

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; providing a tax credit cap with respect to
6 contributions to nonprofit scholarship-funding
7 organizations; amending s. 1000.21, F.S.; redesignating
8 specified community colleges as colleges; amending s.
9 1002.32, F.S.; exempting lab schools from the payment of
10 overhead or indirect costs; amending s. 1008.22, F.S.;
11 authorizing outsourcing of statewide assessment program
12 activities; allowing for contracts extending into two
13 fiscal years; amending s. 1009.23, F.S.; requiring
14 identical fees for certain community college students
15 taking a specific course; amending s. 1011.57, F.S.;
16 prohibiting out-of-state fee waivers by the Florida School
17 for the Deaf and the Blind; amending s. 1011.62, F.S.;
18 revising eligibility requirement for use of the small,
19 isolated high school multiplier; revising provisions
20 relating to adjustments of allocations; creating s.
21 1011.63, F.S.; prohibiting reporting for state funding for
22 purposes of the Florida Education Finance Program of
23 courses or programs fully funded externally; amending s.
24 1011.66, F.S.; setting forth the method and timing of
25 distributing Florida Education Finance Program funds;
26 amending s. 1011.67, F.S.; setting forth the method and
27 timing of distributing funds for instructional materials;
28 amending s. 1011.80, F.S.; prohibiting reporting for state
29 funding of courses or programs fully funded externally;

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

HB 1867, Engrossed 2

2004

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.

87 Section 2. Notwithstanding the provisions of s. 220.187,

88 Florida Statutes, the total amount of tax credits and
 89 carryforward tax credits that may be granted for the 2004-2005
 90 fiscal year under that section for contributions to nonprofit
 91 scholarship-funding organizations is \$50 million.

92 Section 3. Paragraphs (d), (f), (o), and (q) of subsection
 93 (3) of section 1000.21, Florida Statutes, are amended to read:

94 1000.21 Systemwide definitions.--As used in the Florida K-
 95 20 Education Code:

96 (3) "Community college," except as otherwise specifically
 97 provided, includes the following institutions and any branch
 98 campuses, centers, or other affiliates of the institution:

99 (d) Chipola ~~Junior~~ College.

100 (f) Edison ~~Community~~ College.

101 (o) Miami Dade ~~Miami Dade Community~~ College.

102 (q) Okaloosa-Walton ~~Community~~ College.

103 Section 4. Paragraph (c) of subsection (9) of section
 104 1002.32, Florida Statutes, is amended to read:

105 1002.32 Developmental research (laboratory) schools.--

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

108 (c) All operating funds provided under this section shall
 109 be deposited in a Lab School Trust Fund and shall be expended
 110 for the purposes of this section. The university assigned a lab
 111 school shall be the fiscal agent for these funds, and all rules
 112 of the university governing the budgeting and expenditure of
 113 state funds shall apply to these funds unless otherwise provided
 114 by law or rule of the State Board of Education. The university
 115 board of trustees shall be the public employer of lab school
 116 personnel for collective bargaining purposes for lab schools in

HB 1867, Engrossed 2

2004

117 operation prior to the 2002-2003 fiscal year. Employees of
 118 charter lab schools authorized prior to June 1, 2003, but not in
 119 operation prior to the 2002-2003 fiscal year shall be employees
 120 of the entity holding the charter and must comply with the
 121 provisions of s. 1002.33(12). Lab schools are not subject to the
 122 payment of overhead or indirect costs as described in s.
 123 216.346.

124 Section 5. Subsection (3) of section 1008.22, Florida
 125 Statutes, is amended to read:

126 1008.22 Student assessment program for public schools.--

127 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
 128 design and implement a statewide program of educational
 129 assessment that provides information for the improvement of the
 130 operation and management of the public schools, including
 131 schools operating for the purpose of providing educational
 132 services to youth in Department of Juvenile Justice programs.
 133 The commissioner may enter into contracts for the continued
 134 administration of the assessment, testing, and evaluation
 135 programs authorized and funded by the Legislature. Contracts may
 136 be initiated in one fiscal year and continue into the next and
 137 may be paid from the appropriations of either or both fiscal
 138 years. The commissioner is authorized to negotiate for the sale
 139 or lease of tests, scoring protocols, test scoring services, and
 140 related materials developed pursuant to law. Pursuant to the
 141 statewide assessment program, the commissioner shall:

142 (a) Submit to the State Board of Education a list that
 143 specifies student skills and competencies to which the goals for
 144 education specified in the state plan apply, including, but not
 145 limited to, reading, writing, science, and mathematics. The

HB 1867, Engrossed 2

2004

146 skills and competencies must include problem-solving and higher-
147 order skills as appropriate and shall be known as the Sunshine
148 State Standards as defined in s. 1000.21. The commissioner shall
149 select such skills and competencies after receiving
150 recommendations from educators, citizens, and members of the
151 business community. The commissioner shall submit to the State
152 Board of Education revisions to the list of student skills and
153 competencies in order to maintain continuous progress toward
154 improvements in student proficiency.

155 (b) Develop and implement a uniform system of indicators
156 to describe the performance of public school students and the
157 characteristics of the public school districts and the public
158 schools. These indicators must include, without limitation,
159 information gathered by the comprehensive management information
160 system created pursuant to s. 1008.385 and student achievement
161 information obtained pursuant to this section.

162 (c) Develop and implement a student achievement testing
163 program known as the Florida Comprehensive Assessment Test
164 (FCAT) as part of the statewide assessment program, to be
165 administered annually in grades 3 through 10 to measure reading,
166 writing, science, and mathematics. Other content areas may be
167 included as directed by the commissioner. The testing program
168 must be designed so that:

169 1. The tests measure student skills and competencies
170 adopted by the State Board of Education as specified in
171 paragraph (a). The tests must measure and report student
172 proficiency levels in reading, writing, mathematics, and
173 science. The commissioner shall provide for the tests to be
174 developed or obtained, as appropriate, through contracts and

HB 1867, Engrossed 2

2004

175 project agreements with private vendors, public vendors, public
 176 agencies, postsecondary educational institutions, or school
 177 districts. The commissioner shall obtain input with respect to
 178 the design and implementation of the testing program from state
 179 educators and the public.

180 2. The testing program will include a combination of norm-
 181 referenced and criterion-referenced tests and include, to the
 182 extent determined by the commissioner, questions that require
 183 the student to produce information or perform tasks in such a
 184 way that the skills and competencies he or she uses can be
 185 measured.

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

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

194 5. Except as provided in s. 1003.43(11)(b), students must
 195 earn a passing score on the grade 10 assessment test described
 196 in this paragraph or on an alternate assessment as described in
 197 subsection (9) in reading, writing, and mathematics to qualify
 198 for a regular high school diploma. The State Board of Education
 199 shall designate a passing score for each part of the grade 10
 200 assessment test. In establishing passing scores, the state board
 201 shall consider any possible negative impact of the test on
 202 minority students. All students who took the grade 10 FCAT
 203 during the 2000-2001 school year shall be required to earn the

HB 1867, Engrossed 2

2004

204 passing scores in reading and mathematics established by the
 205 State Board of Education for the March 2001 test administration.
 206 Such students who did not earn the established passing scores
 207 and must repeat the grade 10 FCAT are required to earn the
 208 passing scores established for the March 2001 test
 209 administration. All students who take the grade 10 FCAT for the
 210 first time in March 2002 and thereafter shall be required to
 211 earn the passing scores in reading and mathematics established
 212 by the State Board of Education for the March 2002 test
 213 administration. The State Board of Education shall adopt rules
 214 which specify the passing scores for the grade 10 FCAT. Any such
 215 rules, which have the effect of raising the required passing
 216 scores, shall only apply to students taking the grade 10 FCAT
 217 after such rules are adopted by the State Board of Education.

218 6. Participation in the testing program is mandatory for
 219 all students attending public school, including students served
 220 in Department of Juvenile Justice programs, except as otherwise
 221 prescribed by the commissioner. If a student does not
 222 participate in the statewide assessment, the district must
 223 notify the student's parent and provide the parent with
 224 information regarding the implications of such nonparticipation.
 225 If modifications are made in the student's instruction to
 226 provide accommodations that would not be permitted on the
 227 statewide assessment tests, the district must notify the
 228 student's parent of the implications of such instructional
 229 modifications. A parent must provide signed consent for a
 230 student to receive instructional modifications that would not be
 231 permitted on the statewide assessments and must acknowledge in
 232 writing that he or she understands the implications of such

HB 1867, Engrossed 2

2004

233 accommodations. The State Board of Education shall adopt rules,
 234 based upon recommendations of the commissioner, for the
 235 provision of test accommodations and modifications of procedures
 236 as necessary for students in exceptional education programs and
 237 for students who have limited English proficiency.
 238 Accommodations that negate the validity of a statewide
 239 assessment are not allowable.

240 7. A student seeking an adult high school diploma must
 241 meet the same testing requirements that a regular high school
 242 student must meet.

243 8. District school boards must provide instruction to
 244 prepare students to demonstrate proficiency in the skills and
 245 competencies necessary for successful grade-to-grade progression
 246 and high school graduation. If a student is provided with
 247 accommodations or modifications that are not allowable in the
 248 statewide assessment program, as described in the test manuals,
 249 the district must inform the parent in writing and must provide
 250 the parent with information regarding the impact on the
 251 student's ability to meet expected proficiency levels in
 252 reading, writing, and math. The commissioner shall conduct
 253 studies as necessary to verify that the required skills and
 254 competencies are part of the district instructional programs.

255 9. The Department of Education must develop, or select,
 256 and implement a common battery of assessment tools that will be
 257 used in all juvenile justice programs in the state. These tools
 258 must accurately measure the skills and competencies established
 259 in the Florida Sunshine State Standards.

260
 261 The commissioner may design and implement student testing

HB 1867, Engrossed 2

2004

262 programs, for any grade level and subject area, necessary to
 263 effectively monitor educational achievement in the state.

264 (d) Conduct ongoing research to develop improved methods
 265 of assessing student performance, including, without limitation,
 266 the use of technology to administer tests, score, or report the
 267 results of, the use of electronic transfer of data, the
 268 development of work-product assessments, and the development of
 269 process assessments.

270 (e) Conduct ongoing research and analysis of student
 271 achievement data, including, without limitation, monitoring
 272 trends in student achievement, identifying school programs that
 273 are successful, and analyzing correlates of school achievement.

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

277 Section 6. Subsection (2) of section 1009.23, Florida
 278 Statutes, is amended to read:

279 1009.23 Community college student fees.--

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

282 Identical fees shall be required for all community college
 283 resident students within a college who take a specific course,
 284 regardless of the program in which they are enrolled.

285 Section 7. Subsection (5) is added to section 1011.57,
 286 Florida Statutes, to read:

287 1011.57 Florida School for the Deaf and the Blind; board
 288 of trustees; management flexibility.--

289 (5) The board of trustees and administration of the
 290 Florida School for the Deaf and the Blind shall not authorize

291 fee waivers for out-of-state students.

292 Section 8. Paragraph (h) of subsection (1) and paragraph
 293 (b) of subsection (9) of section 1011.62, Florida Statutes, are
 294 amended to read:

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

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

305 (h) *Small, isolated high schools.*--Districts which levy
 306 the maximum nonvoted discretionary millage, exclusive of millage
 307 for capital outlay purposes levied pursuant to s. 1011.71(2),
 308 may calculate full-time equivalent students for small, isolated
 309 high schools by multiplying the number of unweighted full-time
 310 equivalent students times 2.75; provided the school attained a
 311 state accountability performance grade of "C" or better for the
 312 previous school year ~~percentage of students at such school~~
 313 ~~passing both parts of the high school competency test, as~~
 314 ~~defined by law and rule, has been equal to or higher than such~~
 315 ~~percentage for the state or district, whichever is greater.~~ For
 316 the purpose of this section, the term "small, isolated high
 317 school" means any high school which is located no less than 28
 318 miles by the shortest route from another high school; which has
 319 been serving students primarily in basic studies provided by

HB 1867, Engrossed 2

2004

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

323 (9) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
324 CURRENT OPERATION.--The total annual state allocation to each
325 district for current operation for the FEFP shall be distributed
326 periodically in the manner prescribed in the General
327 Appropriations Act.

328 (b) The amount thus obtained shall be the net annual
329 allocation to each school district. However, if it is determined
330 that any school district received an underallocation or
331 overallocation for any prior year because of an arithmetical
332 error, assessment roll change, full-time equivalent student
333 membership error, or any allocation error revealed in an audit
334 report, the allocation to that district shall be appropriately
335 adjusted. Beginning with audits for the 2001-2002 fiscal year,
336 if the adjustment is the result of an audit finding in which
337 group 2 FTE are reclassified to the basic program and the
338 district weighted FTE are over the weighted enrollment ceiling
339 for group 2 programs, the adjustment shall not result in a gain
340 of state funds to the district. If the Department of Education
341 audit adjustment recommendation is based upon controverted
342 findings of fact, the Commissioner of Education is authorized to
343 establish the amount of the adjustment based on the best
344 interests of the state.

345 Section 9. Section 1011.63, Florida Statutes, is created
346 to read:

347 1011.63 Reporting for state funding; prohibition.--When a
348 public educational institution has been fully funded by an

HB 1867, Engrossed 2

2004

349 external agency for direct instructional costs of any course or
 350 program, the FTE generated shall not be reported for state
 351 funding for purposes of the Florida Education Finance Program.

352 Section 10. Section 1011.66, Florida Statutes, is amended
 353 to read:

354 1011.66 Distribution of FEFP funds ~~in first quarter.~~--The
 355 distribution of FEFP funds shall be made in payments on or about
 356 the 10th and 26th of each month. Upon the request of any school
 357 district whose net state FEFP funding is less than 60 percent of
 358 its gross state and local FEFP funding, the Department of
 359 Education shall distribute to that school district in the first
 360 quarter of the fiscal year an amount from the funds appropriated
 361 for the FEFP in the General Appropriations Act up to a maximum
 362 of 15 percent of that school district's gross state and local
 363 FEFP funding or that school district's net state FEFP funding,
 364 whichever is less.

365 Section 11. Section 1011.67, Florida Statutes, is amended
 366 to read:

367 1011.67 Funds for instructional materials.--The department
 368 is authorized to allocate and distribute to each district an
 369 amount as prescribed annually by the Legislature for
 370 instructional materials for student membership in basic and
 371 special programs in grades K-12, which will provide for growth
 372 and maintenance needs. For purposes of this section, unweighted
 373 full-time equivalent students enrolled in the lab schools in
 374 state universities are to be included as school district
 375 students and reported as such to the department. These funds
 376 shall be distributed to school districts as follows: 50 percent
 377 on or about July 10; 35 percent on or about October 10; 10

HB 1867, Engrossed 2

2004

378 percent on or about January 10; and 5 percent on or about June

379 10. The annual allocation shall be determined as follows:

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

382 (a) Subtract from that district's projected full-time
383 equivalent membership of students in basic and special programs
384 in grades K-12 used in determining the initial allocation of the
385 Florida Education Finance Program, the prior year's full-time
386 equivalent membership of students in basic and special programs
387 in grades K-12 for that district.

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

392 (c) The amount thus determined shall be that district's
393 initial allocation for growth for the school year. However, the
394 department shall recompute and adjust the initial allocation
395 based on actual full-time equivalent student membership data for
396 that year.

397 (2) The maintenance of the instructional materials
398 allocation for each school district shall be calculated by
399 multiplying each district's prior year full-time equivalent
400 membership of students in basic and special programs in grades
401 K-12 by the allocation for maintenance of a set of instructional
402 materials as provided for in the General Appropriations Act. The
403 amount thus determined shall be that district's initial
404 allocation for maintenance for the school year; however, the
405 department shall recompute and adjust the initial allocation
406 based on such actual full-time equivalent student membership

HB 1867, Engrossed 2

2004

407 data for that year.

408 (3) In the event the funds appropriated are not sufficient
409 for the purpose of implementing this section in full, the
410 department shall prorate the funds available for instructional
411 materials after first funding in full each district's growth
412 allocation.

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

415 1011.80 Funds for operation of adult technical education
416 programs.--

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

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

424 (b) For all other workforce development education funded
425 through the Workforce Development Education Fund, state funding
426 shall equal 75 percent of the average cost of instruction with
427 the remaining 25 percent made up from student fees. Fees for
428 courses within a program shall not vary according to the cost of
429 the individual program, but instead shall be based on a uniform
430 fee calculated and set at the state level, as adopted by the
431 State Board of Education, unless otherwise specified in the
432 General Appropriations Act.

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

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

440 Section 13. Paragraph (e) of subsection (1) of section
 441 1011.84, Florida Statutes, is redesignated as paragraph (g) and
 442 new paragraphs (e) and (f) are added to said subsection to read:

443 1011.84 Procedure for determining state financial support
 444 and annual apportionment of state funds to each community
 445 college district.--The procedure for determining state financial
 446 support and the annual apportionment to each community college
 447 district authorized to operate a community college under the
 448 provisions of s. 1001.61 shall be as follows:

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

451 (e) All state inmate education provided by community
 452 colleges shall be reported by program, FTE expenditure, and
 453 revenue source. These enrollments, expenditures, and revenues
 454 shall be reported and projected separately. Instruction of state
 455 inmates shall not be included in the full-time equivalent
 456 student enrollment for funding through the Community College
 457 Program Fund.

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

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

464 1012.05 Teacher recruitment and retention.--

HB 1867, Engrossed 2

2004

465 (3) The Department of Education, in cooperation with
 466 district personnel offices, shall sponsor a job fair in a
 467 central part of the state to match in-state educators and
 468 potential educators and out-of-state educators and potential
 469 educators with teaching opportunities in this state. The
 470 Department of Education is authorized to collect a job fair
 471 registration fee not to exceed \$20 per person and a booth fee
 472 not to exceed \$250 per school district or other interested
 473 participating organization. The revenue from the fees shall be
 474 used to promote and operate the job fair. Funds may be used to
 475 purchase promotional items such as mementos, awards, and
 476 plaques.

477 Section 15. Paragraph (e) is added to subsection (2) of
 478 section 1012.72, Florida Statutes, to read:

479 1012.72 Dale Hickam Excellent Teaching Program.--

480 (2) The Dale Hickam Excellent Teaching Program is created
 481 to provide categorical funding for monetary incentives and
 482 bonuses for teaching excellence. The Department of Education
 483 shall distribute to each school district or to the NBPTS an
 484 amount as prescribed annually by the Legislature for the Dale
 485 Hickam Excellent Teaching Program. For purposes of this section,
 486 the Florida School for the Deaf and the Blind shall be
 487 considered a school district. Unless otherwise provided in the
 488 General Appropriations Act, each distribution shall be the sum
 489 of the amounts earned for the following incentives and bonuses:

490 (e) The employer's share of social security and Medicare
 491 taxes and Florida Retirement System contributions for those
 492 teachers who qualify for NBPTS certification and receive bonus
 493 amounts.

494
495 A teacher for whom the state pays the certification fee and who
496 does not complete the certification program or does not teach in
497 a public school of this state for at least 1 year after
498 completing the certification program must repay the amount of
499 the certification fee to the state. However, a teacher who
500 completes the certification program but fails to be awarded
501 NBPTS certification is not required to repay the amount of the
502 certification fee if the teacher meets the 1-year teaching
503 requirement. Repayment is not required of a teacher who does not
504 complete the certification program or fails to fulfill the
505 teaching requirement because of the teacher's death or
506 disability or because of other extenuating circumstances as
507 determined by the State Board of Education.

508 Section 16. Notwithstanding the provisions of s.
509 216.292(5)(d), Florida Statutes, and in order to implement
510 Specific Appropriation 156 and section 9 of the 2004-2005
511 General Appropriations Act, Florida State University is
512 authorized to construct a classroom building from the funding
513 received pursuant to the 2004-2005 General Appropriations Act.

514 Section 17. This act shall take effect July 1, 2004.

515