

By the Committees on Education Appropriations; Education; and Judiciary

602-2301-06

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Senate Joint Resolution

A joint resolution proposing the creation of Section 8 of Article IX of the State Constitution relating to education.

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

That the following creation of Section 8 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 8. Equal opportunity to obtain a high quality education.--Every child deserves an equal opportunity to obtain a high quality education, regardless of his or her family's income, religion, or race.

(a) Funding for a high quality public K-12 education through classroom instruction is fundamental. To make adequate provision for a high quality public K-12 education, the Legislature shall ensure that funding provided for public schools shall primarily be used for classroom instruction rather than administration. Classroom instruction and administration shall be defined by law.

(b) Students in prekindergarten through college who have disabilities, or are economically disadvantaged, or meet other legislatively specified criteria, may participate, as provided by law, in education programs that include nonpublic schools. The legislature may enact and publicly fund prekindergarten through college education programs, without

1 regard to the religious nature of any participant or nonpublic
2 provider, notwithstanding any other provision of this Article
3 or the last sentence of Section 3 of Article I of this
4 constitution.

5
6 Nothing in this section establishes a right to an education
7 program not provided by law.

8 BE IT FURTHER RESOLVED that the following statement be
9 placed on the ballot:

10 CONSTITUTIONAL AMENDMENT

11 ARTICLE IX, SECTION 8

12 EQUAL OPPORTUNITY TO OBTAIN A HIGH QUALITY EDUCATION.--
13 Proposing an amendment to the State Constitution to provide
14 that every child deserves an equal opportunity to obtain a
15 high quality education, regardless of his or her family's
16 income, religion, or race; to provide that funding for high
17 quality public K-12 education through classroom instruction is
18 fundamental; to provide that to make adequate provision for a
19 high quality public K-12 education, the Legislature shall
20 ensure that funding provided for public schools shall
21 primarily be used for classroom instruction rather than
22 administration; to provide that classroom instruction and
23 administration shall be defined by law; to provide that
24 students in prekindergarten through college who have
25 disabilities or are economically disadvantaged, or meet other
26 legislatively specified criteria, may participate, as provided
27 by law, in education programs that include nonpublic schools;
28 to provide that the Legislature may enact and publicly fund
29 prekindergarten through college education programs, without
30 regard to the religious nature of any participant or nonpublic
31 provider, notwithstanding any other provision of this Article

1 | or the last sentence of Section 3 of Article I of the State
2 | Constitution; and to provide that this amendment to the State
3 | Constitution does not establish a right to an education
4 | program that is not provided by law.

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6 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 | COMMITTEE SUBSTITUTE FOR
8 | CS for CS for SB 2170

9 | This committee substitute:

10 | Deletes the requirement that schools spend a minimum of 65
11 | percent of funding on classroom instruction, and alternatively
12 | requires the Legislature to ensure that public school funding
13 | is primarily spent on classroom instruction;

14 | Revises eligibility for students to participate in education
15 | programs that include nonpublic schools by allowing all
16 | students in prekindergarten through college who have
17 | disabilities or who meet other legislatively specified
18 | criteria;

19 | Narrows the reference to Section 3 of Article I of the State
20 | Constitution to the no-aid provision of that section; and,

21 | Provides that nothing in the proposed constitutional language
22 | establishes a right to an education program that is not
23 | provided in law.

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