

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

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Paragraph (c) of subsection (2) and paragraph
 13 (a) of subsection (4) and of section 1003.03, Florida Statutes,
 14 are amended to read:

15 1003.03 Maximum class size.--

16 (2) IMPLEMENTATION.--

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

29 determining the October class size averages shall be the student
30 membership estimate included in the Florida Education Finance
31 Program first calculation.

32 (4) ACCOUNTABILITY.--

33 (a) Beginning in the 2003-2004 fiscal year, if the
34 department determines for any year that a school district has
35 not reduced average class size as required in subsection (2) at
36 the time of the third FEFP calculation, the department shall
37 calculate an amount from the class size reduction operating
38 categorical which is proportionate to the amount of class size
39 reduction not accomplished. Upon verification of the
40 department's calculation by the Florida Education Finance
41 Program Appropriation Allocation Conference, the Executive
42 Office of the Governor shall transfer undistributed funds
43 equivalent to the calculated amount from the district's class
44 size reduction operating categorical to an approved fixed
45 capital outlay appropriation for class size reduction in the
46 affected district pursuant to s. 216.292(13). The amount of
47 funds transferred shall be the lesser of the amount verified by
48 the Florida Education Finance Program Appropriation Allocation
49 Conference or the undistributed balance of the district's class
50 size reduction operating categorical. However, based upon a
51 recommendation by the Commissioner of Education that the State
52 Board of Education has reviewed evidence indicating that a
53 district has been unable to meet class size reduction
54 requirements despite appropriate effort to do so, the
55 Legislative Budget Commission may approve an alternative amount
56 of funds to be transferred from the district's class size

HB 903

2005

57 | reduction operating categorical to its approved fixed capital
58 | outlay account for class size reduction. Beginning in the 2005-
59 | 2006 school year, a district that fully achieves the required
60 | class size averages when compared to the February 2005 baseline
61 | student membership survey shall be eligible for a reversal of
62 | the prior year class size reduction operating categorical
63 | transfer that resulted from its inability to achieve the
64 | required class size averages as required in subsection (2).

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