

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

16 ARTICLE IX

17 EDUCATION

18 SECTION 1. Public education.—

19 (a) The education of children is a fundamental value of
 20 the people of the State of Florida. It is, therefore, a
 21 paramount duty of the state to make adequate provision for the
 22 education of all children residing within its borders. Adequate
 23 provision shall be made by law for a uniform, efficient, safe,
 24 secure, and high quality system of free public schools that
 25 allows students to obtain a high quality education and for the
 26 establishment, maintenance, and operation of institutions of
 27 higher learning and other public education programs that the
 28 needs of the people may require. To assure that children

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

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

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

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

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

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57 school ~~schools~~ districts. ~~Beginning with the 2003-2004 fiscal~~
 58 ~~year,~~ The legislature shall provide sufficient funds to maintain
 59 ~~reduce~~ the average number of students required by ~~in each~~
 60 ~~classroom by at least two students per year until the maximum~~
 61 ~~number of students per classroom does not exceed the~~
 62 ~~requirements of~~ this subsection.

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

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

83 ARTICLE XII

84 SCHEDULE

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

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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.