

House 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

29 legislature shall make adequate provision to ensure that, by the
 30 beginning of the 2010-2011 ~~2010~~ school year and for each school
 31 year thereafter, there are a sufficient number of classrooms so
 32 that:

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

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

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

50
 51 The class size requirements of this subsection do not apply to
 52 extracurricular or virtual classes. Payment of the costs
 53 associated with reducing class size to meet these requirements
 54 is the responsibility of the state and not of local school
 55 ~~schools~~ districts. ~~Beginning with the 2003-2004 fiscal year,~~ The
 56 legislature shall provide sufficient funds to maintain ~~reduce~~

57 | the average number of students required by ~~in each classroom by~~
 58 | ~~at least two students per year until the maximum number of~~
 59 | ~~students per classroom does not exceed the requirements of this~~
 60 | subsection.

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

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

81 | ARTICLE XII

82 | SCHEDULE

83 | SECTION 31. Class size requirements for public
 84 | schools.--The amendment to Section 1 of Article IX, which

85 requires that the class size requirements for public schools
 86 shall be based on the average number of students at the school
 87 level who are assigned to a teacher in specified grades, and
 88 this section, if submitted to the electors of this state for
 89 approval or rejection at the next general election, shall take
 90 effect upon approval by the electors and shall operate
 91 retroactively to the beginning of the 2010-2011 school year.

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

94 CONSTITUTIONAL AMENDMENT

95 ARTICLE IX, SECTION 1

96 ARTICLE XII, SECTION 31

97 REVISION OF THE CLASS SIZE REQUIREMENTS FOR PUBLIC
 98 SCHOOLS.--Proposes amendment of the State Constitution to
 99 require that the class size requirements for public schools
 100 shall remain at the current limits but be based on the average
 101 number of students at the school level, rather than on the
 102 maximum number of students, who are assigned to each teacher who
 103 is teaching in public school classrooms in specified grades. For
 104 public school classrooms for prekindergarten through grade 3,
 105 for grades 4 through 8, and for grades 9 through 12, limits the
 106 maximum number of students who may be assigned to each teacher
 107 in an individual classroom. Provides that class size
 108 requirements do not apply to virtual classes. Modifies
 109 requirements for funding to require that the Legislature provide
 110 sufficient funds to maintain the average number of students
 111 required at the school level. Clarifies that these class size
 112 requirements apply by the beginning of the 2010-2011 school year

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113 | and for each school year thereafter. Schedules these revisions
114 | to take effect upon approval by the electors of this state and
115 | to operate retroactively to the beginning of the 2010-2011
116 | school year.