

June 15, 2005

Ms. Glenda E. Hood
Secretary of State
Florida Department of State
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Senate Bill 1678 enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to public school class size . . .

This bill allows a school district that had a portion of its class size reduction operating dollars transferred to a capital outlay fund because it did not comply with class size reduction requirements to have those dollars transferred back to its operating fund if it complies with class size reduction requirements in the subsequent year.

While I am a proponent of providing school districts with as much financial flexibility as possible, I am reluctant to approve this bill because it discourages school districts from enacting prompt and progressive class size reduction strategies.

In 2002, the voters approved an amendment to the State Constitution that prescribes the maximum number of students that may be assigned to each public school classroom by the 2010-2011 school year. The following year, I signed into law a piece of legislation that requires school districts to gradually reduce class sizes until they comply with the requirements of the constitutional amendment. Additionally, the law establishes various degrees of accountability for school districts that fail to gradually reduce class sizes.

School districts seeking relief from having a portion of their class size reduction operating dollars transferred to a capital outlay fund are simply avoiding and delaying the inevitable. Without a modification to the class size constitutional amendment, current law requires school districts that fail to reduce class sizes to implement some very difficult options beginning in the 2006-2007 school year. Such options may include redrawing school attendance zones, offering more than one session of school during the day, implementing a year-round academic calendar, reassigning teachers

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throughout the district, or rescheduling teacher planning periods.

Because the class size constitutional amendment affords school districts no flexibility in complying with its prescriptive requirements, it is counterproductive for policy makers to provide leniency to school districts that fail to gradually reduce class sizes in any given year prior to the 2010-2011 school year. School districts that do not reduce class sizes as statutorily required are less likely to comply with the requirements of the constitutional amendment by the 2010-2011 school year.

By holding school districts less accountable, this bill rewards procrastination. As policy makers we must be willing to make difficult and unpopular choices; otherwise, we will fail to comply with the strict requirements of our State Constitution.

For the reasons provided above, I am withholding my approval of Senate Bill 1678, and do hereby veto the same.

Sincerely,

Jeb Bush