Proposal No. 40

A proposal to revise
ARTICLE IX, s. 4, Fla. Const.; authorizing
certain counties to be divided into more than
one school district.

It is proposed by the Florida Constitution Revision Commission
that:

Section 1. Section 4 of Article IX of the Florida
Constitution is revised by amending that section to read:

ARTICLE IX
EDUCATION

SECTION 4. School districts; school boards.--
(a) Each county shall constitute a school district;
provided, two or more contiguous counties, upon vote of the
electors of each county pursuant to law, may be combined into
one school district; and provided further that a county with
more than 75,000 students in the district schools within the
county may be divided into two or more school districts, each
school district to have no fewer than 15,000 students, as
provided by law and subject to approval by a vote of the
electors of the county. In order to divide a county school
district under this provision, and notwithstanding other
provisions of this constitution, a commission made up of
residents of the county shall be created by special law to
draw district boundary lines, allocate assets, and provide for
the contractual obligations, debts, and bonded indebtedness of
the school district, all of which shall be subject to review
and approval by the circuit court for compliance with state
and federal law and to ensure racial and ethnic balance.

Funding for operation and capital outlay in school districts
divided pursuant to this section shall be determined on a countywide basis and distributed to the districts per student per capita as provided by law. Local school taxes in counties divided pursuant to this section, including voted millage for bonded indebtedness, shall be levied on a countywide basis as provided by law.

(b) In each school district there shall be a school board composed of five or more members chosen by vote of the electors for appropriately staggered terms of four years, as provided by law.

(b) The school board shall operate, control and supervise all free public schools within the school district and determine the rate of school district taxes within the limits prescribed herein. Two or more school districts may operate and finance joint educational programs.