

By Senator Bennett

21-652-03

See HB 15

1                                   A bill to be entitled  
2           An act relating to funding for school  
3           districts; amending s. 1011.62, F.S.; deleting  
4           the determination of district cost  
5           differentials for the purpose of allocation of  
6           funds to school districts for operation of  
7           schools; correcting cross-references; amending  
8           s. 1011.68, F.S.; deleting use of the Florida  
9           Price Level Index for the purpose of allocation  
10          of funds to school districts for student  
11          transportation; amending ss. 110.1228, 213.053,  
12          402.22, 1002.38, 1002.39, 1004.75, 1010.20,  
13          1011.02, 1011.71, 1012.44, and 1012.64, F.S.;  
14          conforming provisions and correcting  
15          cross-references; providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19           Section 1. Section 1011.62, Florida Statutes, is  
20 amended to read:

21           1011.62 Funds for operation of schools.--If the annual  
22 allocation from the Florida Education Finance Program to each  
23 district for operation of schools is not determined in the  
24 annual appropriations act or the substantive bill implementing  
25 the annual appropriations act, it shall be determined as  
26 follows:

27           (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
28 OPERATION.--The following procedure shall be followed in  
29 determining the annual allocation to each district for  
30 operation:

31

1           (a) Determination of full-time equivalent  
2 membership.--During each of several school weeks, including  
3 scheduled intersessions of a year-round school program during  
4 the fiscal year, a program membership survey of each school  
5 shall be made by each district by aggregating the full-time  
6 equivalent student membership of each program by school and by  
7 district. The department shall establish the number and  
8 interval of membership calculations, except that for basic and  
9 special programs such calculations shall not exceed nine for  
10 any fiscal year. The district's full-time equivalent  
11 membership shall be computed and currently maintained in  
12 accordance with regulations of the commissioner.

13           (b) Determination of base student allocation.--The  
14 base student allocation for the Florida Education Finance  
15 Program for kindergarten through grade 12 shall be determined  
16 annually by the Legislature and shall be that amount  
17 prescribed in the current year's General Appropriations Act.

18           (c) Determination of programs.--Cost factors based on  
19 desired relative cost differences between the following  
20 programs shall be established in the annual General  
21 Appropriations Act. The Commissioner of Education shall  
22 specify a matrix of services and intensity levels to be used  
23 by districts in the determination of the two weighted cost  
24 factors for exceptional students with the highest levels of  
25 need. For these students, the funding support level shall fund  
26 the exceptional students' education program, with the  
27 exception of extended school year services for students with  
28 disabilities.

- 29           1. Basic programs.--  
30           a. Kindergarten and grades 1, 2, and 3.  
31           b. Grades 4, 5, 6, 7, and 8.

- 1           c. Grades 9, 10, 11, and 12.
- 2           2. Programs for exceptional students.--
- 3           a. Support Level IV.
- 4           b. Support Level V.
- 5           3. Secondary career and technical education
- 6 programs.--
- 7           4. English for Speakers of Other Languages.--
- 8           (d) Annual allocation calculation.--
- 9           1. The Department of Education is authorized and
- 10 directed to review all district programs and enrollment
- 11 projections and calculate a maximum total weighted full-time
- 12 equivalent student enrollment for each district for the K-12
- 13 FEFP.
- 14           2. Maximum enrollments calculated by the department
- 15 shall be derived from enrollment estimates used by the
- 16 Legislature to calculate the FEFP. If two or more districts
- 17 enter into an agreement under the provisions of s.
- 18 1001.42(4)(d), after the final enrollment estimate is agreed
- 19 upon, the amount of FTE specified in the agreement, not to
- 20 exceed the estimate for the specific program as identified in
- 21 paragraph (c), may be transferred from the participating
- 22 districts to the district providing the program.
- 23           3. As part of its calculation of each district's
- 24 maximum total weighted full-time equivalent student
- 25 enrollment, the department shall establish separate enrollment
- 26 ceilings for each of two program groups. Group 1 shall be
- 27 composed of basic programs for grades K-3, grades 4-8, and
- 28 grades 9-12. Group 2 shall be composed of students in
- 29 exceptional student education programs, English for Speakers
- 30 of Other Languages programs, and all career and technical
- 31 programs in grades 7-12.

1           a. The weighted enrollment ceiling for group 2  
2 programs shall be calculated by multiplying the final  
3 enrollment conference estimate for each program by the  
4 appropriate program weight. The weighted enrollment ceiling  
5 for program group 2 shall be the sum of the weighted  
6 enrollment ceilings for each program in the program group,  
7 plus the increase in weighted full-time equivalent student  
8 membership from the prior year for clients of the Department  
9 of Children and Family Services and the Department of Juvenile  
10 Justice.

11           b. If, for any calculation of the FEFP, the weighted  
12 enrollment for program group 2, derived by multiplying actual  
13 enrollments by appropriate program weights, exceeds the  
14 enrollment ceiling for that group, the following procedure  
15 shall be followed to reduce the weighted enrollment for that  
16 group to equal the enrollment ceiling:

17           (I) The weighted enrollment ceiling for each program  
18 in the program group shall be subtracted from the weighted  
19 enrollment for that program derived from actual enrollments.

20           (II) If the difference calculated under  
21 sub-sub-subparagraph (I) is greater than zero for any program,  
22 a reduction proportion shall be computed for the program by  
23 dividing the absolute value of the difference by the total  
24 amount by which the weighted enrollment for the program group  
25 exceeds the weighted enrollment ceiling for the program group.

26           (III) The reduction proportion calculated under  
27 sub-sub-subparagraph (II) shall be multiplied by the total  
28 amount of the program group's enrollment over the ceiling as  
29 calculated under sub-sub-subparagraph (I).

30           (IV) The prorated reduction amount calculated under  
31 sub-sub-subparagraph (III) shall be subtracted from the

1 program's weighted enrollment. For any calculation of the  
2 FEFP, the enrollment ceiling for group 1 shall be calculated  
3 by multiplying the actual enrollment for each program in the  
4 program group by its appropriate program weight.

5 c. For program group 2, the weighted enrollment  
6 ceiling shall be a number not less than the sum obtained by:

7 (I) Multiplying the sum of reported FTE for all  
8 programs in the program group that have a cost factor of 1.0  
9 or more by 1.0, and

10 (II) By adding this number to the sum obtained by  
11 multiplying the projected FTE for all programs with a cost  
12 factor less than 1.0 by the actual cost factor.

13 4. Following completion of the weighted enrollment  
14 ceiling calculation as provided in subparagraph 3., a  
15 supplemental capping calculation shall be employed for those  
16 districts that are over their weighted enrollment ceiling. For  
17 each such district, the total reported unweighted FTE  
18 enrollment for group 2 programs shall be compared with the  
19 total appropriated unweighted FTE enrollment for group 2  
20 programs. If the total reported unweighted FTE for group 2 is  
21 greater than the appropriated unweighted FTE, then the excess  
22 unweighted FTE up to the unweighted FTE transferred from group  
23 2 to group 1 for each district by the Public School FTE  
24 Estimating Conference shall be funded at a weight of 1.0 and  
25 added to the funded weighted FTE computed in subparagraph 3.

26 (e) Funding model for exceptional student education  
27 programs.--

28 1.a. The funding model uses basic, at-risk, support  
29 levels IV and V for exceptional students and career and  
30 technical Florida Education Finance Program cost factors, and  
31 a guaranteed allocation for exceptional student education

1 programs. Exceptional education cost factors are determined by  
2 using a matrix of services to document the services that each  
3 exceptional student will receive. The nature and intensity of  
4 the services indicated on the matrix shall be consistent with  
5 the services described in each exceptional student's  
6 individual educational plan.

7           b. In order to generate funds using one of the two  
8 weighted cost factors, a matrix of services must be completed  
9 at the time of the student's initial placement into an  
10 exceptional student education program and at least once every  
11 3 years by personnel who have received approved training.  
12 Nothing listed in the matrix shall be construed as limiting  
13 the services a school district must provide in order to ensure  
14 that exceptional students are provided a free, appropriate  
15 public education.

16           c. Students identified as exceptional, in accordance  
17 with chapter 6A-6, Florida Administrative Code, who do not  
18 have a matrix of services as specified in sub-subparagraph b.  
19 shall generate funds on the basis of full-time-equivalent  
20 student membership in the Florida Education Finance Program at  
21 the same funding level per student as provided for basic  
22 students. Additional funds for these exceptional students will  
23 be provided through the guaranteed allocation designated in  
24 subparagraph 2.

25           2. For students identified as exceptional who do not  
26 have a matrix of services, there is created a guaranteed  
27 allocation to provide these students with a free appropriate  
28 public education, in accordance with s. 1001.42(4)(m) and  
29 rules of the State Board of Education, which shall be  
30 allocated annually to each school district in the amount  
31 provided in the General Appropriations Act. These funds shall

1 be in addition to the funds appropriated on the basis of FTE  
2 student membership in the Florida Education Finance Program,  
3 and the amount allocated for each school district shall not be  
4 recalculated during the year. These funds shall be used to  
5 provide special education and related services for exceptional  
6 students.

7 (f) Supplemental academic instruction; categorical  
8 fund.--

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

13 2. Categorical funds for supplemental academic  
14 instruction shall be allocated annually to each school  
15 district in the amount provided in the General Appropriations  
16 Act. These funds shall be in addition to the funds  
17 appropriated on the basis of FTE student membership in the  
18 Florida Education Finance Program and shall be included in the  
19 total potential funds of each district. These funds shall be  
20 used to provide supplemental academic instruction to students  
21 enrolled in the K-12 program. Supplemental instruction  
22 strategies may include, but are not limited to: modified  
23 curriculum, reading instruction, after-school instruction,  
24 tutoring, mentoring, class size reduction, extended school  
25 year, intensive skills development in summer school, and other  
26 methods for improving student achievement. Supplemental  
27 instruction may be provided to a student in any manner and at  
28 any time during or beyond the regular 180-day term identified  
29 by the school as being the most effective and efficient way to  
30 best help that student progress from grade to grade and to  
31 graduate.

1           3. Effective with the 1999-2000 fiscal year, funding  
2 on the basis of FTE membership beyond the 180-day regular term  
3 shall be provided in the FEFP only for students enrolled in  
4 juvenile justice education programs. Funding for instruction  
5 beyond the regular 180-day school year for all other K-12  
6 students shall be provided through the supplemental academic  
7 instruction categorical fund and other state, federal, and  
8 local fund sources with ample flexibility for schools to  
9 provide supplemental instruction to assist students in  
10 progressing from grade to grade and graduating.

11           4. The Florida State University School, as a  
12 developmental research school, is authorized to expend from  
13 its FEFP or Lottery Enhancement Trust Fund allocation the cost  
14 to the student of remediation in reading, writing, or  
15 mathematics for any graduate who requires remediation at a  
16 postsecondary educational institution.

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

21           (g) Education for speakers of other languages.--A  
22 school district shall be eligible to report full-time  
23 equivalent student membership in the ESOL program in the  
24 Florida Education Finance Program provided the following  
25 conditions are met:

26           1. The school district has a plan approved by the  
27 Department of Education.

28           2. The eligible student is identified and assessed as  
29 limited English proficient based on assessment criteria.

30           3.a. An eligible student may be reported for funding  
31 in the ESOL program for a base period of 3 years. However, a



1 student whose English competency does not meet the criteria  
2 for proficiency after 3 years in the ESOL program may be  
3 reported for a fourth, fifth, and sixth year of funding,  
4 provided his or her limited English proficiency is assessed  
5 and properly documented prior to his or her enrollment in each  
6 additional year beyond the 3-year base period.

7         b. If a student exits the program and is later  
8 reclassified as limited English proficient, the student may be  
9 reported in the ESOL program for funding for an additional  
10 year, or extended annually for a period not to exceed a total  
11 of 6 years pursuant to this paragraph, based on an annual  
12 evaluation of the student's status.

13         4. An eligible student may be reported for funding in  
14 the ESOL program for membership in ESOL instruction in English  
15 and ESOL instruction or home language instruction in the basic  
16 subject areas of mathematics, science, social studies, and  
17 computer literacy.

18         (h) Small, isolated high schools.--Districts which  
19 levy the maximum nonvoted discretionary millage, exclusive of  
20 millage for capital outlay purposes levied pursuant to s.  
21 1011.71(2), may calculate full-time equivalent students for  
22 small, isolated high schools by multiplying the number of  
23 unweighted full-time equivalent students times 2.75; provided  
24 the percentage of students at such school passing both parts  
25 of the high school competency test, as defined by law and  
26 rule, has been equal to or higher than such percentage for the  
27 state or district, whichever is greater. For the purpose of  
28 this section, the term "small, isolated high school" means any  
29 high school which is located no less than 28 miles by the  
30 shortest route from another high school; which has been  
31 serving students primarily in basic studies provided by

1 sub-subparagraphs (c)1.b. and c. and may include subparagraph  
2 (c)4.; and which has a membership of no more than 100  
3 students, but no fewer than 28 students, in grades 9 through  
4 12.

5 (i) Calculation of full-time equivalent membership  
6 with respect to instruction from community colleges or state  
7 universities.--Students enrolled in community college or  
8 university dual enrollment instruction pursuant to s. 1007.271  
9 may be included in calculations of full-time equivalent  
10 student memberships for basic programs for grades 9 through 12  
11 by a district school board. Such students may also be  
12 calculated as the proportional shares of full-time equivalent  
13 enrollments they generate for the community college or  
14 university conducting the dual enrollment instruction. Early  
15 admission students shall be considered dual enrollments for  
16 funding purposes. Students may be enrolled in dual enrollment  
17 instruction provided by an eligible independent college or  
18 university and may be included in calculations of full-time  
19 equivalent student memberships for basic programs for grades 9  
20 through 12 by a district school board. However, those  
21 provisions of law which exempt dual enrolled and early  
22 admission students from payment of instructional materials and  
23 tuition and fees, including laboratory fees, shall not apply  
24 to students who select the option of enrolling in an eligible  
25 independent institution. An independent college or university  
26 which is located and chartered in Florida, is not for profit,  
27 is accredited by the Commission on Colleges of the Southern  
28 Association of Colleges and Schools or the Accrediting  
29 Commission of the Association of Independent Colleges and  
30 Schools, and which confers degrees as defined in s. 1005.02  
31 shall be eligible for inclusion in the dual enrollment or

1 early admission program. Students enrolled in dual enrollment  
2 instruction shall be exempt from the payment of tuition and  
3 fees, including laboratory fees. No student enrolled in  
4 college credit mathematics or English dual enrollment  
5 instruction shall be funded as a dual enrollment unless the  
6 student has successfully completed the relevant section of the  
7 entry-level examination required pursuant to s. 1008.30.

8 (j) Coenrollment.--If a high school student wishes to  
9 earn high school credits from a community college and enrolls  
10 in one or more adult secondary education courses at the  
11 community college, the community college shall be reimbursed  
12 for the costs incurred because of the high school student's  
13 coenrollment as provided in the General Appropriations Act.

14 (k) Instruction in exploratory career  
15 education.--Students in grades 7 through 12 who are enrolled  
16 for more than four semesters in exploratory career education  
17 may not be counted as full-time equivalent students for this  
18 instruction.

19 (l) Calculation of additional full-time equivalent  
20 membership based on international baccalaureate examination  
21 scores of students.--A value of 0.24 full-time equivalent  
22 student membership shall be calculated for each student  
23 enrolled in an international baccalaureate course who receives  
24 a score of 4 or higher on a subject examination. A value of  
25 0.3 full-time equivalent student membership shall be  
26 calculated for each student who receives an international  
27 baccalaureate diploma. Such value shall be added to the total  
28 full-time equivalent student membership in basic programs for  
29 grades 9 through 12 in the subsequent fiscal year. The school  
30 district shall distribute to each classroom teacher who  
31 provided international baccalaureate instruction:

1           1. A bonus in the amount of \$50 for each student  
2 taught by the International Baccalaureate teacher in each  
3 international baccalaureate course who receives a score of 4  
4 or higher on the international baccalaureate examination.

5           2. An additional bonus of \$500 to each International  
6 Baccalaureate teacher in a school designated performance grade  
7 category "D" or "F" who has at least one student scoring 4 or  
8 higher on the international baccalaureate examination,  
9 regardless of the number of classes taught or of the number of  
10 students scoring a 4 or higher on the international  
11 baccalaureate examination.

12  
13 Bonuses awarded to a teacher according to this paragraph shall  
14 not exceed \$2,000 in any given school year and shall be in  
15 addition to any regular wage or other bonus the teacher  
16 received or is scheduled to receive.

17           (m) Calculation of additional full-time equivalent  
18 membership based on Advanced International Certificate of  
19 Education examination scores of students.--A value of 0.24  
20 full-time equivalent student membership shall be calculated  
21 for each student enrolled in a full-credit Advanced  
22 International Certificate of Education course who receives a  
23 score of 2 or higher on a subject examination. A value of 0.12  
24 full-time equivalent student membership shall be calculated  
25 for each student enrolled in a half-credit Advanced  
26 International Certificate of Education course who receives a  
27 score of 1 or higher on a subject examination. A value of 0.3  
28 full-time equivalent student membership shall be calculated  
29 for each student who received an Advanced International  
30 Certificate of Education diploma. Such value shall be added to  
31 the total full-time equivalent student membership in basic

1 | programs for grades 9 through 12 in the subsequent fiscal  
2 | year. The school district shall distribute to each classroom  
3 | teacher who provided Advanced International Certificate of  
4 | Education instruction:

5 |       1. A bonus in the amount of \$50 for each student  
6 | taught by the Advanced International Certificate of Education  
7 | teacher in each full-credit Advanced International Certificate  
8 | of Education course who receives a score of 2 or higher on the  
9 | Advanced International Certificate of Education examination. A  
10 | bonus in the amount of \$25 for each student taught by the  
11 | Advanced International Certificate of Education teacher in  
12 | each half-credit Advanced International Certificate of  
13 | Education course who receives a score of 1 or higher on the  
14 | Advanced International Certificate of Education examination.

15 |       2. An additional bonus of \$500 to each Advanced  
16 | International Certificate of Education teacher in a school  
17 | designated performance grade category "D" or "F" who has at  
18 | least one student scoring 2 or higher on the full-credit  
19 | Advanced International Certificate of Education examination,  
20 | regardless of the number of classes taught or of the number of  
21 | students scoring a 2 or higher on the full-credit Advanced  
22 | International Certificate of Education examination.

23 |       3. Additional bonuses of \$250 each to teachers of  
24 | half-credit Advanced International Certificate of Education  
25 | classes in a school designated performance grade category "D"  
26 | or "F" which has at least one student scoring a 1 or higher on  
27 | the half-credit Advanced International Certificate of  
28 | Education examination in that class. The maximum additional  
29 | bonus for a teacher awarded in accordance with this  
30 | subparagraph shall not exceed \$500 in any given school year.  
31 |

1 Teachers receiving an award under subparagraph 2. are not  
2 eligible for a bonus under this subparagraph.

3

4 Bonuses awarded to a teacher according to this paragraph shall  
5 not exceed \$2,000 in any given school year and shall be in  
6 addition to any regular wage or other bonus the teacher  
7 received or is scheduled to receive.

8 (n) Calculation of additional full-time equivalent  
9 membership based on college board advanced placement scores of  
10 students.--A value of 0.24 full-time equivalent student  
11 membership shall be calculated for each student in each  
12 advanced placement course who receives a score of 3 or higher  
13 on the College Board Advanced Placement Examination for the  
14 prior year and added to the total full-time equivalent student  
15 membership in basic programs for grades 9 through 12 in the  
16 subsequent fiscal year. Each district must allocate at least  
17 80 percent of the funds provided to the district for advanced  
18 placement instruction, in accordance with this paragraph, to  
19 the high school that generates the funds. The school district  
20 shall distribute to each classroom teacher who provided  
21 advanced placement instruction:

22 1. A bonus in the amount of \$50 for each student  
23 taught by the Advanced Placement teacher in each advanced  
24 placement course who receives a score of 3 or higher on the  
25 College Board Advanced Placement Examination.

26 2. An additional bonus of \$500 to each Advanced  
27 Placement teacher in a school designated performance grade  
28 category "D" or "F" who has at least one student scoring 3 or  
29 higher on the College Board Advanced Placement Examination,  
30 regardless of the number of classes taught or of the number of

31

1 students scoring a 3 or higher on the College Board Advanced  
2 Placement Examination.

3

4 Bonuses awarded to a teacher according to this paragraph shall  
5 not exceed \$2,000 in any given school year and shall be in  
6 addition to any regular wage or other bonus the teacher  
7 received or is scheduled to receive.

8 (o) Year-round-school programs.--The Commissioner of  
9 Education is authorized to adjust student eligibility  
10 definitions, funding criteria, and reporting requirements of  
11 statutes and rules in order that year-round-school programs  
12 may achieve equivalent application of funding requirements  
13 with non-year-round-school programs.

14 (p) Extended-school-year program.--It is the intent of  
15 the Legislature that students be provided additional  
16 instruction by extending the school year to 210 days or more.  
17 Districts may apply to the Commissioner of Education for funds  
18 to be used in planning and implementing an  
19 extended-school-year program. The Department of Education  
20 shall recommend to the Legislature the policies necessary for  
21 full implementation of an extended school year.

22 (q) Determination of the basic amount for current  
23 operation.--The basic amount for current operation to be  
24 included in the Florida Education Finance Program for  
25 kindergarten through grade 12 for each district shall be the  
26 product of the following:

27 1. The full-time equivalent student membership in each  
28 program, multiplied by

29 2. The cost factor for each program, adjusted for the  
30 maximum as provided by paragraph (c), multiplied by

31 3. The base student allocation.

1           (r) Computation for funding through the Florida  
2 Education Finance Program.--The State Board of Education may  
3 adopt rules establishing programs and courses for which the  
4 student may earn credit toward high school graduation.

5           ~~(2) DETERMINATION OF DISTRICT COST DIFFERENTIALS.--The~~  
6 ~~Commissioner of Education shall annually compute for each~~  
7 ~~district the current year's district cost differential. The~~  
8 ~~district cost differential shall be calculated by adding each~~  
9 ~~district's price level index as published in the Florida Price~~  
10 ~~Level Index for the most recent 3 years and dividing the~~  
11 ~~resulting sum by 3. The result for each district shall be~~  
12 ~~multiplied by 0.008 and to the resulting product shall be~~  
13 ~~added 0.200; the sum thus obtained shall be the cost~~  
14 ~~differential for that district for that year.~~

15           (2)~~(3)~~ INSERVICE EDUCATIONAL PERSONNEL TRAINING  
16 EXPENDITURE.--Of the amount computed in subsection ~~subsections~~  
17 ~~(1) and (2)~~, a percentage of the base student allocation per  
18 full-time equivalent student or other funds shall be expended  
19 for educational training programs as determined by the  
20 district school board as provided in s. 1012.98.

21           (3)~~(4)~~ COMPUTATION OF DISTRICT REQUIRED LOCAL  
22 EFFORT.--The Legislature shall prescribe the aggregate  
23 required local effort for all school districts collectively as  
24 an item in the General Appropriations Act for each fiscal  
25 year. The amount that each district shall provide annually  
26 toward the cost of the Florida Education Finance Program for  
27 kindergarten through grade 12 programs shall be calculated as  
28 follows:

29           (a) Estimated taxable value calculations.--

30           1.a. Not later than 2 working days prior to July 19,  
31 the Department of Revenue shall certify to the Commissioner of



1 Education its most recent estimate of the taxable value for  
2 school purposes in each school district and the total for all  
3 school districts in the state for the current calendar year  
4 based on the latest available data obtained from the local  
5 property appraisers. Not later than July 19, the Commissioner  
6 of Education shall compute a millage rate, rounded to the next  
7 highest one one-thousandth of a mill, which, when applied to  
8 95 percent of the estimated state total taxable value for  
9 school purposes, would generate the prescribed aggregate  
10 required local effort for that year for all districts. The  
11 Commissioner of Education shall certify to each district  
12 school board the millage rate, computed as prescribed in this  
13 subparagraph, as the minimum millage rate necessary to provide  
14 the district required local effort for that year.

15         b. The General Appropriations Act shall direct the  
16 computation of the statewide adjusted aggregate amount for  
17 required local effort for all school districts collectively  
18 from ad valorem taxes to ensure that no school district's  
19 revenue from required local effort millage will produce more  
20 than 90 percent of the district' s total Florida Education  
21 Finance Program calculation, and the adjustment of the  
22 required local effort millage rate of each district that  
23 produces more than 90 percent of its total Florida Education  
24 Finance Program entitlement to a level that will produce only  
25 90 percent of its total Florida Education Finance Program  
26 entitlement in the July calculation.

27         2. As revised data are received from property  
28 appraisers, the Department of Revenue shall amend the  
29 certification of the estimate of the taxable value for school  
30 purposes. The Commissioner of Education, in administering the  
31

1 provisions of subparagraph~~(8)+9~~(a)2., shall use the most  
2 recent taxable value for the appropriate year.

3 (b) Final calculation.--

4 1. The Department of Revenue shall, upon receipt of  
5 the official final assessed value of property from each of the  
6 property appraisers, certify to the Commissioner of Education  
7 the taxable value total for school purposes in each school  
8 district, subject to the provisions of paragraph (d). The  
9 commissioner shall use the official final taxable value for  
10 school purposes for each school district in the final  
11 calculation of the annual Florida Education Finance Program  
12 allocations.

13 2. For the purposes of this paragraph, the official  
14 final taxable value for school purposes shall be the taxable  
15 value for school purposes on which the tax bills are computed  
16 and mailed to the taxpayers, adjusted to reflect final  
17 administrative actions of value adjustment boards and judicial  
18 decisions pursuant to part I of chapter 194. By September 1 of  
19 each year, the Department of Revenue shall certify to the  
20 commissioner the official prior year final taxable value for  
21 school purposes. For each county that has not submitted a  
22 revised tax roll reflecting final value adjustment board  
23 actions and final judicial decisions, the Department of  
24 Revenue shall certify the most recent revision of the official  
25 taxable value for school purposes. The certified value shall  
26 be the final taxable value for school purposes, and no further  
27 adjustments shall be made, except those made pursuant to  
28 subparagraph~~(8)+9~~(a)2.

29 (c) Equalization of required local effort.--

30 1. The Department of Revenue shall include with its  
31 certifications provided pursuant to paragraph (a) its most

1 recent determination of the assessment level of the prior  
2 year's assessment roll for each county and for the state as a  
3 whole.

4           2. The Commissioner of Education shall adjust the  
5 required local effort millage of each district for the current  
6 year, computed pursuant to paragraph (a), as follows:

7           a. The equalization factor for the prior year's  
8 assessment roll of each district shall be multiplied by 95  
9 percent of the taxable value for school purposes shown on that  
10 roll and by the prior year's required local-effort millage,  
11 exclusive of any equalization adjustment made pursuant to this  
12 paragraph. The dollar amount so computed shall be the  
13 additional required local effort for equalization for the  
14 current year.

15           b. Such equalization factor shall be computed as the  
16 quotient of the prior year's assessment level of the state as  
17 a whole divided by the prior year's assessment level of the  
18 county, from which quotient shall be subtracted 1.

19           c. The dollar amount of additional required local  
20 effort for equalization for each district shall be converted  
21 to a millage rate, based on 95 percent of the current year's  
22 taxable value for that district, and added to the required  
23 local effort millage determined pursuant to paragraph (a).

24           3. Notwithstanding the limitations imposed pursuant to  
25 s. 1011.71(1), the total required local-effort millage,  
26 including additional required local effort for equalization,  
27 shall be an amount not to exceed 10 minus the maximum millage  
28 allowed as nonvoted discretionary millage, exclusive of  
29 millage authorized pursuant to s. 1011.71(2). Nothing herein  
30 shall be construed to allow a millage in excess of that  
31 authorized in s. 9, Art. VII of the State Constitution.

1           4. For the purposes of this chapter, the term  
2 "assessment level" means the value-weighted mean assessment  
3 ratio for the county or state as a whole, as determined  
4 pursuant to s. 195.096, or as subsequently adjusted. In the  
5 event a court has adjudicated that the department failed to  
6 establish an accurate estimate of an assessment level of a  
7 county and recomputation resulting in an accurate estimate  
8 based upon the evidence before the court was not possible,  
9 that county shall be presumed to have an assessment level  
10 equal to that of the state as a whole.

11           5. If, in the prior year, taxes were levied against an  
12 interim assessment roll pursuant to s. 193.1145, the  
13 assessment level and prior year's nonexempt assessed valuation  
14 used for the purposes of this paragraph shall be those of the  
15 interim assessment roll.

16           (d) Exclusion.--

17           1. In those instances in which:

18           a. There is litigation either attacking the authority  
19 of the property appraiser to include certain property on the  
20 tax assessment roll as taxable property or contesting the  
21 assessed value of certain property on the tax assessment roll,  
22 and

23           b. The assessed value of the property in contest  
24 involves more than 6 percent of the total nonexempt assessment  
25 roll, the plaintiff shall provide to the district school board  
26 of the county in which the property is located and to the  
27 Department of Education a certified copy of the petition and  
28 receipt for the good faith payment at the time they are filed  
29 with the court.

30           2. For purposes of computing the required local effort  
31 for each district affected by such petition, the Department of

1 Education shall exclude from the district's total nonexempt  
2 assessment roll the assessed value of the property in contest  
3 and shall add the amount of the good faith payment to the  
4 district' s required local effort.

5 (e) Recomputation.--Following final adjudication of  
6 any litigation on the basis of which an adjustment in taxable  
7 value was made pursuant to paragraph (d), the department shall  
8 recompute the required local effort for each district for each  
9 year affected by such adjustments, utilizing taxable values  
10 approved by the court, and shall adjust subsequent allocations  
11 to such districts accordingly.

12 (4)~~(5)~~ CATEGORICAL FUNDS.--

13 (a) In addition to the basic amount for current  
14 operations for the FEFP as determined in subsection (1), the  
15 Legislature may appropriate categorical funding for specified  
16 programs, activities, or purposes.

17 (b) For fiscal year 2002-2003, if a district school  
18 board finds and declares in a resolution adopted at a regular  
19 meeting of the school board that the funds received for any of  
20 the following categorical appropriations are urgently needed  
21 to maintain school board specified academic classroom  
22 instruction, the school board may consider and approve an  
23 amendment to the school district operating budget transferring  
24 the identified amount of the categorical funds to the  
25 appropriate account for expenditure:

- 26 1. Funds for student transportation.
- 27 2. Funds for in-service educational personnel  
28 training.
- 29 3. Funds for safe schools.
- 30 4. Funds for public school technology.
- 31 5. Funds for teacher recruitment and retention.

1           6. Funds for supplemental academic instruction.

2           (c) Each district school board shall include in its  
3 annual financial report to the Department of Education the  
4 amount of funds the school board transferred from each of the  
5 categorical funds identified in this subsection and the  
6 specific academic classroom instruction for which the  
7 transferred funds were expended. The Department of Education  
8 shall provide instructions and specify the format to be used  
9 in submitting this required information as a part of the  
10 district annual financial report.

11           (5)~~(6)~~ DETERMINATION OF SPARSITY SUPPLEMENT.--

12           (a) Annually, in an amount to be determined by the  
13 Legislature through the General Appropriations Act, there  
14 shall be added to the basic amount for current operation of  
15 the FEFP qualified districts a sparsity supplement which shall  
16 be computed as follows:

$$\begin{array}{l}
 17 \\
 18 \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \underline{1101.8918} \\
 19 \text{ Sparsity Factor} = \qquad 2700 + \text{district} \qquad - 0.1101 \\
 20 \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \text{sparsity} \\
 21 \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \text{index} \\
 22
 \end{array}$$

23 except that districts with a sparsity index of 1,000 or less  
24 shall be computed as having a sparsity index of 1,000, and  
25 districts having a sparsity index of 7,308 and above shall be  
26 computed as having a sparsity factor of zero. A qualified  
27 district's full-time equivalent student membership shall equal  
28 or be less than that prescribed annually by the Legislature in  
29 the appropriations act. The amount prescribed annually by the  
30 Legislature shall be no less than 17,000, but no more than  
31 24,000.

1           (b) The district sparsity index shall be computed by  
2 dividing the total number of full-time equivalent students in  
3 all programs in the district by the number of senior high  
4 school centers in the district, not in excess of three, which  
5 centers are approved as permanent centers by a survey made by  
6 the Department of Education.

7           (c) Each district's allocation of sparsity supplement  
8 funds shall be adjusted in the following manner:

9           1. A maximum discretionary levy per FTE value for each  
10 district shall be calculated by dividing the value of each  
11 district's maximum discretionary levy by its FTE student  
12 count;

13           2. A state average discretionary levy value per FTE  
14 shall be calculated by dividing the total maximum  
15 discretionary levy value for all districts by the state total  
16 FTE student count;

17           3. For districts that have a levy value per FTE as  
18 calculated in subparagraph 1. higher than the state average  
19 calculated in subparagraph 2., a sparsity wealth adjustment  
20 shall be calculated as the product of the difference between  
21 the state average levy value per FTE calculated in  
22 subparagraph 2. and the district's levy value per FTE  
23 calculated in subparagraph 1. and the district's FTE student  
24 count and -1;

25           4. Each district's sparsity supplement allocation  
26 shall be calculated by adding the amount calculated as  
27 specified in paragraphs (a) and (b) and the wealth adjustment  
28 amount calculated in this paragraph.

29           (6)~~(7)~~ DECLINE IN FULL-TIME EQUIVALENT STUDENTS.--In  
30 those districts where there is a decline between prior year  
31 and current year unweighted FTE students, 50 percent of the

1 decline in the unweighted FTE students shall be multiplied by  
2 the prior year calculated FEFP per unweighted FTE student and  
3 shall be added to the allocation for that district. For this  
4 purpose, the calculated FEFP shall be computed by multiplying  
5 the weighted FTE students by the base student allocation ~~and~~  
6 ~~then by the district cost differential~~. If a district  
7 transfers a program to another institution not under the  
8 authority of the district's school board, including a charter  
9 technical career center, the decline is to be multiplied by a  
10 factor of 0.15.

11       (7)~~(8)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature  
12 may annually in the General Appropriations Act determine a  
13 percentage increase in funds per K-12 unweighted FTE as a  
14 minimum guarantee to each school district. The guarantee shall  
15 be calculated from prior year base funding per unweighted FTE  
16 student which shall include the adjusted FTE dollars as  
17 provided in subsection(8)~~(9)~~, quality guarantee funds, and  
18 actual nonvoted discretionary local effort from taxes. From  
19 the base funding per unweighted FTE, the increase shall be  
20 calculated for the current year. The current year funds from  
21 which the guarantee shall be determined shall include the  
22 adjusted FTE dollars as provided in subsection (8)~~(9)~~and  
23 potential nonvoted discretionary local effort from taxes. A  
24 comparison of current year funds per unweighted FTE to prior  
25 year funds per unweighted FTE shall be computed. For those  
26 school districts which have less than the legislatively  
27 assigned percentage increase, funds shall be provided to  
28 guarantee the assigned percentage increase in funds per  
29 unweighted FTE student. Should appropriated funds be less than  
30 the sum of this calculated amount for all districts, the  
31 commissioner shall prorate each district's allocation. This



1 provision shall be implemented to the extent specifically  
2 funded.

3 (8)~~(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH  
4 DISTRICT FOR CURRENT OPERATION.--The total annual state  
5 allocation to each district for current operation for the FEFP  
6 shall be distributed periodically in the manner prescribed in  
7 the General Appropriations Act.

8 (a) The basic amount for current operation for the  
9 FEFP as determined in subsection (1), ~~multiplied by the~~  
10 ~~district cost differential factor as determined in subsection~~  
11 ~~(2)~~, plus the amounts provided for categorical components  
12 within the FEFP, plus the amount for the sparsity supplement  
13 as determined in subsection (5)~~(6)~~, the decline in full-time  
14 equivalent students as determined in subsection (6)~~(7)~~, and  
15 the quality assurance guarantee as determined in subsection  
16 (7)~~(8)~~, less the required local effort as determined in  
17 subsection (3)~~(4)~~. If the funds appropriated for the purpose  
18 of funding the total amount for current operation as provided  
19 in this paragraph are not sufficient to pay the state  
20 requirement in full, the department shall prorate the  
21 available state funds to each district in the following  
22 manner:

23 1. Determine the percentage of proration by dividing  
24 the sum of the total amount for current operation, as provided  
25 in this paragraph for all districts collectively, and the  
26 total district required local effort into the sum of the state  
27 funds available for current operation and the total district  
28 required local effort.

29 2. Multiply the percentage so determined by the sum of  
30 the total amount for current operation as provided in this  
31

1 paragraph and the required local effort for each individual  
2 district.

3           3. From the product of such multiplication, subtract  
4 the required local effort of each district; and the remainder  
5 shall be the amount of state funds allocated to the district  
6 for current operation.

7           (b) The amount thus obtained shall be the net annual  
8 allocation to each school district. However, if it is  
9 determined that any school district received an  
10 underallocation or overallocation for any prior year because  
11 of an arithmetical error, assessment roll change, full-time  
12 equivalent student membership error, or any allocation error  
13 revealed in an audit report, the allocation to that district  
14 shall be appropriately adjusted. If the Department of  
15 Education audit adjustment recommendation is based upon  
16 controverted findings of fact, the Commissioner of Education  
17 is authorized to establish the amount of the adjustment based  
18 on the best interests of the state.

19           (c) The amount thus obtained shall represent the net  
20 annual state allocation to each district; however,  
21 notwithstanding any of the provisions herein, each district  
22 shall be guaranteed a minimum level of funding in the amount  
23 and manner prescribed in the General Appropriations Act.

24           Section 2. Subsection (2) of section 1011.68, Florida  
25 Statutes, is amended to read:

26           1011.68 Funds for student transportation.--The annual  
27 allocation to each district for transportation to public  
28 school programs, including charter schools as provided in s.  
29 1002.33(18)(b), of students in membership in kindergarten  
30 through grade 12 and in migrant and exceptional student  
31 programs below kindergarten shall be determined as follows:

1           (2) The allocation for each district shall be  
2 calculated annually in accordance with the following formula:

3  
4 T = B + EX. The elements of this formula are defined as  
5 follows: T is the total dollar allocation for transportation.  
6 B is the base transportation dollar allocation prorated by an  
7 adjusted student membership count. The adjusted membership  
8 count shall be derived from a multiplicative index function in  
9 which the base student membership is adjusted by ~~multiplying~~  
10 ~~it by index numbers that individually account for the impact~~  
11 ~~of the price level index, average bus occupancy, and the~~  
12 extent of rural population in the district. EX is the base  
13 transportation dollar allocation for disabled students  
14 prorated by an adjusted disabled student membership count. The  
15 base transportation dollar allocation for disabled students is  
16 the total state base disabled student membership count  
17 weighted for increased costs associated with transporting  
18 disabled students and multiplying it by the prior year's  
19 average per student cost for transportation. The adjusted  
20 disabled student membership count shall be derived from a  
21 multiplicative index function in which the weighted base  
22 disabled student membership is adjusted by ~~multiplying it by~~  
23 ~~index numbers that individually account for the impact of the~~  
24 ~~price level index, average bus occupancy, and the extent of~~  
25 rural population in the district. Each adjustment factor shall  
26 be designed to affect the base allocation by no more or less  
27 than 10 percent.

28           Section 3. Paragraph (a) of subsection (1) of section  
29 110.1228, Florida Statutes, is amended to read:

30  
31

1           110.1228 Participation by small counties, small  
2 municipalities, and district school boards located in small  
3 counties.--

4           (1) As used in this section, the term:

5           (a) "District school board" means a district school  
6 board located in a small county or a district school board  
7 that receives funding pursuant to s. 1011.62(5)~~(6)~~.

8           Section 4. Subsection (6) of section 213.053, Florida  
9 Statutes, is amended to read:

10          213.053 Confidentiality and information sharing.--

11          (6) Any information received by the Department of  
12 Revenue in connection with the administration of taxes,  
13 including, but not limited to, information contained in  
14 returns, reports, accounts, or declarations filed by persons  
15 subject to tax, shall be made available by the department to  
16 the Auditor General or his or her authorized agent, the  
17 director of the Office of Program Policy Analysis and  
18 Government Accountability or his or her authorized agent, the  
19 Comptroller or his or her authorized agent, the Insurance  
20 Commissioner or his or her authorized agent, the Treasurer or  
21 his or her authorized agent, or a property appraiser or tax  
22 collector or their authorized agents pursuant to s.  
23 195.084(1), in the performance of their official duties,~~or to~~  
24 ~~designated employees of the Department of Education solely for~~  
25 ~~determination of each school district's price level index~~  
26 ~~pursuant to s. 1011.62(2)~~; however, no information shall be  
27 disclosed to the Auditor General or his or her authorized  
28 agent, the director of the Office of Program Policy Analysis  
29 and Government Accountability or his or her authorized agent,  
30 the Comptroller or his or her authorized agent, the Insurance  
31 Commissioner or his or her authorized agent, the Treasurer or

1 his or her authorized agent, or to a property appraiser or tax  
2 collector or their authorized agents,~~or to designated~~  
3 ~~employees of the Department of Education~~ if such disclosure is  
4 prohibited by federal law. The Auditor General or his or her  
5 authorized agent, the director of the Office of Program Policy  
6 Analysis and Government Accountability or his or her  
7 authorized agent, the Comptroller or his or her authorized  
8 agent, the Treasurer or his or her authorized agent, and the  
9 property appraiser or tax collector and their authorized  
10 agents,~~or designated employees of the Department of Education~~  
11 shall be subject to the same requirements of confidentiality  
12 and the same penalties for violation of the requirements as  
13 the department. ~~For the purpose of this subsection,~~  
14 ~~"designated employees of the Department of Education" means~~  
15 ~~only those employees directly responsible for calculation of~~  
16 ~~price level indices pursuant to s. 1011.62(2). It does not~~  
17 ~~include the supervisors of such employees or any other~~  
18 ~~employees or elected officials within the Department of~~  
19 ~~Education.~~

20 Section 5. Subsection (7) of section 402.22, Florida  
21 Statutes, is amended to read:

22 402.22 Education program for students who reside in  
23 residential care facilities operated by the Department of  
24 Children and Family Services.--

25 (7) Notwithstanding the provisions of s.  
26 1001.42(4)(n), the educational program at the Marianna Sunland  
27 Center in Jackson County shall be operated by the Department  
28 of Education, either directly or through grants or contractual  
29 agreements with other public educational agencies. The annual  
30 state allocation to any such agency shall be computed pursuant  
31 to s. 1011.62(1), ~~(2)~~, and (4) ~~(5)~~ and allocated in the amount

1 that would have been provided the local school district in  
2 which the residential facility is located.

3 Section 6. Paragraph (a) of subsection (6) of section  
4 1002.38, Florida Statutes, is amended to read:

5 1002.38 Opportunity Scholarship Program.--

6 (6) OPPORTUNITY SCHOLARSHIP FUNDING AND PAYMENT.--

7 (a) The maximum opportunity scholarship granted for an  
8 eligible student shall be a calculated amount equivalent to  
9 the base student allocation in the Florida Education Finance  
10 Program multiplied by the appropriate cost factor for the  
11 educational program that would have been provided for the  
12 student in the district school to which he or she was  
13 assigned, ~~multiplied by the district cost differential~~. In  
14 addition, the calculated amount shall include the per-student  
15 share of instructional materials funds, technology funds, and  
16 other categorical funds as provided for this purpose in the  
17 General Appropriations Act.

18 Section 7. Paragraph (a) of subsection (6) of section  
19 1002.39, Florida Statutes, is amended to read:

20 1002.39 The John M. McKay Scholarships for Students  
21 with Disabilities Program.--There is established a program  
22 that is separate and distinct from the Opportunity Scholarship  
23 Program and is named the John M. McKay Scholarships for  
24 Students with Disabilities Program, pursuant to this section.

25 (6) SCHOLARSHIP FUNDING AND PAYMENT.--

26 (a)1. The maximum scholarship granted for an eligible  
27 student with disabilities shall be a calculated amount  
28 equivalent to the base student allocation in the Florida  
29 Education Finance Program multiplied by the appropriate cost  
30 factor for the educational program that would have been  
31 provided for the student in the district school to which he or

1 she was assigned, ~~multiplied by the district cost~~  
2 ~~differential~~.

3           2. In addition, a share of the guaranteed allocation  
4 for exceptional students shall be determined and added to the  
5 calculated amount. The calculation shall be based on the  
6 methodology and the data used to calculate the guaranteed  
7 allocation for exceptional students for each district in  
8 chapter 2000-166, Laws of Florida. Except as provided in  
9 subparagraph 3., the calculation shall be based on the  
10 student's grade, matrix level of services, and the difference  
11 between the 2000-2001 basic program and the appropriate level  
12 of services cost factor, multiplied by the 2000-2001 base  
13 student allocation ~~and the 2000-2001 district cost~~  
14 ~~differential~~ for the sending district. Also, the calculated  
15 amount shall include the per-student share of supplemental  
16 academic instruction funds, instructional materials funds,  
17 technology funds, and other categorical funds as provided for  
18 such purposes in the General Appropriations Act.

19           3. Until the school district completes the matrix  
20 required by paragraph (3)(b), the calculation shall be based  
21 on the matrix that assigns the student to support level I of  
22 service as it existed prior to the 2000-2001 school year. When  
23 the school district completes the matrix, the amount of the  
24 payment shall be adjusted as needed.

25           Section 8. Paragraph (a) of subsection (6) of section  
26 1004.75, Florida Statutes, is amended to read:

27           1004.75 Training school consolidation pilot  
28 projects.--

29           (6) FUNDING.--The Department of Education shall shift  
30 funds generated by students in the pilot training centers  
31 established by this section, including workforce development

1 recurring and nonrecurring funds, from the appropriate school  
2 district to the respective community college. The community  
3 college shall qualify for future facilities funding upon  
4 transfer of the facility.

5 (a) Consistent with s. 1011.62(6)(~~7~~), school districts  
6 that transfer programs will receive an amount equal to 15  
7 percent of the funding generated for the program under the  
8 FEFP in 1996-1997.

9 Section 9. Paragraph (a) of subsection (2) and  
10 paragraph (b) of subsection (3) of section 1010.20, Florida  
11 Statutes, are amended to read:

12 1010.20 Cost accounting and reporting for school  
13 districts.--

14 (2) COST REPORTING.--

15 (a) Each district shall report on a district-aggregate  
16 basis expenditures for inservice training pursuant to s.  
17 1011.62(2)(~~3~~)and for categorical programs as provided in s.  
18 1011.62(4)(~~5~~).

19 (3) PROGRAM EXPENDITURE REQUIREMENTS.--

20 (b) Funds for inservice training established in s.  
21 1011.62(2)(~~3~~)and for categorical programs established in s.  
22 1011.62(4)(~~5~~)shall be expended for the costs of the  
23 identified programs as provided by law and in accordance with  
24 the rules of the State Board of Education.

25 Section 10. Subsection (3) of section 1011.02, Florida  
26 Statutes, is amended to read:

27 1011.02 District school boards to adopt tentative  
28 budget.--

29 (3) The proposed budget shall include an amount for  
30 local required effort for current operation, in accordance  
31 with the requirements of s. 1011.62(3)(~~4~~).



1           Section 11. Subsections (1) and (4) of section  
2 1011.71, Florida Statutes, are amended to read:

3           1011.71 District school tax.--

4           (1) If the district school tax is not provided in the  
5 General Appropriations Act or the substantive bill  
6 implementing the General Appropriations Act, each district  
7 school board desiring to participate in the state allocation  
8 of funds for current operation as prescribed by s.

9 1011.62(8)~~(9)~~ shall levy on the taxable value for school  
10 purposes of the district, exclusive of millage voted under the  
11 provisions of s. 9(b) or s. 12, Art. VII of the State  
12 Constitution, a millage rate not to exceed the amount  
13 certified by the commissioner as the minimum millage rate  
14 necessary to provide the district required local effort for  
15 the current year, pursuant to s. 1011.62(3)~~(4)~~(a)1. In  
16 addition to the required local effort millage levy, each  
17 district school board may levy a nonvoted current operating  
18 discretionary millage. The Legislature shall prescribe  
19 annually in the appropriations act the maximum amount of  
20 millage a district may levy. The millage rate prescribed shall  
21 exceed zero mills but shall not exceed the lesser of 1.6 mills  
22 or 25 percent of the millage which is required pursuant to s.  
23 1011.62(3)~~(4)~~, exclusive of millage levied pursuant to  
24 subsection (2).

25           (4) Nothing in s. 1011.62(3)~~(4)~~(a)1. shall in any way  
26 be construed to increase the maximum school millage levies as  
27 provided for in subsection (1).

28           Section 12. Section 1012.44, Florida Statutes, is  
29 amended to read:

30           1012.44 Qualifications for certain persons providing  
31 speech-language services.--The State Board of Education shall

1 adopt rules for speech-language services to school districts  
2 that qualify for the sparsity supplement as described in s.  
3 1011.62(5)~~(6)~~. These services may be provided by baccalaureate  
4 degree level persons for a period of 3 years. The rules shall  
5 authorize the delivery of speech-language services by  
6 baccalaureate degree level persons under the direction of a  
7 certified speech-language pathologist with a master's degree  
8 or higher. By October 1, 2003, these rules shall be reviewed  
9 by the State Board of Education.

10 Section 13. Subsection (2) of section 1012.64, Florida  
11 Statutes, is amended to read:

12 1012.64 Sabbatical leave.--

13 (2) Funds, not to exceed 25 percent, of the district'  
14 s allocation for inservice training under s. 1011.62(2)~~(3)~~or  
15 other district funds may be expended in order to fulfill the  
16 provisions of this section, provided that the district  
17 allocates \$5 of district funds for each \$1 of state inservice  
18 training funds expended under this subsection.

19 Section 14. This act shall take effect July 1, 2003.  
20  
21  
22  
23  
24  
25  
26  
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28  
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30  
31