

Amendment No.

CHAMBER ACTION

Senate

House

.

The Conference Committee on HB 5101 offered the following:

Conference Committee Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (8) of section 496.404, Florida Statutes, is amended to read:

496.404 Definitions.—As used in ss. 496.401-496.424:

(8) "Educational institutions" means those institutions and organizations described in s. 212.08(7)(cc)8.a. The term includes private nonprofit organizations, the purpose of which is to raise funds for schools teaching grades kindergarten through grade 12, colleges, and universities, including any nonprofit newspaper of free or paid circulation primarily on university or college campuses which holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code, any educational television ~~or radio~~ network or

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17 system established pursuant to s. 1001.25 or s. 1001.26, and any
18 nonprofit television or radio station that is a part of such
19 network or system and that holds a current exemption from
20 federal income tax under s. 501(c)(3) of the Internal Revenue
21 Code. The term also includes a nonprofit educational cable
22 consortium that holds a current exemption from federal income
23 tax under s. 501(c)(3) of the Internal Revenue Code, whose
24 primary purpose is the delivery of educational and instructional
25 cable television programming and whose members are composed
26 exclusively of educational organizations that hold a valid
27 consumer certificate of exemption and that are either an
28 educational institution as defined in this subsection or
29 qualified as a nonprofit organization pursuant to s. 501(c)(3)
30 of the Internal Revenue Code.

31 Section 2. Paragraph (c) of subsection (2) of section
32 1001.25, Florida Statutes, is amended to read:

33 1001.25 Educational television.—

34 (2) POWERS OF DEPARTMENT.—

35 (c) The department may provide equipment, funds, and other
36 services to extend and update both the existing and the proposed
37 educational television ~~and radio~~ systems of tax-supported and
38 nonprofit, corporate-owned facilities. All stations funded must
39 be qualified by the Corporation for Public Broadcasting. New
40 stations eligible for funding shall provide a first service to
41 an audience that is not currently receiving a broadcast signal
42 or provide a significant new program service as defined by State
43 Board of Education rules. Funds appropriated to the department
44 for educational television ~~and funds appropriated to the~~

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45 ~~department for educational radio~~ may be used by the department
46 for ~~either~~ educational television only ~~or educational radio, or~~
47 ~~both~~.

48 Section 3. Paragraphs (a), (d), and (e) of subsection (1)
49 and paragraph (c) of subsection (2) of section 1001.26, Florida
50 Statutes, are amended to read:

51 1001.26 Public broadcasting program system.—

52 (1) There is created a public broadcasting program system
53 for the state. The department shall administer this program
54 system pursuant to rules adopted by the State Board of
55 Education. This program system must complement and share
56 resources with the instructional programming service of the
57 Department of Education and educational UHF, VHF, EBS ~~ITFS~~, and
58 FM stations in the state. The program system must include:

59 (a) Support for existing Corporation for Public
60 Broadcasting qualified program system educational ~~radio~~ and
61 television stations and new stations meeting Corporation for
62 Public Broadcasting qualifications and providing a first service
63 to an audience that does not currently receive a broadcast
64 signal or providing a significant new program service as defined
65 by rule by the State Board of Education.

66 (d) Establishment and maintenance of a capability for
67 statewide program distribution with facilities and staff,
68 provided such facilities and staff complement and strengthen
69 existing or future educational television ~~and radio~~ stations in
70 accordance with paragraph (a) and s. 1001.25(2)(c).

71 (e) Provision of both statewide programming funds and
72 station programming support for educational television ~~and~~

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73 ~~educational radio~~ to meet statewide priorities. Priorities for
74 station programming need not be the same as priorities for
75 programming to be used statewide. Station programming may
76 include, but shall not be limited to, citizens' participation
77 programs, music and fine arts programs, coverage of public
78 hearings and governmental meetings, equal air time for political
79 candidates, and other public interest programming.

80 (2)

81 (c) The department is authorized to provide equipment,
82 funds, and other services to extend and update both the existing
83 and the proposed educational television ~~and radio~~ systems of
84 tax-supported and nonprofit, corporate-owned facilities. All
85 stations funded must be qualified by the Corporation for Public
86 Broadcasting. New stations eligible for funding shall provide a
87 first service to an audience that is not currently receiving a
88 broadcast signal or provide a significant new program service as
89 defined by State Board of Education rules. Funds appropriated to
90 the department for educational television ~~and funds appropriated~~
91 ~~to the department for educational radio~~ may be used by the
92 department for ~~either~~ educational television only ~~or educational~~
93 ~~radio, or for both.~~

94 Section 4. Subsection (24) of section 1001.42, Florida
95 Statutes, is amended, subsection (25) is renumbered as
96 subsection (26), and a new subsection (25) is added to that
97 section, to read:

98 1001.42 Powers and duties of district school board.—The
99 district school board, acting as a board, shall exercise all
100 powers and perform all duties listed below:

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101 (24) EMPLOYMENT CONTRACTS.-If a school district enters
102 into a contract or employment agreement, or renewal or
103 renegotiation of an existing contract or employment agreement,
104 with an officer, agent, employee, or contractor which contains a
105 provision for severance pay, the contract or employment
106 agreement must include the provisions of s. 215.425. A district
107 school board may not enter into an employment contract that
108 requires the district to pay from state funds an employee an
109 amount in excess of 1 year of the employee's annual salary for
110 termination, buyout, or any other type of contract settlement.
111 This subsection does not prohibit the payment of earned leave
112 and benefits in accordance with the district's leave and
113 benefits policies which were accrued by the employee before the
114 contract terminates.

115 (25) INTERLOCAL AGREEMENTS.-Each district school board
116 shall enter into an interlocal agreement as provided in s.
117 163.01 for the purpose of establishing the School District
118 Consortium and maximizing the purchasing power for goods and
119 services. A consortium may be statewide or regional, as
120 appropriate to achieve the lowest cost. This subsection does not
121 prohibit a district school board from utilizing a state
122 contract.

123 ~~(26)~~(25) ADOPT RULES.-Adopt rules pursuant to ss.
124 120.536(1) and 120.54 to implement this section.

125 Section 5. Subsection (2) of section 1001.50, Florida
126 Statutes, is amended to read:

127 1001.50 Superintendents employed under Art. IX of the
128 State Constitution.-

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129 (2) Each ~~The~~ district school board ~~of each of such~~
130 ~~districts~~ shall enter into an employment contract ~~contracts of~~
131 ~~employment~~ with the district school superintendent and shall
132 adopt rules relating to his or her appointment; however, if the
133 employment contract contains a provision for severance pay, it
134 must include the provisions required by s. 215.425 ~~the district~~
135 ~~school board may not enter into an employment contract that~~
136 ~~requires the district to pay from state funds a superintendent~~
137 ~~an amount in excess of 1 year of the superintendent's annual~~
138 ~~salary for termination, buyout, or any other type of contract~~
139 ~~settlement. This subsection does not prohibit the payment of~~
140 ~~earned leave and benefits in accordance with the district's~~
141 ~~leave and benefits policies which were accrued by the~~
142 ~~superintendent before the contract terminates.~~

143 Section 6. Paragraph (a) of subsection (20) of section
144 1002.33, Florida Statutes, is amended to read:

145 1002.33 Charter schools.—

146 (20) SERVICES.—

147 (a)1. A sponsor shall provide certain administrative and
148 educational services to charter schools. These services shall
149 include contract management services; full-time equivalent and
150 data reporting services; exceptional student education
151 administration services; services related to eligibility and
152 reporting duties required to ensure that school lunch services
153 under the federal lunch program, consistent with the needs of
154 the charter school, are provided by the school district at the
155 request of the charter school, that any funds due to the charter
156 school under the federal lunch program be paid to the charter

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157 school as soon as the charter school begins serving food under
158 the federal lunch program, and that the charter school is paid
159 at the same time and in the same manner under the federal lunch
160 program as other public schools serviced by the sponsor or the
161 school district; test administration services, including payment
162 of the costs of state-required or district-required student
163 assessments; processing of teacher certificate data services;
164 and information services, including equal access to student
165 information systems that are used by public schools in the
166 district in which the charter school is located. Student
167 performance data for each student in a charter school,
168 including, but not limited to, FCAT scores, standardized test
169 scores, previous public school student report cards, and student
170 performance measures, shall be provided by the sponsor to a
171 charter school in the same manner provided to other public
172 schools in the district.

173 2. A total administrative fee for the provision of such
174 services shall be calculated based upon up to 5 percent of the
175 available funds defined in paragraph (17)(b) for all students,
176 except that when 75 percent or more of the students enrolled in
177 the charter school are exceptional students as defined in s.
178 1003.01(3), the 5 percent of those available funds shall be
179 calculated based on unweighted full-time equivalent students.

180 However, a sponsor may only withhold up to a 5-percent
181 administrative fee for enrollment for up to and including 250
182 students. For charter schools with a population of 251 or more
183 students, the difference between the total administrative fee
184 calculation and the amount of the administrative fee withheld

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185 may only be used for capital outlay purposes specified in s.
186 1013.62(2).

187 3. For high-performing charter schools, as defined in ch.
188 2011-232, a sponsor may withhold a total administrative fee of
189 up to 2 percent for enrollment up to and including 250 students
190 per school.

191 4. In addition, a sponsor may withhold only up to a 5-
192 percent administrative fee for enrollment for up to and
193 including 500 students within a system of charter schools which
194 meets all of the following:

195 a. Includes both conversion charter schools and
196 nonconversion charter schools;

197 b. Has all schools located in the same county;

198 c. Has a total enrollment exceeding the total enrollment
199 of at least one school district in the state;

200 d. Has the same governing board; and

201 e. Does not contract with a for-profit service provider
202 for management of school operations.

203 5. The difference between the total administrative fee
204 calculation and the amount of the administrative fee withheld
205 pursuant to subparagraph 4. may be used for instructional and
206 administrative purposes as well as for capital outlay purposes
207 specified in s. 1013.62(2).

208 6. For a high-performing charter school system that also
209 meets the requirements in subparagraph 4., a sponsor may
210 withhold a 2-percent administrative fee for enrollments up to
211 and including 500 students per system.

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212 7. Sponsors shall not charge charter schools any
213 additional fees or surcharges for administrative and educational
214 services in addition to the maximum 5-percent administrative fee
215 withheld pursuant to this paragraph.

216 8. The sponsor of a virtual charter school may withhold a
217 fee of up to 5 percent. The funds shall be used to cover the
218 cost of services provided under subparagraph 1. and for the
219 school district's local instructional improvement system
220 pursuant to s. 1006.281 or other technological tools that are
221 required to access electronic and digital instructional
222 materials.

223 Section 7. Paragraphs (a) and (c) of subsection (2) of
224 section 1002.67, Florida Statutes, are amended, subsection (3)
225 is renumbered as subsection (4), and a new subsection (3) is
226 added to that section, to read:

227 1002.67 Performance standards; curricula and
228 accountability.—

229 (2) (a) Each private prekindergarten provider and public
230 school may select or design the curriculum that the provider or
231 school uses to implement the Voluntary Prekindergarten Education
232 Program, except as otherwise required for a provider or school
233 that is placed on probation under paragraph (4) (c) ~~(3) (e)~~.

234 (c) The department shall review and approve curricula for
235 use by private prekindergarten providers and public schools that
236 are placed on probation under paragraph (4) (c) ~~(3) (e)~~. The
237 department shall maintain a list of the curricula approved under
238 this paragraph. Each approved curriculum must meet the
239 requirements of paragraph (b).

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240 (3) (a) Contingent upon legislative appropriation, each
241 private prekindergarten provider and public school in the
242 Voluntary Prekindergarten Education Program must implement an
243 evidence-based pre- and post-assessment that has been approved
244 by rule of the State Board of Education.

245 (b) In order to be approved, the assessment must be valid,
246 reliable, developmentally appropriate, and designed to measure
247 student progress on domains which must include, but are not
248 limited to, early literacy, numeracy, and language.

249 (c) The pre- and post-assessment must be administered by
250 individuals meeting requirements established by rule of the
251 State Board of Education.

252 Section 8. Subsection (5) and paragraphs (a), (c), (e),
253 and (f) of subsection (7) of section 1002.69, Florida Statutes,
254 are amended to read:

255 1002.69 Statewide kindergarten screening; kindergarten
256 readiness rates; state-approved prekindergarten enrollment
257 screening; good cause exemption.—

258 (5) The State Board of Education shall adopt procedures
259 for the department to annually calculate each private
260 prekindergarten provider's and public school's kindergarten
261 readiness rate, which must be expressed as the percentage of the
262 provider's or school's students who are assessed as ready for
263 kindergarten. ~~The kindergarten readiness rates must be based~~
264 ~~exclusively upon the results of the statewide kindergarten~~
265 ~~screening for students completing the Voluntary Prekindergarten~~
266 ~~Education Program, beginning with students completing the~~
267 ~~program during the 2005-2006 school year who are administered~~

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268 ~~the statewide kindergarten screening during the 2006-2007 school~~
269 ~~year.~~ The methodology for calculating each provider's
270 kindergarten readiness rate must include student learning gains
271 when available and the percentage of students who meet all state
272 readiness measures. The rates must not include students who are
273 not administered the statewide kindergarten screening. The state
274 board shall determine learning gains using a value-added measure
275 based on growth demonstrated by the results of the pre- and
276 post-assessment from at least 2 successive years of
277 administration of the pre- and post-assessment.

278 (7) (a) Notwithstanding s. 1002.67(4)(c)4. ~~1002.67(3)(c)4.~~,
279 the State Board of Education, upon the request of a private
280 prekindergarten provider or public school that remains on
281 probation for 2 consecutive years or more and subsequently fails
282 to meet the minimum rate adopted under subsection (6) and for
283 good cause shown, may grant to the provider or school an
284 exemption from being determined ineligible to deliver the
285 Voluntary Prekindergarten Education Program and receive state
286 funds for the program. Such exemption is valid for 1 year and,
287 upon the request of the private prekindergarten provider or
288 public school and for good cause shown, may be renewed.

289 (c) The State Board of Education shall adopt criteria for
290 granting good cause exemptions. Such criteria shall include, but
291 are not limited to:

292 1. Learning gains of children served in the Voluntary
293 Prekindergarten Education Program by the private prekindergarten
294 provider or public school. ~~A provider seeking a good cause~~
295 ~~exemption shall have the early learning coalition or a~~

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296 ~~department approved second party administer the state approved~~
297 ~~prekindergarten enrollment screening to each child in the~~
298 ~~prekindergarten provider's program within the first 30 days of~~
299 ~~each school year for which a good cause exemption is sought, and~~
300 ~~the provider shall administer the standardized postassessment~~
301 ~~approved by the department to measure the student's learning~~
302 ~~gains for the year or summer, as appropriate. All data must be~~
303 ~~submitted to the department within 30 days after the~~
304 ~~administration of each assessment. Each parent who enrolls his~~
305 ~~or her child in a Voluntary Prekindergarten Education Program~~
306 ~~offered by a provider seeking a good cause exemption must submit~~
307 ~~the child for the state approved prekindergarten enrollment~~
308 ~~screening.~~

309 2. Verification that local and state health and safety
310 requirements are met.

311 (e) A private prekindergarten provider or public school
312 granted a good cause exemption shall continue to implement its
313 improvement plan and continue the corrective actions required
314 under s. 1002.67(4)(c)2. ~~1002.67(3)(e)2.~~, including the use of a
315 curriculum approved by the department, until the provider or
316 school meets the minimum rate adopted under subsection (6).

317 (f) The State Board of Education shall notify the Office
318 of Early Learning of any good cause exemption granted to a
319 private prekindergarten provider under this subsection. If a
320 good cause exemption is granted to a private prekindergarten
321 provider who remains on probation for 2 consecutive years, the
322 Office of Early Learning shall notify the early learning
323 coalition of the good cause exemption and direct that the

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324 coalition, notwithstanding s. 1002.67(4)(c)4. ~~1002.67(3)(c)4.~~,
325 not remove the provider from eligibility to deliver the
326 Voluntary Prekindergarten Education Program or to receive state
327 funds for the program, if the provider meets all other
328 applicable requirements of this part.

329 Section 9. Paragraph (c) of subsection (3) of section
330 1002.71, Florida Statutes, is amended to read:

331 1002.71 Funding; financial and attendance reporting.—

332 (3)

333 (c) The initial allocation shall be based on estimated
334 student enrollment in each coalition service area. The Office of
335 Early Learning shall reallocate funds among the coalitions based
336 on actual full-time equivalent student enrollment in each
337 coalition service area. Each coalition shall report student
338 enrollment pursuant to subsection (2) on a monthly basis. A
339 student enrollment count for the prior fiscal year may not be
340 amended after December 31 of the subsequent fiscal year.

341 Section 10. Paragraph (b) of subsection (11) of section
342 1003.01, Florida Statutes, is amended to read:

343 1003.01 Definitions.—As used in this chapter, the term:

344 (11)

345 (b) "Juvenile justice provider" means the Department of
346 Juvenile Justice, the sheriff, or a private, public, or other
347 governmental organization under contract with the Department of
348 Juvenile Justice or the sheriff that provides treatment, care
349 and custody, or educational programs for youth in juvenile
350 justice intervention, detention, or commitment programs.

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351 Section 11. Paragraphs (a) and (e) of subsection (4) of
352 section 1003.03, Florida Statutes, are amended to read:

353 1003.03 Maximum class size.—

354 (4) ACCOUNTABILITY.—

355 (a) If the department determines that the number of
356 students assigned to any individual class exceeds the class size
357 maximum, as required in subsection (1), based upon the October
358 student membership survey, the department shall:

359 1. Identify, for each grade group, the number of classes
360 in which the number of students exceeds the maximum and the
361 total number of students which exceeds the maximum for all
362 classes.

363 2. Determine the number of FTE students which exceeds the
364 maximum for each grade group.

365 3. Multiply the total number of FTE students which exceeds
366 the maximum for each grade group by the district's FTE dollar
367 amount of the class size categorical allocation for that year
368 and calculate the total for all three grade groups.

369 4. Multiply the total number of FTE students which exceeds
370 the maximum for all classes by an amount equal to 50 percent of
371 the base student allocation adjusted by the district cost
372 differential for each of the 2010-2011 through 2013-2014 fiscal
373 years ~~year~~ and by an amount equal to the base student allocation
374 adjusted by the district cost differential ~~beginning~~ in the
375 2014-2015 ~~2011-2012~~ fiscal year and thereafter.

376 5. Reduce the district's class size categorical allocation
377 by an amount equal to the sum of the calculations in
378 subparagraphs 3. and 4.

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379 (e) Each district that has not complied with the
380 requirements in subsection (1) shall submit to the commissioner
381 by February ~~1~~ ¹⁵ a plan certified by the district school board
382 that describes the specific actions the district will take in
383 order to fully comply with the requirements in subsection (1) by
384 October of the following school year. If a district submits the
385 certified plan by the required deadline, the funds remaining
386 after the reallocation calculation in paragraph (d) shall be
387 added back to the district's class size categorical allocation
388 based on each qualifying district's proportion of the total
389 reduction for all qualifying districts for which a reduction was
390 calculated in paragraphs (a)-(c). However, no district shall
391 have an amount added back that is greater than the amount that
392 was reduced.

393 Section 12. Subsection (12) of section 1003.52, Florida
394 Statutes, is amended to read:

395 1003.52 Educational services in Department of Juvenile
396 Justice programs.—

397 (12) (a) Funding for eligible students enrolled in juvenile
398 justice education programs shall be provided through the Florida
399 Education Finance Program as provided in s. 1011.62 and the
400 General Appropriations Act. Funding shall include, at a minimum:

401 1. Weighted program funding or the basic amount for
402 current operation multiplied by the district cost differential
403 as provided in s. 1011.62(1)(r) and (2);

404 2. The supplemental allocation for juvenile justice
405 education as provided in s. 1011.62(10);

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406 3. A proportionate share of the district's exceptional
407 student education guaranteed allocation, the supplemental
408 academic instruction allocation, and the instructional materials
409 allocation;

410 4. An amount equivalent to the proportionate share of the
411 state average potential discretionary local effort for
412 operations, which shall be determined as follows:

413 a. If the district levies the maximum discretionary local
414 effort and the district's discretionary local effort per FTE is
415 less than the state average potential discretionary local effort
416 per FTE, the proportionate share shall include both the
417 discretionary local effort and the compression supplement per
418 FTE. If the district's discretionary local effort per FTE is
419 greater than the state average per FTE, the proportionate share
420 shall be equal to the state average; or

421 b. If the district does not levy the maximum discretionary
422 local effort and the district's actual discretionary local
423 effort per FTE is less than the state average potential
424 discretionary local effort per FTE, the proportionate share
425 shall be equal to the district's actual discretionary local
426 effort per FTE. If the district's actual discretionary local
427 effort per FTE is greater than the state average per FTE, the
428 proportionate share shall be equal to the state average
429 potential local effort per FTE; and

430 5. A proportionate share of the district's proration to
431 funds available, if necessary. ~~The district school board shall~~
432 fund the educational program in a Department of Juvenile Justice
433 facility at the same or higher level of funding for equivalent
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434 ~~students in the district school system based on the funds~~
435 ~~generated by state funding through the Florida Education Finance~~
436 ~~Program for such students. It is the intent of the Legislature~~
437 ~~that the school district maximize its available local, state,~~
438 ~~and federal funding to a juvenile justice program.~~

439 ~~(a) Juvenile justice educational programs shall be funded~~
440 ~~in the appropriate FEFP program based on the educational~~
441 ~~services needed by the student for Department of Juvenile~~
442 ~~Justice programs in accordance with s. 1011.62.~~

443 (b) Juvenile justice educational programs to receive the
444 appropriate FEFP funding for Department of Juvenile Justice
445 programs shall include those operated through a contract with
446 the Department of Juvenile Justice and which are under purview
447 of the Department of Juvenile Justice quality assurance
448 standards for education.

449 (c) Consistent with the rules of the State Board of
450 Education, district school boards are required to request an
451 alternative FTE survey for Department of Juvenile Justice
452 programs experiencing fluctuations in student enrollment.

453 (d) FTE count periods shall be prescribed in rules of the
454 State Board of Education and shall be the same for programs of
455 the Department of Juvenile Justice as for other public school
456 programs. The summer school period for students in Department of
457 Juvenile Justice programs shall begin on the day immediately
458 following the end of the regular school year and end on the day
459 immediately preceding the subsequent regular school year.
460 Students shall be funded for no more than 25 hours per week of
461 direct instruction.

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462 (e) Each juvenile justice education program must receive
463 all federal funds for which the program is eligible.

464 Section 13. Section 1003.61, Florida Statutes, is
465 repealed.

466 Section 14. Subsection (2) of section 1006.40, Florida
467 Statutes, is amended to read:

468 1006.40 Use of instructional materials allocation;
469 instructional materials, library books, and reference books;
470 repair of books.—

471 (2) Each district school board must purchase current
472 instructional materials to provide each student with a major
473 tool of instruction in core courses of the subject areas of
474 mathematics, language arts, science, social studies, reading,
475 and literature for kindergarten through grade 12. Such purchase
476 must be made within the first 2 years after the effective date
477 of the adoption cycle. For the 2012-2013 mathematics adoption, a
478 district using a comprehensive mathematics instructional
479 materials program adopted in the 2009-2010 adoption shall be
480 deemed in compliance with this subsection if it provides each
481 student with such additional state-adopted materials as may be
482 necessary to align the previously adopted comprehensive program
483 to common core standards and the other criteria of the 2012-2013
484 mathematics adoption.

485 Section 15. Paragraph (c) of subsection (1) and subsection
486 (4) of section 1011.61, Florida Statutes, are amended to read:

487 1011.61 Definitions.—Notwithstanding the provisions of s.
488 1000.21, the following terms are defined as follows for the
489 purposes of the Florida Education Finance Program:

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490 (1) A "full-time equivalent student" in each program of
491 the district is defined in terms of full-time students and part-
492 time students as follows:

493 (c)1. A "full-time equivalent student" is:

494 a. A full-time student in any one of the programs listed
495 in s. 1011.62(1)(c); or

496 b. A combination of full-time or part-time students in any
497 one of the programs listed in s. 1011.62(1)(c) which is the
498 equivalent of one full-time student based on the following
499 calculations:

500 (I) A full-time student in a combination of programs
501 listed in s. 1011.62(1)(c) shall be a fraction of a full-time
502 equivalent membership in each ~~special~~ program equal to the
503 number of net hours per school year for which he or she is a
504 member, divided by the appropriate number of hours set forth in
505 subparagraph (a)1. or subparagraph (a)2. The sum of the
506 fractions for each program may not exceed the maximum value set
507 forth in subsection (4). ~~The difference between that fraction or~~
508 ~~sum of fractions and the maximum value as set forth in~~
509 ~~subsection (4) for each full-time student is presumed to be the~~
510 ~~balance of the student's time not spent in such special~~
511 ~~education programs and shall be recorded as time in the~~
512 ~~appropriate basic program.~~

513 (II) A prekindergarten handicapped student shall meet the
514 requirements specified for kindergarten students.

515 (III) A full-time equivalent student for students in
516 kindergarten through grade 5 in a virtual instruction program
517 under s. 1002.45 or a virtual charter school under s. 1002.33
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518 shall consist of a student who has successfully completed a
519 basic program listed in s. 1011.62(1)(c)1.a. or b., and who is
520 promoted to a higher grade level.

521 (IV) A full-time equivalent student for students in grades
522 6 through 12 in a virtual instruction program under s.
523 1002.45(1)(b)1., 2., or 3. or a virtual charter school under s.
524 1002.33 shall consist of six full credit completions in programs
525 listed in s. 1011.62(1)(c)1.b. or c. and 3. Credit completions
526 may be a combination of full-credit courses or half-credit
527 courses. Beginning in the 2014-2015 fiscal year, when s.
528 1008.22(3)(g) is implemented, the reported full-time equivalent
529 students and associated funding of students enrolled in courses
530 requiring passage of an end-of-course assessment shall be
531 adjusted after the student completes the end-of-course
532 assessment.

533 (V) A Florida Virtual School full-time equivalent student
534 shall consist of six full credit completions or the prescribed
535 level of content that counts toward promotion to the next grade
536 in the programs listed in s. 1011.62(1)(c)1.a. and b. for
537 kindergarten through grade 8 and the programs listed in s.
538 1011.62(1)(c)1.c. for grades 9 through 12. Credit completions
539 may be a combination of full-credit courses or half-credit
540 courses. Beginning in the 2014-2015 fiscal year, when s.
541 1008.22(3)(g) is implemented, the reported full-time equivalent
542 students and associated funding of students enrolled in courses
543 requiring passage of an end-of-course assessment shall be
544 adjusted after the student completes the end-of-course
545 assessment.

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546 (VI) Each successfully completed full-credit course earned
547 through an online course delivered by a district other than the
548 one in which the student resides shall be calculated as 1/6 FTE.

549 (VII) Each successfully completed credit earned under the
550 alternative high school course credit requirements authorized in
551 s. 1002.375, which is not reported as a portion of the 900 net
552 hours of instruction pursuant to subparagraph (1)(a)1., shall be
553 calculated as 1/6 FTE.

554 2. A student in membership in a program scheduled for more
555 or less than 180 school days or the equivalent on an hourly
556 basis as specified by rules of the State Board of Education is a
557 fraction of a full-time equivalent membership equal to the
558 number of instructional hours in membership divided by the
559 appropriate number of hours set forth in subparagraph (a)1.;
560 however, for the purposes of this subparagraph, membership in
561 programs scheduled for more than 180 days is limited to students
562 enrolled in juvenile justice education programs and the Florida
563 Virtual School.

564
565 The department shall determine and implement an equitable method
566 of equivalent funding for experimental schools and for schools
567 operating under emergency conditions, which schools have been
568 approved by the department to operate for less than the minimum
569 school day.

570 (4) The maximum value for funding a student in
571 kindergarten through grade 12 or in a prekindergarten program
572 for exceptional children as provided in s. 1003.21(1)(e), ~~except~~
573 ~~for a student as set forth in sub-sub-subparagraph~~

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574 ~~(1)(c)1.b.(I)~~, is one full-time equivalent student membership
575 for a school year or equivalent.

576 Section 16. Paragraph (f) of subsection (1), paragraph (b)
577 of subsection (6), subsection (9), and paragraph (b) of
578 subsection (13) of section 1011.62, Florida Statutes, are
579 amended to read:

580 1011.62 Funds for operation of schools.—If the annual
581 allocation from the Florida Education Finance Program to each
582 district for operation of schools is not determined in the
583 annual appropriations act or the substantive bill implementing
584 the annual appropriations act, it shall be determined as
585 follows:

586 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
587 OPERATION.—The following procedure shall be followed in
588 determining the annual allocation to each district for
589 operation:

590 (f) Supplemental academic instruction; categorical fund.—

591 1. There is created a categorical fund to provide
592 supplemental academic instruction to students in kindergarten
593 through grade 12. This paragraph may be cited as the
594 "Supplemental Academic Instruction Categorical Fund."

595 2. Categorical funds for supplemental academic instruction
596 shall be allocated annually to each school district in the
597 amount provided in the General Appropriations Act. These funds
598 shall be in addition to the funds appropriated on the basis of
599 FTE student membership in the Florida Education Finance Program
600 and shall be included in the total potential funds of each

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601 district. These funds shall be used to provide supplemental
602 academic instruction to students enrolled in the K-12 program.
603 For the 2012-2013 and 2013-2014 fiscal years, each school
604 district that has one or more of the 100 lowest-performing
605 elementary schools based on the state reading assessment shall
606 use these funds, together with the funds provided in the
607 district's research-based reading instruction allocation and
608 other available funds, to provide an additional hour of
609 instruction beyond the normal school day for each day of the
610 entire school year for intensive reading instruction for the
611 students in each of these schools. This additional hour of
612 instruction must be provided only by teachers or reading
613 specialists who are effective in teaching reading. Students
614 enrolled in these schools who have level 5 assessment scores may
615 participate in the additional hour of instruction on an optional
616 basis. Exceptional student education centers shall not be
617 included in the 100 schools. After this requirement has been
618 met, supplemental instruction strategies may include, but are
619 not limited to: modified curriculum, reading instruction, after-
620 school instruction, tutoring, mentoring, class size reduction,
621 extended school year, intensive skills development in summer
622 school, and other methods for improving student achievement.
623 Supplemental instruction may be provided to a student in any
624 manner and at any time during or beyond the regular 180-day term
625 identified by the school as being the most effective and
626 efficient way to best help that student progress from grade to
627 grade and to graduate.

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628 3. Effective with the 1999-2000 fiscal year, funding on
629 the basis of FTE membership beyond the 180-day regular term
630 shall be provided in the FEFP only for students enrolled in
631 juvenile justice education programs or in education programs for
632 juveniles placed in secure facilities or programs under s.
633 985.19. Funding for instruction beyond the regular 180-day
634 school year for all other K-12 students shall be provided
635 through the supplemental academic instruction categorical fund
636 and other state, federal, and local fund sources with ample
637 flexibility for schools to provide supplemental instruction to
638 assist students in progressing from grade to grade and
639 graduating.

640 4. The Florida State University School, as a lab school,
641 is authorized to expend from its FEFP or Lottery Enhancement
642 Trust Fund allocation the cost to the student of remediation in
643 reading, writing, or mathematics for any graduate who requires
644 remediation at a postsecondary educational institution.

645 5. Beginning in the 1999-2000 school year, dropout
646 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
647 (b), and (c), and 1003.54 shall be included in group 1 programs
648 under subparagraph (d)3.

649 (6) CATEGORICAL FUNDS.—

650 (b) If a district school board finds and declares in a
651 resolution adopted at a regular meeting of the school board that
652 the funds received for any of the following categorical
653 appropriations are urgently needed to maintain school board
654 specified academic classroom instruction, the school board may
655 consider and approve an amendment to the school district

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656 operating budget transferring the identified amount of the
657 categorical funds to the appropriate account for expenditure:

658 1. Funds for student transportation.

659 2. Funds for safe schools.

660 3. Funds for supplemental academic instruction if the
661 required additional hour of instruction beyond the normal school
662 day for each day of the entire school year has been provided for
663 the students in each low-performing elementary school in the
664 district pursuant to paragraph (1)(f).

665 4. Funds for research-based reading instruction if the
666 required additional hour of instruction beyond the normal school
667 day for each day of the entire school year has been provided for
668 the students in each low-performing elementary school in the
669 district pursuant to paragraph (9)(a).

670 5. Funds for instructional materials if all instructional
671 material purchases necessary to provide updated materials
672 aligned to Next Generation Sunshine State Standards and
673 benchmarks and that meet statutory requirements of content and
674 learning have been completed for that fiscal year, but no sooner
675 than March 1. Funds available after March 1 may be used to
676 purchase hardware for student instruction.

677 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

678 (a) The research-based reading instruction allocation is
679 created to provide comprehensive reading instruction to students
680 in kindergarten through grade 12. For the 2012-2013 and 2013-
681 2014 fiscal years, in each school district that has one or more
682 of the 100 lowest-performing elementary schools based on the
683 state reading assessment, priority shall be given to providing

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684 an additional hour per day of intensive reading instruction
685 beyond the normal school day for each day of the entire school
686 year for the students in each school. Students enrolled in these
687 schools who have level 5 assessment scores may participate in
688 the additional hour of instruction on an optional basis.

689 Exceptional student education centers shall not be included in
690 the 100 schools. The intensive reading instruction delivered in
691 this additional hour and for other students shall include:
692 research-based reading instruction that has been proven to
693 accelerate progress of students exhibiting a reading deficiency;
694 differentiated instruction based on student assessment data to
695 meet students' specific reading needs; explicit and systematic
696 reading development in phonemic awareness, phonics, fluency,
697 vocabulary, and comprehension, with more extensive opportunities
698 for guided practice, error correction, and feedback; and the
699 integration of social studies, science, and mathematics-text
700 reading, text discussion, and writing in response to reading.

701 For the 2012-2013 and 2013-2014 fiscal years, a school district
702 may not hire more reading coaches than were hired during the
703 2011-2012 fiscal year unless all students in kindergarten
704 through grade 5 who demonstrate a reading deficiency, as
705 determined by district and state assessments, including students
706 scoring Level 1 or Level 2 on FCAT Reading, are provided an
707 additional hour per day of intensive reading instruction beyond
708 the normal school day for each day of the entire school year.

709 (b) Funds for comprehensive, research-based reading
710 instruction shall be allocated annually to each school district
711 in the amount provided in the General Appropriations Act. Each
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712 eligible school district shall receive the same minimum amount
713 as specified in the General Appropriations Act, and any
714 remaining funds shall be distributed to eligible school
715 districts based on each school district's proportionate share of
716 K-12 base funding.

717 (c) Funds allocated under this subsection must be used to
718 provide a system of comprehensive reading instruction to
719 students enrolled in the K-12 programs, which may include the
720 following:

721 1. The provision of an additional hour per day of
722 intensive reading instruction to students in the 100 lowest-
723 performing elementary schools by teachers and reading
724 specialists who are effective in teaching reading.

725 2. Kindergarten through grade 5 reading intervention
726 teachers to provide intensive intervention during the school day
727 and in the required extra hour for students identified as having
728 a reading deficiency.

729 3.1. The provision of highly qualified reading coaches to
730 specifically support teachers in making instructional decisions
731 based on student data, and improve teacher delivery of effective
732 reading instruction, intervention, and reading in the content
733 areas based on student need.

734 4.2. Professional development for school district teachers
735 in scientifically based reading instruction, including
736 strategies to teach reading in content areas and with an
737 emphasis on technical and informational text.

738 5.3. The provision of summer reading camps for all
739 students in kindergarten through grade 2 who demonstrate a

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740 reading deficiency as determined by district and state
741 assessments, and students in grades 3 through 5 who score at
742 Level 1 on FCAT Reading.

743 ~~6.4.~~ The provision of supplemental instructional materials
744 that are grounded in scientifically based reading research.

745 ~~7.5.~~ The provision of intensive interventions for ~~middle~~
746 ~~and high school~~ students in kindergarten through grade 12 who
747 have been identified as having a reading deficiency or who are
748 reading below grade level as determined by the FCAT.

749 (d) Annually, by a date determined by the Department of
750 Education but before May 1, school districts shall submit a K-12
751 comprehensive reading plan for the specific use of the research-
752 based reading instruction allocation in the format prescribed by
753 the department for review and approval by the Just Read,
754 Florida! Office created pursuant to s. 1001.215. The plan
755 annually submitted by school districts shall be deemed approved
756 unless the department rejects the plan on or before June 1. If a
757 school district and the Just Read, Florida! Office cannot reach
758 agreement on the contents of the plan, the school district may
759 appeal to the State Board of Education for resolution. School
760 districts shall be allowed reasonable flexibility in designing
761 their plans and shall be encouraged to offer reading
762 intervention ~~remediation~~ through innovative methods, including
763 career academies. The plan format shall be developed with input
764 from school district personnel, including teachers and
765 principals, and shall allow courses in core, career, and
766 alternative programs that deliver intensive reading remediation
767 through integrated curricula, provided that the teacher is
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768 deemed highly qualified to teach reading or working toward that
769 status. No later than July 1 annually, the department shall
770 release the school district's allocation of appropriated funds
771 to those districts having approved plans. A school district that
772 spends 100 percent of this allocation on its approved plan shall
773 be deemed to have been in compliance with the plan. The
774 department may withhold funds upon a determination that reading
775 instruction allocation funds are not being used to implement the
776 approved plan. The department shall monitor and track the
777 implementation of each district plan, including conducting site
778 visits and collecting specific data on expenditures and reading
779 improvement results. By February 1 of each year, the department
780 shall report its findings to the Legislature.

781 (13) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
782 CURRENT OPERATION.—The total annual state allocation to each
783 district for current operation for the FEFP shall be distributed
784 periodically in the manner prescribed in the General
785 Appropriations Act.

786 (b) The amount thus obtained shall be the net annual
787 allocation to each school district. However, if it is determined
788 that any school district received an underallocation or
789 overallocation for any prior year because of an arithmetical
790 error, assessment roll change required by final judicial
791 decision, full-time equivalent student membership error, or any
792 allocation error revealed in an audit report, the allocation to
793 that district shall be appropriately adjusted. Beginning with
794 audits for the 2001-2002 fiscal year, if the adjustment is the
795 result of an audit finding in which group 2 FTE are reclassified
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796 to the basic program and the district weighted FTE are over the
797 weighted enrollment ceiling for group 2 programs, the adjustment
798 shall not result in a gain of state funds to the district.

799 Beginning with the 2011-2012 fiscal year, if a special program
800 cost factor is less than the basic program cost factor, an audit
801 adjustment may not result in the reclassification of the special
802 program FTE to the basic program FTE. If the Department of
803 Education audit adjustment recommendation is based upon
804 controverted findings of fact, the Commissioner of Education is
805 authorized to establish the amount of the adjustment based on
806 the best interests of the state.

807 Section 17. Paragraph (e) of subsection (2) of section
808 1011.71, Florida Statutes, is amended to read:

809 1011.71 District school tax.—

810 (2) In addition to the maximum millage levy as provided in
811 subsection (1), each school board may levy not more than 1.5
812 mills against the taxable value for school purposes for district
813 schools, including charter schools at the discretion of the
814 school board, to fund:

815 (e) Payments for educational facilities and sites due
816 under a lease-purchase agreement entered into by a district
817 school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
818 exceeding, in the aggregate, an amount equal to three-fourths of
819 the proceeds from the millage levied by a district school board
820 pursuant to this subsection. ~~For the 2009-2010 fiscal year, The~~
821 three-fourths limit is waived for lease-purchase agreements
822 entered into before June 30, 2009, by a district school board
823 pursuant to this paragraph.

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824 Section 18. Paragraph (a) of subsection (10) of section
825 1013.03, Florida Statutes, is amended to read:

826 1013.03 Functions of the department and the Board of
827 Governors.—The functions of the Department of Education as it
828 pertains to educational facilities of school districts and
829 Florida College System institutions and of the Board of
830 Governors as it pertains to educational facilities of state
831 universities shall include, but not be limited to, the
832 following:

833 (10) (a) Review and validate surveys proposed or amended by
834 the boards and recommend to the Commissioner of Education, or
835 the Chancellor of the State University System, as appropriate,
836 for approval, surveys that meet the requirements of this
837 chapter.

838 1. The term "validate" as applied to surveys by school
839 districts means to review inventory data as submitted to the
840 department by district school boards; provide for review and
841 inspection, where required, of student stations and aggregate
842 square feet of inventory changed from satisfactory to
843 unsatisfactory or changed from unsatisfactory to satisfactory;
844 compare new school inventory to allocation limits provided by
845 this chapter; review cost projections for conformity with cost
846 limits set by s. 1013.64(6); compare total capital outlay full-
847 time equivalent enrollment projections in the survey with the
848 department's projections; review facilities lists to verify that
849 student station and auxiliary facility space allocations do not
850 exceed the limits provided by this chapter and related rules;
851 review and confirm the application of uniform facility

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852 utilization factors, where provided by this chapter or related
853 rules; utilize the documentation of programs offered per site,
854 as submitted by the board, to analyze facility needs; confirm
855 that need projections for career and adult educational programs
856 comply with needs documented by the Department of Education; and
857 confirm the assignment of full-time student stations to all
858 space except auxiliary facilities, which, for purposes of
859 exemption from student station assignment, include the
860 following:

861 a. Cafeterias.

862 b. Multipurpose dining areas.

863 c. Media centers.

864 d. Auditoriums.

865 e. Administration.

866 f. Elementary, middle, and high school resource rooms, up
867 to the number of such rooms recommended for the applicable
868 occupant and space design capacity of the educational plant in
869 the State Requirements for Educational Facilities, beyond which
870 student stations must be assigned.

871 g. Elementary school skills labs, up to the number of such
872 rooms recommended for the applicable occupant and space design
873 capacity of the educational plant in the State Requirements for
874 Educational Facilities, beyond which student stations must be
875 assigned.

876 h. Elementary school art and music rooms.

877
878 The Commissioner of Education may grant a waiver from the
879 requirements of this subparagraph if a district school board

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880 determines that such waiver will make possible a substantial
881 savings of funds or will be advantageous to the welfare of the
882 educational system. The district school board shall present a
883 full statement to the commissioner which sets forth the facts
884 that warrant the waiver. If the commissioner denies a request
885 for a waiver, the district school board may appeal such decision
886 to the State Board of Education.

887 2. The term "validate" as applied to surveys by Florida
888 College System institutions and universities means to review and
889 document the approval of each new site and official designation,
890 where applicable; review the inventory database as submitted by
891 each board to the department, including noncareer, and total
892 capital outlay full-time equivalent enrollment projections per
893 site and per college; provide for the review and inspection,
894 where required, of student stations and aggregate square feet of
895 space changed from satisfactory to unsatisfactory; utilize and
896 review the documentation of programs offered per site submitted
897 by the boards as accurate for analysis of space requirements and
898 needs; confirm that needs projected for career and adult
899 educational programs comply with needs documented by the
900 Department of Education; compare new facility inventory to
901 allocations limits as provided in this chapter; review cost
902 projections for conformity with state averages or limits
903 designated by this chapter; compare student enrollment
904 projections in the survey to the department's projections;
905 review facilities lists to verify that area allocations and
906 space factors for generating space needs do not exceed the
907 limits as provided by this chapter and related rules; confirm

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908 the application of facility utilization factors as provided by
909 this chapter and related rules; and review, as submitted,
910 documentation of how survey recommendations will implement the
911 detail of current campus master plans and integrate with local
912 comprehensive plans and development regulations.

913 Section 19. Paragraph (f) of subsection (2) of section
914 1013.35, Florida Statutes, is amended to read:

915 1013.35 School district educational facilities plan;
916 definitions; preparation, adoption, and amendment; long-term
917 work programs.—

918 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
919 FACILITIES PLAN.—

920 (f) ~~Commencing on October 1, 2002, and~~ Not less than once
921 every 5 years ~~thereafter~~, the district school board shall have
922 ~~contract with a qualified, independent third party to conduct a~~
923 financial management and performance audit conducted of the
924 educational planning and construction activities of the
925 district. An audit conducted by the Office of Program Policy
926 Analysis and Government Accountability and the Auditor General
927 pursuant to s. 1008.35 satisfies this requirement.

928 Section 20. (1) For the 2012-2013 fiscal year, there is
929 established the K-12 Public School Facility Funding Task Force.
930 The Department of Education shall provide staff and
931 administrative support to the task force. All appointments must
932 be made by July 15, 2012. The task force shall convene no later
933 than July 31, 2012, for the purpose of examining all relevant
934 factors in order to make recommendations to the Legislature for

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935 more equitable facility funding for charter schools and schools
936 operated by a school district, including, but not limited to:

937 (a) Charter school facility funding needs.

938 (b) Existing funding and revenue sources available for
939 fixed capital outlay needs of charter schools and schools
940 operated by a school district.

941 (c) Long-term debt for school facilities.

942 (d) Class size requirements and the impacts of such
943 requirements on facilities funding needs.

944 (e) District facilities utilization.

945 (2) The task force shall be composed of the following 11
946 members:

947 (a) The Deputy Commissioner of Finance and Operations of
948 the Department of Education or his or her designee, who shall be
949 the chair of the task force.

950 (b) The following members appointed by the Governor:

951 1. The parent of a student attending a charter school.

952 2. The parent of a student attending a school operated by
953 a school district.

954 (c) The following members appointed by the President of
955 the Senate:

956 1. The superintendent from a small to medium sized school
957 district based on student population.

958 2. A member of the district school board from a large
959 sized school district based on student population.

960 3. A member of the governing board of a charter school
961 that does not operate another charter school and is a member of
962 the Florida Consortium of Public Charter Schools.

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963 4. An operator of a charter school that manages multiple
964 charter schools.

965 (d) The following members appointed by the Speaker of the
966 House of Representatives:

967 1. The superintendent from a large sized school district
968 based on student population.

969 2. A member of the district school board from a small to
970 medium sized school district based on student population.

971 3. A member of the governing board of a charter school
972 that operates multiple charter schools and is a member of the
973 Florida Consortium of Public Charter Schools.

974 4. An operator of a charter school that does not manage
975 more than one charter school.

976
977 Except for the Deputy Commissioner of Finance and Operations or
978 his or her designee, no member of the task force may be
979 qualified as a lobbyist under s. 11.045 or s. 112.3215, Florida
980 Statutes.

981 (3) The Department of Education shall coordinate with the
982 task force to compile the necessary data for the task force to
983 make recommendations.

984 (4) The task force shall complete its work and submit its
985 recommendations by December 1, 2012, to the chair of the Senate
986 Budget Committee, the chair of the House of Representatives
987 Appropriations Committee, and the Executive Office of the
988 Governor.

989 (5) The task force is abolished June 30, 2013.

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990 Section 21. (1) The Digital Instructional Materials Work
991 Group is created to plan and monitor the implementation of the
992 transition to digital instructional materials as required in ss.
993 1006.29(3) and 1006.40(3)(a), Florida Statutes.

994 (2) The Commissioner of Education, or his or her designee,
995 shall serve as the ex officio, nonvoting executive director of
996 the work group.

997 (3) The work group shall be comprised of the following:
998 one school district instructional technology expert, one school
999 district instructional content expert with experience in digital
1000 learning initiatives, one representative from an institution of
1001 postsecondary education, one high school principal with
1002 experience in digital learning initiatives, one middle school
1003 principal with experience in digital learning initiatives, one
1004 business representative, and one parent.

1005 (4) A member may not represent a company that has a
1006 business interest in education content or technology.

1007 (5) The chair shall schedule and conduct the first meeting
1008 of the work group by October 1, 2012. The work group shall
1009 conduct a majority of its meetings virtually.

1010 (6) The work group shall submit a report to the Governor,
1011 the President of the Senate, the Speaker of the House of
1012 Representatives, and State Board of Education by March 1, 2013.
1013 The report shall include an implementation plan for meeting the
1014 deadline of transition to digital instructional materials as
1015 provided in ss. 1006.29(3) and 1006.40(3)(a), Florida Statutes.
1016 The plan must specify options for the provision of access
1017 devices for students, options for providing content by subject

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1018 area, provisions for training and professional development for
1019 preservice and inservice teachers, and a detailed review of
1020 options for funding, including the reprioritization of existing
1021 resources and recommendations for new funding.

1022 Section 22. Notwithstanding the amendments made by this
1023 act to s. 1003.03(4)(a)4., Florida Statutes, for the 2011-2012
1024 fiscal year, the calculation required by that subparagraph shall
1025 be an amount equal to 50 percent of the base student allocation
1026 adjusted by the district cost differential. This section shall
1027 take effect upon this act becoming a law.

1028 Section 23. Notwithstanding the required review by the
1029 Legislative Budget Commission pursuant to s. 1003.03(4)(c),
1030 Florida Statutes, and s. 41 of chapter 2011-55, Laws of Florida,
1031 for the 2011-2012 fiscal year, the alternate compliance
1032 calculation amounts to the class size operating categorical fund
1033 authorized by s. 1003.03(4)(c), Florida Statutes, shall be the
1034 reduction calculation required by s. 1003.03(4), Florida
1035 Statutes. The Commissioner of Education shall modify payments to
1036 districts as required by s. 1003.03(4), Florida Statutes, for
1037 the 2011-2012 fiscal year. This section shall take effect upon
1038 this act becoming a law.

1039 Section 24. Except as otherwise expressly provided in this
1040 act and except for this section, which shall take effect upon
1041 this act becoming a law, this act shall take effect July 1,
1042 2012.

1043

1044

1045

T I T L E A M E N D M E N T

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1046 Remove the entire title and insert:
1047 A bill to be entitled
1048 An act relating to prekindergarten through grade 12
1049 education funding; amending s. 496.404, F.S.;
1050 conforming provisions to changes made by the act;
1051 amending s. 1001.25, F.S.; deleting provisions that
1052 authorize the Department of Education to provide
1053 equipment, funds, and other services to extend and
1054 update existing and proposed educational radio
1055 systems; amending s. 1001.26, F.S.; deleting
1056 provisions that authorize department support and
1057 funding for public broadcasting program system
1058 educational radio stations; amending s. 1001.42, F.S.;
1059 requiring that any contract or employment agreement,
1060 or renewal or renegotiation of an existing contract or
1061 employment agreement, entered into by a school
1062 district with an officer, agent, employee, or
1063 contractor which contains a provision for severance
1064 pay include provisions in s. 215.425, F.S., relating
1065 to limitations on extra compensation, bonuses, and
1066 severance pay; requiring that each district school
1067 board enter into an interlocal agreement for the
1068 purpose of establishing the School District
1069 Consortium; amending s. 1001.50, F.S.; requiring that
1070 any employment contract entered into by a district
1071 school board with a district school superintendent
1072 which contains a provision for severance pay include
1073 provisions in s. 215.425, F.S., relating to

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Amendment No.

1074 limitations on extra compensation, bonuses, and
1075 severance pay; amending s. 1002.33, F.S.; revising
1076 provisions relating to the calculation of the total
1077 administrative fee for providing administrative and
1078 educational services to charter schools; amending s.
1079 1002.67, F.S.; providing for Voluntary Prekindergarten
1080 Education Program assessments; amending s. 1002.69,
1081 F.S.; revising provisions for calculating the
1082 kindergarten readiness rate and criteria for certain
1083 good cause exemptions; conforming cross-references;
1084 amending s. 1002.71, F.S.; providing requirements
1085 relating to student enrollment reporting and funding
1086 under the Voluntary Prekindergarten Education Program;
1087 amending s. 1003.01, F.S.; revising the definition of
1088 the term "juvenile justice provider"; amending s.
1089 1003.03, F.S.; revising provisions relating to
1090 calculations for reducing a school district's class
1091 size categorical allocation when class size
1092 requirements are not met; revising a compliance plan
1093 submission date; amending s. 1003.52, F.S.; revising
1094 the funding of juvenile justice education programs;
1095 repealing s. 1003.61, F.S., relating to the pilot
1096 attendance project; amending s. 1006.40, F.S.;
1097 revising provisions relating to the purchase of
1098 certain current instructional materials by school
1099 districts; amending s. 1011.61, F.S.; revising the
1100 definition of the term "full-time equivalent student"
1101 for full-time students enrolled in a combination of

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Amendment No.

1102 certain programs; revising provisions relating to the
1103 funding of students in kindergarten through grade 12
1104 or exceptional children in a prekindergarten program
1105 to conform to changes made by the act; amending s.
1106 1011.62, F.S.; requiring that each school district
1107 having low-performing elementary schools use funds
1108 from the supplemental academic instruction categorical
1109 fund, along with the school district's research-based
1110 reading instruction allocation, to provide an
1111 additional hour of instruction per day for intensive
1112 reading instruction; requiring that the department
1113 monitor and track the implementation of each school
1114 district's comprehensive reading plan and report its
1115 findings to the Legislature; revising provisions
1116 relating to the total allocation of state funds to
1117 each district for current operations; amending s.
1118 1011.71, F.S.; deleting a restriction relating to the
1119 amount of capital outlay millage that may be used to
1120 fund payments for educational facilities and sites due
1121 under certain lease-purchase agreements; amending s.
1122 1013.03, F.S.; authorizing the Commissioner of
1123 Education to grant waivers to district school boards
1124 from certain requirements relating to the validation
1125 of surveys and inventory of data under certain
1126 circumstances; amending s. 1013.35, F.S.; requiring
1127 that each district school board have a financial
1128 management and performance audit conducted of the
1129 district's educational planning and construction

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Amendment No.

1130 activities; creating the K-12 Public School Facility
1131 Funding Task Force and providing duties; creating the
1132 Digital Instructional Materials Work Group and
1133 providing duties; requiring that the calculation
1134 required in s. 1003.03(4)(a)4., F.S., be an amount
1135 equal to 50 percent of the base student allocation
1136 adjusted by the district cost differential for a
1137 specified fiscal year; specifying the formula to be
1138 used for the 2011-2012 fiscal year in calculating the
1139 alternate compliance calculation amounts to the class
1140 size operating categorical fund, notwithstanding
1141 certain other provisions of law; requiring that the
1142 Commissioner of Education modify payments to school
1143 districts; providing effective dates.

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