

House Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article IX of the State Constitution, relating to public education, to require students to recite the pledge of allegiance daily in public schools, to provide protocol for such recitals, and to provide for a student to be excused at the written request of the student's parent.

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. To assure that children

29 attending public schools obtain a high quality education, the  
 30 legislature shall make adequate provision to ensure that, by the  
 31 beginning of the 2010 school year, there are a sufficient number  
 32 of classrooms so that:

33 (1) The maximum number of students who are assigned to  
 34 each teacher who is teaching in public school classrooms for  
 35 prekindergarten through grade 3 does not exceed 18 students;

36 (2) The maximum number of students who are assigned to  
 37 each teacher who is teaching in public school classrooms for  
 38 grades 4 through 8 does not exceed 22 students; and

39 (3) The maximum number of students who are assigned to  
 40 each teacher who is teaching in public school classrooms for  
 41 grades 9 through 12 does not exceed 25 students.

42  
 43 The class size requirements of this subsection do not apply to  
 44 extracurricular classes. Payment of the costs associated with  
 45 reducing class size to meet these requirements is the  
 46 responsibility of the state and not of local schools districts.  
 47 Beginning with the 2003-2004 fiscal year, the legislature shall  
 48 provide sufficient funds to reduce the average number of  
 49 students in each classroom by at least two students per year  
 50 until the maximum number of students per classroom does not  
 51 exceed the requirements of this subsection.

52 (b) Every four-year old child in Florida shall be provided  
 53 by the State a high quality pre-kindergarten learning  
 54 opportunity in the form of an early childhood development and  
 55 education program which shall be voluntary, high quality, free,  
 56 and delivered according to professionally accepted standards. An

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57 | early childhood development and education program means an  
58 | organized program designed to address and enhance each child's  
59 | ability to make age appropriate progress in an appropriate range  
60 | of settings in the development of language and cognitive  
61 | capabilities and emotional, social, regulatory and moral  
62 | capacities through education in basic skills and such other  
63 | skills as the Legislature may determine to be appropriate.

64 | (c) The early childhood education and development programs  
65 | provided by reason of subparagraph (b) shall be implemented no  
66 | later than the beginning of the 2005 school year through funds  
67 | generated in addition to those used for existing education,  
68 | health, and development programs. Existing education, health,  
69 | and development programs are those funded by the State as of  
70 | January 1, 2002 that provided for child or adult education,  
71 | health care, or development.

72 | (d) Each district school board shall adopt rules to  
73 | require the reciting of the pledge of allegiance to the American  
74 | flag at the beginning of the day in each public pre-  
75 | kindergarten, elementary, middle, and high school in the state.  
76 | Students shall stand with the right hand over the heart to  
77 | render the pledge of allegiance: "I pledge allegiance to the  
78 | flag of the United States of America and to the republic for  
79 | which it stands, one nation under God, indivisible, with liberty  
80 | and justice for all." Each student shall be informed by posting  
81 | a notice in a conspicuous place that the student has the right  
82 | not to participate in reciting the pledge. Upon written request  
83 | by his or her parent, the student must be excused from reciting  
84 | the pledge. When the pledge is given, civilians must show full

85 respect to the flag by standing at attention, men removing the  
 86 headdress, as provided by Pub. L. No. 77-435, s. 7, approved  
 87 June 22, 1942, 56 Stat. 377, as amended by Pub. L. No. 77-806,  
 88 56 Stat. 1074, approved December 22, 1942, except when the  
 89 headdress is worn for religious purposes.

90 BE IT FURTHER RESOLVED that the following statement be  
 91 placed on the ballot:

92 CONSTITUTIONAL AMENDMENT

93 ARTICLE IX, SECTION 1

94 PLEDGE OF ALLEGIANCE.--Proposing an amendment to the State  
 95 Constitution to require the daily recital of the pledge of  
 96 allegiance to the American flag in the public schools of this  
 97 state, to provide for a student to be excused from reciting the  
 98 pledge upon written request by the student's parent, and to  
 99 provide protocol for showing respect during the recital.