

Senate Joint Resolution No. 2

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

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

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

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

The class size requirements of this subsection do not apply to extracurricular or virtual classes. Payment of the costs associated with ~~meeting~~ reducing class size to meet these requirements is the responsibility of the state and not of local ~~school~~ schools districts. ~~Beginning with the 2003-2004 fiscal year, The legislature shall provide sufficient funds to maintain~~ reduce the average number of students ~~required by in each classroom by at least two students per year until the maximum number of students per classroom does not exceed the requirements of this subsection.~~

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

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

ARTICLE XII

SCHEDULE

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

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

CONSTITUTIONAL AMENDMENT

ARTICLE IX, SECTION 1

ARTICLE XII, SECTION 31

REVISION OF THE CLASS SIZE REQUIREMENTS FOR PUBLIC SCHOOLS.—The Florida Constitution currently limits the maximum number of students assigned to each teacher in public school classrooms in the following grade groupings: for prekindergarten through grade 3, 18 students; for grades 4 through 8, 22 students; and for grades 9 through 12, 25

students. Under this amendment, the current limits on the maximum number of students assigned to each teacher in public school classrooms would become limits on the average number of students assigned per class to each teacher, by specified grade grouping, in each public school. This amendment also adopts new limits on the maximum number of students assigned to each teacher in an individual classroom as follows: for prekindergarten through grade 3, 21 students; for grades 4 through 8, 27 students; and for grades 9 through 12, 30 students. This amendment specifies that class size limits do not apply to virtual classes, requires the Legislature to provide sufficient funds to maintain the average number of students required by this amendment, and schedules these revisions to take effect upon approval by the electors of this state and to operate retroactively to the beginning of the 2010-2011 school year.

Filed in Office Secretary of State May 19, 2010.