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1 A bill to be entitled

2 An act relating to education funding; amending s. 24.121,  
3 F.S.; requiring school districts to establish certain  
4 policies and procedures relating to lottery fund  
5 enhancements; amending s. 1002.32, F.S.; prohibiting use  
6 of funds for lab schools for certain overhead or indirect  
7 costs; amending s. 1008.22, F.S.; authorizing outsourcing  
8 of statewide assessment program activities; allowing for  
9 contracts extending into two fiscal years; amending s.  
10 1009.23, F.S.; requiring identical fees for all community  
11 college students taking a specific course; amending s.  
12 1009.26, F.S.; specifying the maximum fee waiver  
13 percentage for school districts and community colleges;  
14 amending s. 1011.57, F.S.; prohibiting out-of-state fee  
15 waivers by the Florida School for the Deaf and the Blind;  
16 amending s. 1011.62, F.S.; revising eligibility  
17 requirement for use of the small, isolated high school  
18 multiplier; creating s. 1011.63, F.S.; prohibiting  
19 reporting for state funding for purposes of the Florida  
20 Education Finance Program of courses or programs fully  
21 funded externally; amending s. 1011.66, F.S.; setting  
22 forth the method and timing of distributing Florida  
23 Education Finance Program funds; amending s. 1011.67,  
24 F.S.; setting forth the method and timing of distributing  
25 funds for instructional materials; amending s. 1011.765,  
26 F.S.; modifying the Florida Academic Improvement Trust  
27 Fund matching grant program to serve low-performing  
28 students; providing for matching grants to public school  
29 district education foundations; amending s. 1011.80, F.S.;

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30 prohibiting reporting for state funding of courses or  
 31 programs fully funded externally; amending s. 1011.84,  
 32 F.S.; providing reporting requirements with respect to  
 33 inmate education provided by community colleges; directing  
 34 that inmates not be included in FTE student enrollment for  
 35 funding through the Community College Program Fund;  
 36 prohibiting reporting for state funding of courses or  
 37 programs fully funded externally; amending s. 1012.05,  
 38 F.S.; authorizing the Department of Education to collect  
 39 registration and booth fees for a job fair; authorizing  
 40 certain uses for such funds; amending s. 1012.72, F.S.;  
 41 authorizing the use of Dale Hickam Excellent Teaching  
 42 Program funds for certain purposes; providing an effective  
 43 date.

44

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

46

47 Section 1. Paragraphs (a) and (c) of subsection (5) of  
 48 section 24.121, Florida Statutes, are amended to read:

49 24.121 Allocation of revenues and expenditure of funds for  
 50 public education.--

51 (5)(a) Public educational programs and purposes funded by  
 52 the Educational Enhancement Trust Fund may include, but are not  
 53 limited to, endowment, scholarship, matching funds, direct  
 54 grants, research and economic development related to education,  
 55 salary enhancement, contracts with independent institutions to  
 56 conduct programs consistent with the state master plan for  
 57 postsecondary education, or any other educational program or  
 58 purpose deemed desirable by the Legislature. Prior to the

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59 expenditure of these funds, each school district shall establish  
 60 policies and procedures that define enhancement and the types of  
 61 expenditures consistent with that definition.

62 (c) A portion of such net revenues, as determined annually  
 63 by the Legislature, shall be distributed to each school district  
 64 and shall be made available to each public school in the  
 65 district for enhancing school performance through development  
 66 and implementation of a school improvement plan pursuant to s.  
 67 1001.42(16). A portion of these moneys, as determined annually  
 68 in the General Appropriations Act, must be allocated to each  
 69 school in an equal amount for each student enrolled. These  
 70 moneys may be expended only on programs or projects selected by  
 71 the school advisory council or by a parent advisory committee  
 72 created pursuant to this paragraph. If a school does not have a  
 73 school advisory council, the district advisory council must  
 74 appoint a parent advisory committee composed of parents of  
 75 students enrolled in that school, which committee is  
 76 representative of the ethnic, racial, and economic community  
 77 served by the school, to advise the school's principal on the  
 78 programs or projects to be funded. Neither school district staff  
 79 nor principals ~~A principal~~ may ~~not~~ override the recommendations  
 80 of the school advisory council or the parent advisory committee.  
 81 These moneys may not be used for capital improvements, nor may  
 82 they be used for any project or program that has a duration of  
 83 more than 1 year; however, a school advisory council or parent  
 84 advisory committee may independently determine that a program or  
 85 project formerly funded under this paragraph should receive  
 86 funds in a subsequent year.

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87 Section 2. Paragraph (c) of subsection (9) of section  
 88 1002.32, Florida Statutes, is amended to read:

89 1002.32 Developmental research (laboratory) schools.--

90 (9) FUNDING.--Funding for a lab school, including a  
 91 charter lab school, shall be provided as follows:

92 (c) All operating funds provided under this section shall  
 93 be deposited in a Lab School Trust Fund and shall be expended  
 94 for the purposes of this section. The university assigned a lab  
 95 school shall be the fiscal agent for these funds, and all rules  
 96 of the university governing the budgeting and expenditure of  
 97 state funds shall apply to these funds unless otherwise provided  
 98 by law or rule of the State Board of Education. The university  
 99 board of trustees shall be the public employer of lab school  
 100 personnel for collective bargaining purposes for lab schools in  
 101 operation prior to the 2002-2003 fiscal year. Employees of  
 102 charter lab schools authorized prior to June 1, 2003, but not in  
 103 operation prior to the 2002-2003 fiscal year shall be employees  
 104 of the entity holding the charter and must comply with the  
 105 provisions of s. 1002.33(12). None of the funds appropriated for  
 106 lab schools shall be used to pay overhead or indirect costs  
 107 described in s. 216.346.

108 Section 3. Subsection (3) of section 1008.22, Florida  
 109 Statutes, is amended to read:

110 1008.22 Student assessment program for public schools.--

111 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall  
 112 design and implement a statewide program of educational  
 113 assessment that provides information for the improvement of the  
 114 operation and management of the public schools, including  
 115 schools operating for the purpose of providing educational

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116 services to youth in Department of Juvenile Justice programs.  
 117 The commissioner may enter into contracts for the continued  
 118 administration of the assessment, testing, and evaluation  
 119 programs. Contracts may be initiated in one fiscal year and  
 120 continue into the next and may be paid from the appropriations  
 121 of either or both fiscal years. The commissioner is authorized  
 122 to negotiate for the sale or lease of tests, scoring protocols,  
 123 test scoring services, and related materials. Pursuant to the  
 124 statewide assessment program, the commissioner shall:

125 (a) Submit to the State Board of Education a list that  
 126 specifies student skills and competencies to which the goals for  
 127 education specified in the state plan apply, including, but not  
 128 limited to, reading, writing, science, and mathematics. The  
 129 skills and competencies must include problem-solving and higher-  
 130 order skills as appropriate and shall be known as the Sunshine  
 131 State Standards as defined in s. 1000.21. The commissioner shall  
 132 select such skills and competencies after receiving  
 133 recommendations from educators, citizens, and members of the  
 134 business community. The commissioner shall submit to the State  
 135 Board of Education revisions to the list of student skills and  
 136 competencies in order to maintain continuous progress toward  
 137 improvements in student proficiency.

138 (b) Develop and implement a uniform system of indicators  
 139 to describe the performance of public school students and the  
 140 characteristics of the public school districts and the public  
 141 schools. These indicators must include, without limitation,  
 142 information gathered by the comprehensive management information  
 143 system created pursuant to s. 1008.385 and student achievement  
 144 information obtained pursuant to this section.

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145 (c) Develop and implement a student achievement testing  
146 program known as the Florida Comprehensive Assessment Test  
147 (FCAT) as part of the statewide assessment program, to be  
148 administered annually in grades 3 through 10 to measure reading,  
149 writing, science, and mathematics. Other content areas may be  
150 included as directed by the commissioner. The testing program  
151 must be designed so that:

152 1. The tests measure student skills and competencies  
153 adopted by the State Board of Education as specified in  
154 paragraph (a). The tests must measure and report student  
155 proficiency levels in reading, writing, mathematics, and  
156 science. The commissioner shall provide for the tests to be  
157 developed or obtained, as appropriate, through contracts and  
158 project agreements with private vendors, public vendors, public  
159 agencies, postsecondary educational institutions, or school  
160 districts. The commissioner shall obtain input with respect to  
161 the design and implementation of the testing program from state  
162 educators and the public.

163 2. The testing program will include a combination of norm-  
164 referenced and criterion-referenced tests and include, to the  
165 extent determined by the commissioner, questions that require  
166 the student to produce information or perform tasks in such a  
167 way that the skills and competencies he or she uses can be  
168 measured.

169 3. Each testing program, whether at the elementary,  
170 middle, or high school level, includes a test of writing in  
171 which students are required to produce writings that are then  
172 scored by appropriate methods.

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173 4. A score is designated for each subject area tested,  
 174 below which score a student's performance is deemed inadequate.  
 175 The school districts shall provide appropriate remedial  
 176 instruction to students who score below these levels.

177 5. Except as provided in s. 1003.43(11)(b), students must  
 178 earn a passing score on the grade 10 assessment test described  
 179 in this paragraph or on an alternate assessment as described in  
 180 subsection (9) in reading, writing, and mathematics to qualify  
 181 for a regular high school diploma. The State Board of Education  
 182 shall designate a passing score for each part of the grade 10  
 183 assessment test. In establishing passing scores, the state board  
 184 shall consider any possible negative impact of the test on  
 185 minority students. All students who took the grade 10 FCAT  
 186 during the 2000-2001 school year shall be required to earn the  
 187 passing scores in reading and mathematics established by the  
 188 State Board of Education for the March 2001 test administration.  
 189 Such students who did not earn the established passing scores  
 190 and must repeat the grade 10 FCAT are required to earn the  
 191 passing scores established for the March 2001 test  
 192 administration. All students who take the grade 10 FCAT for the  
 193 first time in March 2002 and thereafter shall be required to  
 194 earn the passing scores in reading and mathematics established  
 195 by the State Board of Education for the March 2002 test  
 196 administration. The State Board of Education shall adopt rules  
 197 which specify the passing scores for the grade 10 FCAT. Any such  
 198 rules, which have the effect of raising the required passing  
 199 scores, shall only apply to students taking the grade 10 FCAT  
 200 after such rules are adopted by the State Board of Education.

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201           6. Participation in the testing program is mandatory for  
 202 all students attending public school, including students served  
 203 in Department of Juvenile Justice programs, except as otherwise  
 204 prescribed by the commissioner. If a student does not  
 205 participate in the statewide assessment, the district must  
 206 notify the student's parent and provide the parent with  
 207 information regarding the implications of such nonparticipation.  
 208 If modifications are made in the student's instruction to  
 209 provide accommodations that would not be permitted on the  
 210 statewide assessment tests, the district must notify the  
 211 student's parent of the implications of such instructional  
 212 modifications. A parent must provide signed consent for a  
 213 student to receive instructional modifications that would not be  
 214 permitted on the statewide assessments and must acknowledge in  
 215 writing that he or she understands the implications of such  
 216 accommodations. The State Board of Education shall adopt rules,  
 217 based upon recommendations of the commissioner, for the  
 218 provision of test accommodations and modifications of procedures  
 219 as necessary for students in exceptional education programs and  
 220 for students who have limited English proficiency.  
 221 Accommodations that negate the validity of a statewide  
 222 assessment are not allowable.

223           7. A student seeking an adult high school diploma must  
 224 meet the same testing requirements that a regular high school  
 225 student must meet.

226           8. District school boards must provide instruction to  
 227 prepare students to demonstrate proficiency in the skills and  
 228 competencies necessary for successful grade-to-grade progression  
 229 and high school graduation. If a student is provided with



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230 accommodations or modifications that are not allowable in the  
 231 statewide assessment program, as described in the test manuals,  
 232 the district must inform the parent in writing and must provide  
 233 the parent with information regarding the impact on the  
 234 student's ability to meet expected proficiency levels in  
 235 reading, writing, and math. The commissioner shall conduct  
 236 studies as necessary to verify that the required skills and  
 237 competencies are part of the district instructional programs.

238 9. The Department of Education must develop, or select,  
 239 and implement a common battery of assessment tools that will be  
 240 used in all juvenile justice programs in the state. These tools  
 241 must accurately measure the skills and competencies established  
 242 in the Florida Sunshine State Standards.

243  
 244 The commissioner may design and implement student testing  
 245 programs, for any grade level and subject area, necessary to  
 246 effectively monitor educational achievement in the state.

247 (d) Conduct ongoing research to develop improved methods  
 248 of assessing student performance, including, without limitation,  
 249 the use of technology to administer tests, score, or report the  
 250 results of, the use of electronic transfer of data, the  
 251 development of work-product assessments, and the development of  
 252 process assessments.

253 (e) Conduct ongoing research and analysis of student  
 254 achievement data, including, without limitation, monitoring  
 255 trends in student achievement, identifying school programs that  
 256 are successful, and analyzing correlates of school achievement.

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257 (f) Provide technical assistance to school districts in  
 258 the implementation of state and district testing programs and  
 259 the use of the data produced pursuant to such programs.

260 Section 4. Subsection (2) of section 1009.23, Florida  
 261 Statutes, is amended to read:

262 1009.23 Community college student fees.--

263 (2) All students shall be charged fees except students who  
 264 are exempt from fees or students whose fees are waived.

265 Identical fees shall be required for all community college  
 266 students who take a specific course, regardless of the program  
 267 in which they are enrolled.

268 Section 5. Subsection (1) of section 1009.26, Florida  
 269 Statutes, is amended to read:

270 1009.26 Fee waivers.--

271 (1) School districts and community colleges may waive fees  
 272 for any fee-nonexempt student. The total value of fee waivers  
 273 granted by the school district or community college may not  
 274 exceed 8 percent of the fee revenues that would otherwise be

275 collected ~~the amount established annually in the General~~  
 276 ~~Appropriations Act.~~ Any student whose fees are waived in excess

277 of the authorized amount may not be reported for state funding  
 278 purposes. Any school district or community college that waives  
 279 fees and requests state funding for a student in violation of  
 280 the provisions of this section shall be penalized at a rate  
 281 equal to 2 times the value of the full-time student enrollment  
 282 reported.

283 Section 6. Subsection (5) is added to section 1011.57,  
 284 Florida Statutes, to read:

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285 1011.57 Florida School for the Deaf and the Blind; board  
 286 of trustees; management flexibility.--

287 (5) The board of trustees and administration of the  
 288 Florida School for the Deaf and the Blind shall not authorize  
 289 fee waivers for out-of-state students.

290 Section 7. Paragraph (h) of subsection (1) of section  
 291 1011.62, Florida Statutes, is amended to read:

292 1011.62 Funds for operation of schools.--If the annual  
 293 allocation from the Florida Education Finance Program to each  
 294 district for operation of schools is not determined in the  
 295 annual appropriations act or the substantive bill implementing  
 296 the annual appropriations act, it shall be determined as  
 297 follows:

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

302 (h) *Small, isolated high schools.*--Districts which levy  
 303 the maximum nonvoted discretionary millage, exclusive of millage  
 304 for capital outlay purposes levied pursuant to s. 1011.71(2),  
 305 may calculate full-time equivalent students for small, isolated  
 306 high schools by multiplying the number of unweighted full-time  
 307 equivalent students times 2.75; provided the school attained a  
 308 state accountability performance grade of "C" or better for the  
 309 previous school year ~~percentage of students at such school~~  
 310 ~~passing both parts of the high school competency test, as~~  
 311 ~~defined by law and rule, has been equal to or higher than such~~  
 312 ~~percentage for the state or district, whichever is greater.~~ For  
 313 the purpose of this section, the term "small, isolated high

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314 school" means any high school which is located no less than 28  
 315 miles by the shortest route from another high school; which has  
 316 been serving students primarily in basic studies provided by  
 317 sub-subparagraphs (c)1.b. and c. and may include subparagraph  
 318 (c)4.; and which has a membership of no more than 100 students,  
 319 but no fewer than 28 students, in grades 9 through 12.

320 Section 8. Section 1011.63, Florida Statutes, is created  
 321 to read:

322 1011.63 Reporting for state funding; prohibition.--When a  
 323 public educational institution has been fully funded by an  
 324 external agency for direct instructional costs of any course or  
 325 program, the FTE generated shall not be reported for state  
 326 funding for purposes of the Florida Education Finance Program.

327 Section 9. Section 1011.66, Florida Statutes, is amended  
 328 to read:

329 1011.66 Distribution of FEFP funds ~~in first quarter~~.--The  
 330 distribution of FEFP funds shall be made in equal payments on or  
 331 about the 10th and 26th of each month. Upon the request of any  
 332 school district whose net state FEFP funding is less than 60  
 333 percent of its gross state and local FEFP funding, the  
 334 Department of Education shall distribute to that school district  
 335 in the first quarter of the fiscal year an amount from the funds  
 336 appropriated for the FEFP in the General Appropriations Act up  
 337 to a maximum of 15 percent of that school district's gross state  
 338 and local FEFP funding or that school district's net state FEFP  
 339 funding, whichever is less.

340 Section 10. Section 1011.67, Florida Statutes, is amended  
 341 to read:

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342 1011.67 Funds for instructional materials.--The department  
 343 is authorized to allocate and distribute to each district an  
 344 amount as prescribed annually by the Legislature for  
 345 instructional materials for student membership in basic and  
 346 special programs in grades K-12, which will provide for growth  
 347 and maintenance needs. For purposes of this section, unweighted  
 348 full-time equivalent students enrolled in the lab schools in  
 349 state universities are to be included as school district  
 350 students and reported as such to the department. These funds  
 351 shall be distributed to school districts as follows: 50 percent  
 352 on or about July 10; 35 percent on or about October 10; 10  
 353 percent on or about January 10; and 5 percent on or about June  
 354 10. School districts shall pay for instructional materials used  
 355 for the instruction of public high school students who are  
 356 earning credit toward high school graduation under the dual  
 357 enrollment program as provided in s. 1011.62(1)(i). The annual  
 358 allocation shall be determined as follows:

359 (1) The growth allocation for each school district shall  
 360 be calculated as follows:

361 (a) Subtract from that district's projected full-time  
 362 equivalent membership of students in basic and special programs  
 363 in grades K-12 used in determining the initial allocation of the  
 364 Florida Education Finance Program, the prior year's full-time  
 365 equivalent membership of students in basic and special programs  
 366 in grades K-12 for that district.

367 (b) Multiply any such increase in full-time equivalent  
 368 student membership by the allocation for a set of instructional  
 369 materials, as determined by the department, or as provided for  
 370 in the General Appropriations Act.

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371 (c) The amount thus determined shall be that district's  
 372 initial allocation for growth for the school year. However, the  
 373 department shall recompute and adjust the initial allocation  
 374 based on actual full-time equivalent student membership data for  
 375 that year.

376 (2) The maintenance of the instructional materials  
 377 allocation for each school district shall be calculated by  
 378 multiplying each district's prior year full-time equivalent  
 379 membership of students in basic and special programs in grades  
 380 K-12 by the allocation for maintenance of a set of instructional  
 381 materials as provided for in the General Appropriations Act. The  
 382 amount thus determined shall be that district's initial  
 383 allocation for maintenance for the school year; however, the  
 384 department shall recompute and adjust the initial allocation  
 385 based on such actual full-time equivalent student membership  
 386 data for that year.

387 (3) In the event the funds appropriated are not sufficient  
 388 for the purpose of implementing this section in full, the  
 389 department shall prorate the funds available for instructional  
 390 materials after first funding in full each district's growth  
 391 allocation.

392 Section 11. Section 1011.765, Florida Statutes, is amended  
 393 to read:

394 1011.765 School district ~~Florida Academic Improvement~~  
 395 ~~Trust Fund~~ matching grants.--School district matching grants are  
 396 provided to public school district education foundations for  
 397 programs that serve low-performing students. The amount of each  
 398 grant shall be equal to the private contribution made to a  
 399 qualifying public school district education foundation. In-kind

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400 contributions shall not be considered for matching purposes.  
 401 Before any funds are released to any public school district  
 402 education foundation, the public school district education  
 403 foundation must certify to the Commissioner of Education that  
 404 private cash has actually been received by the public school  
 405 district education foundation seeking state matching funds. The  
 406 Consortium of Florida Education Foundations shall be the fiscal  
 407 agent for this program. Administrative costs for the program  
 408 must not exceed 5 percent.

409 ~~(1) MATCHING GRANTS. The Florida Academic Improvement~~  
 410 ~~Trust Fund shall be utilized to provide matching grants to the~~  
 411 ~~Florida School for the Deaf and the Blind Endowment Fund and to~~  
 412 ~~any public school district education foundation that meets the~~  
 413 ~~requirements of this section and is recognized by the local~~  
 414 ~~school district as its designated K-12 education foundation.~~

415 ~~(a) The State Board of Education shall adopt rules for the~~  
 416 ~~administration, submission, documentation, evaluation, and~~  
 417 ~~approval of requests for matching funds and for maintaining~~  
 418 ~~accountability for matching funds.~~

419 ~~(b) Donations, state matching funds, or proceeds from~~  
 420 ~~endowments established pursuant to this section shall be used at~~  
 421 ~~the discretion of the public school district education~~  
 422 ~~foundation or the Florida School for the Deaf and the Blind for~~  
 423 ~~academic achievement within the school district or school, and~~  
 424 ~~shall not be expended for the construction of facilities or for~~  
 425 ~~the support of interscholastic athletics. No public school~~  
 426 ~~district education foundation or the Florida School for the Deaf~~  
 427 ~~and the Blind shall accept or purchase facilities for which the~~

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428 ~~state will be asked for operating funds unless the Legislature~~  
 429 ~~has granted prior approval for such acquisition.~~

430 ~~(2) ALLOCATION OF THE TRUST FUND.—Funds appropriated to~~  
 431 ~~the Florida Academic Improvement Trust Fund shall be allocated~~  
 432 ~~by the Department of Education in the following manner:~~

433 ~~(a) For every year in which there is a legislative~~  
 434 ~~appropriation to the trust fund, an equal amount of the annual~~  
 435 ~~appropriation, to be determined by dividing the total~~  
 436 ~~legislative appropriation by the number of local education~~  
 437 ~~foundations as well as the Florida School for the Deaf and the~~  
 438 ~~Blind, must be reserved for each public school district~~  
 439 ~~education foundation and the Florida School for the Deaf and the~~  
 440 ~~Blind Endowment Fund to provide each foundation and the Florida~~  
 441 ~~School for the Deaf and the Blind with an opportunity to receive~~  
 442 ~~and match appropriated funds. Trust funds that remain unmatched~~  
 443 ~~by contribution on April 1 of any year shall be made available~~  
 444 ~~for matching by any public school district education foundation~~  
 445 ~~and by the Florida School for the Deaf and the Blind which shall~~  
 446 ~~have an opportunity to apply for excess trust funds prior to the~~  
 447 ~~award of such funds.~~

448 ~~(b) Matching grants shall be proportionately allocated~~  
 449 ~~from the trust fund on the basis of matching each \$4 of state~~  
 450 ~~funds with \$6 of private funds. To be eligible for matching, a~~  
 451 ~~minimum of \$4,500 must be raised from private sources.~~

452 ~~(c) Funds sufficient to provide the match shall be~~  
 453 ~~transferred from the state trust fund to the public school~~  
 454 ~~education foundation or to the Florida School for the Deaf and~~  
 455 ~~the Blind Endowment Fund upon notification that a proportionate~~



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456 ~~amount has been received and deposited by the foundation or~~  
 457 ~~school into its own trust fund.~~

458 ~~(d) If the total of the amounts to be distributed in any~~  
 459 ~~quarter pursuant to this subsection exceeds the amount of funds~~  
 460 ~~remaining from specific appropriations made for the~~  
 461 ~~implementation of this section, all grants shall be~~  
 462 ~~proportionately reduced so that the total of matching grants~~  
 463 ~~distributed does not exceed available appropriations.~~

464 ~~(3) GRANT ADMINISTRATION.~~

465 ~~(a) Each public school district education foundation and~~  
 466 ~~the Florida School for the Deaf and the Blind participating in~~  
 467 ~~the Florida Academic Improvement Trust Fund shall separately~~  
 468 ~~account for all funds received pursuant to this section, and may~~  
 469 ~~establish its own academic improvement trust fund as a~~  
 470 ~~depository for the private contributions, state matching funds,~~  
 471 ~~and earnings on investments of such funds. State matching funds~~  
 472 ~~shall be transferred to the public school district education~~  
 473 ~~foundation or to the Florida School for the Deaf and the Blind~~  
 474 ~~Endowment Fund upon notification that the foundation or school~~  
 475 ~~has received and deposited private contributions that meet the~~  
 476 ~~criteria for matching as provided in this section. The public~~  
 477 ~~school district education foundations and the Florida School for~~  
 478 ~~the Deaf and the Blind are responsible for the maintenance,~~  
 479 ~~investment, and administration of their academic improvement~~  
 480 ~~trust funds.~~

481 ~~(b) The public school district education foundations and~~  
 482 ~~the Florida School for the Deaf and the Blind shall be~~  
 483 ~~responsible for soliciting and receiving contributions to be~~

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484 ~~deposited and matched with grants for academic achievement~~  
 485 ~~within the school district or school.~~

486 ~~(c) Each public school district education foundation and~~  
 487 ~~the Florida School for the Deaf and the Blind shall be~~  
 488 ~~responsible for proper expenditure of the funds received~~  
 489 ~~pursuant to this section.~~

490 Section 12. Subsection (5) of section 1011.80, Florida  
 491 Statutes, is amended to read:

492 1011.80 Funds for operation of adult technical education  
 493 programs.--

494 (5) State funding and student fees for workforce  
 495 development instruction funded through the Workforce Development  
 496 Education Fund shall be established as follows:

497 (a) For a continuing workforce education course, state  
 498 funding shall equal 50 percent of the cost of instruction, with  
 499 student fees, business support, quick-response training funds,  
 500 or other means making up the remaining 50 percent.

501 (b) For all other workforce development education funded  
 502 through the Workforce Development Education Fund, state funding  
 503 shall equal 75 percent of the average cost of instruction with  
 504 the remaining 25 percent made up from student fees. Fees for  
 505 courses within a program shall not vary according to the cost of  
 506 the individual program, but instead shall be based on a uniform  
 507 fee calculated and set at the state level, as adopted by the  
 508 State Board of Education, unless otherwise specified in the  
 509 General Appropriations Act.

510 (c) For fee-exempt students pursuant to s. 1009.25, unless  
 511 otherwise provided for in law, state funding shall equal 100  
 512 percent of the average cost of instruction.

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513 (d) For a public educational institution that has been  
 514 fully funded by an external agency for direct instructional  
 515 costs of any course or program, the FTE generated shall not be  
 516 reported for state funding.

517 Section 13. Paragraph (e) of subsection (1) of section  
 518 1011.84, Florida Statutes, is redesignated as paragraph (g) and  
 519 new paragraphs (e) and (f) are added to said subsection to read:

520 1011.84 Procedure for determining state financial support  
 521 and annual apportionment of state funds to each community  
 522 college district.--The procedure for determining state financial  
 523 support and the annual apportionment to each community college  
 524 district authorized to operate a community college under the  
 525 provisions of s. 1001.61 shall be as follows:

526 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE COMMUNITY  
 527 COLLEGE PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.--

528 (e) All state inmate education provided by community  
 529 colleges shall be reported by program, FTE expenditure, and  
 530 revenue source. These enrollments, expenditures, and revenues  
 531 shall be reported and projected separately. Instruction of state  
 532 inmates shall not be included in the full-time equivalent  
 533 student enrollment for funding through the Community College  
 534 Program Fund. Funds in the Community College Program Fund shall  
 535 not be used to offer college-level courses to inmates who do not  
 536 pay their own fees.

537 (f) When a public educational institution has been fully  
 538 funded by an external agency for direct instructional costs of  
 539 any course or program, the FTE generated shall not be reported  
 540 for state funding.

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541 Section 14. Subsection (3) of section 1012.05, Florida  
 542 Statutes, is amended to read:

543 1012.05 Teacher recruitment and retention.--

544 (3) The Department of Education, in cooperation with  
 545 district personnel offices, shall sponsor a job fair in a  
 546 central part of the state to match in-state educators and  
 547 potential educators and out-of-state educators and potential  
 548 educators with teaching opportunities in this state. The  
 549 Department of Education is authorized to collect a job fair  
 550 registration fee not to exceed \$20 per person and a booth fee  
 551 not to exceed \$250 per school district or other interested  
 552 participating organization. The revenue from the fees shall be  
 553 used to promote and operate the job fair. Funds may be used to  
 554 purchase promotional items such as mementos, awards, and  
 555 plaques.

556 Section 15. Subsections (4) and (5) of section 1012.72,  
 557 Florida Statutes, are renumbered as subsections (5) and (6),  
 558 respectively, and a new subsection (4) is added to said section  
 559 to read:

560 1012.72 Dale Hickam Excellent Teaching Program.--

561 (4) Funds appropriated to school districts for the Dale  
 562 Hickam Excellent Teaching Program may be used by school  
 563 districts for payment of the employer's share of social security  
 564 and Medicare taxes for those teachers who qualify for NBPTS  
 565 certification and receive bonus amounts under subsection (2).

566 Section 16. This act shall take effect July 1, 2004.