

By Senator Diaz-Balart

37-1171-98

1                                   A bill to be entitled  
2           An act relating to Florida School Improvement  
3           and Academic Achievement Trust Fund grants;  
4           amending s. 236.1229, F.S.; revising funding,  
5           allocation, and district-level administration;  
6           providing an effective date.

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

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10           Section 1. Section 236.1229, Florida Statutes, is  
11 amended to read:

12           236.1229 Florida School Improvement and Academic  
13 Achievement Trust Fund grants.--

14           (1) LEGISLATIVE INTENT.--The Legislature recognizes  
15 that private contributions can play an important role in  
16 enabling school districts to achieve a margin of excellence  
17 within existing state and local funding. It is, therefore,  
18 the intent of the Legislature to provide each school district  
19 with the opportunity to receive private donations and provide  
20 private donors with an incentive in the form of matching  
21 grants for contributions for the improvement of schools and  
22 academic programs within the district school system.

23           (2) FUNDING.--The Florida School Improvement and  
24 Academic Achievement Trust Fund shall be utilized to provide  
25 challenge grants and matching endowment grants to public  
26 school district education foundations ~~school boards~~ that meet  
27 the requirements of this section and are recognized as such by  
28 the Florida Education Foundation. All funds appropriated or  
29 retained in the trust fund shall be invested pursuant to s.  
30 18.125. Notwithstanding the provisions of s. 216.301, and  
31 pursuant to s. 216.351, any undisbursed balance remaining in

1 the trust fund and interest accruing to that portion of the  
2 trust fund not matched and distributed to the public school  
3 district education foundations ~~school boards~~ shall remain in  
4 the trust fund and shall increase the total funds available  
5 for challenge grants and matching endowment grants.

6 (3) ADMINISTRATION.--The Commissioner of Education  
7 shall specify procedures for submitting, documenting, and  
8 approving requests for matching funds and for maintaining  
9 accountability for endowments and the proceeds of endowments;  
10 and establish restrictions on the use of proceeds from  
11 endowments. The commissioner shall specify conditions under  
12 which matching funds may be encumbered by a down payment and a  
13 pledged schedule of future contributions. Such conditions  
14 shall include conditions of default and reinstatement of  
15 defaulted pledges.

16 (4) ALLOCATION OF THE TRUST FUND.--Funds appropriated  
17 to the trust fund shall be allocated by the Department of  
18 Education in the following manner:

19 (a) For every year in which there is a legislative  
20 appropriation to the trust fund, an equal amount of the annual  
21 appropriation, to be determined by dividing the total  
22 legislative appropriation by the number of local education  
23 foundations,~~the lesser of the amount appropriated divided by~~  
24 ~~the number of districts or \$10,000~~ must be reserved for to  
25 provide each public school district education foundation to  
26 provide each foundation ~~school board~~ with an opportunity to  
27 receive and match a challenge grant. ~~The balance of the funds~~  
28 ~~shall be available for matching by any district school board~~  
29 Trust funds that ~~which~~ remain unmatched by contribution on  
30 March 1 of any year shall also be available for matching by  
31 any public school district education foundation or by the

1 Department of Education Florida Education Foundation ~~school~~  
2 ~~board~~. The commissioner shall adopt procedures providing all  
3 public school district education foundations ~~school boards~~  
4 with an opportunity to apply for excess trust funds prior to  
5 awarding such funds. However, no public school district  
6 education foundation ~~school board~~ may receive more than its  
7 percentage of the total full-time equivalent enrollment or 15  
8 percent, whichever is greater, of the funds appropriated to  
9 the trust fund for that fiscal year.

10 (b) Challenge grants shall be proportionately  
11 allocated from the trust fund on the basis of matching each \$4  
12 of state funds with \$6 of private funds. To be eligible for  
13 matching, a minimum of \$4,500 must be raised from private  
14 sources.

15 (c) Funds sufficient to provide the match shall be  
16 transferred from the state trust fund to the public school  
17 education foundation upon notification that a proportionate  
18 amount has been received and deposited by the foundation in  
19 its own trust fund.

20 ~~(b) Contributions made after June 1, 1995, for a~~  
21 ~~specific purpose other than those enumerated in paragraphs (c)~~  
22 ~~and (d) shall be matched in the following manner:~~

23 ~~1. Each school district that raises a contribution of~~  
24 ~~at least \$50,000, but no more than \$99,000, from a private~~  
25 ~~source shall receive a matching grant equal to 25 percent of~~  
26 ~~the private contribution.~~

27 ~~2. Each school district that raises a contribution of~~  
28 ~~at least \$100,000, but no more than \$599,999, from a private~~  
29 ~~source shall receive a matching grant equal to 50 percent of~~  
30 ~~the private contribution.~~

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1           ~~3. Each school district that raises a contribution of~~  
2 ~~at least \$600,000, but no more than \$1 million, from a private~~  
3 ~~source shall receive a matching grant equal to 70 percent of~~  
4 ~~the private contribution.~~

5           ~~4. Each school district that raises a contribution in~~  
6 ~~excess of \$1 million, but no more than \$1.5 million, from a~~  
7 ~~private source shall receive a matching grant equal to 75~~  
8 ~~percent of the private contribution.~~

9           ~~5. Each school district that raises a contribution in~~  
10 ~~excess of \$1.5 million, but no more than \$2 million, from a~~  
11 ~~private source shall receive a matching grant equal to 80~~  
12 ~~percent of the private contribution.~~

13           ~~6. Each school district that raises a contribution in~~  
14 ~~excess of \$2 million from a private source shall receive a~~  
15 ~~matching grant equal to 100 percent of the private~~  
16 ~~contribution.~~

17           ~~(c) Contributions made after June 1, 1995, for the~~  
18 ~~establishment of an endowment to be used at the discretion of~~  
19 ~~the district school board for improving schools and academic~~  
20 ~~achievement within the school district, which is not~~  
21 ~~restricted for use by a specific school, discipline, or~~  
22 ~~program, and which is at least in the amount of \$100,000,~~  
23 ~~shall be matched at the rate of 70 percent of the private~~  
24 ~~contribution.~~

25           ~~(d) Contributions made after June 1, 1995, for the~~  
26 ~~establishment of an endowment to be used at the discretion of~~  
27 ~~the district school board for improving schools and academic~~  
28 ~~achievement within the school district, which is not~~  
29 ~~restricted for use by a specific school, discipline, or~~  
30 ~~program, and which is in excess of the amount of \$1 million,~~  
31 ~~shall be matched pursuant to paragraph (b).~~

1           ~~(e) Pledged contributions shall be eligible for~~  
2 ~~matching pursuant to this section, provided that such~~  
3 ~~contributions shall not be eligible for matching prior to the~~  
4 ~~actual collection of the total contribution.~~

5           (d) Matching grants shall be distributed on the last  
6 day of each calendar quarter. If the total of the amounts to  
7 be distributed in any quarter pursuant to this subsection  
8 exceeds the amount of funds remaining from specific  
9 appropriations made for the implementation of this section,  
10 all grants for that quarter shall be proportionately reduced  
11 so that the total of matching grants distributed does not  
12 exceed available appropriations.

13           (5) DISTRICT-LEVEL ADMINISTRATION.--

14           (a) Each public school district education foundation  
15 ~~school board~~ participating in the Florida School Improvement  
16 and Academic Achievement Trust Fund shall separately account  
17 for all funds received pursuant to this section, including  
18 interest, and may establish its own school improvement and  
19 academic achievement trust fund as a depository for the a  
20 ~~District School Improvement and Academic Achievement Trust~~  
21 ~~Fund. The sources of funds shall be private contributions,~~  
22 ~~state matching funds, and interest earnings on investments of~~  
23 ~~such funds. State matching funds shall be transferred to the~~  
24 public school district education foundation upon notification  
25 that the foundation ~~district school board direct-support~~  
26 ~~organization~~ has received and deposited private contributions  
27 that meet a private contribution which meets the criteria for  
28 matching as provided in this section. The public school  
29 district education foundations are responsible for the  
30 maintenance, investment, and administration of their school  
31 improvement and academic improvement trust funds.

1           (b) The public school district education foundation  
2 ~~direct support organization serving the district school board~~  
3 shall be responsible for soliciting and receiving  
4 contributions to be deposited and matched with challenge  
5 grants for establishing endowments for school improvement and  
6 academic achievement within the school district.

7           (c) Each public school district education foundation  
8 ~~school board~~ shall be responsible for proper expenditure of  
9 the funds received pursuant to this section.

10           (6) ~~PROHIBITED~~ USES.--The donations, state matching  
11 funds, or proceeds from endowments established pursuant to  
12 this section shall be used at the discretion of the public  
13 school district education foundation for improving schools and  
14 academic achievement within the school district and shall not  
15 be expended for the construction of facilities or for the  
16 support of interscholastic athletics. No public school  
17 district education foundation ~~school board or district school~~  
18 ~~board direct support organization~~ shall accept or purchase  
19 facilities for which the state will be asked for operating  
20 funds unless the Legislature has granted prior approval for  
21 such acquisition.

22           Section 2. This act shall take effect July 1, 1998.

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25           LEGISLATIVE SUMMARY

26           Revises funding, allocation, and district-level  
27 administration of Florida School Improvement and Academic  
28 Achievement Trust Fund grants. Provides that public  
29 school district education foundations shall receive and  
30 match challenge grants.  
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