

1                                   A bill to be entitled  
2           An act relating to public school class size;  
3           amending s. 1003.03, F.S.; revising provisions  
4           relating to determination of class size  
5           averages for purpose of compliance with class  
6           size maximums; providing for reversal of class  
7           size reduction operating categorical transfers  
8           under certain circumstances; providing an  
9           effective date.

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

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13           Section 1. Paragraph (c) of subsection (2) and  
14           paragraph (a) of subsection (4) and of section 1003.03,  
15           Florida Statutes, are amended to read:

16           1003.03 Maximum class size.--

17           (2) IMPLEMENTATION.--

18           (c) The Department of Education shall annually  
19           calculate each of the three average class size measures  
20           defined in paragraphs (a) and (b) based upon the October  
21           student membership survey. For purposes of determining the  
22           baseline from which each district's average class size must be  
23           reduced for the 2003-2004 school year, the department shall  
24           use data from the February 2003 student membership survey  
25           updated to include classroom identification numbers as  
26           required by the department. Beginning in the 2005-2006 school  
27           year, if the actual student membership in the October survey  
28           exceeds the student membership estimate included in the  
29           Florida Education Finance Program first calculation, the  
30           maximum student membership enrollment used in determining the  
31           October class size averages shall be the student membership

1 estimate included in the Florida Education Finance Program  
2 first calculation.

3 (4) ACCOUNTABILITY.--

4 (a) Beginning in the 2003-2004 fiscal year, if the  
5 department determines for any year that a school district has  
6 not reduced average class size as required in subsection (2)  
7 at the time of the third FEFP calculation, the department  
8 shall calculate an amount from the class size reduction  
9 operating categorical which is proportionate to the amount of  
10 class size reduction not accomplished. Upon verification of  
11 the department's calculation by the Florida Education Finance  
12 Program Appropriation Allocation Conference, the Executive  
13 Office of the Governor shall transfer undistributed funds  
14 equivalent to the calculated amount from the district's class  
15 size reduction operating categorical to an approved fixed  
16 capital outlay appropriation for class size reduction in the  
17 affected district pursuant to s. 216.292(13). The amount of  
18 funds transferred shall be the lesser of the amount verified  
19 by the Florida Education Finance Program Appropriation  
20 Allocation Conference or the undistributed balance of the  
21 district's class size reduction operating categorical.  
22 However, based upon a recommendation by the Commissioner of  
23 Education that the State Board of Education has reviewed  
24 evidence indicating that a district has been unable to meet  
25 class size reduction requirements despite appropriate effort  
26 to do so, the Legislative Budget Commission may approve an  
27 alternative amount of funds to be transferred from the  
28 district's class size reduction operating categorical to its  
29 approved fixed capital outlay account for class size  
30 reduction. Beginning in the 2005-2006 school year, a district  
31 that fully achieves the required class size averages when

1 compared to the February 2003 baseline student membership  
2 survey shall be eligible for a reversal of the prior year  
3 class size reduction operating categorical transfer that  
4 resulted from its inability to achieve the required class size  
5 averages as required in subsection (2).

6           Section 2. This act shall take effect July 1, 2005.  
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