

By Senator Wise

5-1673-07

1 A bill to be entitled
2 An act relating to education finance; amending
3 s. 1013.64, F.S.; providing for a series of
4 allocations to schools that increase their FTE
5 capacity by using an alternative or
6 nontraditional calendar; prescribing
7 responsibilities of district school boards and
8 the Commissioner of Education with respect to
9 the program; providing guidelines for
10 allocating funds; providing limitations and
11 prohibiting the increase of FTE capacity by
12 certain means; amending s. 1003.03, F.S.,
13 relating to maximum class size, to conform
14 terminology; providing a conditional effective
15 date.
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17 Be It Enacted by the Legislature of the State of Florida:
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19 Section 1. Subsection (8) is added to section 1013.64,
20 Florida Statutes, to read:

21 1013.64 Funds for comprehensive educational plant
22 needs; construction cost maximums for school district capital
23 projects.--Allocations from the Public Education Capital
24 Outlay and Debt Service Trust Fund to the various boards for
25 capital outlay projects shall be determined as follows:

26 (8)(a) The Department of Education shall deposit into
27 the Increased Utilization Account of the Public Education
28 Capital Outlay and Debt Service Trust Fund annually up to 15
29 percent of the total funds appropriated under paragraph
30 (3)(a). These funds shall be allocated by the commissioner to
31 any public school district according to the following formula:

1 Any eligible school that increases its FTE facility capacity
2 by at least 20 percent as a result of using an alternative,
3 nontraditional calendar shall receive up to a maximum of \$250
4 per total FTE generated within the school.

5 (b) To be eligible, the district school board must
6 submit a resolution prior to August 1 of each fiscal year,
7 beginning August 1, 2008, of its intent to participate in the
8 Increased Utilization Account and listing each of the schools
9 eligible during the prior fiscal year, with the first year
10 being the 2007-2008 fiscal year. The information listed for
11 each school must include the maximum FTE capacity for the year
12 as contained in the Florida Inventory of School Houses in the
13 Office of Educational Facilities and the increase attributable
14 to the alternative, nontraditional calendar. To be eligible,
15 each individual school FTE must exceed the maximum facility
16 capacity during the fiscal year by at least 20 percent.

17 (c) Each school district qualifying for funding under
18 this subsection may be paid up to \$200 per total FTE per
19 eligible school site for a maximum of 5 years for each
20 eligible school if funds are available. If funds are
21 insufficient during any fiscal year, the commissioner shall
22 determine the prorated amount.

23 (d) Funds received by a school district from the
24 Increased Utilization Account are exempt from repayment of any
25 project outstanding pursuant to subsection (2).

26 (e) All funds accruing to a district school board
27 under this subsection shall be allocated to the schools
28 generating the increased capacity and shall be expended on
29 needed projects as shown by one or more surveys under the
30 rules of the state board.

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1 (f) A school may not attain increased capacity for the
2 purposes of this subsection by overcrowding of the school or
3 double sessions. In addition, students may not be assigned to
4 instructional spaces contrary to the state requirements for
5 educational facilities rules.

6 Section 2. Paragraph (j) of subsection (3) of section
7 1003.03, Florida Statutes, is amended to read:

8 1003.03 Maximum class size.--

9 (3) IMPLEMENTATION OPTIONS.--District school boards
10 must consider, but are not limited to, implementing the
11 following items in order to meet the constitutional class size
12 maximums described in subsection (1) and the
13 two-student-per-year reduction required in subsection (2):

14 (j) Use alternative or ~~year round schools and other~~
15 nontraditional calendars that do not adversely impact annual
16 assessment of student achievement.

17 Section 3. This act shall take effect July 1, 2007, if
18 Senate Bill _____ or similar legislation creating the
19 Increased Utilization Account in the Public Education Capital
20 Outlay and Debt Service Trust Fund is adopted in the same
21 session, or an extension thereof, and becomes law.

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24 SENATE SUMMARY

25 Provides for the Commissioner of Education to distribute
26 moneys to school districts for projects at schools that
27 have increased their FTE capacity by using alternative or
28 nontraditional calendars. Prohibits increasing FTE
29 capacity by overcrowding schools or using double
30 sessions.
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