

By the Committee on Education Pre-K - 12; and Senator Wise

581-2236-07

1 A bill to be entitled
2 An act relating to public school utilization;
3 amending s. 1013.64, F.S.; establishing the
4 Increased Utilization Program as a part of the
5 Public Education Capital Outlay and Debt
6 Service Trust Fund; providing a formula for
7 allocation of funds to a school district that
8 increases its FTE facility capacity; providing
9 eligibility requirements and restrictions;
10 amending s. 1003.03, F.S.; authorizing use of
11 alternative, nontraditional school calendars
12 for purposes of meeting constitutional class
13 size maximums; providing an effective date.
14
15 Be It Enacted by the Legislature of the State of Florida:
16
17 Section 1. Subsection (8) is added to section 1013.64,
18 Florida Statutes, to read:
19 1013.64 Funds for comprehensive educational plant
20 needs; construction cost maximums for school district capital
21 projects.--Allocations from the Public Education Capital
22 Outlay and Debt Service Trust Fund to the various boards for
23 capital outlay projects shall be determined as follows:
24 (8)(a) Beginning with the 2007-2008 fiscal year, there
25 is established the Increased Utilization Program which shall
26 be funded as a part of the Public Education Capital Outlay and
27 Debt Service Trust Fund in an amount each year not to exceed
28 15 percent of the total funds appropriated under paragraph
29 (3)(a). These funds shall be allocated by the commissioner to
30 any school district according to the following formula: Any
31 eligible school that increases its FTE facility capacity by at

1 least 20 percent as a result of using an alternative,
2 nontraditional calendar shall receive up to a maximum of \$250
3 per each FTE generated within the school.

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

16 (c) Each school district qualifying for funding under
17 this subsection may be paid up to \$250 per each FTE generated
18 per eligible school for a maximum of 5 years if funds are
19 available. If funds are insufficient during any fiscal year,
20 the commissioner shall determine the pro rata amount.

21 (d) Funds received by a school district through the
22 Increased Utilization Program shall be exempt from repayment
23 of any project outstanding pursuant to subsection (2).

24 (e) All funds accruing to a school district under this
25 subsection shall be allocated to the schools generating the
26 increased capacity and shall be expended on needed projects as
27 recommended in a survey under the rules of the state board.

28 (f) Overcrowding of a school or double session does
29 not apply. In addition, students may not be assigned to
30 instructional spaces contrary to the State Requirements for
31 Educational Facilities.

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

3 1003.03 Maximum class size.--

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

9 (j) Use alternative or year round schools and other
10 nontraditional calendars that do not adversely impact annual
11 assessment of student achievement.

12 Section 3. This act shall take effect July 1, 2007.

13
14 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
15 COMMITTEE SUBSTITUTE FOR
16 Senate Bill 2070

17 The committee substitute:

18 Creates the Increased Utilization Program as part of the
19 Public Education Capital Outlay and Debt Service Trust Fund;

20 Increase school district funding from \$200 to \$250 per FTE;

21 Moves initial implementation date up one year to August 1,
2007;

22 Removes linkage to other legislation such that the effective
23 date is no longer conditional.

24
25
26
27
28
29
30
31