

FOR CONSIDERATION By the Committee on Appropriations

576-02843A-17

20172516pb

1 A bill to be entitled
2 An act relating to education funding; amending s.
3 11.45, F.S.; requiring the Auditor General to conduct
4 annual audits of the Florida School for the Deaf and
5 the Blind; amending s. 1011.62, F.S.; revising the
6 student membership surveys to be used for the funding
7 model for certain students; requiring the 300 lowest-
8 performing elementary schools to provide a specified
9 summer school program; requiring that the designation
10 of the 300 lowest-performing schools be based on the
11 prior year's state reading assessment; requiring
12 certain schools on the list to maintain the program
13 for a specified time; revising the schools that may be
14 considered small, isolated schools to include
15 elementary schools that meet certain requirements, for
16 the purpose of determining the annual allocation to
17 each district; revising the computation of the
18 district sparsity index for school districts that meet
19 certain criteria; deleting obsolete language;
20 requiring the amount calculated for the federally
21 connected student supplement for an eligible school
22 district to be recalculated during the year; requiring
23 certain school districts to delineate certain reading
24 strategies in their comprehensive reading plans;
25 requiring the total allocation to be prorated under
26 certain circumstances; providing that certain state
27 allocations to school districts may not be the basis
28 for a positive allocation adjustment for a specified
29 year; amending s. 1013.64, F.S.; revising capital

576-02843A-17

20172516pb

30 outlay full-time equivalent membership; revising the
31 calculation of capital outlay membership; amending s.
32 1013.738, F.S.; revising the purposes for which the
33 High Growth District Capital Outlay Assistance Grant
34 Program funds may be used; revising the school
35 district qualification criteria for the grant;
36 revising the funding methodology; amending ss. 1011.71
37 and 1013.54, F.S.; conforming cross-references;
38 providing effective dates.

39
40 Be It Enacted by the Legislature of the State of Florida:

41
42 Section 1. Upon the expiration and reversion of the
43 amendment to section 11.45, Florida Statutes, pursuant to
44 section 36 of chapter 2016-62, Laws of Florida, paragraph (d) of
45 subsection (2) of section 11.45, Florida Statutes, is amended to
46 read:

47 11.45 Definitions; duties; authorities; reports; rules.—

48 (2) DUTIES.—The Auditor General shall:

49 (d) Annually conduct financial audits of the accounts and
50 records of all district school boards in counties with
51 populations of fewer than 150,000, according to the most recent
52 federal decennial statewide census, and the Florida School for
53 the Deaf and the Blind.

54
55 The Auditor General shall perform his or her duties
56 independently but under the general policies established by the
57 Legislative Auditing Committee. This subsection does not limit
58 the Auditor General's discretionary authority to conduct other

576-02843A-17

20172516pb

59 audits or engagements of governmental entities as authorized in
60 subsection (3).

61 Section 2. Upon the expiration and reversion of the
62 amendments to section 1011.62, Florida Statutes, pursuant to
63 section 23 of chapter 2016-62, Laws of Florida, paragraphs (e),
64 (f), and (h) of subsection (1), paragraph (b) of subsection (7),
65 paragraphs (a), (c), and (d) of subsection (9), and paragraph
66 (c) of subsection (13) of section 1011.62, Florida Statutes, are
67 amended, paragraph (d) is added to subsection (13) of that
68 section, and paragraph (b) of subsection (15) of that section is
69 amended, to read:

70 1011.62 Funds for operation of schools.—If the annual
71 allocation from the Florida Education Finance Program to each
72 district for operation of schools is not determined in the
73 annual appropriations act or the substantive bill implementing
74 the annual appropriations act, it shall be determined as
75 follows:

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

80 (e) *Funding model for exceptional student education*
81 *programs.*—

82 1.a. The funding model uses basic, at-risk, support levels
83 IV and V for exceptional students and career Florida Education
84 Finance Program cost factors, and a guaranteed allocation for
85 exceptional student education programs. Exceptional education
86 cost factors are determined by using a matrix of services to
87 document the services that each exceptional student will

576-02843A-17

20172516pb

88 receive. The nature and intensity of the services indicated on
89 the matrix shall be consistent with the services described in
90 each exceptional student's individual educational plan. The
91 Department of Education shall review and revise the descriptions
92 of the services and supports included in the matrix of services
93 for exceptional students and shall implement those revisions
94 before the beginning of the 2012-2013 school year.

95 b. In order to generate funds using one of the two weighted
96 cost factors, a matrix of services must be completed at the time
97 of the student's initial placement into an exceptional student
98 education program and at least once every 3 years by personnel
99 who have received approved training. Nothing listed in the
100 matrix shall be construed as limiting the services a school
101 district must provide in order to ensure that exceptional
102 students are provided a free, appropriate public education.

103 c. Students identified as exceptional, in accordance with
104 chapter 6A-6, Florida Administrative Code, who do not have a
105 matrix of services as specified in sub-subparagraph b. shall
106 generate funds on the basis of full-time-equivalent student
107 membership in the Florida Education Finance Program at the same
108 funding level per student as provided for basic students.
109 Additional funds for these exceptional students will be provided
110 through the guaranteed allocation designated in subparagraph 2.

111 2. For students identified as exceptional who do not have a
112 matrix of services and students who are gifted in grades K
113 through 8, there is created a guaranteed allocation to provide
114 these students with a free appropriate public education, in
115 accordance with s. 1001.42(4)(1) and rules of the State Board of
116 Education, which shall be allocated initially to each school

576-02843A-17

20172516pb

117 district in the amount provided in the General Appropriations
118 Act. These funds shall be supplemental to the funds appropriated
119 for the basic funding level, and the amount allocated for each
120 school district shall be recalculated ~~once~~ during the year,
121 based on actual student membership from ~~the October~~ FTE surveys
122 survey. Upon recalculation, if the generated allocation is
123 greater than the amount provided in the General Appropriations
124 Act, the total shall be prorated to the level of the
125 appropriation based on each district's share of the total
126 recalculated amount. These funds shall be used to provide
127 special education and related services for exceptional students
128 and students who are gifted in grades K through 8. A district's
129 expenditure of funds from the guaranteed allocation for students
130 in grades 9 through 12 who are gifted may not be greater than
131 the amount expended during the 2006-2007 fiscal year for gifted
132 students in grades 9 through 12.

133 (f) *Supplemental academic instruction; categorical fund.*—

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

138 2. The categorical fund is ~~funds for supplemental academic~~
139 ~~instruction shall be allocated annually to each school district~~
140 ~~in the amount provided in the General Appropriations Act. These~~
141 ~~funds shall be~~ in addition to the funds appropriated on the
142 basis of FTE student membership in the Florida Education Finance
143 Program and shall be included in the total potential funds of
144 each district. These funds shall be used to provide supplemental
145 academic instruction to students enrolled in the K-12 program.

576-02843A-17

20172516pb

146 ~~For the 2014-2015 fiscal year,~~ Each school district that has one
147 or more of the 300 lowest-performing elementary schools based on
148 the state reading assessment for the prior year shall use these
149 funds, together with the funds provided in the district's
150 research-based reading instruction allocation and other
151 available funds, to provide an additional hour of instruction
152 beyond the normal school day for each day of the entire school
153 year and to provide a 60-hour summer school program, for
154 intensive reading instruction for the students in each of these
155 schools. This additional hour of instruction must be provided by
156 teachers or reading specialists who have demonstrated
157 effectiveness ~~are effective~~ in teaching reading or by a K-5
158 mentoring reading program that is supervised by a teacher who
159 has demonstrated effectiveness in ~~is effective at~~ teaching
160 reading. Students enrolled in these schools who have level 5
161 assessment scores may participate in the additional hour of
162 instruction on an optional basis. Exceptional student education
163 centers may ~~shall~~ not be included in the 300 schools. The
164 designation of the 300 lowest-performing elementary schools must
165 be based on the state reading assessment for the prior year. In
166 addition, a school that was on the list of the 300 lowest-
167 performing elementary schools for the immediately prior academic
168 year and that has improved its performance such that the school
169 is no longer on such list shall maintain the program for 2
170 additional academic years. After this requirement has been met,
171 supplemental instruction strategies may include, but are not
172 limited to: use of a modified curriculum, reading instruction,
173 after-school instruction, tutoring, mentoring, a reduction in
174 class size ~~reduction,~~ an extended school year, intensive skills

576-02843A-17

20172516pb

175 development in summer school, and other methods of ~~for~~ improving
176 student achievement. Supplemental instruction may be provided to
177 a student in any manner and at any time during or beyond the
178 regular 180-day term identified by the school as being the most
179 effective and efficient way to best help that student progress
180 from grade to grade and to graduate.

181 3. Categorical funds for supplemental academic instruction
182 shall be provided annually in the Florida Education Finance
183 Program as specified in the General Appropriations Act. These
184 funds shall be provided as a supplement to the funds
185 appropriated for the basic funding level and shall be included
186 in the total funds of each district. The allocation shall
187 consist of a base amount that has a workload adjustment based on
188 changes in unweighted FTE. In addition, districts that have
189 elementary schools included in the 300 lowest-performing schools
190 designation shall be allocated additional funds to assist those
191 districts in providing intensive reading instruction to students
192 in those schools. The amount provided shall be based on each
193 district's level of per-student funding in the reading
194 instruction allocation and the supplemental academic instruction
195 categorical fund and on the total FTE for each of the schools.
196 The categorical funding shall be recalculated during the fiscal
197 year following an updated designation of the 300 lowest-
198 performing elementary schools and shall be based on actual
199 student membership from the FTE surveys. Upon recalculation of
200 funding for the supplemental academic instruction categorical
201 fund, if the total allocation is greater than the amount
202 provided in the General Appropriations Act, the allocation shall
203 be prorated to the level provided to support the appropriation,

576-02843A-17

20172516pb

204 based on each district's share of the total.

205 ~~4.3.~~ Effective with the 1999-2000 fiscal year, funding on
206 the basis of FTE membership beyond the 180-day regular term
207 shall be provided in the FEFP only for students enrolled in
208 juvenile justice education programs or in education programs for
209 juveniles placed in secure facilities or programs under s.
210 985.19. Funding for instruction beyond the regular 180-day
211 school year for all other K-12 students shall be provided
212 through the supplemental academic instruction categorical fund
213 and other state, federal, and local fund sources with ample
214 flexibility for schools to provide supplemental instruction to
215 assist students in progressing from grade to grade and
216 graduating.

217 ~~5.4.~~ The Florida State University School, as a lab school,
218 is authorized to expend from its FEFP or Lottery Enhancement
219 Trust Fund allocation the cost to the student of remediation in
220 reading, writing, or mathematics for any graduate who requires
221 remediation at a postsecondary educational institution.

222 ~~6.5.~~ Beginning in the 1999-2000 school year, dropout
223 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
224 (b), and (c), and 1003.54 shall be included in group 1 programs
225 under subparagraph (d)3.

226 (h) *Small, isolated ~~high~~ schools.*—Districts that ~~which~~ levy
227 the maximum nonvoted discretionary millage, exclusive of millage
228 for capital outlay purposes levied pursuant to s. 1011.71(2),
229 may calculate full-time equivalent students for small, isolated
230 district-operated ~~high~~ schools by multiplying the number of
231 unweighted full-time equivalent students times 2.75 if; ~~provided~~
232 the school has attained a grade of "C" or better, pursuant to s.

576-02843A-17

20172516pb

233 1008.34, for the previous school year. The following schools may
234 be considered small, isolated schools under this paragraph:

235 1. A ~~For the purpose of this section, the term "small,~~
236 ~~isolated high school"~~ means Any high school ~~that~~ which is
237 located at least no less than 28 miles by the shortest route
238 from another high school; ~~which~~ has been serving students
239 primarily in basic studies provided by sub-subparagraphs (c)1.b.
240 and c. and may include subparagraph (c)4.; and ~~which~~ has a
241 membership of at least 28, but no more than 100, students, ~~but~~
242 ~~no fewer than 28 students,~~ in grades 9 through 12; or-

243 2. A district elementary school with a grade configuration
244 of kindergarten through grade 5, but which may also include
245 prekindergarten, grade 6, grade 7, or grade 8, which is located
246 at least 35 miles by the shortest route from another elementary
247 school within the district; has been serving students primarily
248 in basic studies provided by sub-subparagraphs (c)1.a. and b.
249 and may include subparagraph (c)4.; has a student population in
250 which 75 percent or greater of students are eligible for free
251 and reduced-price school lunch; and has a membership of at least
252 28, but no more than 100, students.

253 (7) DETERMINATION OF SPARSITY SUPPLEMENT.-

254 (b) The district sparsity index shall be computed by
255 dividing the total number of full-time equivalent students in
256 all programs in the district by the number of senior high school
257 centers in the district, not in excess of three, which centers
258 are approved as permanent centers by a survey made by the
259 Department of Education. For districts with a full-time
260 equivalent student membership of at least 20,000, but no more
261 than 24,000, the index shall be computed by dividing the total

576-02843A-17

20172516pb

262 number of full-time equivalent students in all programs by the
263 number of permanent senior high school centers in the district,
264 not in excess of four.

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

266 (a) The research-based reading instruction allocation is
267 created to provide comprehensive reading instruction to students
268 in kindergarten through grade 12. ~~For the 2014-2015 fiscal year,~~
269 ~~in~~ Each school district that has one or more of the 300 lowest-
270 performing elementary schools based on the state reading
271 assessment, ~~priority~~ shall give priority ~~be given~~ to providing
272 an additional hour per day of intensive reading instruction
273 beyond the normal school day for each day of the entire school
274 year and to provide a 60-hour summer school program for the
275 students in each school. The designation of the 300 lowest-
276 performing elementary schools must be based on the state reading
277 assessment for the prior year. In addition, a school that was on
278 the list of the 300 lowest performing elementary schools for the
279 immediately prior academic year and that has improved its
280 performance such that the school is no longer on such list shall
281 maintain the program for 2 additional academic years. Students
282 enrolled in these schools who have level 5 assessment scores may
283 participate in the additional hour of instruction on an optional
284 basis. Exceptional student education centers may ~~shall~~ not be
285 included in the 300 schools. The intensive reading instruction
286 delivered in this additional hour and for other students shall
287 include: research-based reading instruction that has been proven
288 to accelerate progress of students exhibiting a reading
289 deficiency; differentiated instruction based on screening,
290 diagnostic, progress monitoring, or student assessment data to

576-02843A-17

20172516pb

291 meet students' specific reading needs; explicit and systematic
292 reading strategies to develop ~~development in~~ phonemic awareness,
293 phonics, fluency, vocabulary, and comprehension, with more
294 extensive opportunities for guided practice, error correction,
295 and feedback; and the integration of social studies, science,
296 and mathematics-text reading, text discussion, and writing in
297 response to reading. ~~For the 2012-2013 and 2013-2014 fiscal~~
298 ~~years, a school district may not hire more reading coaches than~~
299 ~~were hired during the 2011-2012 fiscal year unless all students~~
300 ~~in kindergarten through grade 5 who demonstrate a reading~~
301 ~~deficiency, as determined by district and state assessments,~~
302 ~~including students scoring Level 1 or Level 2 on the statewide,~~
303 ~~standardized reading assessment or, upon implementation, the~~
304 ~~English Language Arts assessment, are provided an additional~~
305 ~~hour per day of intensive reading instruction beyond the normal~~
306 ~~school day for each day of the entire school year.~~

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

311 1. The provision of an additional hour per day of intensive
312 reading instruction to students in the 300 lowest-performing
313 elementary schools by teachers and reading specialists who have
314 demonstrated effectiveness ~~are effective~~ in teaching reading.

315 2. Kindergarten through grade 5 reading intervention
316 teachers to provide intensive intervention during the school day
317 and in the required extra hour for students identified as having
318 a reading deficiency.

319 3. The provision of highly qualified reading coaches to

576-02843A-17

20172516pb

320 specifically support teachers in making instructional decisions
321 based on student data, and improve teacher delivery of effective
322 reading instruction, intervention, and reading in the content
323 areas based on student need.

324 4. Professional development for school district teachers in
325 scientifically based reading instruction, including strategies
326 to teach reading in content areas and with an emphasis on
327 technical and informational text, to help school district
328 teachers earn a certification or an endorsement in reading.

329 5. The provision of summer reading camps for all students
330 in kindergarten through grade 2 who demonstrate a reading
331 deficiency as determined by district and state assessments, and
332 students in grades 3 through 5 who score at Level 1 on the
333 statewide, standardized reading assessment or, upon
334 implementation, the English Language Arts assessment.

335 6. The provision of supplemental instructional materials
336 that are grounded in scientifically based reading research.

337 7. The provision of intensive interventions for students in
338 kindergarten through grade 12 who have been identified as having
339 a reading deficiency or who are reading below grade level as
340 determined by the statewide, standardized assessment.

341 (d)1. Annually, by a date determined by the Department of
342 Education but before May 1, school districts shall submit a K-12
343 comprehensive reading plan for the specific use of the research-
344 based reading instruction allocation in the format prescribed by
345 the department for review and approval by the Just Read,
346 Florida! Office created pursuant to s. 1001.215. The plan
347 annually submitted by school districts shall be deemed approved
348 unless the department rejects the plan on or before June 1. If a

576-02843A-17

20172516pb

349 school district and the Just Read, Florida! Office cannot reach
350 agreement on the contents of the plan, the school district may
351 appeal to the State Board of Education for resolution. School
352 districts shall be allowed reasonable flexibility in designing
353 their plans and shall be encouraged to offer reading
354 intervention through innovative methods, including career
355 academies. The plan format shall be developed with input from
356 school district personnel, including teachers and principals,
357 and shall allow courses in core, career, and alternative
358 programs that deliver intensive reading remediation through
359 integrated curricula, provided that the teacher is deemed highly
360 qualified to teach reading or working toward that status. No
361 later than July 1 annually, the department shall release the
362 school district's allocation of appropriated funds to those
363 districts having approved plans. A school district that spends
364 100 percent of this allocation on its approved plan shall be
365 deemed to have been in compliance with the plan. The department
366 may withhold funds upon a determination that reading instruction
367 allocation funds are not being used to implement the approved
368 plan. The department shall monitor and track the implementation
369 of each district plan, including conducting site visits and
370 collecting specific data on expenditures and reading improvement
371 results. By February 1 of each year, the department shall report
372 its findings to the Legislature.

373 2. Each school district that has a school designated as one
374 of the 300 lowest-performing elementary schools as specified in
375 paragraph (a), including a school that is maintaining the
376 program because it has improved performance so that the school
377 is no longer on such list, shall specifically delineate in the

576-02843A-17

20172516pb

378 comprehensive reading plan, or in an addendum to the
379 comprehensive reading plan, the implementation design and
380 reading intervention strategies that will be used for the
381 required additional hour of reading instruction. The term
382 "reading intervention" includes evidence-based strategies
383 frequently used to remediate reading deficiencies and also
384 includes individual instruction, tutoring, mentoring, or the use
385 of technology that targets specific reading skills and
386 abilities.

387 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally
388 connected student supplement is created to provide supplemental
389 funding for school districts to support the education of
390 students connected with federally owned military installations,
391 National Aeronautics and Space Administration (NASA) real
392 property, and Indian lands. To be eligible for this supplement,
393 the district must be eligible for federal Impact Aid Program
394 funds under s. 8003 of Title VIII of the Elementary and
395 Secondary Education Act of 1965. The supplement shall be
396 allocated annually to each eligible school district in the
397 ~~amount provided in the~~ General Appropriations Act. The
398 supplement shall be the sum of the student allocation and an
399 exempt property allocation.

400 (c) The exempt property allocation shall be equal to the
401 tax-exempt value of federal impact aid lands reserved as
402 military installations, real property owned by NASA, or eligible
403 federally owned Indian lands located in the district, ~~as of~~
404 ~~January 1 of the previous year,~~ multiplied by the millage
405 authorized and levied under s. 1011.71(2).

406 (d) The amount allocated for each eligible school district

576-02843A-17

20172516pb

407 shall be recalculated during the year, using actual student
408 membership, as amended, from the most recent February survey and
409 the tax-exempt valuation from the most recent assessment roll.
410 Upon recalculation, if the total allocation is greater than the
411 amount provided in the General Appropriations Act, it must be
412 prorated to the level of the appropriation based on each
413 district's share of the total recalculated amount.

414 (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
415 CURRENT OPERATION.—The total annual state allocation to each
416 district for current operation for the FEFP shall be distributed
417 periodically in the manner prescribed in the General
418 Appropriations Act.

419 (b) The amount thus obtained shall be the net annual
420 allocation to each school district. However, if it is determined
421 that any school district received an under allocation or over
422 allocation ~~underallocation or overallocation~~ for any prior year
423 because of an arithmetical error, assessment roll change
424 required by final judicial decision, full-time equivalent
425 student membership error, or any allocation error revealed in an
426 audit report, the allocation to that district shall be
427 appropriately adjusted. An under allocation in a prior year
428 caused by a school district's error may not be the basis for a
429 positive allocation adjustment for the current year. Beginning
430 with the 2011-2012 fiscal year, if a special program cost factor
431 is less than the basic program cost factor, an audit adjustment
432 may not result in the reclassification of the special program
433 FTE to the basic program FTE. If the Department of Education
434 audit adjustment recommendation is based upon controverted
435 findings of fact, the Commissioner of Education is authorized to

576-02843A-17

20172516pb

436 establish the amount of the adjustment based on the best
437 interests of the state.

438 Section 3. Effective upon becoming a law, notwithstanding
439 the expiration and reversion of section 1013.64, Florida
440 Statutes, in section 36 of chapter 2016-62, Laws of Florida,
441 subsection (3) of section 1013.64, Florida Statutes, is
442 reenacted and amended to read:

443 1013.64 Funds for comprehensive educational plant needs;
444 construction cost maximums for school district capital
445 projects.—Allocations from the Public Education Capital Outlay
446 and Debt Service Trust Fund to the various boards for capital
447 outlay projects shall be determined as follows:

448 (3) (a) Each district school board shall receive an amount
449 from the Public Education Capital Outlay and Debt Service Trust
450 Fund to be calculated by computing the capital outlay membership
451 as determined by the department. Such membership must include,
452 but is not limited to:

453 1. K-12 students and prekindergarten exceptional education
454 students for whom the school district provides the educational
455 facility, except hospital- and homebound part-time students; and

456 2. Students who are career education students, and adult
457 disabled students and who are enrolled in school district career
458 centers.

459 (b) The capital outlay full-time equivalent membership
460 shall be determined for prekindergarten exceptional education
461 students, kindergarten through the 12th grade, and for career
462 centers by counting the reported unweighted full-time equivalent
463 student membership for the second and third surveys, with each
464 survey limited to 0.5 full-time equivalents per student and

576-02843A-17

20172516pb

465 comparing the results on a school-by-school basis with the
466 Florida Inventory of School Houses. ~~If the prior academic year's~~
467 ~~third survey count is higher than the current year's second~~
468 ~~survey count when comparing the results on a school-by-school~~
469 ~~basis with the Florida Inventory of School Houses, the prior~~
470 ~~year's third survey count shall be used on a school-by-school~~
471 ~~basis for determining the current capital outlay membership. The~~
472 ~~Florida Inventory of School Houses shall be updated with the~~
473 ~~current capital outlay membership count as soon as practicable~~
474 ~~after verification of the capital outlay membership.~~

475 (c) The capital outlay full-time equivalent membership by
476 grade level organization shall be used in making calculations.
477 The capital outlay full-time equivalent membership by grade
478 level organization for the 4th prior year must be used to
479 compute the base-year allocation. The capital outlay full-time
480 equivalent membership by grade-level organization for the prior
481 year must be used to compute the growth over the highest of the
482 3 years preceding the prior year. From the total amount
483 appropriated by the Legislature pursuant to this subsection, 40
484 percent shall be allocated among the base capital outlay full-
485 time equivalent membership and 60 percent among the growth
486 capital outlay full-time equivalent membership. The allocation
487 within each of these groups shall be prorated to the districts
488 based upon each district's percentage of base and growth capital
489 outlay full-time equivalent membership. The most recent 4-year
490 capital outlay full-time equivalent membership data shall be
491 used in each subsequent year's calculation for the allocation of
492 funds pursuant to this subsection. If a change, correction, or
493 recomputation of data during any year results in a reduction or

576-02843A-17

20172516pb

494 increase of the calculated amount previously allocated to a
495 district, the allocation to that district shall be adjusted
496 accordingly. If such recomputation results in an increase or
497 decrease of the calculated amount, such additional or reduced
498 amounts shall be added to or reduced from the district's future
499 appropriations. However, no change, correction, or recomputation
500 of data may ~~shall~~ be made subsequent to 2 years following the
501 initial annual allocation.

502 (d) Funds accruing to a district school board from the
503 provisions of this section shall be expended on needed projects
504 as shown by survey or surveys under the rules of the State Board
505 of Education.

506 (e) A district school board may lease relocatable
507 educational facilities for up to 3 years using nonbonded PECO
508 funds and for any time period using local capital outlay
509 millage.

510 (f) Funds distributed to the district school boards shall
511 be allocated solely based on paragraphs (a), (b), and (c) and
512 ~~the provisions of paragraphs (1) (a) and (2) (a) and paragraphs~~
513 ~~(a) (c) of this subsection.~~ No individual school district
514 projects may ~~shall~~ be funded off the top of funds allocated to
515 district school boards.

516 Section 4. Section 1013.738, Florida Statutes, is amended
517 to read:

518 1013.738 High Growth District Capital Outlay Assistance
519 Grant Program.—

520 (1) Subject to funds provided in the General Appropriations
521 Act, the High Growth District Capital Outlay Assistance Grant
522 Program is hereby established. Funds provided pursuant to this

576-02843A-17

20172516pb

523 section may only be used for the purposes identified in s.
524 1011.71(2) ~~to construct new student stations.~~

525 (2) In order to qualify for a grant, a school district must
526 meet the following criteria:

527 (a) The district must have levied the maximum ~~full 1.5~~
528 mills of nonvoted discretionary capital outlay millage
529 authorized in s. 1011.71(2) for each of the prior 5 ~~past 4~~
530 fiscal years.

531 (b) The district must receive revenue from a current voted
532 school capital outlay sales surtax or a portion of the local
533 government infrastructure surtax as authorized in s. 212.055.

534 (c) ~~(b)~~ Fifty percent of The revenue derived from the ~~2-mill~~
535 nonvoted discretionary capital outlay millage ~~for the past 4~~
536 ~~fiscal years~~, when divided by the district's ~~growth in~~ capital
537 outlay FTE students ~~over this period~~, produces a value that is
538 less than the statewide average maximum potential funds cost ~~per~~
539 capital outlay FTE student station calculated pursuant to s.
540 1013.64(6)(b)1., and ~~weighted by statewide growth in capital~~
541 ~~outlay FTE students in elementary, middle, and high schools for~~
542 the most recent past 4 fiscal year years.

543 (d) ~~(e)~~ The district must have equaled or exceeded the
544 greater of one percent average growth or twice the statewide
545 average of growth in capital outlay FTE students over the prior
546 5-year this same 4-year period.

547 ~~(d) The Commissioner of Education must have released all~~
548 ~~funds allocated to the district from the Classrooms First~~
549 ~~Program authorized in s. 1013.68, and these funds were fully~~
550 ~~expended by the district as of February 1 of the current fiscal~~
551 ~~year.~~

576-02843A-17

20172516pb

552 (e) The total capital outlay FTE students of the district
553 is greater than 24,000 ~~15,000~~ students.

554 (3) The funds provided in the General Appropriations Act
555 shall be allocated pursuant to the following methodology:

556 (a) For each eligible district, the Department of Education
557 shall sum ~~calculate~~ the calculated ~~value of 50 percent of the~~
558 ~~revenue derived from the~~ maximum potential ~~2-mill~~ nonvoted
559 discretionary capital outlay millage and the revenue received
560 from the voted sales surtax as provided in paragraph (2) (b) and
561 divide that sum for the past 4 fiscal years divided by the
562 number of ~~increase in~~ capital outlay FTE students for the same
563 period.

564 (b) The Department of Education shall determine, for each
565 eligible district, the amount that must be added to the funds
566 per capital outlay FTE ~~value~~ calculated pursuant to paragraph
567 (a) to produce the statewide ~~weighted~~ average value per capital
568 outlay FTE for the revenues identified ~~student station~~
569 ~~calculated~~ pursuant to paragraph (a) ~~(2) (b)~~.

570 (c) The value calculated for each eligible district
571 pursuant to paragraph (b) shall be ~~multiplied by the average~~
572 ~~increase in capital outlay FTE students for the past 4 fiscal~~
573 ~~years to determine~~ the maximum amount of a grant that may be
574 awarded to a district pursuant to this section.

575 (d) In the event the funds provided ~~in the General~~
576 ~~Appropriations Act~~ are insufficient to fully fund the maximum
577 grants calculated pursuant to this section ~~paragraph (c)~~, the
578 Department of Education shall allocate the funds based on each
579 district's prorated share of the total maximum award amount
580 calculated for all eligible districts.

576-02843A-17

20172516pb

581 Section 5. Paragraph (a) of subsection (2) of section
582 1011.71, Florida Statutes, is amended to read:

583 1011.71 District school tax.—

584 (2) In addition to the maximum millage levy as provided in
585 subsection (1), each school board may levy not more than 1.5
586 mills against the taxable value for school purposes for district
587 schools, including charter schools at the discretion of the
588 school board, to fund:

589 (a) New construction and remodeling projects, as set forth
590 in s. 1013.64(3)(d) ~~s. 1013.64(3)(b)~~ and (6)(b) and included in
591 the district's educational plant survey pursuant to s. 1013.31,
592 without regard to prioritization, sites and site improvement or
593 expansion to new sites, existing sites, auxiliary facilities,
594 athletic facilities, or ancillary facilities.

595 Section 6. Subsection (2) of section 1013.54, Florida
596 Statutes, is amended to read:

597 1013.54 Cooperative development and use of satellite
598 facilities by private industry and district school boards.—

599 (2) The commissioner shall appoint a review committee to
600 make recommendations and prioritize requests. If the project is
601 approved by the commissioner, the commissioner shall include up
602 to one-fourth of the cost of the project in the legislative
603 capital outlay budget request, as provided in s. 1013.60, for
604 the funding of capital outlay projects involving both
605 educational and private industry. The commissioner shall
606 prioritize any such projects for each fiscal year and,
607 notwithstanding the provisions of s. 1013.64(3)(e) ~~s.~~
608 ~~1013.64(3)(e)~~, limit the recommended state funding amount not to
609 exceed 5 percent off the top of the total funds recommended

576-02843A-17

20172516pb

610 pursuant to s. 1013.64(2) and (3).

611 Section 7. Except as otherwise expressly provided in this
612 act and except for this section, which shall take effect upon
613 this act becoming a law, this act shall take effect July 1,
614 2017.