

By Senators Gaetz, Thrasher, Detert, Wise, Bennett, Fasano, Richter, Haridopolos, Baker, Negrón, Dean, Gardiner, Constantine, Oelrich, Ring, Siplin, and Alexander

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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 next general election or at an earlier special election specifically authorized by law for that purpose:

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

4-00885A-10

20102__

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

4-00885A-10

20102

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 schools.—The
85 amendment to Section 1 of Article IX, relating to class size
86 requirements for public schools, and this section shall take
87 effect upon approval by the electors and shall operate

4-00885A-10

20102__

88 retroactively to the beginning of the 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.—The Florida Constitution currently limits the maximum
96 number of students assigned to each teacher in public school
97 classrooms in the following grade groupings: for prekindergarten
98 through grade 3, 18 students; for grades 4 through 8, 22
99 students; and for grades 9 through 12, 25 students. Under this
100 amendment, the current limits on the maximum number of students
101 assigned to each teacher in public school classrooms would
102 become limits on the average number of students assigned per
103 class to each teacher, by specified grade grouping, in each
104 public school. This amendment also adopts new limits on the
105 maximum number of students assigned to each teacher in an
106 individual classroom as follows: for prekindergarten through
107 grade 3, 21 students; for grades 4 through 8, 27 students; and
108 for grades 9 through 12, 30 students. This amendment specifies
109 that class size limits do not apply to virtual classes, requires
110 the Legislature to provide sufficient funds to maintain the
111 average number of students required by this amendment, and
112 schedules these revisions to take effect upon approval by the
113 electors of this state and to operate retroactively to the
114 beginning of the 2010-2011 school year.