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2 An act relating to public school class size;
3 amending s. 1003.03, F.S.; revising provisions
4 relating to determination of class size
5 averages for purpose of compliance with class
6 size maximums; providing for reversal of class
7 size reduction operating categorical transfers
8 under certain circumstances; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (c) of subsection (2) and
14 paragraph (a) of subsection (4) and of section 1003.03,
15 Florida Statutes, are amended to read:

16 1003.03 Maximum class size.--

17 (2) IMPLEMENTATION.--

18 (c) The Department of Education shall annually
19 calculate each of the three average class size measures
20 defined in paragraphs (a) and (b) based upon the October
21 student membership survey. For purposes of determining the
22 baseline from which each district's average class size must be
23 reduced for the 2003-2004 school year, the department shall
24 use data from the February 2003 student membership survey
25 updated to include classroom identification numbers as
26 required by the department. Beginning in the 2005-2006 school
27 year, if the actual student membership in the October survey
28 exceeds the student membership estimate included in the
29 Florida Education Finance Program first calculation, the
30 maximum student membership enrollment used in determining the
31 October class size averages shall be the student membership

1 estimate included in the Florida Education Finance Program
2 first calculation.

3 (4) ACCOUNTABILITY.--

4 (a) Beginning in the 2003-2004 fiscal year, if the
5 department determines for any year that a school district has
6 not reduced average class size as required in subsection (2)
7 at the time of the third FEFP calculation, the department
8 shall calculate an amount from the class size reduction
9 operating categorical which is proportionate to the amount of
10 class size reduction not accomplished. Upon verification of
11 the department's calculation by the Florida Education Finance
12 Program Appropriation Allocation Conference, the Executive
13 Office of the Governor shall transfer undistributed funds
14 equivalent to the calculated amount from the district's class
15 size reduction operating categorical to an approved fixed
16 capital outlay appropriation for class size reduction in the
17 affected district pursuant to s. 216.292(13). The amount of
18 funds transferred shall be the lesser of the amount verified
19 by the Florida Education Finance Program Appropriation
20 Allocation Conference or the undistributed balance of the
21 district's class size reduction operating categorical.
22 However, based upon a recommendation by the Commissioner of
23 Education that the State Board of Education has reviewed
24 evidence indicating that a district has been unable to meet
25 class size reduction requirements despite appropriate effort
26 to do so, the Legislative Budget Commission may approve an
27 alternative amount of funds to be transferred from the
28 district's class size reduction operating categorical to its
29 approved fixed capital outlay account for class size
30 reduction. Beginning in the 2005-2006 school year, a district
31 that fully achieves the required class size averages when

1 compared to the February 2003 baseline student membership
2 survey shall be eligible for a reversal of the prior year
3 class size reduction operating categorical transfer that
4 resulted from its inability to achieve the required class size
5 averages as required in subsection (2).

6 Section 2. This act shall take effect July 1, 2005.
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