

By Senator Simmons

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1 A bill to be entitled
2 An act relating to class size requirements; amending
3 s. 1003.01, F.S.; redefining the terms "core-curricula
4 courses" and "extracurricular courses"; amending s.
5 1003.03, F.S.; deleting a reference to the State
6 Constitution regarding class size maximums; requiring
7 that class size maximums be satisfied on or before the
8 October student membership survey each year; requiring
9 that the class size maximums be maintained after the
10 October student membership survey unless certain
11 conditions occur; providing that a student who enrolls
12 in a school after the October student membership
13 survey may be assigned to classes that temporarily
14 exceed class size maximums if the school board
15 determines that not assigning the student would be
16 impractical, educationally unsound, or disruptive to
17 student learning; providing for a specified number of
18 students to be assigned above the maximum if the
19 district school board makes this determination;
20 requiring that the district school board develop a
21 plan providing that the school will be in full
22 compliance with the maximum class size requirements by
23 the next October student membership survey; amending
24 s. 1011.685, F.S.; revising provisions relating to
25 class size reduction operational categorical funds;
26 authorizing a school district that meets the maximum
27 class size requirement to use the funds for any lawful
28 operating expenditure; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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32 Section 1. Subsections (14) and (15) of section 1003.01,
33 Florida Statutes, are amended to read:

34 1003.01 Definitions.—As used in this chapter, the term:

35 (14) “Core-curricula courses” means:

36 (a) Language arts/reading, mathematics, and science courses
37 in prekindergarten through grade 3;

38 (b) Courses in grades 4 through 8 in subjects that are
39 measured by state assessment at any grade level;

40 (c) Courses in grades 9 through 12 in subjects that are
41 measured by state assessment at any grade level;

42 (d) Courses that are specifically identified by name in
43 statute as required for high school graduation and that are not
44 measured by state assessment, excluding any extracurricular
45 courses;

46 (e) Exceptional student education courses; and

47 (f) English for Speakers of Other Languages courses.

48 ~~courses defined by the Department of Education as mathematics,~~
49 ~~language arts/reading, science, social studies, foreign~~
50 ~~language, English for Speakers of Other Languages, exceptional~~
51 ~~student education, and courses taught in traditional self-~~
52 ~~contained elementary school classrooms.~~

53
54 The maximum number of students assigned to a core-curricula high
55 school course in which a student in grades 4 through 8 is
56 enrolled shall be governed by the requirements in s.

57 1003.03(1)(c). The term is limited in meaning and used for the
58 sole purpose of designating classes that are subject to the

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59 maximum class size requirements established in s. 1, Art. IX of
60 the State Constitution. This term does not include courses
61 offered under ss. 1002.37, 1002.415, and 1002.45.

62 (15) "Extracurricular courses" means all courses that are
63 not defined as "core-curricula courses," which may include, but
64 are not limited to, physical education, fine arts, performing
65 fine arts, ~~and~~ career education, and courses that may result in
66 college credit. The term is limited in meaning and used for the
67 sole purpose of designating classes that are not subject to the
68 maximum class size requirements established in s. 1, Art. IX of
69 the State Constitution.

70 Section 2. Subsections (1) and (2) of section 1003.03,
71 Florida Statutes, are amended to read:

72 1003.03 Maximum class size.—

73 (1) ~~CONSTITUTIONAL CLASS SIZE MAXIMUMS.—~~Each year, on or
74 before the October student membership survey, the following
75 class size maximums shall be satisfied Pursuant to s. 1, Art. IX
76 of the State Constitution, beginning in the 2010-2011 school
77 year:

78 (a) The maximum number of students assigned to each teacher
79 who is teaching core-curricula courses in public school
80 classrooms for prekindergarten through grade 3 may not exceed 18
81 students.

82 (b) The maximum number of students assigned to each teacher
83 who is teaching core-curricula courses in public school
84 classrooms for grades 4 through 8 may not exceed 22 students.

85 (c) The maximum number of students assigned to each teacher
86 who is teaching core-curricula courses in public school
87 classrooms for grades 9 through 12 may not exceed 25 students.

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89 These maximums shall be maintained after the October student
90 membership survey, except as provided in paragraph (2) (b) or due
91 to an extreme emergency beyond the control of the district
92 school board.

93 (2) IMPLEMENTATION.—

94 (a) The Department of Education shall annually calculate
95 class size measures described in subsection (1) based upon the
96 October student membership survey.

97 (b) A student who enrolls in a school after the October
98 student membership survey may be assigned to an existing class
99 that temporarily exceeds the maximum number of students in
100 subsection (1) if the district school board determines it to be
101 impractical, educationally unsound, or disruptive to student
102 learning to not assign the student to the class. If the district
103 school board makes this determination:

104 1. Up to three students may be assigned to a teacher in
105 kindergarten through grade 3 above the maximum as provided in
106 paragraph (1) (a);

107 2. Up to five students may be assigned to a teacher in
108 grades 4 through 12 above the maximum as provided in paragraphs
109 (1) (b) and (1) (c), respectively; and

110 3. The district school board shall develop a plan that
111 provides that the school will be in full compliance with the
112 maximum class size in subsection (1) by the next October student
113 membership survey.

114 ~~(b) Prior to the adoption of the district school budget for~~
115 ~~2010-2011, each district school board shall hold public hearings~~
116 ~~and provide information to parents on the district's website,~~

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117 ~~and through any other means by which the district provides~~
118 ~~information to parents and the public, on the district's~~
119 ~~strategies to meet the requirements in subsection (1).~~

120 Section 3. Subsection (2) of section 1011.685, Florida
121 Statutes, is amended to read:

122 1011.685 Class size reduction; operating categorical fund.—

123 (2) Class size reduction operating categorical funds shall
124 be used by school districts to reduce class size as required in
125 s. 1003.03. A school district that meets the maximum class size
126 requirement may use the funds, ~~or the funds may be used~~ for any
127 lawful operating expenditure; however, priority shall be given
128 to increasing salaries of classroom teachers.

129 Section 4. This act shall take effect July 1, 2011.