Supreme Court of Florida

WEDNESDAY, SEPTEMBER 3, 2008

CASE NO.: SC08-1529
Lower Tribunal No(s).: 2008-CA-1905, 1D08-3934

ANDY FORD, ET AL. vs. KURT BROWNING, ETC., ET AL.

Petitioner(s) Respondent(s)

We reverse the final judgment entered by the trial court. The Secretary of State and all persons and entities acting under his direction are hereby enjoined from placing proposed Amendments 7 and 9[1] on the November 2008 general

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1. The ballot title and summary for Amendment 7 state:
RELIGIOUS FREEDOM.

Proposing an amendment to the State Constitution to provide that an individual or entity may not be barred from participating in any public program because of religion and to delete the prohibition against using revenues from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

The ballot title and summary for Amendment 9 state as follows:

REQUIRING 65 PERCENT OF SCHOOL FUNDING FOR CLASSROOM INSTRUCTION; STATE'S DUTY FOR CHILDREN'S EDUCATION.

Requires at least 65 percent of school funding received by school districts be spent on classroom instruction, rather than administration; allows for differences in administrative expenditures by district. Provides the constitutional requirement for the state to provide a "uniform, efficient, safe, secure, and high quality system of free public schools" is a minimum, nonexclusive duty. Reverses legal precedent prohibiting public funding of private school alternatives to public school programs without creating an entitlement.

election ballot. We direct that, no later than September 4, 2008, the trial court enter final judgment for the appellants.

No motion for rehearing will be entertained.

Opinion to follow.

QUINCE, C.J., and WELLS, ANSTEAD, PARIENTE, LEWIS, CANTERO, and BELL, JJ., concur.

A True Copy

Thomas D. Hall
Clerk, Supreme Court

mc
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