

CHAMBER ACTION

1 The Education Appropriations Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to public school class size; amending s.  
7 1003.03, F.S.; revising provisions relating to  
8 determination of class size averages for purpose of  
9 compliance with class size maximums; providing for  
10 reversal of class size reduction operating categorical  
11 transfers under certain circumstances; providing an  
12 effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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

19 1003.03 Maximum class size.--

20 (2) IMPLEMENTATION.--

21 (c) The Department of Education shall annually calculate  
22 each of the three average class size measures defined in  
23 paragraphs (a) and (b) based upon the October student membership

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24 survey. For purposes of determining the baseline from which each  
 25 district's average class size must be reduced for the 2003-2004  
 26 school year, the department shall use data from the February  
 27 2003 student membership survey updated to include classroom  
 28 identification numbers as required by the department. Beginning  
 29 in the 2005-2006 school year, if the actual student membership  
 30 in the October survey exceeds the student membership estimate  
 31 included in the Florida Education Finance Program first  
 32 calculation, the maximum student membership enrollment used in  
 33 determining the October class size averages shall be the student  
 34 membership estimate included in the Florida Education Finance  
 35 Program first calculation.

36 (4) ACCOUNTABILITY.--

37 (a) Beginning in the 2003-2004 fiscal year, if the  
 38 department determines for any year that a school district has  
 39 not reduced average class size as required in subsection (2) at  
 40 the time of the third FEFP calculation, the department shall  
 41 calculate an amount from the class size reduction operating  
 42 categorical which is proportionate to the amount of class size  
 43 reduction not accomplished. Upon verification of the  
 44 department's calculation by the Florida Education Finance  
 45 Program Appropriation Allocation Conference, the Executive  
 46 Office of the Governor shall transfer undistributed funds  
 47 equivalent to the calculated amount from the district's class  
 48 size reduction operating categorical to an approved fixed  
 49 capital outlay appropriation for class size reduction in the  
 50 affected district pursuant to s. 216.292(13). The amount of  
 51 funds transferred shall be the lesser of the amount verified by

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52 | the Florida Education Finance Program Appropriation Allocation  
53 | Conference or the undistributed balance of the district's class  
54 | size reduction operating categorical. However, based upon a  
55 | recommendation by the Commissioner of Education that the State  
56 | Board of Education has reviewed evidence indicating that a  
57 | district has been unable to meet class size reduction  
58 | requirements despite appropriate effort to do so, the  
59 | Legislative Budget Commission may approve an alternative amount  
60 | of funds to be transferred from the district's class size  
61 | reduction operating categorical to its approved fixed capital  
62 | outlay account for class size reduction. Beginning in the 2005-  
63 | 2006 school year, a district that fully achieves the required  
64 | class size averages when compared to the February 2003 baseline  
65 | student membership survey shall be eligible for a reversal of  
66 | the prior year class size reduction operating categorical  
67 | transfer that resulted from its inability to achieve the  
68 | required class size averages as required in subsection (2).

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