



HB 0359

2003

1 A bill to be entitled

2 An act relating to school personnel; requiring the  
3 Department of Education to limit the number of  
4 noninstructional personnel that may be employed by school  
5 districts; defining the term "noninstructional personnel";  
6 requiring that the department classify school districts  
7 based on the number of full-time-equivalent students  
8 enrolled in the district; requiring that the department  
9 establish ratios within each district classification for  
10 the maximum percentage of noninstructional personnel to  
11 full-time-equivalent students; limiting the maximum ratios  
12 that the department may establish; requiring a reduction  
13 in state funds for any school district that exceeds the  
14 maximum percentage of noninstructional personnel;  
15 providing an effective date.

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

18  
19 Section 1. Limitation on employment of noninstructional  
20 personnel by school districts.--

21 (1) (a) Notwithstanding any other law, the Department of  
22 Education shall establish limitations on the number of  
23 noninstructional personnel that may be employed by school  
24 districts, based on the total number of full-time-equivalent  
25 students enrolled in the district.

26 (b) As used in this section, the term "noninstructional  
27 personnel" means school district personnel who:

28 1. Are classified as administrative personnel or managers  
29 under section 1012.01, Florida Statutes; and

30 2. Do not perform any instructional duties.



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31 (2) (a) Based on the prior year's enrollment, the  
32 department shall classify the school districts as follows: the  
33 20 districts with the fewest number of full-time-equivalent  
34 students shall be classified as small-sized districts; the 10  
35 districts with the largest number of full-time-equivalent  
36 students shall be classified as large-sized districts; and the  
37 remaining districts shall be classified as medium-sized  
38 districts.

39 (b) By July 1 of each year, the department shall establish  
40 a ratio for the school districts in each of the three size  
41 classifications. The ratio must specify the maximum percentage  
42 of noninstructional personnel to full-time-equivalent students  
43 which a school district may employ. However, the department  
44 shall provide for an adjustment in the ratio for a district that  
45 contains a larger percentage of small schools than districts of  
46 equivalent size. The department may not establish a ratio that  
47 exceeds the average ratio of noninstructional personnel to full-  
48 time-equivalent students which existed within a particular  
49 district size classification during the 2001-2002 school year.

50 (c) In addition, the department shall determine the  
51 average annual salary, including the cost of benefits, for  
52 noninstructional personnel employed by school districts in each  
53 of the three size classifications.

54 (3) The department shall determine each school year if any  
55 school district exceeds the maximum number of positions allowed  
56 for noninstructional personnel. For each position that exceeds  
57 the maximum allowable number within a district, the department  
58 shall deduct an amount equal to 50 percent of the average cost  
59 of that position from the state funds allocated to the district.

60 Section 2. This act shall take effect upon becoming a law.