

By the Committee on Education Appropriations; and Senators Pruitt, Alexander, Webster, Wise, Baker, Argenziano, Sebesta, Constantine, Fasano, Lynn, Saunders, Crist, Peaden, Bennett, Haridopolos, Carlton, Posey, King, Atwater, Clary and Jones

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article IX of the State Constitution relating to public education.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 1 of Article IX of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IX

EDUCATION

Section 1. Public education.--

(a) The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require.

(b) To assure that children attending public schools obtain a high quality education, the legislature shall make adequate provision to ensure that, by the beginning of the 2009-2010 ~~2010~~ school year and for each school year thereafter, there are a sufficient number of classrooms so that:

1 (1) The school district average ~~maximum~~ number of
2 students who are assigned to each teacher who is teaching in
3 public school classrooms for prekindergarten through grade 3
4 does not exceed 18 students and the number of students who are
5 assigned to one teacher in an individual class does not exceed
6 23 students;

7 (2) The school district average ~~maximum~~ number of
8 students who are assigned to each teacher who is teaching in
9 public school classrooms for grades 4 through 8 does not
10 exceed 22 students and the number of students who are assigned
11 to one teacher in an individual class does not exceed 27
12 students; and

13 (3) The school district average ~~maximum~~ number of
14 students who are assigned to each teacher who is teaching in
15 public school classrooms for grades 9 through 12 does not
16 exceed 25 students and the number of students who are assigned
17 to one teacher in an individual class does not exceed 30
18 students.

19
20 The class size requirements of this subsection do not apply to
21 extracurricular or virtual classes. Payment of the costs
22 associated with reducing class size to meet these requirements
23 is the responsibility of the state and not of local school
24 ~~schools~~ districts. Beginning with the 2003-2004 fiscal year,
25 the legislature shall provide sufficient funds to reduce the
26 school district average class size ~~number of students in each~~
27 ~~classroom~~ by at least two students per year until the school
28 district average class size for each of the grade groupings
29 ~~maximum number of students per classroom~~ does not exceed the
30 requirements of this subsection.
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1 (c) By the beginning of the 2009-2010 school year and
2 for each school year thereafter, at least sixty-five percent
3 of total funds, as defined by law, received by school
4 districts for operational expenditures shall be expended for
5 purposes directly related to classroom instruction, as defined
6 by law.

7 (d) In exceptional circumstances a school district may
8 request from the governor a temporary waiver of the class size
9 requirements of subsection (b) or the classroom instruction
10 expenditure requirement of subsection (c), which the governor
11 may grant, partially grant, or deny.

12 (e)(1)(b) Every four-year old child in Florida shall
13 be provided by the state a high quality prekindergarten
14 ~~pre-kindergarten~~ learning opportunity in the form of an early
15 childhood development and education program which shall be
16 voluntary, high quality, free, and delivered according to
17 professionally accepted standards. An early childhood
18 development and education program means an organized program
19 designed to address and enhance each child's ability to make
20 age appropriate progress in an appropriate range of settings
21 in the development of language and cognitive capabilities and
22 emotional, social, regulatory, and moral capacities through
23 education in basic skills and such other skills as the
24 legislature may determine to be appropriate.

25 (2)(c) The early childhood education and development
26 programs provided by reason of this subsection ~~subparagraph~~
27 ~~(b)~~ shall be implemented no later than the beginning of the
28 2005 school year through funds generated in addition to those
29 used for existing education, health, and development programs.
30 Existing education, health, and development programs are those
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1 funded by the state as of January 1, 2002, that provided for
2 child or adult education, health care, or development.

3 BE IT FURTHER RESOLVED that the following statement be
4 placed on the ballot:

5 CONSTITUTIONAL AMENDMENT

6 ARTICLE IX, SECTION 1

7 REQUIRING 65 PERCENT OF EDUCATION FUNDS FOR CLASSROOM
8 RELATED INSTRUCTION; FLEXIBLE CLASS SIZE REDUCTION
9 IMPLEMENTATION.--Proposing an amendment to the State
10 Constitution to require school districts to expend at least 65
11 percent of their operational funds for classroom related
12 instruction as defined by law; to provide flexibility for
13 school districts in meeting class size reduction requirements
14 by calculating compliance at a school district average number
15 of students who are assigned to a teacher in specified grades;
16 to specify the maximum number of students who may be assigned
17 to one teacher in an individual class; to require
18 implementation of the class size reduction requirements and
19 the classroom instruction expenditure requirement by the
20 beginning of the 2009-2010 school year and for each school
21 year thereafter; to exempt virtual classes from the class size
22 requirements; and to authorize, in exceptional circumstances,
23 a school district to request from the Governor a temporary
24 waiver of the class size reduction requirements or the
25 65-percent classroom instruction expenditure requirement.

26
27 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
28 COMMITTEE SUBSTITUTE FOR
29 Senate Bill 1150

30 The committee substitute revises the ballot statement
31 describing the proposed constitutional amendment.