

House 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-

29 2010 ~~2010~~ school year and for each school year thereafter, there
 30 are a sufficient number of classrooms so that:

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

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

42 (3) The school district average ~~maximum~~ number of students
 43 who are assigned to each teacher who is teaching in public
 44 school classrooms for grades 9 through 12 does not exceed 25
 45 students and the number of students who are assigned to one
 46 teacher in an individual class does not exceed 30 students.

47
 48 The class size requirements of this subsection do not apply to
 49 extracurricular or virtual classes. Payment of the costs
 50 associated with reducing class size to meet these requirements
 51 is the responsibility of the state and not of local school
 52 ~~schools~~ districts. Beginning with the 2003-2004 fiscal year, the
 53 legislature shall provide sufficient funds to reduce the school
 54 district average class size ~~number of students in each classroom~~
 55 by at least two students per year until the school district
 56 average class size for each of the grade groupings ~~maximum~~

57 ~~number of students per classroom~~ does not exceed the
 58 requirements of this subsection.

59 (c) By the beginning of the 2009-2010 school year and for
 60 each school year thereafter, at least sixty-five percent of
 61 total funds, as defined by law, received by school districts for
 62 operational expenditures shall be expended for purposes directly
 63 related to classroom instruction, as defined by law.

64 (d) In exceptional circumstances a school district may
 65 request from the governor a temporary waiver of the class size
 66 requirements of subsection (b) or the classroom instruction
 67 expenditure requirement of subsection (c), which the governor
 68 may grant, partially grant, or deny.

69 (e)(1)~~(b)~~ Every four-year old child in Florida shall be
 70 provided by the state a high quality prekindergarten ~~pre-~~
 71 ~~kindergarten~~ learning opportunity in the form of an early
 72 childhood development and education program which shall be
 73 voluntary, high quality, free, and delivered according to
 74 professionally accepted standards. An early childhood
 75 development and education program means an organized program
 76 designed to address and enhance each child's ability to make age
 77 appropriate progress in an appropriate range of settings in the
 78 development of language and cognitive capabilities and
 79 emotional, social, regulatory, and moral capacities through
 80 education in basic skills and such other skills as the
 81 legislature may determine to be appropriate.

82 (2)~~(e)~~ The early childhood education and development
 83 programs provided by reason of this subsection ~~subparagraph (b)~~
 84 shall be implemented no later than the beginning of the 2005

85 | school year through funds generated in addition to those used
 86 | for existing education, health, and development programs.
 87 | Existing education, health, and development programs are those
 88 | funded by the state as of January 1, 2002, that provided for
 89 | child or adult education, health care, or development.

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

92 | CONSTITUTIONAL AMENDMENT

93 | ARTICLE IX, SECTION 1

94 | CLASS SIZE REQUIREMENTS AND CLASSROOM INSTRUCTION

95 | EXPENDITURES.--Proposing an amendment to the State Constitution
 96 | to revise class size requirements and their date of
 97 | implementation to provide that they shall be based on the school
 98 | district average number of students who are assigned to a
 99 | teacher in specified grades; to specify the maximum number of
 100 | students who may be assigned to one teacher in an individual
 101 | class; to exempt virtual classes from the class size
 102 | requirements; to require at least 65 percent of total funds, as
 103 | defined by law, received by school districts for operational
 104 | expenditures to be expended for purposes directly related to
 105 | classroom instruction, as defined by law; and to authorize, in
 106 | exceptional circumstances, a school district to request from the
 107 | Governor a temporary waiver of the class size requirements or
 108 | the 65-percent classroom instruction expenditure requirement.
 109 | Providing for implementation of the class size requirements and
 110 | the classroom instruction expenditure requirement by the
 111 | beginning of the 2009-2010 school year and for each school year
 112 | thereafter.