

1 House Joint Resolution

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

7
 8 Be It Resolved by the Legislature of the State of Florida:

9
 10 That the following amendment to Section 1 of Article IX and
 11 the creation of Section 31 of Article XII of the State
 12 Constitution are agreed to and shall be submitted to the
 13 electors of this state for approval or rejection at the general
 14 election to be held in November 2010:

15 ARTICLE IX

16 EDUCATION

17 SECTION 1. Public education.--

18 (a) The education of children is a fundamental value of
 19 the people of the State of Florida. It is, therefore, a
 20 paramount duty of the state to make adequate provision for the
 21 education of all children residing within its borders. Adequate
 22 provision shall be made by law for a uniform, efficient, safe,
 23 secure, and high quality system of free public schools that
 24 allows students to obtain a high quality education and for the
 25 establishment, maintenance, and operation of institutions of
 26 higher learning and other public education programs that the
 27 needs of the people may require. To assure that children
 28 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) Within each public school, the average ~~maximum~~ number
34 of students ~~who are~~ assigned per class to each teacher who is
35 teaching ~~in public school classrooms for~~ prekindergarten through
36 grade 3 does not exceed 18 students and the maximum number of
37 students assigned to each teacher in an individual classroom
38 does not exceed 21 students;

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

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

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

57 ~~year,~~ The legislature shall provide sufficient funds to maintain
 58 ~~reduce~~ the average number of students required by ~~in each~~
 59 ~~classroom by at least two students per year until the maximum~~
 60 ~~number of students per classroom does not exceed the~~
 61 ~~requirements of~~ this subsection.

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

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

82 ARTICLE XII

83 SCHEDULE

84 SECTION 31. Class size requirements for public
85 schools.--The amendment to Section 1 of Article IX, relating to
86 class size requirements for public schools, and this section
87 shall take effect upon approval by the electors and shall
88 operate retroactively to the beginning of the 2010-2011 school
89 year.

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

92 CONSTITUTIONAL AMENDMENT

93 ARTICLE IX, SECTION 1

94 ARTICLE XII, SECTION 31

95 REVISION OF THE CLASS SIZE REQUIREMENTS FOR PUBLIC
96 SCHOOLS.--The Florida Constitution currently limits the maximum
97 number of students assigned to each teacher in public school
98 classrooms in the following grade groupings: for prekindergarten
99 through grade 3, 18 students; for grades 4 through 8, 22
100 students; and for grades 9 through 12, 25 students. Under this
101 amendment, the current limits on the maximum number of students
102 assigned to each teacher in public school classrooms would
103 become limits on the average number of students assigned per
104 class to each teacher, by specified grade grouping, in each
105 public school. This amendment also adopts new limits on the
106 maximum number of students assigned to each teacher in an
107 individual classroom as follows: for prekindergarten through
108 grade 3, 21 students; for grades 4 through 8, 27 students; and
109 for grades 9 through 12, 30 students. This amendment specifies
110 that class size limits do not apply to virtual classes, requires
111 the Legislature to provide sufficient funds to maintain the

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112 | average number of students required by this amendment, and
113 | schedules these revisions to take effect upon approval by the
114 | electors of this state and to operate retroactively to the
115 | beginning of the 2010-2011 school year.