

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 school classroom instruction expenditures.

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

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 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 include compliance with the requirements of
 21 subsection (b) relating to the total operational expenditures
 22 that must be spent on classroom instruction. Adequate provision
 23 shall be made by law for a uniform, efficient, safe, secure, and
 24 high quality system of free public schools that allows students
 25 to obtain a high quality education and for the establishment,
 26 maintenance, and operation of institutions of higher learning
 27 and other public education programs that the needs of the people
 28 may require. To assure that children attending public schools

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29 obtain a high quality education, the legislature shall make
 30 adequate provision to ensure that, by the beginning of the 2010
 31 school year, there are a sufficient number of classrooms so
 32 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 school ~~schools~~
 47 districts. Beginning with the 2003-2004 fiscal year, the
 48 legislature shall provide sufficient funds to reduce the average
 49 number of students in each classroom by at least two students
 50 per year until the maximum number of students per classroom does
 51 not exceed the requirements of this subsection.

52 (b) Beginning with the 2007-2008 school year and for each
 53 school year thereafter, each school district shall spend at
 54 least sixty-five percent of its total federal, state, and local
 55 funds received for operational expenditures on expenses directly
 56 related to classroom instruction, as defined by law, provided

57 that a school district spending sixty-three percent or less of
 58 such operational expenditures on classroom instruction in the
 59 2006-2007 school year shall increase the amount it spends on its
 60 classroom instruction by two percent of such operational
 61 expenditures per year until the amount it spends on its
 62 classroom instruction reaches at least sixty-five percent of
 63 such operational expenditures. In exceptional circumstances a
 64 school district may request from the governor a temporary waiver
 65 of the requirements of this subsection, which the governor may
 66 grant, partially grant, or deny.

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

80 (2)~~(e)~~ The early childhood education and development
 81 programs provided by reason of this subsection ~~subparagraph (b)~~
 82 shall be implemented no later than the beginning of the 2005
 83 school year through funds generated in addition to those used
 84 for existing education, health, and development programs.

85 Existing education, health, and development programs are those
 86 funded by the state as of January 1, 2002, that provided for
 87 child or adult education, health care, or development.

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

90 CONSTITUTIONAL AMENDMENT

91 ARTICLE IX, SECTION 1

92 CLASSROOM INSTRUCTION EXPENDITURES.--Proposing an amendment
 93 to the State Constitution to provide that adequate provision for
 94 the education of all children residing within the state's
 95 borders includes compliance with requirements for expenditures
 96 on classroom instruction; to require each school district,
 97 beginning in the 2007-2008 school year and for each school year
 98 thereafter, to spend at least 65 percent of its total federal,
 99 state, and local funds received for operational expenditures on
 100 expenses directly related to classroom instruction, as defined
 101 by law; to provide for a 2-percent phase-in to meet the 65-
 102 percent classroom instruction expenditure requirement; and to
 103 authorize, in exceptional circumstances, a school district to
 104 request from the Governor a temporary waiver of the classroom
 105 instruction expenditure requirements.