

CHAMBER ACTION

1 The Choice & Innovation Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 House Joint Resolution

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

9  
10 Be It Resolved by the Legislature of the State of Florida:

11  
12 That the following amendment to Section 1 of Article IX of  
13 the State Constitution is agreed to and shall be submitted to  
14 the electors of this state for approval or rejection at the next  
15 general election or at an earlier special election specifically  
16 authorized by law for that purpose:

17 ARTICLE IX

18 EDUCATION

19 SECTION 1. Public education.--

20 (a) The education of children is a fundamental value of  
21 the people of the State of Florida. It is, therefore, a  
22 paramount duty of the state to make adequate provision for the  
23 education of all children residing within its borders. Adequate

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24 provision shall be made by law for a uniform, efficient, safe,  
25 secure, and high quality system of free public schools that  
26 allows students to obtain a high quality education and for the  
27 establishment, maintenance, and operation of institutions of  
28 higher learning and other public education programs that the  
29 needs of the people may require.

30 (b) To assure that children attending public schools  
31 obtain a high quality education, the legislature shall make  
32 adequate provision to ensure that, by the beginning of the 2009-  
33 2010 ~~2010~~ school year and for each school year thereafter, there  
34 are a sufficient number of classrooms so that:

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

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

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

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

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

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

73 (e) (1) ~~(b)~~ Every four-year old child in Florida shall be  
 74 provided by the state a high quality prekindergarten ~~pre-~~  
 75 ~~kindergarten~~ learning opportunity in the form of an early  
 76 childhood development and education program which shall be  
 77 voluntary, high quality, free, and delivered according to  
 78 professionally accepted standards. An early childhood  
 79 development and education program means an organized program

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80 designed to address and enhance each child's ability to make age  
81 appropriate progress in an appropriate range of settings in the  
82 development of language and cognitive capabilities and  
83 emotional, social, regulatory, and moral capacities through  
84 education in basic skills and such other skills as the  
85 legislature may determine to be appropriate.

86 (2)~~(e)~~ The early childhood education and development  
87 programs provided by reason of this subsection ~~subparagraph (b)~~  
88 shall be implemented no later than the beginning of the 2005  
89 school year through funds generated in addition to those used  
90 for existing education, health, and development programs.  
91 Existing education, health, and development programs are those  
92 funded by the state as of January 1, 2002, that provided for  
93 child or adult education, health care, or development.

94 BE IT FURTHER RESOLVED that the following statement be  
95 placed on the ballot:

96 CONSTITUTIONAL AMENDMENT

97 ARTICLE IX, SECTION 1

98 REQUIRING 65 PERCENT OF EDUCATION FUNDS FOR CLASSROOM  
99 RELATED INSTRUCTION; FLEXIBLE CLASS SIZE REDUCTION

100 IMPLEMENTATION.--Proposing an amendment to the State  
101 Constitution to require school districts to expend at least 65  
102 percent of their operational funds for classroom related  
103 instruction as defined by law; to provide flexibility for school  
104 districts in meeting class size reduction requirements by  
105 calculating compliance at a school district average number of  
106 students who are assigned to a teacher in specified grades; to  
107 specify the maximum number of students who may be assigned to

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108 | one teacher in an individual class; to require implementation of  
109 | the class size reduction requirements and the classroom  
110 | instruction expenditure requirement by the beginning of the  
111 | 2009-2010 school year and for each school year thereafter; to  
112 | exempt virtual classes from the class size requirements; and to  
113 | authorize, in exceptional circumstances, a school district to  
114 | request from the Governor a temporary waiver of the class size  
115 | reduction requirements or the 65-percent classroom instruction  
116 | expenditure requirement.