

CHAMBER ACTION

1 The Education Council 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.

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

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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

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) Funding for a high quality public K-12 education
 64 | through classroom instruction is fundamental. To make adequate
 65 | provision for a high quality public K-12 education, at least
 66 | sixty-five percent of school funding received by school
 67 | districts shall be spent on classroom instruction, rather than
 68 | on administration. Classroom instruction and administration
 69 | shall be defined by law.

70 | (d) (1) (b) Every four-year old child in Florida shall be
 71 | provided by the state a high quality prekindergarten ~~pre-~~
 72 | ~~kindergarten~~ learning opportunity in the form of an early
 73 | childhood development and education program which shall be
 74 | voluntary, high quality, free, and delivered according to
 75 | professionally accepted standards. An early childhood
 76 | development and education program means an organized program
 77 | designed to address and enhance each child's ability to make age
 78 | appropriate progress in an appropriate range of settings in the
 79 | development of language and cognitive capabilities and

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80 | emotional, social, regulatory, and moral capacities through
81 | education in basic skills and such other skills as the
82 | legislature may determine to be appropriate.

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

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

93 | CONSTITUTIONAL AMENDMENT

94 | ARTICLE IX, SECTION 1

95 | REQUIRING 65 PERCENT OF SCHOOL FUNDING FOR CLASSROOM
96 | INSTRUCTION; FLEXIBLE CLASS SIZE REDUCTION
97 | IMPLEMENTATION.--Proposing an amendment to the State
98 | Constitution to provide that funding for high quality public K-
99 | 12 education through classroom instruction is fundamental; to
100 | provide that to make adequate provision for a high quality
101 | public K-12 education, at least 65 percent of school funding
102 | received by school districts shall be spent on classroom
103 | instruction rather than on administration; to provide that
104 | classroom instruction and administration shall be defined by
105 | law; to provide flexibility for school districts in meeting
106 | class size reduction requirements by calculating compliance at a
107 | school district average number of students who are assigned to a

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108 | teacher in specified grades; to specify the maximum number of
109 | students who may be assigned to one teacher in an individual
110 | class; to require implementation of the class size reduction
111 | requirements by the beginning of the 2009-2010 school year and
112 | for each school year thereafter; and to exempt virtual classes
113 | from the class size requirements.