

By Senator Geller

31-264-04

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

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

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22 Section 1. Limitation on employment of
23 noninstructional personnel by school districts.--
24 (1)(a) Notwithstanding any other law, the Department
25 of Education shall establish limitations on the number of
26 noninstructional personnel that may be employed by school
27 districts, based on the total number of full-time-equivalent
28 students enrolled in the district.
29 (b) As used in this section, the term
30 "noninstructional personnel" means school district personnel
31 who:

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

3 2. Do not perform any instructional duties.

4 (2)(a) Based on the prior year's enrollment, the
5 department shall classify the school districts as follows:
6 the 20 districts with the fewest number of
7 full-time-equivalent students shall be classified as
8 small-sized districts; the 10 districts with the largest
9 number of full-time-equivalent students shall be classified as
10 large-sized districts; and the remaining districts shall be
11 classified as medium-sized districts.

12 (b) By July 1 of each year, the department shall
13 establish a ratio for the school districts in each of the
14 three size classifications. The ratio must specify the maximum
15 percentage of noninstructional personnel to
16 full-time-equivalent students which a school district may
17 employ. However, the department shall provide for an
18 adjustment in the ratio for a district that contains a larger
19 percentage of small schools than districts of equivalent size.
20 The department may not establish a ratio that exceeds the
21 average ratio of noninstructional personnel to
22 full-time-equivalent students which existed within a
23 particular district size classification during the 2002-2003
24 school year.

25 (c) In addition, the department shall determine the
26 average annual salary, including the cost of benefits, for
27 noninstructional personnel employed by school districts in
28 each of the three size classifications.

29 (3) The department shall determine each school year if
30 any school district exceeds the maximum number of positions
31 allowed for noninstructional personnel. For each position that

1 exceeds the maximum allowable number within a district, the
2 department shall deduct an amount equal to 50 percent of the
3 average cost of that position from the state funds allocated
4 to the district.

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

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9 SENATE SUMMARY

10 Requires that the Department of Education establish
11 limits on the percentage of noninstructional personnel
12 relative to student population which may be employed by
13 school districts. Requires that the department divide the
14 school districts into three categories based on the
15 number of full-time-equivalent students enrolled in the
16 district. Provides for the ratios set by the department
17 to be based on the size classification of the district.
18 Requires that the department deduct from state funds
19 allocated to the district 50 percent of the average cost
20 of each position that exceeds the maximum number allowed
21 for noninstructional personnel. (See bill for details.)
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