

## 1 House Joint Resolution

2 A joint resolution proposing an amendment to Section 1 of  
3 Article IX of the State Constitution relating to public  
4 education.

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

7  
8 That the following amendment to Section 1 of Article IX of  
9 the State Constitution is agreed to and shall be submitted to  
10 the electors of this state for approval or rejection at the next  
11 general election or at an earlier special election specifically  
12 authorized by law for that purpose:

## 13 ARTICLE IX

## 14 EDUCATION

## 15 SECTION 1. Public education.--

16 (a) The education of children is a fundamental value of  
17 the people of the State of Florida. It is, therefore, a  
18 paramount duty of the state to make adequate provision for the  
19 education of all children residing within its borders. Adequate  
20 provision shall be made by law for a uniform, efficient, safe,  
21 secure, and high quality system of free public schools that  
22 allows students to obtain a high quality education and for the  
23 establishment, maintenance, and operation of institutions of  
24 higher learning and other public education programs that the  
25 needs of the people may require.

26 (b) To assure that children attending public schools  
27 obtain a high quality education, the legislature shall make

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

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

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

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

87 | BE IT FURTHER RESOLVED that the following statement be  
 88 | placed on the ballot:

89 | CONSTITUTIONAL AMENDMENT

90 | ARTICLE IX, SECTION 1

91 | REQUIRING 65 PERCENT OF SCHOOL FUNDING FOR CLASSROOM  
 92 | INSTRUCTION; FLEXIBLE CLASS SIZE REDUCTION  
 93 | IMPLEMENTATION.--Proposing an amendment to the State  
 94 | Constitution to provide that funding for high quality public K-  
 95 | 12 education through classroom instruction is fundamental; to  
 96 | provide that to make adequate provision for a high quality  
 97 | public K-12 education, at least 65 percent of school funding  
 98 | received by school districts shall be spent on classroom  
 99 | instruction rather than on administration; to provide that  
 100 | classroom instruction and administration shall be defined by  
 101 | law; to provide flexibility for school districts in meeting  
 102 | class size reduction requirements by calculating compliance at a  
 103 | school district average number of students who are assigned to a  
 104 | teacher in specified grades; to specify the maximum number of  
 105 | students who may be assigned to one teacher in an individual  
 106 | class; to require implementation of the class size reduction  
 107 | requirements by the beginning of the 2009-2010 school year and

108 | for each school year thereafter; and to exempt virtual classes  
109 | from the class size requirements.