilisation of school installations may vary from 36 to 60 hours for daytime, and the numerical composition of classes shall be consistent with the criteria of educational reasonableness, and take into consideration any deficiencies in the installations, in accordance with the following:

- a) in a normal classroom with a floor area equal to or greater than 40 sq m the number of pupils shall range from 26 to 34;
- b) in a normal classroom, with a floor area between 35 and 40 sq m the number of pupils shall range from 20 to 26;
- c) in a normal classroom, with a floor area less than that specified in the preceding subparagraph the number of pupils shall range from 15 to 20; and
- d) in buildings used temporarily all spaces with an area equal to or greater than 30 sq m shall also be deemed to be teaching spaces if they have adequate ventilation and lighting, and the number of pupils shall be as prescribed in the preceding subparagraphs.

The maximum capacity of school installations shall be determined case by case by the Directorate-General of Educational Equipment, in co-operation with the boards of management and after the relevant directorate-general of education has been consulted."

In addition, the 1988 decree (35/88) states that in schools where classrooms of reduced dimensions are used, there should be a minimum floor space consideration of 1.25 sq m per pupil.

Sources:

EURYDICE reference (A)

THE UNITED STATES OF AMERICA

In the United States the Federal (national) legislation governing educational provision is stated in broad terms and the legislation governing what happens in schools is devolved to the States and the school districts within them. The National Education Association Research Division examined some of these differences in their "Status of the American Public School Teacher, 1990-1991". The research looked at the size of classes being taught by one teacher. It was found that, of the elementary (primary) schools included in their research, 3.3% had classes of more than 35 pupils and, at the other end of the scale, 8.7% had classes of less than 15 pupils — which illustrates the wide differences from school to school.

A great number of teachers in the United States do not belong to a teachers' union and, according to the American Federation of Teachers, there is no right to belong to a union for the purposes of bargaining. In the United States of America teachers' contracts may stipulate pupil-teacher ratios as part of the conditions of service, but the situation not only varies from State to State, but also from county to county, and can vary further between school districts and cities. Conditions of service have to be agreed locally.

Massachusetts

In many of the States, there is legislation relating to pupil-teacher ratios, particularly in the area of special needs. In the State of Massachusetts, for example, General Law (No.766, Chapter 71B) defines class size for pupils with special needs. Where children attend special classes all day, the ratio is 8:1, or 12:1 plus an aide. Where children attend part-time, the ratio is 16:1 plus two aides. This maximum can be increased by a maximum of two pupils, but only with the permission of the State. Although there is no legislation for other schools in Massachusetts, there is a State guideline for the maximum size of class at kindergarten level of 20-21.

Texas

The State of Texas also legislates on pupil-teacher ratios. In the case of Texas however, it is applied from kindergarten to Grade 4 (9-10 years). The ratio applied of 22:1 is "to ensure mastering of skills" (Texas Education Agency). The law is enforced through compulsory reporting twice a year on the status of classes in schools. Only during the last 12 weeks of the school year does the legal ratio not apply. The Commissioner of Education has the power to overrule the legislation during the school year, but at the end of the school year the legislation comes back into force. He or she does not have the power to continue to overrule. There is a state guideline for a maximum class size of 28-30, but this is not supported by legislation.

Sources:

US Federal Department of Education, Office of Statistics

Texas Education Agency

Massachusetts State Department of Education

American Federation of Teachers

National Education Association

Appendix I

Method

The main part of the research was carried out over the four month period from the end of November 1993 to the end of March 1994, but information gathered in 1991 and in the earlier part of 1993 is also included. In order to establish which countries had legislation or regulations, more countries were questioned than are reported in the research. There was a further selection made on the basis of the researcher's prior knowledge of education systems and her contacts, taking into account the time scale of the project.

The time scale precluded, on the whole, detailed written responses from governments; nonetheless, information was gathered from government sources through Eurydice, the education network of the Task Force Human Resources, Education, Training and Youth of the Commission of the European Community, both in the form of published work and in written answers provided via the network to earlier questions posed on class size. These are identified throughout the report and detailed in the list of References and Sources at the end of this paper. In addition some education ministries gave time to telephone interviews and provided faxed documentary evidence of their legislation as well as comments on it.

The sources of information for each country vary. They include national parents' associations, teacher unions, government departments and published research and information. Where possible, a range of agencies was contacted to try to obtain different viewpoints. However, not every reference point was able to provide information and, in some countries, only one source of information was possible. All sources are acknowledged with the information on each country.

Appendix II

Tables of Class Size Limits Imposed by Legislation

In those countries examined, the maximum class size allowed by legislation ranged from 25 to 35.

Primary class size upper limits:

Germany	29				
Greece	35	and	30	and	25*
Denmark	28				
Norway	28				
Finland	25				
France	25				
Scotland	33	and	25*		

*See chapter on relevant countries for detail

Secondary class size upper limits:

Germany	29	and	12*
Greece	35	and	30*
Denmark	28		
Norway	30		
Finland	32		
Scotland	30	and	20*

*See chapter on relevant countries for detail.

Information was also available for the following examples where special learning needs of varying types (e.g. very young children, children with learning disabilities, pupils in advanced specialised courses) were stated as the reason for legislated limits on pupil numbers:

Scotland	6	to	10
Greece	30		
Germany	12		
Portugal	20		
France	25		

Appendix III

Class Size Limit in England and Wales

Regulations arising from the implementation of the 1944 Education Act imposed a legal maximum on class sizes in England and Wales of 40 in primary schools and 30 in secondary schools. Circular 10, Draft Building Regulations, issued on 14 November 1944, and setting out these maxima, also expressed the hope that these would be lowered when circumstances allowed:-

"In Public Elementary schools the standard size of class has been 50 for juniors and infants and 40 for seniors, In view of the large increase of teaching and building necessary to reduce both these figures by 10, it is not considered practicable at present to prescribe standards which require a greater reduction than that in the size of classes for juniors and infants in primary schools. It is therefore desirable that plans for primary schools should be so drawn as to facilitate the addition of necessary classrooms later when circumstances permit of a lower maximum than 40 being prescribed"

Circular 30, Draft Regulations for Primary and Secondary Schools (excluding special schools) issued 12th March 1945 set out this aim more clearly:-

"It is not considered practical for the time being to prescribe a lower maximum than 40 for classes of juniors and infants. The Regulations will however be amended so as to reduce this figure directly the necessary increase in the supply of teachers and school accommodations makes it reasonably possible to aim at and to attain a further reduction. In the meantime the immediate task of reducing by ten units each the present maximum size of classes for both senior and junior pupils from 40 and 50 respectively to 30 and 40 will impose very heavy demands upon the available supply of teachers at a time when other essential demands for the raising of the school leaving age and reorganisation will be most pressing. To prescribe the eventual lower maxima at once, before this strain becomes less and the deficiencies in the school accommodation are decreased, would not only entail long continued general failure to comply with the regulation, but would increase the competition among Authorities for the limited supply of teaching staff. This would seriously impede the power of the less favoured areas to bring their classes even down to 40, and would not therefore be conducive to the rapid and general reduction in the size of classes in the country as a whole which the minister desires to achieve."

Further Regulations in 1959 set out the same maxima but the eventual aim of imposing lower maxima was not realised and the Size of Classes Regulation was revoked in 1969 by the Schools (Amendment No. 2) Regulations, 1969, S.I.1969, S.I. 1969 No. 1174.

The retired Department of Education deputy secretary Edward Simpson quotes Lord Glenamara (then Edward Short MP Secretary of State for Education) as having said of the regulation at the time that it "assumed an undue staffing differential between primary and secondary schools".

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