

1                                   A bill to be entitled  
2           An act relating to public school funding;  
3           creating the "School District Flexibility Act  
4           of 2001"; providing for school district  
5           flexibility in the 2001-2002 fiscal year  
6           expenditure of specified funds appropriated in  
7           ch. 2001-253, Laws of Florida; providing for  
8           reports; authorizing equalized nonvoted capital  
9           improvement millage to be expended for  
10          operations in fiscal year 2001-2002; providing  
11          for repeal; repealing paragraph 7 of proviso  
12          language for Specific Appropriation 118, ch.  
13          2001-253, Laws of Florida, which provides for  
14          calculation of a minimum guaranteed level of  
15          funding for school districts; amending s.  
16          235.187, F.S.; to provide for district loans of  
17          Classrooms First Program funds; providing an  
18          effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22           Section 1. School District Flexibility Act of 2001.--  
23           (1) This section may be cited as the "School District  
24 Flexibility Act of 2001."

25           (2)(a) During the 2001-2002 fiscal year, each district  
26 school board is authorized flexibility to expend funds  
27 allocated to the school district from the appropriations in  
28 chapter 2001-253, Laws of Florida, as provided below:

29           1. If a district school board finds and declares in a  
30 resolution adopted at a regular meeting of the school board  
31 that the funds received for the programs listed below are

1 urgently needed to maintain board specified academic classroom  
2 instruction, the school board may consider and approve an  
3 amendment to the school district's 2001-2002 operating budget  
4 transferring the identified amount of funds to the appropriate  
5 account for expenditure.

6 a. Section 236.083, Florida Statutes, Funds for  
7 Student Transportation, Specific Appropriation 121.

8 b. Section 236.081(3), Florida Statutes, Funds for  
9 Inservice Educational Personnel Training, Specific  
10 Appropriation 122.

11 c. Funds allocated for Safe Schools Activities,  
12 Specific Appropriation 118.

13 d. Funds for Public School Technology, Specific  
14 Appropriation 120A.

15 e. Funds for Teacher Recruitment Signing Bonuses,  
16 Specific Appropriation 119, which are in excess of the amount  
17 required to provide \$850 Teacher Retention Bonuses.

18 2. If the district school board finds that funds  
19 allocated for the purpose set forth in s. 236.08104, Florida  
20 Statutes, Supplemental Academic Instruction, Specific  
21 Appropriation 118, are budgeted to be expended for  
22 nonclassroom instruction, the school board may consider and  
23 approve an amendment to the school district's 2001-2002  
24 operating budget transferring such funds to an appropriate  
25 academic classroom instruction account for expenditure.

26 (b) Each district school board shall report to the  
27 Department of Education the amount of funds it transferred  
28 from each of the programs identified in this subsection and  
29 the specific academic classroom instruction for which these  
30 funds were expended. The department shall provide instructions  
31 and format to be used in submitting this required information.

1 The department shall submit to the Governor, the President of  
2 the Senate, and the Speaker of the House of Representatives a  
3 report showing the actions taken by each district school board  
4 and a statewide summary for all school districts.

5 (3)(a) To help mitigate the impact of the midyear  
6 reduction in the 2001-2002 fiscal year appropriation for the  
7 Florida Education Finance Program, each district school board  
8 is authorized to expend in its operating budget as  
9 nonrecurring funds up to 0.5 mills of its nonvoted capital  
10 improvement millage levied pursuant to s. 236.25(2), Florida  
11 Statutes, for the 2001-2002 fiscal year, that will produce an  
12 amount not to exceed \$183 per full-time equivalent student.  
13 This authorized use of proceeds from this millage levy is in  
14 addition to the authorized uses set forth in s. 236.25,  
15 Florida Statutes, and is for the 2001-2002 fiscal year only.  
16 Any proceeds from this millage levy used to replace the  
17 midyear budget reduction in the Florida Education Finance  
18 Program shall be transferred by budget amendment approved by  
19 the district school board at a regular meeting of the school  
20 board.

21 (b) If the proceeds from 0.5 mills produce less than  
22 \$183 per full-time equivalent student in any school district,  
23 the additional amount required to equal \$183 per full-time  
24 equivalent student shall be provided from state funds.

25 (c) If a district school board has not levied  
26 sufficient millage pursuant to s. 236.25(2), Florida Statutes,  
27 for the 2001-2002 fiscal year to produce \$183 per full-time  
28 equivalent student and the school board has other similar  
29 funds available, the school board may use such funds in lieu  
30 of proceeds from millage.

31 (4) This section is repealed effective June 30, 2002.

1           Section 2. Paragraph 7 of the proviso language for  
2 Specific Appropriation 118 of chapter 2001-253, Laws of  
3 Florida, is repealed.

4           Section 3. Subsection (2) is amended and new  
5 subsection (6) is added to section 235.187, Florida Statutes,  
6 to read:

7           235.187 Classrooms First Program; uses.--

8           (2) A district school board shall expend the funds  
9 received pursuant to this section only to:

10           (a) Construct, renovate, remodel, repair, or maintain  
11 educational facilities;~~or~~

12           (b) Pay debt service on bonds issued pursuant to this  
13 section, the proceeds of which must be expended for new  
14 construction, remodeling, renovation, and major repairs. Bond  
15 proceeds shall be expended first for providing permanent  
16 classrooms facilities. Bond proceeds shall not be expended for  
17 any other facilities until all unmet needs for permanent  
18 classrooms and auxiliary facilities as defined in s. 235.011  
19 have been satisfied; ~~or-~~

20           (c) Provide loans to other school districts for new  
21 school construction pursuant to subsection (6).

22  
23 However, if more than 9 percent of a district's total square  
24 feet is more than 50 years old, the district must spend at  
25 least 25 percent of its allocation on the renovation, major  
26 repair, or remodeling of existing schools, except that  
27 districts with fewer than 10,000 full-time equivalent students  
28 are exempt from this requirement.

29           (6) School districts may enter into inter-local  
30 agreements to loan their Classrooms First Program funds as  
31 provided in subsection (2). A school district or multiple

1 school districts that receive cash proceeds may, after  
2 considering their own new construction needs outlined in their  
3 5-year district facilities work program, loan their Classrooms  
4 First Program funds to another school district that has need  
5 for new facilities. The inter-local agreement must be  
6 approved by the Secretary of Education and must outline the  
7 following: the amount of the funds to be loaned, the term of  
8 the loan, the repayment schedule, any interest amount to be  
9 repaid in addition to the principal amount of the loan.

10           Section 4. This act shall take effect upon becoming a  
11 law.