

By Senator Constantine

22-1431A-03

1                                   A bill to be entitled  
2           An act relating to implementation of Amendment  
3           9 to the Florida Constitution (November 2002  
4           election); providing a short title; amending s.  
5           121.091, F.S.; authorizing instructional  
6           personnel and school administrators who receive  
7           authorization to extend participation in the  
8           Deferred Retirement Option Program; amending s.  
9           1001.42, F.S.; clarifying provisions concerning  
10          a school-within-a-school; creating s. 1002.395,  
11          F.S.; creating Florida Learning Access Grants;  
12          providing for district participation in the  
13          program; providing parental choice options;  
14          providing obligations for participating school  
15          districts; providing for parental obligations;  
16          providing requirements for private school  
17          eligibility; providing for an initial number of  
18          grants; providing for grant renewal; providing  
19          for disbursement of grants; limiting state  
20          liability; requiring the Department of  
21          Education to adopt rules; amending ss. 1003.01  
22          and 1003.02, F.S.; defining the terms  
23          "core-curricular courses" and "extracurricular  
24          courses"; requiring school districts to notify  
25          parents of acceleration mechanisms; eliminating  
26          a cross-reference to conform to changes made by  
27          the act; amending s. 1003.03, F.S.;  
28          establishing constitutional class size caps;  
29          providing exemptions from the constitutional  
30          class size caps; providing for district wide  
31          averages; providing for the department to

1 calculate the district average based upon  
2 student membership surveys; providing a toolbox  
3 of implementation options for school districts;  
4 providing accountability for the class size  
5 reduction measures; amending s. 1003.43, F.S.;  
6 removing the requirement that a life management  
7 course be offered during the 9th and 10th grade  
8 years; amending s. 1003.436, F.S.; reducing the  
9 number of hours required for one full credit;  
10 amending s. 1011.62, F.S.; removing a date  
11 limitation to provide for categorical  
12 flexibility; amending s. 1011.69, F.S.;  
13 deleting obsolete provisions; providing that  
14 Classrooms for Kids operating categorial funds  
15 are not subject to provisions requiring equity  
16 in school funding; amending s. 1012.56, F.S.;  
17 amending the time period for an authorized  
18 statement of status of eligibility for educator  
19 certification requirements; amending  
20 requirements for mastery of general knowledge  
21 for a teaching certificate; revising  
22 requirements for mastery of subject area  
23 knowledge; revising requirements for mastery of  
24 professional competence; amending s. 1012.57,  
25 F.S.; requiring district school boards to adopt  
26 rules to allow for the issuance of adjunct  
27 educator certificates; amending s. 1013.03,  
28 F.S.; requiring the department to review rules  
29 relating to school construction and make  
30 recommendations to the State Board of  
31 Education; amending s. 1013.31, F.S.; requiring

1 school districts to periodically update the  
2 inventory of educational facilities; creating  
3 s. 1013.368, F.S.; requiring all new schools  
4 constructed by a specified date to meet certain  
5 limits on the cost per student station;  
6 repealing ss. 1002.33(13), 1012.41, 1013.21,  
7 1013.43, and 1013.64(6)(e), F.S., relating to  
8 number of charter schools, directors of career  
9 and technical education, relocatable  
10 facilities, the small school requirement, and  
11 an exemption from requirements for the cost per  
12 student station; providing for severability;  
13 providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. This act may be cited as the "Class Size  
18 Reduction Implementing Act."

19 Section 2. Paragraphs (a) and (b) of subsection (13)  
20 of section 121.091, Florida Statutes, are amended to read:

21 121.091 Benefits payable under the system.--Benefits  
22 may not be paid under this section unless the member has  
23 terminated employment as provided in s. 121.021(39)(a) or  
24 begun participation in the Deferred Retirement Option Program  
25 as provided in subsection (13), and a proper application has  
26 been filed in the manner prescribed by the department. The  
27 department may cancel an application for retirement benefits  
28 when the member or beneficiary fails to timely provide the  
29 information and documents required by this chapter and the  
30 department's rules. The department shall adopt rules  
31 establishing procedures for application for retirement

1 benefits and for the cancellation of such application when the  
2 required information or documents are not received.

3 (13) DEFERRED RETIREMENT OPTION PROGRAM.--In general,  
4 and subject to the provisions of this section, the Deferred  
5 Retirement Option Program, hereinafter referred to as the  
6 DROP, is a program under which an eligible member of the  
7 Florida Retirement System may elect to participate, deferring  
8 receipt of retirement benefits while continuing employment  
9 with his or her Florida Retirement System employer. The  
10 deferred monthly benefits shall accrue in the System Trust  
11 Fund on behalf of the participant, plus interest compounded  
12 monthly, for the specified period of the DROP participation,  
13 as provided in paragraph (c). Upon termination of employment,  
14 the participant shall receive the total DROP benefits and  
15 begin to receive the previously determined normal retirement  
16 benefits. Participation in the DROP does not guarantee  
17 employment for the specified period of DROP.

18 (a) Eligibility of member to participate in the  
19 DROP.--All active Florida Retirement System members in a  
20 regularly established position, and all active members of  
21 either the Teachers' Retirement System established in chapter  
22 238 or the State and County Officers' and Employees'  
23 Retirement System established in chapter 122 which systems are  
24 consolidated within the Florida Retirement System under s.  
25 121.011, are eligible to elect participation in the DROP  
26 provided that:

27 1. The member is not a renewed member of the Florida  
28 Retirement System under s. 121.122, or a member of the State  
29 Community College System Optional Retirement Program under s.  
30 121.051, the Senior Management Service Optional Annuity  
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1 Program under s. 121.055, or the optional retirement program  
2 for the State University System under s. 121.35.

3 2. Except as provided in subparagraph 6., election to  
4 participate is made within 12 months immediately following the  
5 date on which the member first reaches normal retirement date,  
6 or, for a member who reaches normal retirement date based on  
7 service before he or she reaches age 62, or age 55 for Special  
8 Risk Class members, election to participate may be deferred to  
9 the 12 months immediately following the date the member  
10 attains 57, or age 52 for Special Risk Class members. For a  
11 member who first reached normal retirement date or the  
12 deferred eligibility date described above prior to the  
13 effective date of this section, election to participate shall  
14 be made within 12 months after the effective date of this  
15 section. A member who fails to make an election within such  
16 12-month limitation period shall forfeit all rights to  
17 participate in the DROP. The member shall advise his or her  
18 employer and the division in writing of the date on which the  
19 DROP shall begin. Such beginning date may be subsequent to the  
20 12-month election period, but must be within the 60-month or,  
21 with respect to members who are instructional personnel as  
22 defined in s. 1012.01(2)(a)-(d) in grades K-12 or school  
23 administrators as defined in s. 1012.01(3)(c) and who have  
24 received authorization by the district school superintendent  
25 to participate in DROP for more than 60 months, the 96-month  
26 limitation period as provided in subparagraph (b)1. When  
27 establishing eligibility of the member to participate in the  
28 DROP for the 60-month or, with respect to members who are  
29 instructional personnel as defined in s. 1012.01(2)(a)-(d) in  
30 grades K-12 or school administrators as defined in s.  
31 1012.01(3)(c) and who have received authorization by the

1 district school superintendent to participate in DROP for more  
2 than 60 months, the 96-month maximum participation period, the  
3 member may elect to include or exclude any optional service  
4 credit purchased by the member from the total service used to  
5 establish the normal retirement date. A member with dual  
6 normal retirement dates shall be eligible to elect to  
7 participate in DROP within 12 months after attaining normal  
8 retirement date in either class.

9           3. The employer of a member electing to participate in  
10 the DROP, or employers if dually employed, shall acknowledge  
11 in writing to the division the date the member's participation  
12 in the DROP begins and the date the member's employment and  
13 DROP participation will terminate.

14           4. Simultaneous employment of a participant by  
15 additional Florida Retirement System employers subsequent to  
16 the commencement of participation in the DROP shall be  
17 permissible provided such employers acknowledge in writing a  
18 DROP termination date no later than the participant's existing  
19 termination date or the 60-month limitation period as provided  
20 in subparagraph (b)1.

21           5. A DROP participant may change employers while  
22 participating in the DROP, subject to the following:

23           a. A change of employment must take place without a  
24 break in service so that the member receives salary for each  
25 month of continuous DROP participation. If a member receives  
26 no salary during a month, DROP participation shall cease  
27 unless the employer verifies a continuation of the employment  
28 relationship for such participant pursuant to s.  
29 121.021(39)(b).

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1           b. Such participant and new employer shall notify the  
2 division on forms required by the division as to the identity  
3 of the new employer.

4           c. The new employer shall acknowledge, in writing, the  
5 participant's DROP termination date, which may be extended but  
6 not beyond the original 60-month or, with respect to members  
7 who are instructional personnel as defined in s.

8 1012.01(2)(a)-(d) in grades K-12 or school administrators as  
9 defined in s. 1012.01(3)(c) and who have received

10 authorization by the district school superintendent to

11 participate in DROP for more than 60 months, the 96-month

12 period provided in subparagraph (b)1., shall acknowledge

13 liability for any additional retirement contributions and

14 interest required if the participant fails to timely terminate

15 employment, and shall be subject to the adjustment required in

16 sub-subparagraph (c)5.d.

17           6. Effective July 1, 2001, for instructional personnel

18 as defined in s. 1012.01(2), election to participate in the

19 DROP shall be made at any time following the date on which the

20 member first reaches normal retirement date. The member shall

21 advise his or her employer and the division in writing of the

22 date on which the Deferred Retirement Option Program shall

23 begin. When establishing eligibility of the member to

24 participate in the DROP for the 60-month or, with respect to

25 members who are instructional personnel as defined in s.

26 1012.01(2)(a)-(d) in grades K-12 or school administrators as

27 defined in s. 1012.01(3)(c) and who have received

28 authorization by the district school superintendent to

29 participate in DROP for more than 60 months, the 96-month

30 maximum participation period, as provided in subparagraph

31 (b)1., the member may elect to include or exclude any optional

1 service credit purchased by the member from the total service  
2 used to establish the normal retirement date. A member with  
3 dual normal retirement dates shall be eligible to elect to  
4 participate in either class.

5 (b) Participation in the DROP.--

6 1. An eligible member may elect to participate in the  
7 DROP for a period not to exceed a maximum of 60 calendar  
8 months or, with respect to members who are instructional  
9 personnel as defined in s. 1012.01(2)(a)-(d) in grades K-12 or  
10 school administrators as defined in s. 1012.01(3)(c) and who  
11 have received authorization by the district school  
12 superintendent to participate in DROP for more than 60  
13 calendar months, a maximum of 96 calendar months immediately  
14 following the date on which the member first reaches his or  
15 her normal retirement date or the date to which he or she is  
16 eligible to defer his or her election to participate as  
17 provided in subparagraph (a)2. However, a member who has  
18 reached normal retirement date prior to the effective date of  
19 the DROP shall be eligible to participate in the DROP for a  
20 period of time not to exceed 60 calendar months or, with  
21 respect to members who are instructional personnel as defined  
22 in s. 1012.01(2)(a)-(d) in grades K-12 or school  
23 administrators as defined in s. 1012.01(3)(c) and who have  
24 received authorization by the district school superintendent  
25 to participate in DROP for more than 60 calendar months, 96  
26 calendar months immediately following the effective date of  
27 the DROP, except a member of the Special Risk Class who has  
28 reached normal retirement date prior to the effective date of  
29 the DROP and whose total accrued value exceeds 75 percent of  
30 average final compensation as of his or her effective date of  
31 retirement shall be eligible to participate in the DROP for no



1 more than 36 calendar months immediately following the  
2 effective date of the DROP.

3         2. Upon deciding to participate in the DROP, the  
4 member shall submit, on forms required by the division:

5             a. A written election to participate in the DROP;  
6             b. Selection of the DROP participation and termination  
7 dates, which satisfy the limitations stated in paragraph (a)  
8 and subparagraph 1. Such termination date shall be in a  
9 binding letter of resignation with the employer, establishing  
10 a deferred termination date. The member may change the  
11 termination date within the limitations of subparagraph 1.,  
12 but only with the written approval of his or her employer;

13             c. A properly completed DROP application for service  
14 retirement as provided in this section; and

15             d. Any other information required by the division.

16         3. The DROP participant shall be a retiree under the  
17 Florida Retirement System for all purposes, except for  
18 paragraph (5)(f) and subsection (9) and ss. 112.3173, 112.363,  
19 121.053, and 121.122. However, participation in the DROP does  
20 not alter the participant's employment status and such  
21 employee shall not be deemed retired from employment until his  
22 or her deferred resignation is effective and termination  
23 occurs as provided in s. 121.021(39).

24         4. Elected officers shall be eligible to participate  
25 in the DROP subject to the following:

26             a. An elected officer who reaches normal retirement  
27 date during a term of office may defer the election to  
28 participate in the DROP until the next succeeding term in that  
29 office. Such elected officer who exercises this option may  
30 participate in the DROP for up to 60 calendar months or a  
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1 period of no longer than such succeeding term of office,  
2 whichever is less.

3           b. An elected or a nonelected participant may run for  
4 a term of office while participating in DROP and, if elected,  
5 extend the DROP termination date accordingly, except, however,  
6 if such additional term of office exceeds the 60-month  
7 limitation established in subparagraph 1., and the officer  
8 does not resign from office within such 60-month limitation,  
9 the retirement and the participant's DROP shall be null and  
10 void as provided in sub-subparagraph (c)5.d.

11           c. An elected officer who is dually employed and  
12 elects to participate in DROP shall be required to satisfy the  
13 definition of termination within the 60-month or, with respect  
14 to members who are instructional personnel as defined in s.  
15 1012.01(2)(a)-(d) in grades K-12 or school administrators as  
16 defined in s. 1012.01(3)(c) and who have received  
17 authorization by the district school superintendent to  
18 participate in DROP for more than 60 months, the 96-month  
19 limitation period as provided in subparagraph 1. for the  
20 nonelected position and may continue employment as an elected  
21 officer as provided in s. 121.053. The elected officer will be  
22 enrolled as a renewed member in the Elected Officers' Class or  
23 the Regular Class, as provided in ss. 121.053 and 121.22, on  
24 the first day of the month after termination of employment in  
25 the nonelected position and termination of DROP. Distribution  
26 of the DROP benefits shall be made as provided in paragraph  
27 (c).

28           Section 3. Subsection (20) of section 1001.42, Florida  
29 Statutes, is amended to read:

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1           1001.42 Powers and duties of district school  
2 board.--The district school board, acting as a board, shall  
3 exercise all powers and perform all duties listed below:

4           (20) SCHOOL-WITHIN-A-SCHOOL.--In order to reduce the  
5 anonymity of students in large schools, adopt policies to  
6 encourage any large school ~~that does not meet the definition~~  
7 ~~of a small school, as established by s. 1013.43(2), to~~  
8 subdivide into schools-within-a-school that shall operate  
9 within existing resources in accordance with the provisions of  
10 chapter 1003.

11           Section 4. Section 1002.395, Florida Statutes, is  
12 created to read:

13           1002.395 Florida Learning Access Grants.--

14           (1) SHORT TITLE.--This section may be cited as the  
15 "Florida Learning Access Grant Act."

16           (2) DISTRICT PARTICIPATION.--A school district may  
17 choose to implement this program as a strategy to reduce class  
18 size in the school district pursuant to s. 1003.03(3). A  
19 school district may be required to participate in this program  
20 to reduce class size if the Department of Education so  
21 determines pursuant to s. 1003.03(4)(b).

22           (3) PARENTAL CHOICE.--The parent of any student in  
23 grades K-12 in a school district participating in the program  
24 pursuant to subsection (2) who is enrolled and in attendance  
25 during the October and February FTE enrollment counts in a  
26 state public school may, for the following school year:

27           (a) Opt to have the student remain in the school in  
28 which the student is enrolled; or

29           (b) Opt to request, on an annual basis, a Florida  
30 Learning Access Grant of \$3,500 to assist the parent in paying  
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1 for the student's attendance at an eligible private school of  
2 the parent's choice.

3 (4) PARTICIPATING SCHOOL DISTRICT OBLIGATIONS.--Each  
4 school district participating in this program shall annually  
5 by February 22, for each K-12 student eligible under  
6 subsection (3), notify the parent that the district has chosen  
7 to offer Florida Learning Access Grants and provide the parent  
8 with the parental-choice options for the following school year  
9 as provided in subsection (3).

10 (5) PARENT OBLIGATIONS.--

11 (a) The parent shall notify the school district as to  
12 which of the options provided in subsection (3) the parent  
13 wishes to choose.

14 1. Failure of the parent to provide notification shall  
15 constitute the choice of the option provided by paragraph  
16 (3)(a).

17 2. If the parent chooses the option provided by  
18 paragraph (3)(b), the parent must:

19 a. Obtain acceptance for admission of the student to a  
20 private school eligible under subsection (6) as soon as  
21 possible, and inform the private school that the student will  
22 be using a Florida Learning Access Grant.

23 b. Notify the Department of Education of the parent's  
24 request for a Florida Learning Access Grant and the name and  
25 address of the selected private school.

26 c. Agree to provide transportation for the student to  
27 the private school, if necessary.

28 d. Agree to pay any costs associated with the  
29 student's attendance at the private school that exceed the  
30 annual amount of the Florida Learning Access Grant.

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1           e. Agree that the education provided by the private  
2 school selected shall satisfy the student's full need for  
3 educational services from the student's school.

4           (b) After the first year of the student's attending a  
5 private school under the Florida Learning Access Grants  
6 program, the parent must annually notify the Department of  
7 Education if the parent intends to renew the grant according  
8 to the provisions of subsection (8) in order for the student  
9 to continue in the program, together with the name and address  
10 of the private school selected for the student for the  
11 following year.

12           (6) PRIVATE SCHOOL ELIGIBILITY.--Eligibility of a  
13 private school shall be determined by the parental oversight  
14 and accountability requirements that, coupled with the  
15 exercise of parental choice, are reasonably necessary to  
16 secure the educational public purpose. To be eligible to  
17 participate in the Florida Learning Access Grants program, a  
18 private school must be a state private school, may be  
19 sectarian or nonsectarian, and must:

20           (a) Demonstrate fiscal soundness by being in operation  
21 for 1 school year or provide the Department of Education with  
22 a statement by a certified public accountant confirming that  
23 the private school desiring to participate is insured and the  
24 owner or owners have sufficient capital or credit to operate  
25 the school for the upcoming year, serving the number of  
26 students anticipated with expected revenues from tuition and  
27 other sources that may be reasonably expected. In lieu of such  
28 a statement, a surety bond or letter of credit for the amount  
29 equal to the Florida Learning Access Grant funds for any  
30 school year may be filed with the department.

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1           (b) Notify the Department of Education and the school  
2 district in the service areas in which the school is located  
3 of its intent to participate in the program under this section  
4 as early as possible, but no later than July 1 preceding the  
5 school year in which it intends to participate. The notice  
6 must specify the grade levels and services that the private  
7 school has available for the Florida Learning Access Grants  
8 program.

9           (c) Comply with the antidiscrimination provisions of  
10 42 U.S.C. s. 2002d.

11           (d) Meet state and local health and safety laws and  
12 codes.

13           (e) Comply with all state statutes applicable to the  
14 general regulation of private schools.

15           (f) If a Florida Learning Access Grant student's  
16 parent so requests, coordinate with the local school district  
17 the locations and times for the student to take all statewide  
18 assessments pursuant to s. 1008.22.

19           (7) INITIAL FLORIDA LEARNING ACCESS GRANTS.--

20           (a) Initial class size grants shall be offered on a  
21 first-come, first-served basis.

22           (b) The number of initial Florida Learning Access  
23 Grants to be awarded shall be determined annually by the  
24 Department of Education based upon the department's  
25 determination of the number that would be necessary to reduce  
26 class size to meet the district's two-student-per-year  
27 reduction goals established by the department pursuant to s.  
28 1003.03(2) or to meet the constitutional class size maximum  
29 caps described in s. 1003.03(1). However, a district school  
30 board may authorize more Florida Learning Access Grants than  
31 the number established by the department.

1           (8) FLORIDA LEARNING ACCESS GRANT RENEWAL.--For  
2 purposes of educational continuity and parental choice, a  
3 Florida Learning Access Grant, once awarded, shall be  
4 renewable for as long as the parent is a state resident who  
5 opts for continuation of the grant for the student and the  
6 student lawfully attends an eligible private school, through  
7 the 12th grade. The Florida Learning Access Grant may be  
8 transferred from one eligible private school to another upon  
9 the school's acceptance of the student and the parent's  
10 provision of adequate notice to the Department of Education. A  
11 parent may, however, at any time opt to return the student to  
12 the public school.

13           (9) FLORIDA LEARNING ACCESS GRANT DISBURSEMENT.--Upon  
14 proper documentation reviewed and approved by the Department  
15 of Education, the Comptroller shall make Florida Learning  
16 Access Grant payments in four equal amounts no later than  
17 September 1, November 1, February 1, and April 1 of each  
18 academic year. The initial payment shall be made after  
19 verification of admission acceptance by the Department of  
20 Education, and subsequent payments shall be made upon  
21 verification of the student's continued enrollment and  
22 attendance at the private school. Payment must be by  
23 individual warrant made payable to the student's parent and  
24 mailed by the Department of Education to the private school of  
25 the parent's choice, and the parent shall restrictively  
26 endorse the warrant to the private school.

27           (10) LIABILITY.--No liability shall arise on the part  
28 of the state based on the award or use of any Florida Learning  
29 Access Grant.

30           (11) DEPARTMENT OF EDUCATION OBLIGATIONS.--  
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1           (a)1. Upon notification of the number of students  
2 whose parents have opted to request initial Florida Learning  
3 Access Grants, the department shall transfer from general  
4 revenue funds appropriated to the school district the total  
5 amount of annual grants of \$3,500 for the district's students  
6 from the Florida Education Finance Program to a separate  
7 account for the disbursement of the initial Florida Learning  
8 Access Grants.

9           2. The Department of Education shall, in its annual  
10 budget, provide for Florida Learning Access Grants for parents  
11 who wish their children to continue participation in the  
12 Florida Learning Access Grants program beyond the initial year  
13 of participation.

14           (b) The Department of Education shall administer the  
15 Florida Learning Access Grants program and the State Board of  
16 Education may adopt rules pursuant to ss. 120.536(1) and  
17 120.54 to administer this section. However, the inclusion of  
18 eligible private schools within options available to state  
19 public school students does not expand the regulatory  
20 authority of the state, its officers, or any school district  
21 to impose any additional regulation of private schools beyond  
22 those reasonably necessary to enforce requirements expressly  
23 set forth in this section.

24           Section 5. Subsections (14) and (15) are added to  
25 section 1003.01, Florida Statutes, to read:

26           1003.01 Definitions.--As used in this chapter, the  
27 term:

28           (14) "Core-curricula courses" mean courses defined by  
29 the Department of Education as mathematics, language  
30 arts/reading, science, social studies, foreign language,  
31 English for Speakers of Other Languages, exceptional student



1 education, and courses taught in traditional self-contained  
2 elementary school classrooms.

3 (15) "Extracurricular courses" means all courses that  
4 are not defined as "core-curricula courses," which may  
5 include, but are not limited to, physical education, fine  
6 arts, performing fine arts, vocational education, and career  
7 and technical education.

8 Section 6. Paragraph (i) is added to subsection (1) of  
9 section 1003.02, Florida Statutes, and subsection (4) of that  
10 section is amended, to read:

11 1003.02 District school board operation and control of  
12 public K-12 education within the school district.--As provided  
13 in part II of chapter 1001, district school boards are  
14 constitutionally and statutorily charged with the operation  
15 and control of public K-12 education within their school  
16 district. The district school boards must establish, organize,  
17 and operate their public K-12 schools and educational  
18 programs, employees, and facilities. Their responsibilities  
19 include staff development, public K-12 school student  
20 education including education for exceptional students and  
21 students in juvenile justice programs, special programs, adult  
22 education programs, and career and technical education  
23 programs. Additionally, district school boards must:

24 (1) Provide for the proper accounting for all students  
25 of school age, for the attendance and control of students at  
26 school, and for proper attention to health, safety, and other  
27 matters relating to the welfare of students in the following  
28 fields:

29 (i) Parental notification of acceleration  
30 mechanisms.--At the beginning of each school year, notify  
31 parents of students in or entering high school of the

1 opportunity and benefits of advanced placement, International  
2 Baccalaureate, Advanced International Certificate of  
3 Education, dual enrollment, and Florida Virtual School  
4 courses.

5       (4) ~~For any school within the district that is not in~~  
6 ~~compliance with the small school size requirements of chapter~~  
7 ~~1013,~~In order to reduce the anonymity of students in large  
8 schools, adopt policies that encourage subdivision of the  
9 school into schools-within-a-school, which shall operate  
10 within existing resources. A "school-within-a-school" means an  
11 operational program that uses flexible scheduling, team  
12 planning, and curricular and instructional innovation to  
13 organize groups of students with groups of teachers as smaller  
14 units, so as to functionally operate as a smaller school.  
15 Examples of this include, but are not limited to:

16       (a) An organizational arrangement assigning both  
17 students and teachers to smaller units in which the students  
18 take some or all of their coursework with their fellow grouped  
19 students and from the teachers assigned to the smaller unit. A  
20 unit may be grouped together for 1 year or on a vertical,  
21 multiyear basis.

22       (b) An organizational arrangement similar to that  
23 described in paragraph (a) with additional variations in  
24 instruction and curriculum. The smaller unit usually seeks to  
25 maintain a program different from that of the larger school,  
26 or of other smaller units. It may be vertically organized, but  
27 is dependent upon the school principal for its existence,  
28 budget, and staff.

29       (c) A separate and autonomous smaller unit formally  
30 authorized by the district school board or district school  
31 superintendent. The smaller unit plans and runs its own

1 program, has its own staff and students, and receives its own  
2 separate budget. The smaller unit must negotiate the use of  
3 common space with the larger school and defer to the building  
4 principal on matters of safety and building operation.

5 Section 7. Section 1003.03, Florida Statutes, is  
6 amended to read:

7 (Substantial rewording of section. See  
8 s. 1003.03, F.S., for present text.)

9 1003.03 Maximum class size.--

10 (1) CONSTITUTIONAL CLASS SIZE MAXIMUM CAPS.--Pursuant  
11 to s. 1, Art. IX of the State Constitution, beginning in the  
12 2010-2011 school year:

13 (a) The maximum number of students assigned to each  
14 teacher who is teaching core-curricula courses in public  
15 school classrooms for prekindergarten through grade 3 may not  
16 exceed 18 students.

17 (b) The maximum number of students assigned to each  
18 teacher who is teaching core-curricula courses in public  
19 school classrooms for grades 4 through 8 may not exceed 22  
20 students.

21 (c) The maximum number of students assigned to each  
22 teacher who is teaching core-curricula courses in public  
23 school classrooms for grades 9 through 12 may not exceed 25  
24 students.

25  
26 As alternatives to traditional public schools, charter  
27 schools, the Florida Virtual School, and advanced placement,  
28 International Baccalaureate, Advanced International  
29 Certificate of Education, and dual enrollment classes are not  
30 encompassed within the definition of core-curricula courses in  
31 public school classrooms.

1           (2) IMPLEMENTATION.--

2           (a) Beginning with the 2003-2004 fiscal year, school  
3 districts shall reduce the district-wide average number of  
4 students per classroom in each of the following grade  
5 groupings: prekindergarten through grade 3, grade 4 through  
6 grade 8, and grade 9 through grade 12, by at least two  
7 students per year until the maximum number of students per  
8 classroom does not exceed the constitutional class size  
9 maximum caps described in subsection (1).

10           (b) The Department of Education shall annually  
11 calculate each of the three district average class size  
12 measures defined in paragraph (a) based upon the October and  
13 February student membership surveys. For purposes of  
14 determining the baseline from which each district's average  
15 class size must be reduced for the 2003-2004 school year, the  
16 department shall use data from the February 2003 student  
17 membership survey.

18           (c) Prior to the adoption of the district school  
19 budget for 2003-2004, each district school board shall hold  
20 public hearings to review school attendance zones in order to  
21 maximize use of facilities while minimizing the additional use  
22 of transportation in order to comply with the  
23 two-student-per-year reduction required in paragraph (a).  
24 School districts that meet the constitutional class size  
25 maximum caps described in subsection (1) are exempt from this  
26 requirement.

27           (3) TOOLBOX OF IMPLEMENTATION OPTIONS.--District  
28 school boards must consider, but are not limited to,  
29 implementing the following items in order to meet the  
30 constitutional class size maximum caps described in subsection  
31

- 1 (1) and the two-student-per-year reduction required in  
2 subsection (2):
- 3 (a) Adopt policies to encourage qualified students to  
4 take dual enrollment courses.
- 5 (b) Adopt policies to encourage students to take  
6 courses from the Florida Virtual School.
- 7 (c) Repeal district school board policies that require  
8 students to have more than 24 credits to graduate from high  
9 school.
- 10 (d) Use methods to maximize use of instructional  
11 staff, such as changing required teaching loads and scheduling  
12 of planning periods, deploying district employees that have  
13 professional certification to the classroom, using adjunct  
14 educators, or any other method not prohibited by law.
- 15 (e) Use innovative methods to reduce the cost of  
16 school construction by using prototype school designs, using  
17 SMART Schools designs, participating in the School  
18 Infrastructure Thrift Program, or any other method not  
19 prohibited by law.
- 20 (f) Use joint-use facilities through partnerships with  
21 community colleges, state universities, and private colleges  
22 and universities.
- 23 (g) Adopt alternative methods of class scheduling,  
24 such as block scheduling.
- 25 (h) Redraw school attendance zones to maximize use of  
26 facilities while minimizing the additional use of  
27 transportation.
- 28 (i) Operate schools beyond the normal operating hours  
29 to provide classes in the evening or operate more than one  
30 session of school during the day.  
31

1           (j) Use year-round schools and other nontraditional  
2 calendars that do not adversely impact annual assessment of  
3 student achievement.

4           (k) Implement Florida Learning Access Grants as  
5 provided in s. 1002.395.

6           (l) Review and consider amending any collective  
7 bargaining contracts that hinder the implementation of class  
8 size reduction.

9           (m) Use any other approach not prohibited by law.

10          (4) ACCOUNTABILITY.--

11          (a) Beginning in 2004 until 2008, the department shall  
12 determine by January 15 of each year which districts have not  
13 met the two-student-per-year reduction required in subsection  
14 (2) for the current year based upon a comparison of the  
15 district's October student membership survey for the current  
16 school year and the October student membership survey for the  
17 prior school year. The department shall report such districts  
18 to the Legislature. Each district that has not met the  
19 two-student-per-year reduction as identified by the department  
20 shall be required to implement one of the following policies  
21 in the subsequent school year unless the department finds that  
22 the district comes into compliance based upon the February  
23 student membership survey:

24           1. Rezoning;

25           2. Year-round schools;

26           3. Double sessions; or

27           4. Florida Learning Access Grants as provided in s.  
28 1002.395.

29  
30 A school district that is required to implement the policies  
31 outlined in subparagraphs 1. through 4. shall do so in such a

1 way in the year of implementation so as to make up for any  
2 past deficiencies and bring the district into compliance with  
3 the two-student-per-year reduction goals established for the  
4 district by the department pursuant to subsection (2). A  
5 school district may choose to implement more than one of these  
6 policies. The district school superintendent shall report to  
7 the Commissioner of Education on the extent to which the  
8 district implemented any of the policies outlined in  
9 subparagraphs 1. through 4. in a format to be specified by the  
10 Commissioner. The Department of Education shall use the  
11 enforcement authority provided in s. 1008.32, to ensure that  
12 districts comply with the provisions of this paragraph.

13 (b) Beginning in 2008, the department shall annually  
14 determine which districts do not meet the constitutional class  
15 size maximum caps described in subsection (1). In addition to  
16 enforcement authority provided in s. 1008.32, the Department  
17 of Education shall develop a constitutional compliance plan  
18 for each such district which consists of, but is not limited  
19 to, the accountability policies listed in paragraph (a). Each  
20 district school board shall implement the constitutional  
21 compliance plan developed by the state board until the  
22 district comes into compliance with the constitutional class  
23 size maximum caps.

24 Section 8. Paragraph (i) of subsection (1) of section  
25 1003.43, Florida Statutes, is amended to read:

26 1003.43 General requirements for high school  
27 graduation.--

28 (1) Graduation requires successful completion of  
29 either a minimum of 24 academic credits in grades 9 through 12  
30 or an International Baccalaureate curriculum. The 24 credits  
31 shall be distributed as follows:

1           (i) One-half credit in life management skills to  
2 include consumer education, positive emotional development,  
3 marriage and relationship skill-based education, nutrition,  
4 prevention of human immunodeficiency virus infection and  
5 acquired immune deficiency syndrome and other sexually  
6 transmissible diseases, benefits of sexual abstinence and  
7 consequences of teenage pregnancy, information and instruction  
8 on breast cancer detection and breast self-examination,  
9 cardiopulmonary resuscitation, drug education, and the hazards  
10 of smoking. ~~Such credit shall be given for a course to be~~  
11 ~~taken by all students in either the 9th or 10th grade.~~

12  
13 District school boards may award a maximum of one-half credit  
14 in social studies and one-half elective credit for student  
15 completion of nonpaid voluntary community or school service  
16 work. Students choosing this option must complete a minimum  
17 of 75 hours of service in order to earn the one-half credit in  
18 either category of instruction. Credit may not be earned for  
19 service provided as a result of court action. District school  
20 boards that approve the award of credit for student volunteer  
21 service shall develop guidelines regarding the award of the  
22 credit, and school principals are responsible for approving  
23 specific volunteer activities. A course designated in the  
24 Course Code Directory as grade 9 through grade 12 that is  
25 taken below the 9th grade may be used to satisfy high school  
26 graduation requirements or Florida Academic Scholars award  
27 requirements as specified in a district school board's student  
28 progression plan. A student shall be granted credit toward  
29 meeting the requirements of this subsection for equivalent  
30 courses, as identified pursuant to s. 1007.271(6), taken  
31 through dual enrollment.



1           Section 9. Paragraph (a) of subsection (1) of section  
2 1003.436, Florida Statutes, is amended to read:

3           1003.436 Definition of "credit".--

4           (1)(a) For the purposes of requirements for high  
5 school graduation, one full credit means a minimum of 120 ~~135~~  
6 hours of bona fide instruction in a designated course of study  
7 that contains student performance standards. The State Board  
8 of Education shall determine the number of postsecondary  
9 credit hours earned through dual enrollment pursuant to s.  
10 1007.271 that satisfy the requirements of a district's  
11 interinstitutional articulation agreement according to s.  
12 1007.235 and that equal one full credit of the equivalent high  
13 school course identified pursuant to s. 1007.271(6).

14           Section 10. Paragraph (b) of subsection (5) of section  
15 1011.62, Florida Statutes, is amended to read:

16           1011.62 Funds for operation of schools.--If the annual  
17 allocation from the Florida Education Finance Program to each  
18 district for operation of schools is not determined in the  
19 annual appropriations act or the substantive bill implementing  
20 the annual appropriations act, it shall be determined as  
21 follows:

22           (5) CATEGORICAL FUNDS.--

23           (b) ~~For fiscal year 2002-2003~~, If a district school  
24 board finds and declares in a resolution adopted at a regular  
25 meeting of the school board that the funds received for any of  
26 the following categorical appropriations are urgently needed  
27 to maintain school board specified academic classroom  
28 instruction, the school board may consider and approve an  
29 amendment to the school district operating budget transferring  
30 the identified amount of the categorical funds to the  
31 appropriate account for expenditure:

- 1           1. Funds for student transportation.
- 2           2. Funds for in-service educational personnel
- 3 training.
- 4           3. Funds for safe schools.
- 5           4. Funds for public school technology.
- 6           ~~5. Funds for teacher recruitment and retention.~~
- 7           5.6. Funds for supplemental academic instruction.
- 8           Section 11. Section 1011.69, Florida Statutes, is
- 9 amended to read:

10           1011.69 Equity in School-Level Funding Act.--

11           (1) This section may be cited as the "Equity in

12 School-Level Funding Act."

13           ~~(2)(a) Beginning in the 2000-2001 fiscal year,~~

14 ~~district school boards shall allocate to each school within~~

15 ~~the district at least 50 percent of the funds generated by~~

16 ~~that school based upon the Florida Education Finance Program~~

17 ~~as provided in s. 1011.62 and the General Appropriations Act,~~

18 ~~including gross state and local funds, discretionary lottery~~

19 ~~funds, and funds from the school district's current operating~~

20 ~~discretionary millage levy.~~

21           ~~(b) Beginning in the 2001-2002 fiscal year, district~~

22 ~~school boards shall allocate to each school within the~~

23 ~~district at least 65 percent of the funds generated by that~~

24 ~~school based upon the Florida Education Finance Program as~~

25 ~~provided in s. 1011.62 and the General Appropriations Act,~~

26 ~~including gross state and local funds, discretionary lottery~~

27 ~~funds, and funds from the school district's current operating~~

28 ~~discretionary millage levy.~~

29           ~~(c) Beginning in the 2002-2003 fiscal year, district~~

30 ~~school boards shall allocate to each school within the~~

31 ~~district at least 80 percent of the funds generated by that~~

1 ~~school based upon the Florida Education Finance Program as~~  
2 ~~provided in s. 1011.62 and the General Appropriations Act,~~  
3 ~~including gross state and local funds, discretionary lottery~~  
4 ~~funds, and funds from the school district's current operating~~  
5 ~~discretionary millage levy.~~

6       (d) Beginning in the 2003-2004 fiscal year, district  
7 school boards shall allocate to each school within the  
8 district at least 90 percent of the funds generated by that  
9 school based upon the Florida Education Finance Program as  
10 provided in s. 1011.62 and the General Appropriations Act,  
11 including gross state and local funds, discretionary lottery  
12 funds, and funds from the school district's current operating  
13 discretionary millage levy. Total funding for each school  
14 shall be recalculated during the year to reflect the revised  
15 calculations under the Florida Education Finance Program by  
16 the state and the actual weighted full-time equivalent  
17 students reported by the school during the full-time  
18 equivalent student survey periods designated by the  
19 Commissioner of Education. If the district school board is  
20 providing programs or services to students funded by federal  
21 funds, any eligible students enrolled in the schools in the  
22 district shall be provided federal funds. Only those districts  
23 that initially applied for charter school district status,  
24 pursuant to s. 1003.62, and have been approved by the State  
25 Board of Education are exempt from the provisions of this  
26 section.

27       (3) Funds allocated to a school pursuant to this  
28 section that are unused at the end of the fiscal year shall  
29 not revert to the district, but shall remain with the school.  
30 These carryforward funds may be used for any purpose provided  
31 by law at the discretion of the principal of the school.

1           (4) The following funds are excluded from the  
2 school-level allocation under this section:

3           ~~(4) Recommendations made by the Governor's Equity in~~  
4 ~~Educational Opportunity Task Force shall be reviewed to~~  
5 ~~identify potential categorical funds to be included in the~~  
6 ~~district allocation methodology required in subsection (2).~~

7           (a)(5) Funds appropriated in the General  
8 Appropriations Act for supplemental academic instruction to be  
9 used for the purposes described in s. 1011.62(1)(f); and

10           (b) Funds appropriated in the General Appropriations  
11 Act for the Classrooms for Kids operating categorical  
12 established in s. 1011.685 are excluded from the school-level  
13 allocation under this section.

14           Section 12. Paragraph (b) of subsection (1) and  
15 subsections (3), (4), and (5) of section 1012.56, Florida  
16 Statutes, are amended to read:

17           1012.56 Educator certification requirements.--

18           (1) APPLICATION.--Each person seeking certification  
19 pursuant to this chapter shall submit a completed application  
20 containing the applicant's social security number to the  
21 Department of Education and remit the fee required pursuant to  
22 s. 1012.59 and rules of the State Board of Education. Pursuant  
23 to the federal Personal Responsibility and Work Opportunity  
24 Reconciliation Act of 1996, each party is required to provide  
25 his or her social security number in accordance with this  
26 section. Disclosure of social security numbers obtained  
27 through this requirement shall be limited to the purpose of  
28 administration of the Title IV-D program of the Social  
29 Security Act for child support enforcement. Pursuant to s.  
30 120.60, the department shall issue within 90 calendar days  
31 after the stamped receipted date of the completed application:

1 (a) A certificate covering the classification, level,  
2 and area for which the applicant is deemed qualified; or

3 (b) An official statement of status of eligibility.

4 The statement of status of eligibility must advise the  
5 applicant of any qualifications that must be completed to  
6 qualify for certification. Each statement of status of  
7 eligibility is valid for 2 years after its date of issuance,  
8 except as provided in paragraph (2)(d). ~~A statement of status  
9 of eligibility may be reissued for one additional 2-year  
10 period if application is made while the initial statement of  
11 status of eligibility is valid or within 1 year after the  
12 initial statement expires, and if the certification subject  
13 area is authorized to be issued by the state board at the time  
14 the application requesting a reissued statement of status of  
15 eligibility is received.~~

16 (3) MASTERY OF GENERAL KNOWLEDGE.--Acceptable means of  
17 demonstrating mastery of general knowledge are:

18 (a) Achievement of passing scores on basic skills  
19 examination required by state board rule;

20 (b) Achievement of passing scores on the College Level  
21 Academic Skills Test earned prior to July 1, 2002;

22 (c) A valid professional standard teaching certificate  
23 issued by another state ~~that requires an examination of  
24 mastery of general knowledge;~~

25 (d) A ~~valid standard teaching certificate issued by  
26 another state and~~ valid certificate issued by the National  
27 Board for Professional Teaching Standards or other such  
28 nationally recognized organization as determined by the State  
29 Board of Education; or

30 (e) Documentation of two semesters of successful  
31 teaching in a community college, state university, or private

1 college or university that awards an associate's or higher  
2 degree and is an accredited institution or an institution of  
3 higher education identified by the Department of Education as  
4 having a quality program.~~A valid standard teaching~~  
5 ~~certificate issued by another state and documentation of 2~~  
6 ~~years of continuous successful full-time teaching or~~  
7 ~~administrative experience during the 5-year period immediately~~  
8 ~~preceding the date of application for certification.~~

9 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable  
10 means of demonstrating mastery of subject area knowledge are:

11 (a) Achievement of passing scores on subject area  
12 examinations required by state board rule;

13 (b) Completion of the subject area specialization  
14 requirements specified in state board rule and verification of  
15 the attainment of the essential subject matter competencies by  
16 the district school superintendent of the employing school  
17 district or chief administrative officer of the employing  
18 state-supported or private school for a subject area for which  
19 a subject area examination has not been developed and required  
20 by state board rule;

21 (c) Completion of the graduate level subject area  
22 specialization requirements specified in state board rule for  
23 a subject coverage requiring a master's or higher degree and  
24 achievement of a passing score on the subject area examination  
25 specified in state board rule;

26 (d) A valid standard teaching certificate issued by  
27 another state ~~that requires an examination of mastery of~~  
28 ~~subject area knowledge;~~ or

29 (e) A valid standard teaching certificate issued by  
30 another state and valid certificate issued by the National  
31 Board for Professional Teaching Standards or other such

1 nationally recognized organization as determined by the State  
2 Board of Education. ~~or~~

3 ~~(f) A valid standard teaching certificate issued by~~  
4 ~~another state and documentation of 2 years of continuous~~  
5 ~~successful full-time teaching or administrative experience~~  
6 ~~during the 5-year period immediately preceding the date of~~  
7 ~~application for certification.~~

8 (5) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION  
9 COMPETENCE.--Acceptable means of demonstrating mastery of  
10 professional preparation and education competence are:

11 (a) Completion of an approved teacher preparation  
12 program at a postsecondary educational institution within this  
13 state and achievement of a passing score on the professional  
14 education competency examination required by state board rule;

15 (b) Completion of a teacher preparation program at a  
16 postsecondary educational institution outside Florida and  
17 achievement of a passing score on the professional education  
18 competency examination required by state board rule;

19 (c) A valid professional standard teaching certificate  
20 issued by another state ~~that requires an examination of~~  
21 ~~mastery of professional education competence;~~

22 (d) A ~~valid standard teaching certificate issued by~~  
23 ~~another state and~~ valid certificate issued by the National  
24 Board for Professional Teaching Standards or other such  
25 nationally recognized organization as determined by the State  
26 Board of Education;

27 (e) Documentation of two semesters of successful  
28 teaching in a community college, state university, or private  
29 college or university that awards an associate's or higher  
30 degree and is an accredited institution or an institution of  
31 higher education identified by the Department of Education as

1 having a quality program ~~A valid standard teaching certificate~~  
2 ~~issued by another state and documentation of 2 years of~~  
3 ~~continuous successful full-time teaching or administrative~~  
4 ~~experience during the 5-year period immediately preceding the~~  
5 ~~date of application for certification;~~

6 (f) Completion of professional preparation courses as  
7 specified in state board rule, successful completion of a  
8 professional education competence demonstration program  
9 pursuant to paragraph (7)(b), and achievement of a passing  
10 score on the professional education competency examination  
11 required by state board rule; or

12 (g) Successful completion of a professional  
13 preparation alternative certification and education competency  
14 program, outlined in paragraph (7)(a).

15 Section 13. Subsection (1) of section 1012.57, Florida  
16 Statutes, is amended to read:

17 1012.57 Certification of adjunct educators.--

18 (1) Notwithstanding the provisions of ss. 1012.32,  
19 1012.55, and 1012.56, or any other provision of law or rule to  
20 the contrary, district school boards shall adopt rules to  
21 allow for the issuance of ~~may issue~~ an adjunct teaching  
22 certificate to any applicant who fulfills the requirements of  
23 s. 1012.56(2)(a)-(f) and who has expertise in the subject area  
24 to be taught. An applicant shall be considered to have  
25 expertise in the subject area to be taught if the applicant  
26 has at least a major ~~minor~~ in the subject area or demonstrates  
27 sufficient subject area mastery through passage of a subject  
28 area test ~~as determined by district school board policy~~. The  
29 adjunct teaching certificate shall be used for part-time  
30 teaching positions. The intent of this provision is to allow  
31 school districts to tap the wealth of talent and expertise



1 represented in Florida's citizens who may wish to teach  
2 part-time in a Florida public school by permitting school  
3 districts to issue adjunct certificates. Adjunct  
4 certificateholders should be used as a strategy to reduce the  
5 teacher shortage; thus, adjunct certificateholders should  
6 supplement a school's instructional staff, not supplant it.  
7 Each school principal shall assign an experienced peer mentor  
8 to assist the adjunct teaching certificateholder during the  
9 certificateholder's first year of teaching, and an adjunct  
10 certificateholder may participate in a district's new teacher  
11 training program. District school boards shall provide the  
12 adjunct teaching certificateholder an orientation in classroom  
13 management prior to assigning the certificateholder to a  
14 school. Each adjunct teaching certificate is valid for 5  
15 school years and is renewable if:

16 (a) The applicant completes a minimum of 60 inservice  
17 points or 3 semester hours of college credit. The earned  
18 credits must include instruction in classroom management,  
19 district school board procedures, school culture, and other  
20 activities that enhance the professional teaching skills of  
21 the certificateholder.

22 (b) The applicant has received satisfactory  
23 performance evaluations during each year of teaching under  
24 adjunct teaching certification.

25 Section 14. Subsection (13) is added to section  
26 1013.03, Florida Statutes, to read:

27 1013.03 Functions of the department.--The functions of  
28 the Department of Education as it pertains to educational  
29 facilities shall include, but not be limited to, the  
30 following:

31

1           (13) By October 1, 2003, review all rules related to  
2 school construction to identify requirements that are  
3 outdated, obsolete, unnecessary, or otherwise could be amended  
4 in order to provide additional flexibility to school districts  
5 to comply with the constitutional class size maximum caps  
6 described in s. 1003.03(1) and make recommendations concerning  
7 such rules to the State Board of Education. The State Board of  
8 Education shall act on such recommendations by December 31,  
9 2003.

10           Section 15. Paragraph (d) is added to subsection (1)  
11 of section 1013.31, Florida Statutes, to read:

12           1013.31 Educational plant survey; localized need  
13 assessment; PECO project funding.--

14           (1) At least every 5 years, each board shall arrange  
15 for an educational plant survey, to aid in formulating plans  
16 for housing the educational program and student population,  
17 faculty, administrators, staff, and auxiliary and ancillary  
18 services of the district or campus, including consideration of  
19 the local comprehensive plan. The Office of Workforce and  
20 Economic Development shall document the need for additional  
21 career and adult education programs and the continuation of  
22 existing programs before facility construction or renovation  
23 related to career or adult education may be included in the  
24 educational plant survey of a school district or community  
25 college that delivers career or adult education programs.  
26 Information used by the Office of Workforce and Economic  
27 Development to establish facility needs must include, but need  
28 not be limited to, labor market data, needs analysis, and  
29 information submitted by the school district or community  
30 college.

31

1           (d) Periodic update of Florida Inventory of School  
2 Houses.--School districts shall periodically update their  
3 inventory of educational facilities as new capacity becomes  
4 available and as unsatisfactory space is eliminated. The State  
5 Board of Education shall adopt rules to determine the  
6 timeframe in which districts must provide a periodic update.

7           Section 16. Section 1013.368, Florida Statutes, is  
8 created to read:

9           1013.368 Cost-per-student-station requirements for  
10 educational facilities.--

11           (1) Beginning July 1, 2004, all new public schools  
12 constructed, including change orders, regardless of the source  
13 of funds, may not exceed the following  
14 cost-per-student-station amounts:

- 15           (a) \$12,755 for an elementary school (January 2002);  
16           (b) \$14,624 for a middle school (January 2002); or  
17           (c) \$19,352 for a high school, (January 2002).

18  
19 The cost-per-student-station limits required by this section  
20 shall be adjusted annually to reflect increases or decreases  
21 in the Consumer Price Index.

22           (2) This section does not apply to plans for new  
23 educational facilities already under architectural contract on  
24 July 1, 2004.

25           (3) Charter districts are not exempt from this  
26 section.

27           Section 17. Subsection (13) of section 1002.33,  
28 Florida Statutes, as created by section 98 of ch. 2002-387,  
29 Laws of Florida; section 1012.41, Florida Statutes, as created  
30 by section 716 of chapter 2002-387, Laws of Florida; section  
31 1013.21, Florida Statutes, as created by section 815 of

1 chapter 2002-387, Laws of Florida; section 1013.43, Florida  
2 Statutes, as created by section 842 of chapter 2002-387, Laws  
3 of Florida; and paragraph (e) of subsection (6) of section  
4 1013.64, Florida Statutes, as created by section 861 of  
5 chapter 2002-387, Laws of Florida, are repealed.

6 Section 18. If any provision of this act or its  
7 application to any person or circumstance is held invalid, the  
8 invalidity does not affect other provisions or applications of  
9 the act which can be given effect without the invalid  
10 provision or application, and to this end the provisions of  
11 this act are severable.

12 Section 19. This act shall take effect July 1, 2003.

13  
14 \*\*\*\*\*

15 SENATE SUMMARY

16 Creates the "Class Size Reduction Implementing Act."  
17 Provides for certain instructional personnel and school  
18 administrators to extend participation in the Deferred  
19 Retirement Option Program. Creates the Florida Learning  
20 Access Grants to assist in the costs of tuition at an  
21 eligible private school. Requires that school districts  
22 notify parents of acceleration mechanisms. Establishes  
23 constitutional class size caps. Reduces the number of  
24 hours required for one full credit. Provides that  
25 Classrooms for Kids operating categorial funds are exempt  
26 from certain provisions requiring equity in school  
27 funding. Revises requirements for educator certification.  
28 Requires school districts to update the inventory of  
29 educational facilities. Requires new schools to meet  
30 certain limits on the cost per student station. (See bill  
31 for details.)