

## Amendment No. 1

Commissioner Martinez offered the following:

**Amendment (with ballot statement and title amendments)**

Remove line(s) 11-37 and insert:

That the following amendment to Section 1 of Article IX of the State Constitution is 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 funding of 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. This duty shall be fulfilled, at a minimum and not exclusively, through adequate ~~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. Adequate provision shall also be made by law ~~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.

(b) 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

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school year, there are a sufficient number of classrooms so that:

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

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

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

The class size requirements of this subsection do not apply to extracurricular classes. Payment of the costs associated with reducing class size to meet these requirements is the responsibility of the state and not of local schools districts. Beginning with the 2003-2004 fiscal year, the legislature shall provide sufficient funds to reduce the average number of students 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.

(c)~~(b)~~ Every four-year old child in Florida shall be provided by the State a high quality 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

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56 ability to make age appropriate progress in an appropriate range  
57 of settings in the development of language and cognitive  
58 capabilities and emotional, social, regulatory and moral  
59 capacities through education in basic skills and such other  
60 skills as the Legislature may determine to be appropriate.

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

69  
70 == B A L L O T S T A T E M E N T A M E N D M E N T ==

71 Remove lines 40-51 and insert:

## 72 CONSTITUTIONAL AMENDMENT

## 73 ARTICLE IX, SECTION 1

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

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T I T L E   A M E N D M E N T   =====

Remove lines 1-7 and insert:

Resolution of the Taxation and Budget Reform Commission

A resolution proposing an amendment to Section 1 of

Article IX of the State Constitution to provide that the

State Constitution establishes the state's minimum duty to

educate the children residing within the state.