

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) **Bucher** offered the following:

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3 **Amendment (with title amendment)**

4 On page 3, between line(s) 5 and 6, insert:

5 Section 2. Federal programs; duties of school officials.--

6 (1) School officials may:

7 (a) Apply for, receive, and administer funds made

8 available through programs of the federal government;

9 (b) Only expend federal funds for the purposes for which

10 they are received and are accounted for by the state, school

11 district, or charter school; and

12 (c) Reduce or eliminate a program created with or expanded

13 by federal funds to the extent allowed by law when federal funds

14 for that program are subsequently reduced or eliminated.

15 (2) School officials shall:

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16 (a) Prioritize resources, especially to resolve conflicts
17 between federal provisions or between federal and state
18 programs, including:

19 1. Providing first priority to meeting state goals,
20 objectives, program needs, and accountability systems as they
21 relate to federal programs; and

22 2. Providing second priority to implementing federal
23 goals, objectives, program needs, and accountability systems
24 that do not directly and simultaneously advance state goals,
25 objectives, program needs, and accountability systems;

26 (b) Interpret the provisions of federal programs in the
27 best interest of students in this state;

28 (c) Maximize local control and flexibility;

29 (d) Minimize additional state resources that are diverted
30 to implement federal programs beyond the federal monies that are
31 provided to fund the programs;

32 (e) Request changes to federal educational programs,
33 especially programs that are underfunded or provide conflicts
34 with other state or federal programs, including:

35 1. Federal statutes;

36 2. Federal regulations; and

37 3. Other federal policies and interpretations of program
38 provisions; and

39 (f) Seek waivers from all possible federal statutes,
40 requirements, regulations, and program provisions from federal
41 education officials to:

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42 1. Maximize state flexibility in implementing program
43 provisions; and

44 2. Receive reasonable time to comply with federal program
45 provisions.

46 (3) The requirements of school officials under this
47 section, including the responsibility to lobby federal
48 officials, are not intended to mandate school officials to incur
49 costs or require the hiring of lobbyists, but are intended to be
50 performed in the course of school officials' normal duties.

51 Section 3. No Child Left Behind; state implementation.--

52 (1)(a) In accordance with the No Child Left Behind Act,
53 including section 9527, school officials shall determine, as
54 applied to their responsibilities, if the No Child Left Behind
55 Act:

56 1. Requires the state to spend state or local resources in
57 order to comply with the No Child Left Behind Act; or

58 2. Causes the state, local education agencies, or schools
59 to change curriculum in order to comply.

60 (b) School officials shall request a waiver under section
61 9401 of the No Child Left Behind Act of any provision of the No
62 Child Left Behind Act that violates section 9527 of the act.

63 (2) In addition to the duties described under subsection
64 (1), school officials shall:

65 (a) Request reasonable time to comply with the provisions
66 of the No Child Left Behind Act;

67 (b) Lobby Congress for needed changes to the No Child Left
68 Behind Act; and

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69 (c) Lobby federal education officials for relief from the
70 provisions of the No Child Left Behind Act, including waivers
71 from federal requirements, regulations, and administrative
72 burdens.

73 (3) School officials shall lobby Congress and federal
74 education officials for needed resolution and clarification for
75 conflicts between the No Child Left Behind Act and the
76 Individuals with Disabilities Education Act.

77 (4) In the case of conflicts between the No Child Left
78 Behind Act and the Individuals with Disabilities Education Act,
79 the parents, in conjunction with school officials, shall
80 determine which program best meets the educational needs of the
81 student.

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83 ===== T I T L E A M E N D M E N T =====

84 On page 1, line(s) 2-8, remove all of said lines, and
85 insert:

86 An act relating to public schools; amending s. 1003.03, F.S.;
87 revising provisions relating to determination of class size
88 averages for purpose of compliance with class size maximums;
89 providing for reversal of class size reduction operating
90 categorical transfers under certain circumstances; providing
91 powers and duties of school officials relating to the
92 expenditure of funds made available through federal programs and
93 implementation of federal programs; providing for state
94 implementation of the No Child Left Behind Act; providing duties
95 of school officials; providing an

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