

1 A bill to be entitled
2 An act relating to education; authorizing the
3 creation of charter technical career centers;
4 prescribing powers and duties of the
5 Commissioner of Education, the Department of
6 Education, participating district school
7 boards, and community college district boards
8 of trustees, with respect to charter technical
9 career centers; prescribing powers and duties
10 of charter technical career centers and their
11 boards of directors; providing for funding;
12 prescribing rights and duties of employees of
13 centers and of district school board employees
14 and community college employees working at
15 charter technical career centers; providing for
16 revocation of a charter; providing for rules;
17 amending s. 121.021, F.S.; redefining the terms
18 "covered group" and "employer" with respect to
19 the Florida Retirement System to include
20 charter technical career centers; amending s.
21 121.051, F.S.; providing for optional
22 participation in the Florida Retirement System
23 by employees of charter technical career
24 centers; amending s. 121.1122, F.S.; including
25 charter technical career centers with a group
26 for the purchase of certain retirement credit;
27 amending s. 236.081, F.S.; providing for
28 calculating changes in school district funding
29 resulting from a drop in enrollment based on
30 student transfers to a charter technical career
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1 center; providing an appropriation; providing
2 an effective date.

3
4 WHEREAS, The Legislature supports a strong prosperous
5 economy, with a well-trained, highly qualified work force, and

6 WHEREAS, the Legislature continues to foster transition
7 of WAGES participants from dependency on public funds to
8 self-sufficiency; and

9 WHEREAS, local economies are dependent upon maximizing
10 local work force training and education resources; and

11 WHEREAS, the Legislature promotes more choices for
12 parents and students, but has not authorized public chartering
13 entities to encourage public or public and private
14 partnerships for work force education and training, and

15 WHEREAS, technical career centers that operate under a
16 charter rather than under the direct supervision of a school
17 board or a community college may be able to respond more
18 rapidly to economic development and economic expansion
19 opportunities, and

20 WHEREAS, traditional educational and career training
21 environments may be restricted in their flexibility to serve
22 the individual education and career training needs of
23 students, and

24 WHEREAS, charter technical career centers may be able
25 to provide more innovative approaches to workforce
26 preparation, and

27 WHEREAS, business and industry should have primary
28 input on the design and structure of all career programs and
29 services, and

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1 WHEREAS, the Legislature desires to maintain and
2 strengthen the mission of individual education and training
3 delivery systems, and, NOW, THEREFORE,

4
5 Be It Enacted by the Legislature of the State of Florida:

6
7 Section 1. (1) AUTHORIZATION.--The Legislature finds
8 that the establishment of charter technical career centers can
9 assist in promoting advances and innovations in workforce
10 preparation and economic development. A charter technical
11 career center may provide a learning environment that better
12 serves the needs of a specific population group or a group of
13 occupations, thus promoting diversity and choices within the
14 public education and public postsecondary technical education
15 community in this state. Therefore, the creation of such
16 centers is authorized as part of the state's program of public
17 education. A charter technical career center may be formed by
18 creating a new school or converting an existing school
19 district or community college program to charter technical
20 status.

21 (2) PURPOSE.--The purpose of a charter technical
22 career center is to:

23 (a) Develop a competitive workforce to support local
24 business and industry and economic development.

25 (b) Create a training and education model that is
26 reflective of marketplace realities.

27 (c) Offer a continuum of career educational
28 opportunities using a school-to-work, tech-prep, technical,
29 academy, and magnet school model.

30 (d) Provide career pathways for lifelong learning and
31 career mobility.

- 1 (e) Enhance career and technical training.
- 2 (3) DEFINITIONS.--As used in this act, the term:
- 3 (a) "Charter technical career center" or "center"
- 4 means a public school or a public technical center operated
- 5 under a charter granted by the local school board or community
- 6 college district board of trustees or a consortium, including
- 7 one or more school boards and community college district
- 8 boards of trustees that includes the district in which the
- 9 facility is located, which is nonsectarian in its programs,
- 10 admission policies, employment practices, and operations and
- 11 is managed by a board of directors.
- 12 (b) A "sponsor" means a district school board, a
- 13 community college district board of trustees, or a consortium
- 14 of one or more of each.
- 15 (4) CHARTER.--A sponsor may designate centers as
- 16 provided in this section. An application to establish a
- 17 center may be submitted by a sponsor or another organization
- 18 that is determined, by rule of the State Board of Education,
- 19 to be appropriate. However, an independent school is not
- 20 eligible for status as a center. The charter must be signed by
- 21 the governing body of the center and the sponsor and must be
- 22 approved by the district school board and community college
- 23 board of trustees in whose geographic region the facility is
- 24 located. An applicant who wishes to establish a center must
- 25 submit to the local school board or community college district
- 26 board of trustees, or a consortium of one or more of each, an
- 27 application that includes:
- 28 (a) The name of the proposed center.
- 29 (b) The proposed structure of the center, including a
- 30 list of proposed members of the board of directors or a
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1 description of the qualifications for and method of their
2 appointment or election.

3 (c) The workforce development goals of the center, the
4 curriculum to be offered, and the outcomes and the methods of
5 assessing the extent to which the outcomes are met.

6 (d) The admissions policy and criteria for evaluating
7 the admission of students.

8 (e) A description of the staff responsibilities and
9 the proposed qualifications of the teaching staff.

10 (f) A description of the procedures to be implemented
11 to ensure significant involvement of representatives of
12 business and industry in the operation of the center.

13 (g) A method for determining whether a student has
14 satisfied the requirements for graduation specified in section
15 232.246, Florida Statutes, and for completion of postsecondary
16 certificates and degrees.

17 (h) A method for granting secondary and postsecondary
18 diplomas, certificates, and degrees.

19 (i) A description of and address for the physical
20 facility in which the center will be located.

21 (j) A method of resolving conflicts between the
22 governing body of the center and the sponsor and between
23 consortium or partnership members, if applicable.

24 (k) A method for reporting student data as required by
25 law and rule.

26 (l) Other information required by the local school
27 board or community college district board of trustees.

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29 Students at a center must meet the same testing and academic
30 performance standards as those established by law and rule for
31 students at public schools and public technical centers. The

1 students must also meet any additional assessment indicators
2 that are included within the charter approved by the district
3 school board or community college district board of trustees.

4 (5) APPLICATION.--An application to establish a center
5 must be submitted by February 1 of the year preceding the
6 school year in which the center will begin operation. The
7 sponsor must review the application and make a final decision
8 on whether to approve the application and grant the charter by
9 March 1, and may condition the granting of a charter on the
10 center's taking certain actions or maintaining certain
11 conditions. Such actions and conditions must be provided to
12 the applicant in writing. The local school board or community
13 college district board of trustees is not required to issue a
14 charter to any person.

15 (6) SPONSOR.--A district school board or community
16 college district board of trustees or a consortium of one or
17 more of each may sponsor a center in the county over which the
18 board has jurisdiction.

19 (a) A sponsor must review all applications for centers
20 received through at least February 1 of each calendar year for
21 centers to be opened at the beginning of the sponsor's next
22 school year. A sponsor may receive applications later than
23 this date if it so chooses. To facilitate an accurate budget
24 projection process, a sponsor shall be held harmless for FTE
25 students that are not included in the FTE projections due to
26 approval of applications after the FTE projection deadline. A
27 sponsor must, by a majority vote, approve or deny an
28 application no later than 60 days after the application is
29 received. If an application is denied, the sponsor must,
30 within 10 days, notify the applicant in writing of the
31 specific reasons for denial, which must be based upon good

1 cause. Upon approval of a charter application, the initial
2 startup must be consistent with the beginning of the public
3 school or community college calendar for the district in which
4 the charter is granted, unless the sponsor allows a waiver of
5 this provision for good cause.

6 (b) An applicant may appeal any denial of its
7 application to the State Board of Education within 30 days
8 after the sponsor's denial and shall notify the sponsor of its
9 appeal. Any response of the sponsor must be submitted to the
10 state board within 30 days after notification of the appeal.
11 The state board must, by majority vote, accept or reject the
12 decision of the sponsor no later than 60 days after an appeal
13 is filed, pursuant to state board rule. The state board may
14 reject an appeal for failure to comply with procedural rules
15 governing the appeals process, and the rejection must describe
16 the submission errors. The appellant may have up to 15 days
17 after notice of rejection to resubmit an appeal. An
18 application for appeal submitted after a rejection is timely
19 if the original appeal was filed within 30 days after the
20 sponsor's denial. The state board shall remand the application
21 to the sponsor with a written recommendation that the sponsor
22 approve or deny the application, consistent with the state
23 board's decision. The decision of the state board is not
24 subject to the provisions of chapter 120, Florida Statutes.

25 (c) The sponsor must act upon the recommendation of
26 the State Board of Education within 30 days after it is
27 received, unless the sponsor determines by competent
28 substantial evidence that approving the state board's
29 recommendation would be contrary to law or the best interests
30 of the pupils or the community. The sponsor must notify the
31 applicant in writing concerning the specific reasons for its

1 failure to follow the state board's recommendation. The
2 sponsor's action on the state board's recommendation is a
3 final action, subject to judicial review.

4 (d) The Department of Education may provide technical
5 assistance to an applicant upon written request.

6 (e) The terms and conditions for the operation of a
7 center must be agreed to by the sponsor and the applicant in a
8 written contract. The sponsor may not impose unreasonable
9 requirements that violate the intent of giving centers greater
10 flexibility to meet educational goals. The applicant and
11 sponsor must reach an agreement on the provisions of the
12 contract or the application is deemed denied.

13 (f) The sponsor shall monitor and review the center's
14 progress towards charter goals and shall monitor the center's
15 revenues and expenditures.

16 (7) LEGAL ENTITY.--A center must organize as a
17 nonprofit organization and adopt a name and corporate seal. A
18 center is a body corporate and politic, with all powers to
19 implement its charter program. The center may:

20 (a) Be a private or a public employer.

21 (b) Sue and be sued, but only to the same extent and
22 upon the same conditions that a public entity can be sued.

23 (c) Acquire real property by purchase, lease, lease
24 with an option to purchase, or gift, to use as a center
25 facility.

26 (d) Receive and disburse funds.

27 (e) Enter into contracts or leases for services,
28 equipment, or supplies.

29 (f) Incur temporary debts in anticipation of the
30 receipt of funds.

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1 (g) Solicit and accept gifts or grants for career
2 center purposes.

3 (h) Take any other action that is not inconsistent
4 with this section and rules adopted under this section.

5 (8) ELIGIBLE STUDENTS.--A center must be open to all
6 students as space is available and may not discriminate in
7 admissions policies or practices on the basis of an
8 individual's physical disability or proficiency in English or
9 on any other basis that would be unlawful if practiced by a
10 public school or a community college. A center may establish
11 reasonable criteria by which to evaluate prospective students,
12 which criteria must be outlined in the charter.

13 (9) FACILITIES.--A center may be located in any
14 suitable location, including part of an existing public school
15 or community college building, space provided on a public
16 worksite, or a public building. A center's facilities must
17 comply with the State Uniform Building Code for Public
18 Educational Facilities Construction adopted pursuant to
19 section 235.26, Florida Statutes, or with applicable state
20 minimum building codes pursuant to chapter 553, Florida
21 Statutes, and state minimum fire protection codes pursuant to
22 section 633.025, Florida Statutes, adopted by the authority in
23 whose jurisdiction the facility is located. If K-12 public
24 school funds are used for construction, the facility must
25 remain on the local school district's Florida Inventory of
26 School Houses (FISH) school building inventory of the local
27 school board and must revert to the local school board if the
28 partnership or consortium dissolves and the program is
29 discontinued. If community college public school funds are
30 used for construction, the facility must remain on the local
31 community college's facilities inventory and must revert to

1 the local community college district board if the partnership
2 or consortium dissolves and the program is discontinued. The
3 additional student capacity created by the addition of the
4 center to the local school district's FISH may not be
5 calculated in the permanent student capacity for the purpose
6 of determining need or eligibility for state capital outlay
7 funds while the facility is used as a center. If the
8 construction of the center is funded jointly by K-12 public
9 school funds and community college funds, the sponsoring
10 entities must agree, before granting the charter, on the
11 appropriate owner and terms of transfer of the facility if the
12 charter is dissolved.

13 (10) EXEMPTION FROM STATUTES.--

14 (a) A center must operate pursuant to its charter and
15 is exempt from all statutes of the Florida School Code except
16 provisions pertaining to civil rights and to student health,
17 safety, and welfare, or as otherwise required by law.

18 (b) A center must comply with the Florida School Code
19 with respect to providing services to students with
20 disabilities.

21 (c) A center must comply with the antidiscrimination
22 provisions of section 228.2001, Florida Statutes.

23 (11) FUNDING.--

24 (a) Each school board and community college that
25 sponsors a charter technical career center shall pay directly
26 to the center an amount stated in the charter. State funding
27 shall be generated for the center for its student enrollment
28 and program outcomes as provided in law. A center is eligible
29 for funding from the Florida Workforce Development Education
30 Fund, the Florida Education Finance Program, and the Community
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1 College Program Fund, depending upon the programs conducted by
2 the center.

3 (b) A center may receive other state and federal aid,
4 grants, and revenue through the local school board or
5 community college district board of trustees.

6 (c) A center may receive gifts and grants from private
7 sources.

8 (d) A center may not levy taxes or issue bonds, but it
9 may charge a student tuition fee consistent with authority
10 granted in its charter and permitted by law.

11 (e) A center is subject to an annual financial audit
12 in a manner similar to that of a school district or community
13 college.

14 (f) A center must provide instruction for at least the
15 number of days required by law for other public schools or
16 community colleges, as appropriate, and may provide
17 instruction for additional days.

18 (g) The sponsor, at the center's request, may apply to
19 the Commissioner of Education for a waiver of any requirements
20 that inhibit maximizing the use of public education funds.

21 (12) EMPLOYEES OF A CENTER.--

22 (a) A center may select its own employees.

23 (b) A center may contract for services with an
24 individual, partnership, or a cooperative. Such persons
25 contracted with are not public employees.

26 (c) If a center contracts with a public educational
27 agency for services, the terms of employment must follow
28 existing state law and rule and local policies and procedures.

29 (d) The employees of a center may bargain
30 collectively, as a separate unit or as part of the existing
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1 district collective bargaining unit, as determined by the
2 structure of the center.

3 (e) As a public employer, a center may participate in:

4 1. The Florida Retirement System upon application and
5 approval as a "covered group" under section 121.021(34),
6 Florida Statutes. If a center participates in the Florida
7 Retirement System, its employees are compulsory members of the
8 Florida Retirement System.

9 2. The state community college system optional
10 retirement plan pursuant to section 240.3195(2), Florida
11 Statutes, if the charter is granted by a community college
12 that participates in the optional retirement program and meets
13 the eligibility criteria of section 121.051(2)(c), Florida
14 Statutes.

15 (f) Teachers who are considered qualified by the
16 career center are exempt from state certification
17 requirements.

18 (g) A public school or community college teacher or
19 administrator may take a leave of absence to accept employment
20 by a charter technical career center upon the approval of the
21 school district or community college.

22 (h) An employee who is on a leave of absence under
23 this section may retain seniority accrued in that school
24 district or college and may continue to be covered by the
25 benefit programs of that district or college if the center and
26 the district school board or community college board of
27 trustees agree to this arrangement and its financing.

28 (13) BOARD OF DIRECTORS AUTHORITY.--The board of
29 directors of a center may decide matters relating to the
30 operation of the school, including budgeting, curriculum, and
31 operating procedures, subject to the center's charter.

1 (14) ACCOUNTABILITY.--Each center must submit a report
2 to the participating school board or district community
3 college board of trustees by August 1 of each year. The
4 report must be in such form as the sponsor prescribes and must
5 include:

6 (a) A discussion of progress made toward the
7 achievement of the goals outlined in the center's charter; and
8 (b) A financial statement setting forth by appropriate
9 categories the revenue and expenditures for the previous
10 school year.

11 (15) TERMS OF THE CHARTER.--The term of an initial
12 charter may not exceed 5 years. Thereafter, the sponsor may
13 renew a charter for a period up to 5 years. The sponsor may
14 refuse to renew a charter or may revoke a charter if the
15 center has not fulfilled a condition imposed under the charter
16 or if the center has violated any provision of the charter.
17 The sponsor may place the center on probationary status to
18 allow the implementation of a remedial plan, after which, if
19 the plan is unsuccessful, the charter may be summarily
20 revoked. The sponsor shall develop procedures and guidelines
21 for the revocation and renewal of a center's charter. The
22 sponsor must give written notice of its intent not to renew
23 the charter at least 12 months before the charter expires. If
24 the sponsor revokes a charter before the scheduled expiration
25 date, the sponsor must provide written notice to the governing
26 board of the center at least 60 days before the date of
27 termination, stating the grounds for the proposed revocation.
28 The governing board of the center may request in writing an
29 informal hearing before the sponsor within 14 days after
30 receiving the notice of revocation. A revocation takes effect
31 at the conclusion of a school year, unless the sponsor

1 determines that earlier revocation is necessary to protect the
2 health, safety, and welfare of students. The sponsor shall
3 monitor and review the center in its progress towards the
4 goals established in the charter and shall monitor the
5 revenues and expenditures of the center.

6 (16) TRANSPORTATION.--The center may provide
7 transportation, pursuant to chapter 234, Florida Statutes,
8 through a contract with the district school board or the
9 community college district board of trustees, a private
10 provider, or parents of students. The center must ensure that
11 transportation is not a barrier to equal access for all
12 students in grades K-12 residing within a reasonable distance
13 of the facility.

14 (17) IMMUNITY.--For the purposes of tort liability,
15 the governing body and employees of a center are governed by
16 section 768.28, Florida Statutes.

17 (18) RULES.--The State Board of Education shall adopt
18 rules, pursuant to chapter 120, Florida Statutes, relating to
19 the implementation of charter technical career centers.

20 (19) EVALUATION; REPORT.--The Commissioner of
21 Education shall provide for an annual comparative evaluation
22 of charter technical career centers and public technical
23 centers. The evaluation may be conducted in cooperation with
24 the sponsor, through private contracts, or by department
25 staff. At a minimum, the comparative evaluation must address
26 the demographic and socioeconomic characteristics of the
27 students served, the types and costs of services provided, and
28 the outcomes achieved. By December 30 of each year, the
29 Commissioner of Education shall submit to the Governor, the
30 President of the Senate, the Speaker of the House of
31 Representatives, and the Senate and House committees that have

1 responsibility for secondary and postsecondary career
2 education a report of the comparative evaluation completed for
3 the previous school year.

4 Section 2. Subsections (10) and (34) of section
5 121.021, Florida Statutes, are amended to read:

6 121.021 Definitions.--The following words and phrases
7 as used in this chapter have the respective meanings set forth
8 unless a different meaning is plainly required by the context:

9 (10) "Employer" means any agency, branch, department,
10 institution, university, institution of higher education, or
11 board of the state, or any county agency, branch, department
12 board, district school board, or special district of the
13 state, or any city of the state which participates in the
14 system for the benefit of certain of its employees, or a
15 charter school or charter technical career center that
16 participates as provided in s. 121.051(2)(d).

17 (34) "Covered group" means the officers and employees
18 of an employer who become members under this chapter. "Covered
19 group" applies also when the employer is a charter technical
20 career center, charter school, special district, or city for
21 which coverage under this chapter is applied for by the
22 employer and approved for social security coverage by the
23 United States Secretary of Health and Human Services and
24 approved by the administrator for membership under this
25 chapter. Members of a firefighters' pension trust fund or a
26 municipal police officers' retirement trust fund, established
27 in accordance with chapter 175 or chapter 185, respectively,
28 shall be considered eligible for membership under this chapter
29 only after holding a referendum and by affirmative majority
30 vote electing coverage under this chapter.

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1 Section 3. Paragraphs (c) and (d) of subsection (2) of
2 section 121.051, Florida Statutes, are amended to read:

3 121.051 Participation in the system.--

4 (2) OPTIONAL PARTICIPATION.--

5 (c) Employees of members of the State Community
6 College System or charter technical career centers sponsored
7 by members of the State Community College System, as
8 designated in s. 240.3031, who are members of the Regular
9 Class of the Florida Retirement System and who comply with the
10 criteria set forth in this paragraph and in s. 240.3195 may
11 elect, in lieu of participating in the Florida Retirement
12 System, to withdraw from the Florida Retirement System
13 altogether and participate in a lifetime monthly annuity
14 program, to be known as the State Community College System
15 Optional Retirement Program, which may be provided by the
16 employing agency under s. 240.3195. Pursuant thereto:

17 1. The cost to the employer for such annuity shall
18 equal the normal cost portion of the employer retirement
19 contribution which would be required if the employee were a
20 member of the Regular Class, plus the portion of the
21 contribution rate required by s. 112.363(8) that would
22 otherwise be assigned to the Retiree Health Insurance Subsidy
23 Trust Fund, and less an amount approved by the employer to
24 provide for the administration of the optional retirement
25 program. The employer providing such annuity shall contribute
26 an additional amount to the Florida Retirement System Trust
27 Fund equal to the unfunded actuarial accrued liability portion
28 of the Regular Class contribution rate.

29 2. The decision to participate in such an optional
30 retirement program shall be irrevocable for as long as the
31 employee holds a position eligible for participation. Any

1 service creditable under the Florida Retirement System shall
2 be retained after the member withdraws from the Florida
3 Retirement System; however, additional service credit in the
4 Florida Retirement System shall not be earned while a member
5 of the optional retirement program.

6 3. Participation in an optional annuity program shall
7 be limited to those employees who satisfy the following
8 eligibility criteria:

9 a. The employee must be otherwise eligible for
10 membership in the Regular Class of the Florida Retirement
11 System, as provided in s. 121.021(11) and (12).

12 b. The employee must be employed in a full-time
13 position classified in the Accounting Manual for Florida's
14 Public Community Colleges as:

15 (I) Instructional; or

16 (II) Executive Management, Instructional Management,
17 or Institutional Management, if a community college determines
18 that recruiting to fill a vacancy in the position is to be
19 conducted in the national or regional market, and:

20 (A) The duties and responsibilities of the position
21 include either the formulation, interpretation, or
22 implementation of policies; or

23 (B) The duties and responsibilities of the position
24 include the performance of functions that are unique or
25 specialized within higher education and that frequently
26 involve the support of the mission of the community college.

27 c. The employee must be employed in a position not
28 included in the Senior Management Service Class of the Florida
29 Retirement System, as described in s. 121.055.

30 4. Participants in the program are subject to the same
31 reemployment limitations, renewed membership provisions, and

1 forfeiture provisions as are applicable to regular members of
2 the Florida Retirement System under ss. 121.091(9), 121.122,
3 and 121.091(5), respectively.

4 5. Eligible community college employees shall be
5 compulsory members of the Florida Retirement System until,
6 pursuant to the procedures set forth in s. 240.3195, the first
7 day of the next full calendar month following the filing of
8 both a written election to withdraw and a completed
9 application for an individual contract or certificate with the
10 program administrator and receipt of such election by the
11 division.

12 (d) The governing body of a charter school or a
13 charter technical career center may elect to participate in
14 the system upon proper application to the administrator and
15 shall cover its units as approved by the Secretary of Health
16 and Human Services and the administrator. Once this election
17 is made and approved, it may not be revoked, and all present
18 officers and employees selecting coverage under this chapter
19 and all future officers and employees shall be compulsory
20 members of the Florida Retirement System.

21 Section 4. Section 121.1122, Florida Statutes, is
22 amended to read:

23 121.1122 Purchase of retirement credit for in-state
24 public service and in-state service in accredited nonpublic,
25 nonsectarian schools and colleges, including charter schools
26 and charter technical career centers.--Effective January 1,
27 1998, a member of the Florida Retirement System may purchase
28 creditable service for periods of certain public or nonpublic,
29 ~~nonsectarian~~ employment performed in this state, as provided
30 in this section.

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1 (1) PURCHASE OF RETIREMENT CREDIT AUTHORIZED.--Subject
2 to the provisions of subsections (2) and (3), a member of the
3 Florida Retirement System may purchase up to 5 years of
4 retirement credit for:

5 (a) Periods of public employment in this state; or

6 (b) Periods of employment in charter schools or
7 charter technical career centers or in any nonpublic,
8 nonsectarian school or college in this state that is
9 accredited by the Southern Association of Colleges and
10 Schools.

11
12 Credit for 1 year of such service may be purchased for each
13 year of creditable service a member completes under the
14 Florida Retirement System.

15 (2) LIMITATIONS AND CONDITIONS.--

16 (a) A member is not eligible to receive credit for
17 in-state service under this section until he or she has
18 completed 10 years of creditable service under the Florida
19 Retirement System, excluding service purchased under this
20 section and out-of-state service claimed and purchased under
21 s. 121.1115.

22 (b) A member may not purchase and receive credit for
23 more than 5 years of creditable service aggregated under the
24 provisions of this section and s. 121.1115.

25 (c) Service credit claimed under this section shall be
26 credited only as service in the Regular Class of membership
27 and shall be subject to the provisions of s. 112.65.

28 (d) A member shall be eligible to receive service
29 credit for in-state service performed after leaving the
30 Florida Retirement System only upon returning to membership
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1 and completing at least 1 year of creditable service in the
2 Florida Retirement System following the in-state service.

3 (e) The service claimed must have been service covered
4 by a retirement or pension plan provided by the employer.

5 (3) COST.--The cost to purchase retirement credit
6 under this section shall be calculated in the same manner as
7 set forth in s. 121.1115(2) for purchase of credit for
8 out-of-state service.

9 Section 5. Subsection (7) of section 236.081, Florida
10 Statutes, is amended to read:

11 236.081 Funds for operation of schools.--If the annual
12 allocation from the Florida Education Finance Program to each
13 district for operation of schools is not determined in the
14 annual appropriations act or the substantive bill implementing
15 the annual appropriations act, it shall be determined as
16 follows:

17 (7) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.--In
18 those districts where there is a decline between prior year
19 and current year unweighted FTE students, 50 percent of the
20 decline in the unweighted FTE students shall be multiplied by
21 the prior year calculated FEFP per unweighted FTE student and
22 shall be added to the allocation for that district. For this
23 purpose, the calculated FEFP shall be computed by multiplying
24 the weighted FTE students by the base student allocation and
25 then by the district cost differential. If a district
26 transfers a program to another institution not under the
27 authority of the district's school board, including a charter
28 technical career center, the decline is to be multiplied by a
29 factor of 0.15.

30 Section 6. There is appropriated from the General
31 Revenue Fund the sum of \$3 million, for fiscal year 1998-1999,

1 as a grant and aid to Daytona Beach Community College for
2 planning and design costs for a charter technical career
3 center which will serve Volusia and Flagler County students in
4 grades 11 through 14 on a model basis.

5 Section 7. This act shall take effect upon becoming a
6 law.

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