

Reference:

REVISION OF ARTICLE IX

Ballot Title:

EDUCATION

Ballot Summary:

Proposing a revision of the Florida Constitution to provide that the state board of education shall be appointed by the governor and confirmed by the senate, and shall be responsible for the management and coordination of the state system of public education; to provide that the commissioner of education shall be appointed by the board in the even the office of elected commissioner is abolished; and to provide for a board of regents, appointed by the governor and confirmed by the senate, which shall govern the state university system.

Full Text:

ARTICLE IX

EDUCATION

1. SECTION 1. System of public education.-
2. (a) Adequate provision shall be made by law for a uniform system of free public schools 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) The primary purpose of elementary and secondary education in this state shall be to develop the ability of each student to read, communicate and compute and to provide an opportunity for vocational training. By general law, provision may be made for special instruction to aid disadvantaged students with special learning needs.

SECTION 2. State board of education.-

(a) There shall be ~~The governor and the members of the cabinet shall constitute~~ a state board of education, which shall be a body corporate and have the responsibility for the management, supervision, and coordination of the state system of public education as prescribed by law and not inconsistent with the provisions of Article IX, Section 7 ~~such supervision of the system of public education as is provided by law.~~

(b) The board shall consist of nine electors, who shall be appointed by the governor and confirmed by the senate for staggered six-year terms. The governor shall designate a member as chairperson who shall serve in such capacity at the pleasure of the governor.

(c) In the event the constitutional office of elected commissioner of education is abolished, the board shall appoint a commissioner of education who shall serve at the pleasure of the board.

(d) The commissioner of education shall administer the board's policies and rules; manage the

education program under the jurisdiction of the board; and perform such other duties and exercise such powers as are provided by law.

Schedule to Article IX, Section 2.-

(a) The terms of the original members of the state board of education shall expire as follows:

1. The terms of three members shall expire on January 1, 1981;
2. The terms of three members shall expire on January 1, 1983; and
3. The terms of three members shall expire on January 1, 1985.

(b) In the event the revision to Article IV, Section 4, abolishing the cabinet, is adopted at the 1978 general election, the commissioner of education elected in November 1978 shall on the effective date of this constitution also become one of the members and chairperson of the board for a term of four years, and shall, in addition, have the powers and duties of the commissioner of education provided in this section until a new commissioner is appointed by the board. The appointee of the board shall be known as the director of education until the term of the elected commissioner ends.

(c) Until changed by law, and except as otherwise provided in this article, the state board of education shall continue to have the powers, duties, and responsibilities granted the state board of education established under Article IX, Section 2 in effect on the date of adoption of this revision.

SECTION 3. Terms of appointive board members. No change.

SECTION 4. School districts; school boards. No change.

SECTION 5. Superintendent of schools. No change.

SECTION 6. State school fund. No change.

SECTION 7. State university system.-

(a) There shall be a single state university system comprised of all public four-year, upper level, and graduate institutions of higher learning. The state university system shall be governed by a board of regents.

(b) The board of regents shall operate, regulate, control, and be fully responsible for the management of the state university system, subject to the overall coordinative responsibilities of the state board of education and subject to general law, except on matters relating exclusively to the educational policy of the state university system.

(c) The board of regents shall be a body corporate composed of nine members. Eight members shall serve staggered six-year terms, and one member shall serve a two-year term. The qualifications of the member serving a two-year term shall be provided by law. The members of the board of regents shall be appointed by the governor subject to confirmation by the senate.

Schedule to Article IX, Section 7.-The members of the board of regents in office on the date of this revision becomes effective shall continue in office until their terms end due to death, removal, resignation, succession to another office or their terms expire. The person appointed to the first vacancy occurring after August 31, 1979 shall be appointed to serve the two-year term provided for in

this section.