

By the Committee on Budget; and Senator Simmons

576-04633-11

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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; requiring  
24          that the Department of Education identify from the  
25          Course Code Directory the core-curricula courses for  
26          the purpose of satisfying the maximum class size  
27          requirement; authorizing the department to adopt  
28          rules; amending s. 1011.685, F.S.; revising provisions  
29          relating to class size reduction operational

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30 categorical funds; authorizing a school district that  
31 meets the maximum class size requirement to use the  
32 funds for any lawful operating expenditure; providing  
33 an effective date.

34  
35 Be It Enacted by the Legislature of the State of Florida:

36  
37 Section 1. Subsections (14) and (15) of section 1003.01,  
38 Florida Statutes, are amended to read:

39 1003.01 Definitions.—As used in this chapter, the term:

40 (14) "Core-curricula courses" means:

41 (a) Courses in language arts/reading, mathematics, social  
42 studies, and science in prekindergarten through grade 3;

43 (b) Courses in grades 4 through 8 in subjects that are  
44 measured by state assessment at any grade level and courses  
45 required for middle school promotion;

46 (c) Courses in grades 9 through 12 in subjects that are  
47 measured by state assessment at any grade level and courses that  
48 are specifically identified by name in statute as required for  
49 high school graduation and that are not measured by state  
50 assessment, excluding any extracurricular courses pursuant to  
51 subsection (15);

52 (d) Exceptional student education courses; and

53 (e) English for Speakers of Other Languages courses.

54 ~~courses defined by the Department of Education as mathematics,~~  
55 ~~language arts/reading, science, social studies, foreign~~  
56 ~~language, English for Speakers of Other Languages, exceptional~~  
57 ~~student education, and courses taught in traditional self-~~  
58 ~~contained elementary school classrooms.~~

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60 The term is limited in meaning and used for the sole purpose of  
61 designating classes that are subject to the maximum class size  
62 requirements established in s. 1, Art. IX of the State  
63 Constitution. This term does not include courses offered under  
64 ss. 1002.37, 1002.415, and 1002.45.

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

73 Section 2. Subsections (1) and (2) of section 1003.03,  
74 Florida Statutes, are amended, and subsection (6) is added to  
75 that section, to read:

76 1003.03 Maximum class size.—

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

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

86 (b) The maximum number of students assigned to each teacher  
87 who is teaching core-curricula courses in public school

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88 classrooms for grades 4 through 8 may not exceed 22 students.  
89 The maximum number of students assigned to a core-curricula high  
90 school course in which a student in grades 4 through 8 is  
91 enrolled shall be governed by the requirements in paragraph (c).

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

95

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

100 (2) IMPLEMENTATION.—

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

104 (b) A student who enrolls in a school after the October  
105 student membership survey may be assigned to an existing class  
106 that temporarily exceeds the maximum number of students in  
107 subsection (1) if the district school board determines it to be  
108 impractical, educationally unsound, or disruptive to student  
109 learning to not assign the student to the class. If the district  
110 school board makes this determination:

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

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

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

121       ~~(b) Prior to the adoption of the district school budget for~~  
122 ~~2010-2011, each district school board shall hold public hearings~~  
123 ~~and provide information to parents on the district's website,~~  
124 ~~and through any other means by which the district provides~~  
125 ~~information to parents and the public, on the district's~~  
126 ~~strategies to meet the requirements in subsection (1).~~

127       (6) COURSES FOR COMPLIANCE.—Consistent with the provisions  
128 in ss. 1003.01(14) and 1003.428, the Department of Education  
129 shall identify from the Course Code Directory the core-curricula  
130 courses for the purpose of satisfying the maximum class size  
131 requirement in this section. The department may adopt rules to  
132 implement this subsection, if necessary.

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

135       1011.685 Class size reduction; operating categorical fund.—

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

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