

1 A bill to be entitled
2 An act relating to education; amending s.
3 551.106, F.S.; providing that certain funds
4 transferred to the Educational Enhancement
5 Trust Fund may be used for recurring
6 appropriations; amending s. 1003.03, F.S.;
7 defining the terms "team teaching,"
8 "co-teaching," and "inclusion teaching" for
9 purposes of provisions authorizing the use of
10 various teaching strategies in order to
11 implement requirements for class-size
12 reduction; amending s. 1011.62, F.S.; revising
13 the funding model for exceptional student
14 education programs to provide additional funds
15 for students who are gifted in graded K through
16 8; providing a formula for calculating a
17 supplemental allocation for juvenile justice
18 education programs; deleting certain
19 categorical appropriations that a district
20 school board may, pursuant to resolution,
21 transfer and use for academic classroom
22 instruction; repealing s. 1011.71(5)(b), F.S.,
23 relating to obsolete provisions limiting
24 certain uses of proceeds from the district
25 school tax; providing an effective date.

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

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29 Section 1. Paragraph (c) of subsection (2) of section
30 551.106, Florida Statutes, is amended to read:
31 551.106 License fee; tax rate; penalties.--

1 (2) TAX ON SLOT MACHINE REVENUES.--

2 (c)1. Funds transferred to the Educational Enhancement
3 Trust Fund under paragraph (b) shall be used to supplement
4 public education funding statewide ~~and shall not be used for~~
5 ~~recurring appropriations.~~

6 2. If necessary to comply with any covenant
7 established pursuant to s. 1013.68(4), s. 1013.70(1), or s.
8 1013.737(3), funds transferred to the Educational Enhancement
9 Trust Fund under paragraph (b) shall first be available to pay
10 debt service on lottery bonds issued to fund school
11 construction in the event lottery revenues are insufficient
12 for such purpose or to satisfy debt service reserve
13 requirements established in connection with lottery bonds.
14 Moneys available pursuant to this subparagraph are subject to
15 annual appropriation by the Legislature.

16 Section 2. Subsection (5) of section 1003.03, Florida
17 Statutes, is amended to read:

18 1003.03 Maximum class size.--

19 (5) TEAM-TEACHING STRATEGIES.--

20 (a) School districts may use teaching strategies that
21 include the assignment of more than one teacher to a classroom
22 of students and that were implemented before July 1, 2005.
23 Effective July 1, 2005, school districts may implement
24 additional teaching strategies that include the assignment of
25 more than one teacher to a classroom of students for the
26 following purposes only:

27 1. Pairing teachers for the purpose of staff
28 development.

29 2. Pairing new teachers with veteran teachers.

30 3. Reducing turnover among new teachers.

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1 4. Pairing teachers who are teaching out-of-field with
2 teachers who are in-field.

3 5. Providing for more flexibility and innovation in
4 the classroom.

5 6. Improving learning opportunities for students,
6 including students who have disabilities.

7 (b) Teaching strategies, including team teaching,
8 co-teaching, or inclusion teaching, implemented on or after
9 July 1, 2005, pursuant to paragraph (a) may be implemented
10 subject to the following restrictions:

11 1. Reasonable limits shall be placed on the number of
12 students in a classroom so that classrooms are not
13 overcrowded. Teacher-to-student ratios within a curriculum
14 area or grade level must not exceed constitutional limits.

15 2. At least one member of the team must have at least
16 3 years of teaching experience.

17 3. At least one member of the team must be teaching
18 in-field.

19 4. The teachers must be trained in team-teaching
20 methods within 1 year after assignment.

21 (c) As used in this subsection, the term:

22 1. "Team teaching" or "co-teaching" means two or more
23 teachers are assigned to a group of students and each teacher
24 is responsible for all of the students during the entire class
25 period. In order to be considered team teaching or
26 co-teaching, each teacher is responsible for planning,
27 delivering, and evaluating instruction for all students in the
28 class or subject for the entire class period.

29 2. "Inclusion teaching" means two or more teachers are
30 assigned to a group of students, but one of the teachers is
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1 responsible for only one student or a small group of students
 2 in the classroom.

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 4 The use of strategies implemented as outlined in this
 5 subsection meets the letter and intent of the Florida
 6 Constitution and the Florida Statutes which relate to
 7 implementing class-size reduction, and this subsection applies
 8 retroactively. A school district may not be penalized
 9 financially or otherwise as a result of the use of any legal
 10 strategy, including, but not limited to, those set forth in
 11 subsection (3) and this subsection.

12 Section 3. Paragraph (e) of subsection (1) of section
 13 1011.62, Florida Statutes, is amended, present paragraphs (p),
 14 (q), (r), (s), and (t) of that subsection are redesignated as
 15 paragraphs (q), (r), (s), (t), and (u), respectively, a new
 16 paragraph (p) is added to that subsection, and paragraph (b)
 17 of subsection (6) of that section is amended, to read:

18 1011.62 Funds for operation of schools.--If the annual
 19 allocation from the Florida Education Finance Program to each
 20 district for operation of schools is not determined in the
 21 annual appropriations act or the substantive bill implementing
 22 the annual appropriations act, it shall be determined as
 23 follows:

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

28 (e) Funding model for exceptional student education
 29 programs.--

30 1.a. The funding model uses basic, at-risk, support
 31 levels IV and V for exceptional students and career Florida

1 Education Finance Program cost factors, and a guaranteed
2 allocation for exceptional student education programs.
3 Exceptional education cost factors are determined by using a
4 matrix of services to document the services that each
5 exceptional student will receive. The nature and intensity of
6 the services indicated on the matrix shall be consistent with
7 the services described in each exceptional student's
8 individual educational plan.

9 b. In order to generate funds using one of the two
10 weighted cost factors, a matrix of services must be completed
11 at the time of the student's initial placement into an
12 exceptional student education program and at least once every
13 3 years by personnel who have received approved training.
14 Nothing listed in the matrix shall be construed as limiting
15 the services a school district must provide in order to ensure
16 that exceptional students are provided a free, appropriate
17 public education.

18 c. Students identified as exceptional, in accordance
19 with chapter 6A-6, Florida Administrative Code, who do not
20 have a matrix of services as specified in sub-subparagraph b.
21 shall generate funds on the basis of full-time-equivalent
22 student membership in the Florida Education Finance Program at
23 the same funding level per student as provided for basic
24 students. Additional funds for these exceptional students and
25 students who are gifted in grades K through 8 will be provided
26 through the guaranteed allocation designated in subparagraph
27 2.

28 2. For students identified as exceptional who do not
29 have a matrix of services and students who are gifted in
30 grades K through 8, there is created a guaranteed allocation
31 to provide these students with a free appropriate public

1 education, in accordance with s. 1001.42(4)(m) and rules of
2 the State Board of Education, which shall be allocated
3 annually to each school district in the amount provided in the
4 General Appropriations Act. These funds shall be in addition
5 to the funds appropriated on the basis of FTE student
6 membership in the Florida Education Finance Program, and the
7 amount allocated for each school district shall not be
8 recalculated during the year. These funds shall be used to
9 provide special education and related services for exceptional
10 students and students who are gifted in grades K through 8.
11 Beginning with the 2007-2008 fiscal year, a district's
12 expenditure of funds from the guaranteed allocation for
13 students in grades 9 through 12 who are gifted may not be
14 greater than the amount expended during the 2006-2007 fiscal
15 year for gifted students in grades 9 through 12.

16 (p) Calculation of supplemental allocation for
17 juvenile justice education programs.--Beginning with the
18 2007-2008 General Appropriations Act, the total K-12 weighted
19 full-time equivalent student membership in juvenile justice
20 education programs in each school district shall be multiplied
21 by the amount of the state average class-size-reduction factor
22 multiplied by the district's cost differential. An amount
23 equal to the sum of this calculation shall be allocated in the
24 FEFP to each school district to supplement other sources of
25 funding for students in juvenile justice education programs.

26 (6) CATEGORICAL FUNDS.--

27 (b) If a district school board finds and declares in a
28 resolution adopted at a regular meeting of the school board
29 that the funds received for any of the following categorical
30 appropriations are urgently needed to maintain school board
31 specified academic classroom instruction, the school board may

1 consider and approve an amendment to the school district
2 operating budget transferring the identified amount of the
3 categorical funds to the appropriate account for expenditure:
4 1. Funds for student transportation.
5 ~~2. Funds for in service educational personnel~~
6 ~~training.~~
7 2.3. Funds for safe schools.
8 ~~4. Funds for public school technology.~~
9 3.5. Funds for supplemental academic instruction.
10 Section 4. Paragraph (b) of subsection (5) of section
11 1011.71, Florida Statutes, is repealed.
12 Section 5. This act shall take effect July 1, 2007.
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