

1 Resolution of the Taxation and Budget Reform Commission
2 A resolution proposing an amendment to Section 1 of
3 Article IX of the State Constitution to provide that the
4 State Constitution establishes the state's minimum duty to
5 educate the children residing within the state.
6

7 Be It Resolved by the Taxation and Budget Reform Commission:
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9 That the following amendment to Section 1 of Article IX of
10 the State Constitution is agreed to and shall be submitted to
11 the electors of this state for approval or rejection at the next
12 general election or at an earlier special election specifically
13 authorized by law for that purpose:

14 ARTICLE IX

15 EDUCATION

16 SECTION 1. Public funding of education.--

17 (a) The education of children is a fundamental value of
18 the people of the State of Florida. It is, therefore, a
19 paramount duty of the state to make adequate provision for the
20 education of all children residing within its borders. This duty
21 shall be fulfilled, at a minimum and not exclusively, through
22 adequate ~~Adequate~~ provision ~~shall be made~~ by law for a uniform,
23 efficient, safe, secure, and high quality system of free public
24 schools that allows students to obtain a high quality education
25 and for the establishment, maintenance, and operation of
26 institutions of higher learning and other public education
27 programs that the needs of the people may require. Nothing in
28 this subsection creates an entitlement to a publicly-financed
29 private program.

30 (b) To assure that children attending public schools
31 obtain a high quality education, the legislature shall make
32 adequate provision to ensure that, by the beginning of the 2010
33 school year, there are a sufficient number of classrooms so
34 that:

35 (1) The maximum number of students who are assigned to
36 each teacher who is teaching in public school classrooms for
37 prekindergarten through grade 3 does not exceed 18 students;

38 (2) The maximum number of students who are assigned to
39 each teacher who is teaching in public school classrooms for
40 grades 4 through 8 does not exceed 22 students; and

41 (3) The maximum number of students who are assigned to
42 each teacher who is teaching in public school classrooms for
43 grades 9 through 12 does not exceed 25 students.

44
45 The class size requirements of this subsection do not apply to
46 extracurricular classes. Payment of the costs associated with
47 reducing class size to meet these requirements is the
48 responsibility of the state and not of local schools districts.
49 Beginning with the 2003-2004 fiscal year, the legislature shall
50 provide sufficient funds to reduce the average number of
51 students in each classroom by at least two students per year
52 until the maximum number of students per classroom does not
53 exceed the requirements of this subsection.

54 (c)~~(b)~~ Every four-year old child in Florida shall be
55 provided by the State a high quality pre-kindergarten learning
56 opportunity in the form of an early childhood development and
57 education program which shall be voluntary, high quality, free,
58 and delivered according to professionally accepted standards. An

59 early childhood development and education program means an
60 organized program designed to address and enhance each child's
61 ability to make age appropriate progress in an appropriate range
62 of settings in the development of language and cognitive
63 capabilities and emotional, social, regulatory and moral
64 capacities through education in basic skills and such other
65 skills as the Legislature may determine to be appropriate.

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

74
75 BE IT FURTHER RESOLVED that the following statement be
76 placed on the ballot:

77 CONSTITUTIONAL AMENDMENT

78 ARTICLE IX, SECTION 1

79 MINIMUM, NONEXCLUSIVE DUTY FOR THE STATE TO ADEQUATELY
80 PROVIDE FOR THE EDUCATION OF FLORIDA'S CHILDREN.--Provides that
81 the constitutional requirement to provide Florida's children
82 with a "uniform, efficient, safe, secure, and high quality
83 system of free public schools" is a minimum and nonexclusive
84 duty. Reverses legal precedent prohibiting public funding of
85 private school alternatives as part of the state's school choice
86 programs.