

By Senator Wise

5-00977C-09

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article IX and the creation of Section 31 of Article XII of the State Constitution to revise class size requirements for public schools and to provide an effective date.

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

That the following amendment to Section 1 of Article IX and the creation of Section 31 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 2010:

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. 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 2010-

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30 2011 ~~2010~~ school year and for each school year thereafter, there
31 are a sufficient number of classrooms so that:

32 (1) The average ~~maximum~~ number of students at the school
33 level who are assigned to each teacher who is teaching in public
34 school classrooms for prekindergarten through grade 3 does not
35 exceed 18 students and the maximum number of students assigned
36 to each teacher in an individual classroom does not exceed 21
37 students;

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

44 (3) The average ~~maximum~~ number of students at the school
45 level who are assigned to each teacher who is teaching in public
46 school classrooms for grades 9 through 12 does not exceed 25
47 students.

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

58 (b) Every four-year old child in Florida shall be provided

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59 by the State a high quality prekindergarten ~~pre-kindergarten~~
60 learning opportunity in the form of an early childhood
61 development and education program which shall be voluntary, high
62 quality, free, and delivered according to professionally
63 accepted standards. An early childhood development and education
64 program means an organized program designed to address and
65 enhance each child's ability to make age appropriate progress in
66 an appropriate range of settings in the development of language
67 and cognitive capabilities and emotional, social, regulatory,
68 and moral capacities through education in basic skills and such
69 other skills as the Legislature may determine to be appropriate.

70 (c) The early childhood education and development programs
71 provided by reason of subsection ~~subparagraph~~ (b) shall be
72 implemented no later than the beginning of the 2005 school year
73 through funds generated in addition to those used for existing
74 education, health, and development programs. Existing education,
75 health, and development programs are those funded by the State
76 as of January 1, 2002, that provided for child or adult
77 education, health care, or development.

ARTICLE XII

SCHEDULE

80 SECTION 31. Class size requirements for public schools.—The
81 amendment to Section 1 of Article IX, which requires that the
82 class size requirements for public schools shall be based on the
83 average number of students at the school level who are assigned
84 to a teacher in specified grades, and this section, if submitted
85 to the electors of this state for approval or rejection at the
86 next general election, shall take effect upon approval by the
87 electors and shall operate retroactively to the beginning of the

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88 2010-2011 school year.

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

91 CONSTITUTIONAL AMENDMENT

92 ARTICLE IX, SECTION 1

93 ARTICLE XII, SECTION 31

94 REVISION OF THE CLASS SIZE REQUIREMENTS FOR PUBLIC
95 SCHOOLS.—Proposes amendment of the State Constitution to require
96 that the class size requirements for public schools shall remain
97 at the current limits but be based on the average number of
98 students at the school level, rather than on the maximum number
99 of students, who are assigned to each teacher who is teaching in
100 public school classrooms in specified grades. For public school
101 classrooms for prekindergarten through grade 3 and for grades 4
102 through 8, but not for grades 9 through 12, limits the maximum
103 number of students who may be assigned to each teacher in an
104 individual classroom. Deletes requirements for funding annual
105 reductions in class size to achieve the maximum class size
106 limits. Clarifies that these class size requirements apply by
107 the beginning of the 2010-2011 school year and for each school
108 year thereafter. Schedules these revisions to take effect upon
109 approval by the electors of this state and to operate
110 retroactively to the beginning of the 2010-2011 school year.